

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-SECOND DAY — WEDNESDAY, APRIL 20, 2005

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 331).

Present — Mr. Speaker; Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Isett.

The invocation was offered by Kile Bateman, pastor, Evangel Temple, Wichita Falls, as follows:

Dear Heavenly Father, we begin this day by acknowledging you and your goodness and grace upon our lives. We thank you for the freedom and the prosperity that you have given us so richly to enjoy. Thank you for these blessings upon our nation and for the purpose you have called us to in the world.

We pray for our president, George W. Bush, and the leaders within all branches of government—executive, legislative, and judicial. Thank you for your faithfulness to the State of Texas, for our great history and our even greater future. We ask that you continue to bless and protect our land.

Thank you for these leaders before me today whom you have set apart and exalted for such a time as this to guard the trust of your government. Bless them for their service to this great state in upholding the values that have sustained and strengthened our government. I pray that you renew their strength and continue to inspire them to make a difference in the lives of the constituents they represent. Grant them great vision so that they may see not only what is, but what can be and what should be. Grant them the insight and creativity to create strategies and solutions for the challenges this generation faces. Grant them wisdom and understanding in all of their decisions this day. May they be led by compassion as well as conviction. Give them the faith and determination they will need to complete the tasks that are before them.

And, Lord, we ask for unity and a spirit of cooperation so that your name will be honored and your blessings may abound. In your precious name we ask these things. Amen.

The speaker recognized Representative Farabee who led the house in the pledges of allegiance to the United States and Texas flags.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of important business:

Hilderbran on motion of Corte.

The following member was granted leave of absence for today because of important business:

Dawson on motion of Harper-Brown.

CAPITOL PHYSICIAN

The speaker recognized Representative F. Brown who presented Dr. Daniel Saylak of Bryan as the "Doctor for the Day."

The house welcomed Dr. Saylak and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Denny and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

HR 1221 - ADOPTED (by Geren)

Representative Geren moved to suspend all necessary rules to take up and consider at this time **HR 1221**.

The motion prevailed.

The following resolution was laid before the house:

HR 1221, Recognizing April 20, 2005, as Barnett Shale Day at the State Capitol.

(R. Allen in the chair)

HR 1221 was read and was adopted.

HCR 146 - ADOPTED
(by Craddick)

Representative West moved to suspend all necessary rules to take up and consider at this time **HCR 146**.

The motion prevailed.

The following resolution was laid before the house:

HCR 146, Honoring Pope Benedict XVI on his election to the papacy.

(Speaker in the chair)

HCR 146 was read and was adopted.

(Isett now present)

(R. Allen in the chair)

HR 1253 - ADOPTED
(by T. King)

Representative T. King moved to suspend all necessary rules to take up and consider at this time **HR 1253**.

The motion prevailed.

The following resolution was laid before the house:

HR 1253, Recognizing April 20, 2005, as Eagle Pass and Maverick County Day at the State Capitol.

HR 1253 was read and was adopted.

On motion of Representative Gallego, the names of all the members of the house were added to **HR 1253** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative T. King who introduced a delegation from Eagle Pass and Maverick County.

HR 1190 - ADOPTED
(by Alonzo and Pitts)

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time **HR 1190**.

The motion prevailed.

The following resolution was laid before the house:

HR 1190, Welcoming students from the University of North Texas Roberto R. Alonzo Bilingual/ESL Education Scholars Program to the State Capitol.

HR 1190 was read and was adopted.

**HR 1213 - ADOPTED
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1213**.

The motion prevailed.

The following resolution was laid before the house:

HR 1213, Congratulating the 2005 inaugural debutantes of the First Annual Buds of Royalty Blue Revue of the Omicron Gamma Zeta Chapter of Zeta Phi Beta Sorority, Incorporated.

HR 1213 was adopted.

**HR 1214 - ADOPTED
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1214**.

The motion prevailed.

The following resolution was laid before the house:

HR 1214, Honoring the members of the Omicron Gamma Zeta Chapter of Zeta Phi Beta, Inc., for their contributions to their community.

HR 1214 was adopted.

**HR 1185 - ADOPTED
(by Solis)**

Representative Solis moved to suspend all necessary rules to take up and consider at this time **HR 1185**.

The motion prevailed.

The following resolution was laid before the house:

HR 1185, Honoring Jim and Mary King of Brownsville on their 50th anniversary.

HR 1185 was adopted.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

**HB 1704 ON SECOND READING
(by Kuempel)**

HB 1704, A bill to be entitled An Act relating to the approval of certain permit applications by local governments.

HB 1704 was read second time on April 13 and was postponed until 10 a.m. today.

Representative Kuempel moved to postpone consideration of **HB 1704** until 2 p.m. today.

The motion prevailed.

SB 239 ON SECOND READING
(Talton - House Sponsor)

SB 239, A bill to be entitled An Act relating to an exemption from the fee for a birth or death record requested by a child fatality review team or the child fatality review team committee.

SB 239 was considered in lieu of **CSHB 378**.

(Speaker in the chair)

SB 239 was read second time and was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 378 - LAID ON THE TABLE SUBJECT TO CALL

Representative Talton moved to lay **CSHB 378** on the table subject to call.

The motion prevailed.

CSSB 734 ON SECOND READING
(Mowery - House Sponsor)

CSSB 734, A bill to be entitled An Act relating to municipal regulation of the discharge of firearms and certain other weapons.

CSSB 734 was considered in lieu of **CSHB 1364**.

CSSB 734 was read second time.

Amendment No. 1

Representative Geren offered the following amendment to **CSSB 734**:

Amend **CSSB 734** as follows:

(1) On page 1 by inserting a new SECTION 1 between lines ___ and ___ to read as follows:

"SECTION 1. Section 251.002 (1), Agriculture Code, is amended to read as follows:

(1) "Agricultural operation" includes ~~[but it is not limited to]~~ the following activities:

(A) cultivating the soil;
(B) producing crops for human food, animal feed, planting seed, or fiber;

(C) floriculture;

(D) viticulture;

(E) horticulture;

(F) silviculture;
(G) ; wildlife management
(H) raising or keeping livestock or poultry; and
(I) planting cover crops or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure."; and

(2) Renumber subsequent SECTIONS accordingly.

Amendment No. 1 was adopted.

CSSB 734, as amended, was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1364 - LAID ON THE TABLE SUBJECT TO CALL

Representative Mowery moved to lay **CSHB 1364** on the table subject to call.

The motion prevailed.

SB 148 ON SECOND READING
(Swinford - House Sponsor)

SB 148, A bill to be entitled An Act relating to the exception from required public disclosure of a photograph of a peace officer.

SB 148 was considered in lieu of **HB 1284**.

SB 148 was read second time and was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1284 - LAID ON THE TABLE SUBJECT TO CALL

Representative Swinford moved to lay **HB 1284** on the table subject to call.

The motion prevailed.

EMERGENCY CALENDAR
SENATE BILLS
THIRD READING

The following bills were laid before the house and read third time:

SB 6 ON THIRD READING
(Hupp, Uresti, Reyna, Goodman, Naishtat, et al. - House Sponsors)

SB 6, A bill to be entitled An Act relating to protective services; providing penalties.

A record vote was requested.

SB 6 was passed by (Record 332): 135 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Flores; Flynn; Frost; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Luna; Madden; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Anchia; Coleman; Dunnam; Leibowitz; Martinez; Thompson.

Present, not voting — Mr. Speaker(C); Burnam.

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Farrar; Gallego; Martinez Fischer.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 332. I intended to vote no.

Alonzo

I was shown voting yes on Record No. 332. I intended to vote no.

Castro

I was shown voting yes on Record No. 332. I intended to vote no.

Y. Davis

When Record No. 332 was taken, my vote failed to register. I would have voted no.

Farrar

When Record No. 332 was taken, I was in the house but away from my desk. I would have voted no.

Gallego

I was shown voting yes on Record No. 332. I intended to vote no.

Herrero

I was shown voting yes on Record No. 332. I intended to vote no.

Hochberg

When Record No. 332 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

I was shown voting yes on Record No. 332. I intended to vote no.

Menendez

I was shown voting yes on Record No. 332. I intended to vote no.

J. Moreno

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**HB 1324 ON THIRD READING
(by Peña, Raymond, Hodge, Escobar, and Farrar)**

HB 1324, A bill to be entitled An Act relating to the punishment for the offense of burglary of vehicles.

(Woolley in the chair)

A record vote was requested.

HB 1324 was passed by (Record 333): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Zedler.

Present, not voting — Mr. Speaker; Woolley(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Chisum; Dunnam; Martinez Fischer.

STATEMENTS OF VOTE

When Record No. 333 was taken, my vote failed to register. I would have voted yes.

Dunnam

When Record No. 333 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSHB 1287 ON SECOND READING

(by Leibowitz)

CSHB 1287, A bill to be entitled An Act relating to county abatement of a public nuisance.

CSHB 1287 was read second time on April 19 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Leibowitz offered the following amendment to **CSHB 1287**:

Amend **CSHB 1287** as follows:

(1) On page 1, line 5, strike "Subsection (c)" and substitute "Subsections (c) and (d)".

(2) On page 1, strike lines 10-16, and substitute:

that:

(1) the person responsible for causing the public nuisance has not responded sufficiently to previous attempts to abate a nuisance on the premises, if the relief sought prohibits or controls access of a person other than the owner; or

(2) the owner of the premises knew about the nuisance and has not responded sufficiently to previous attempts to abate a nuisance on the premises, if the relief sought controls access of the owner.

(d) In granting relief under Subsection (c), the court:

(1) may not, in a suit brought under Section 343.011(c)(9), prohibit or control access by the owner or operator of a utility line or utility easement to that utility line or utility easement; and

(2) may not prohibit the owner of the premises from accessing the property but may prohibit a continued or future violation.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Leibowitz offered the following amendment to **CSHB 1287**:

Amend **CSHB 1287** as follows:

(1) On page 2, line 16, insert "business" between "10th" and "day".

(2) On page 3, line 7, insert "business" between "10th" and "day".

Amendment No. 2 was adopted.

CSHB 1287, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: D. Jones recorded voting no.)

GENERAL STATE CALENDAR
(consideration continued)

HB 878 ON THIRD READING
(by Talton)

HB 878, A bill to be entitled An Act relating to the placement of public school students who engage in conduct that contains the elements of certain sexual offenses.

HB 878 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 137 ON THIRD READING
(by Paxton, Woolley, Van Arsdale, Hughes, B. Keffer, et al.)

HB 137, A bill to be entitled An Act relating to "Welcome to Texas" signs.

Representative Paxton moved to postpone consideration of **HB 137** until 1 p.m. today.

The motion prevailed.

HB 167 ON THIRD READING
(by W. Smith)

HB 167, A bill to be entitled An Act relating to the use of the development project fund by a municipal development district.

A record vote was requested.

HB 167 was passed by (Record 334): 142 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez;

Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Zedler.

Nays — Hope.

Present, not voting — Mr. Speaker; Woolley(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Dunnam.

STATEMENTS OF VOTE

When Record No. 334 was taken, my vote failed to register. I would have voted yes.

Dunnam

I was shown voting no on Record No. 334. I intended to vote yes.

Hope

HB 182 ON THIRD READING (by Mowery, Wong, Truitt, et al.)

HB 182, A bill to be entitled An Act relating to the determination through binding arbitration of certain ad valorem tax protests brought by property owners.

HB 182 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Leibowitz recorded voting no.)

HB 197 ON THIRD READING (by Guillen)

HB 197, A bill to be entitled An Act relating to the punishment for the offense of criminal mischief.

A record vote was requested.

HB 197 was passed by (Record 335): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett;

Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Zedler.

Present, not voting — Mr. Speaker; Woolley(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Escobar; Moreno, P.; Oliveira.

STATEMENT OF VOTE

When Record No. 335 was taken, I was in the house but away from my desk. I would have voted yes.

Oliveira

HB 409 ON THIRD READING

(by Goodman)

HB 409, A bill to be entitled An Act relating to the appeal of certain orders regarding children in the conservatorship of the Department of Family and Protective Services.

HB 409 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Speaker in the chair)

HB 467 ON THIRD READING

(by Bailey, Howard, and Olivo)

HB 467, A bill to be entitled An Act relating to the financing of water and sewer programs in disadvantaged areas in certain counties.

A record vote was requested.

HB 467 was passed by (Record 336): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes;

Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Morrison; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Moreno, P.; Mowery.

HB 549 ON THIRD READING
(by Phillips and Guillen)

HB 549, A bill to be entitled An Act relating to prohibiting the introduction of certain items in certain local jails.

A record vote was requested.

HB 549 was passed by (Record 337): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Morrison; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Burnam; Dunnam; Edwards; Escobar; Hopson; Moreno, P.; Mowery.

STATEMENTS OF VOTE

When Record No. 337 was taken, my vote failed to register. I would have voted yes.

Dunnam

When Record No. 337 was taken, I was in the house but away from my desk. I would have voted yes.

Edwards

HB 746 ON THIRD READING
(by **Bonnen**)

HB 746, A bill to be entitled An Act relating to notice of the presumption for theft by check.

A record vote was requested.

HB 746 was passed by (Record 338): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Morrison; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; Vo; West; Wong; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Bohac; Burnam; Martinez Fischer; Miller; Mowery; Solis; Turner; Veasey; Zedler.

STATEMENTS OF VOTE

When Record No. 338 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

When Record No. 338 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 338 was taken, my vote failed to register. I would have voted yes.

Miller

When Record No. 338 was taken, I was in the house but away from my desk. I would have voted yes.

Solis

When Record No. 338 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

When Record No. 338 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

HB 809 ON THIRD READING **(by Hilderbran, et al.)**

HB 809, A bill to be entitled An Act relating to excepting certain motor vehicles owned by an individual and used for the production of income from required rendition for ad valorem tax purposes.

A record vote was requested.

HB 809 was passed by (Record 339): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; Vo; West; Wong; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Bohac; Coleman; Crabb; Edwards; Hope; Martinez Fischer; Seaman; Veasey; Zedler.

STATEMENTS OF VOTE

When Record No. 339 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

When Record No. 339 was taken, I was in the house but away from my desk. I would have voted yes.

Edwards

When Record No. 339 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 339 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

When Record No. 339 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

HB 823 ON THIRD READING

(by Keel, Peña, Gonzalez Tourelles, Eissler, Hupp, et al.)

HB 823, A bill to be entitled An Act relating to the applicability of the offense of unlawful carrying of weapons to certain persons and to the consequence of certain presumptions in the prosecution of a criminal offense.

HB 823 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 854 ON THIRD READING

(by Madden)

HB 854, A bill to be entitled An Act relating to an action for damages alleging professional negligence by a registered professional land surveyor.

A record vote was requested.

HB 854 was passed by (Record 340): 140 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel;

Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Farrar; Leibowitz; Moreno, J.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Miller; Veasey.

STATEMENTS OF VOTE

When Record No. 340 was taken, my vote failed to register. I would have voted yes.

Miller

When Record No. 340 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

HB 941 ON THIRD READING (by Geren, Rose, Menendez, et al.)

HB 941, A bill to be entitled An Act relating to restrictions on the use of claims history for certain water damage.

HB 941 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1056 ON THIRD READING (by Goodman)

HB 1056, A bill to be entitled An Act relating to municipal notice provisions relating to substandard buildings.

A record vote was requested.

HB 1056 was passed by (Record 341): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Casteel; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Dukes; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Baxter; Campbell; Castro; Coleman; Driver; Dunnam; Hochberg; Krusee; Martinez Fischer; Noriega, M.; Veasey.

STATEMENTS OF VOTE

When Record No. 341 was taken, I was in the house but away from my desk. I would have voted yes.

Baxter

When Record No. 341 was taken, I was in the house but away from my desk. I would have voted yes.

Campbell

When Record No. 341 was taken, I was temporarily out of the house chamber. I would have voted yes.

Castro

When Record No. 341 was taken, my vote failed to register. I would have voted yes.

Dunnam

When Record No. 341 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 341 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

HB 1138 ON THIRD READING**(by Flores)**

HB 1138, A bill to be entitled An Act relating to the operation and regulation of charitable bingo.

HB 1138 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Howard, Leibowitz, Solomons, and Thompson recorded voting no.)

HB 1239 ON THIRD READING**(by Hodge, Keel, Escobar, and Chavez)**

HB 1239, A bill to be entitled An Act relating to the implementation of unified drug enforcement strategies.

A record vote was requested.

HB 1239 was passed by (Record 342): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Allen, A.; Cook, R.; Driver; Krusee; Noriega, M.; Oliveira; Van Arsdale.

STATEMENT OF VOTE

When Record No. 342 was taken, I was in the house but away from my desk. I would have voted yes.

R. Cook

HB 1371 ON THIRD READING
(by J. Jones, Y. Davis, Peña, et al.)

HB 1371, A bill to be entitled An Act relating to certain offenses that involve impersonating a peace officer or other public servant and misrepresenting the nature of certain property.

HB 1371 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1614 ON THIRD READING
(by Denny, et al.)

HB 1614, A bill to be entitled An Act relating to supervision of a primary election by the county executive committee.

HB 1614 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1642 ON THIRD READING
(by Hartnett and Alonzo)

HB 1642, A bill to be entitled An Act relating to the appointment of interpreters for judicial proceedings.

HB 1642 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Keel recorded voting no)

HB 1686 ON THIRD READING
(by Oliveira)

HB 1686, A bill to be entitled An Act relating to the compensation of presiding judges of administrative judicial regions.

HB 1686 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1913 ON THIRD READING
(by Olivo)

HB 1913, A bill to be entitled An Act relating to the application of the municipal civil service law for firefighters and police officers to certain municipalities.

A record vote was requested.

HB 1913 was passed by (Record 343): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Brown, F.; Edwards; Oliveira; Reyna.

STATEMENTS OF VOTE

When Record No. 343 was taken, I was temporarily out of the house chamber. I would have voted yes.

F. Brown

When Record No. 343 was taken, I was in the house but away from my desk. I would have voted yes.

Edwards

When Record No. 343 was taken, I was in the house but away from my desk. I would have voted yes.

Oliveira

HB 1982 ON THIRD READING (by Blake, McReynolds, B. Cook, and Escobar)

HB 1982, A bill to be entitled An Act relating to the creation and operation of a Texas Certified Retirement Community Program.

HB 1982 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Truitt recorded voting no)

HB 2134 ON THIRD READING
(by Phillips)

HB 2134, A bill to be entitled An Act relating to the administration of the state infrastructure bank.

Amendment No. 1

Representatives Y. Davis and Pickett offered the following amendment to **HB 2134**:

Amend **HB 2134** on third reading by adding following SECTION to the bill and renumber existing sections accordingly:

SECTION __. Section 222.074, Transportation Code, is amended by adding Subsection (c) to read as follows:

(c) Financial assistance to a public or private entity under Subsection (a) shall be limited, as applicable, to a qualified project that is consistent with the transportation plan developed by the metropolitan planning organization.

Amendment No. 1 was adopted.

A record vote was requested.

HB 2134, as amended, was passed by (Record 344): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Denny; Edwards; Reyna.

STATEMENTS OF VOTE

When Record No. 344 was taken, my vote failed to register. I would have voted yes.

Edwards

I was shown voting yes on Record No. 344. I intended to vote no.

Herrero

I was shown voting yes on Record No. 344. I intended to vote no.

Leibowitz

HB 2197 ON THIRD READING

(by Madden)

HB 2197, A bill to be entitled An Act relating to the availability to the public of photographs of an inmate confined by the Texas Department of Criminal Justice.

A record vote was requested.

HB 2197 was passed by (Record 345): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

Absent — Casteel; Edwards; Reyna; Thompson.

STATEMENT OF VOTE

When Record No. 345 was taken, my vote failed to register. I would have voted yes.

Edwards

HB 2474 ON THIRD READING
(by Delisi)

HB 2474, A bill to be entitled An Act relating to the creation of an additional judicial district and the jurisdiction of the existing district courts in Bell County.

HB 2474 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2958 ON THIRD READING
(by Hamric)

HB 2958, A bill to be entitled An Act relating to the creation of freight rail districts; authorizing a tax; granting authority to issue bonds or other similar obligations to create public debt; granting the power of eminent domain.

A record vote was requested.

HB 2958 was passed by (Record 346): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

HR 1272 - ADOPTED
(by Driver)

Representative Driver moved to suspend all necessary rules to take up and consider at this time **HR 1272**.

The motion prevailed.

The following resolution was laid before the house:

HR 1272, Recognizing Leadership Sachse on its visit to the State Capitol.

HR 1272 was read and was adopted.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative Edwards moved to set a congratulatory and memorial calendar for 9 a.m. Friday, April 22.

The motion prevailed.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 4 ON SECOND READING
(by Grusendorf, Delisi, Eissler, Edwards, Flores, et al.)**

CSHB 4, A bill to be entitled An Act relating to the use of technology and the purchase of instructional materials by public schools.

Amendment No. 1

Representatives Eissler, Grusendorf, Edwards, Flores, Hochberg, Branch, and Quintanilla offered the following amendment to **CSHB 4**:

Amend **CSHB 4** as follows:

(1) On page 23, strike lines 17-22.

(2) On page 23, line 23, strike "(c)" and substitute "(b)".

(3) On page 24, strike lines 19-24 and substitute the following:

(a-1) From the funds a school district receives under Subsection (a), the district shall use an amount equal to \$40 for each student in average daily attendance to fund targeted technology programs under Section 32.006. A school district shall use funds for targeted technology programs in a manner that allows each student and teacher assigned to a targeted campus, grade level on a campus, or specific educational program, to benefit from a targeted technology program. The commissioner shall adopt rules concerning the use of funds under this subsection. This subsection expires September 1, 2006.

(4) On page 25, strike lines 14-19 and substitute the following:

(a-1) From the funds a school district receives under Subsection (a), the district shall use an amount equal to \$60 for each student in average daily attendance to fund targeted technology programs under Section 32.006. A school district shall use funds for targeted technology programs in a manner that allows each student and teacher assigned to a targeted campus, grade level on a campus, or specific educational program, to benefit from a targeted technology program. The commissioner shall adopt rules concerning the use of funds under this subsection.

(5) Strike the text from page 25, line 22, through page 27, line 9, and substitute the following:

Sec. 32.006. TARGETED TECHNOLOGY PROGRAMS. (a) Each school district shall use funds designated for targeted technology programs under Section 32.005(a-1) in accordance with this section and in a manner consistent with the long-range plan developed by the State Board of Education under Section 32.001 and the district's own technology plan. A school district may use funds from other sources, including grants, donations, and state and federal funds, to provide targeted technology programs.

(b) A targeted technology program must provide for each student and teacher at a targeted campus or grade level on a targeted campus:

(1) the provision of:

(A) wireless electronic mobile computing devices;

(B) productivity software and hardware, including writing, computation, presentation, printing, and communication tools;

(C) electronic learning software aligned with the essential knowledge and skills adopted by the State Board of Education under Section 28.002;

(D) library and other research tools;

(E) electronic assessment tools;

(F) electronic learning tools to improve communications among students, teachers, school administrators, parents, and the community; and

(G) classroom management systems;

(2) professional development for teachers to integrate the tools and solutions described by Subdivision (1); or

(3) the provision of other infrastructure, components, and technologies to support and enhance student performance through individual instruction programs.

(c) The Legislative Budget Board shall:

(1) conduct a biennial study of the cost of school district targeted technology programs, including the cost of implementing those programs on a statewide basis; and

(2) based on the results of the study required by Subdivision (1), make recommendations to the legislature before the beginning of each regular session of the legislature concerning statewide implementation of targeted technology programs.

(d) Each biennium, the Legislative Budget Board and the commissioner shall jointly conduct a performance evaluation of school district targeted technology programs.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Hochberg offered the following amendment to **CSHB 4**:

Amend **CSHB 4** as follows:

(1) On page 21, line 19, between "state" and "funds", insert "instructional materials".

(2) On page 21, strike lines 25-27 and substitute the following:

(2) ancillary [~~instructional~~] materials, such as maps or worksheets, that convey information to the student or otherwise contribute to the learning process.

AMENDMENT NO. 2 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MENENDEZ: Scott, just a real quick question. I think the amendment definitely goes to the concern that I had. Is it the intent of this amendment that this bill would not limit the companies or the technologies that could apply for these grants?

REPRESENTATIVE HOCHBERG: I'm assuming—in terms of limiting technologies—I believe you are correct. This would not limit the technologies that would be eligible for the grants. It would still aim the focus of the grants on technologies and materials that deliver instructions to the students, rather than computers to schedule school bus routes.

MENENDEZ: Right. So it's for instruction, but it's regardless of any brand or any type of computing device—as long as it's an electronic device with technological nature to convey instruction. Is that right?

HOCHBERG: That is my understanding of the intent of the amendment. That is correct.

MENENDEZ: Thank you very much.

REMARKS ORDERED PRINTED

Representative Menendez moved to print remarks between Representative Hochberg and Representative Menendez.

The motion prevailed.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Strama offered the following amendment to **CSHB 4**:

Amend **CSHB 4** as follows:

(1) On page 25, line 21, strike "Section 32.006" and substitute "Sections 32.006 and 32.007".

(2) On page 27, between lines 9 and 10, insert the following:

Sec. 32.007. AGREEMENT WITH PUBLIC BROADCASTING STATION. (a) The commissioner may enter into an agreement with a public broadcasting station, or a consortium of public broadcasting stations, under which the station or consortium will provide online instructional content and educational materials.

(b) From funds appropriated to the agency, the commissioner may, under an agreement entered into under Subsection (a), make instructional materials available through public broadcasting stations for purposes of instruction and professional development and for use in providing adult-based education.

(c) An agreement entered into under Subsection (a) must, to the extent practicable, provide access to instructional materials and online content to persons located in all parts of this state.

(d) For purposes of providing high-quality online instructional materials under this section, the commissioner may:

- (1) use federal funds that may be used for those purposes; or
- (2) use unexpended balances of funds appropriated to the agency for educational purposes, including adult education.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Howard offered the following amendment to **CSHB 4**:

Amend **CSHB 4** as follows:

(1) Strike the text on page 10, lines 18 and 19, and substitute the following:

(c) Each approved instructional material must:

(1) be free from factual errors, including errors of commission or omission related to viewpoint discrimination or special interest advocacy on major issues, as determined by the State Board of Education; and

(2) comply with any instructional material content guidelines adopted by the board under Subsection (d).

(d) The State Board of Education may by rule adopt guidelines that define general content standards for instructional materials under this subchapter, including standards related to curriculum requirements under Section 28.002. The board may reject any instructional material that does not comply with the instructional material content standards adopted under this subsection.

(2) On page 10, line 20, strike "(d)" and substitute "(e)".

(3) On page 29, between lines 8 and 9, insert the following new section, appropriately numbered, and renumber the following section accordingly:

SECTION _____. Section 31.0252(c), Education Code, as added by this Act, applies only to instructional materials adopted by the State Board of Education on or after September 1, 2006.

(Bonnen in the chair)

Amendment No. 4 was withdrawn.

CSHB 4 - POINT OF ORDER

Representative Y. Davis raised a point of order against further consideration of **CSHB 4** under Rule 4, Section 32(b) and (c) and Rule 4, Section 18(a)(2) and (3) of the House Rules on the grounds that the committee minutes failed to show the presence of a member prior to the vote.

(Speaker in the chair)

The speaker overruled the point of order and had read the following statement:

Representative Y. Davis raised a point of order to **HB 4** that the April 5, 2005, minutes of the Public Education committee violated Rule 4, Section 18(a)(2) and (3) and Section 32(b) and (c). Representative Y. Davis argued

specifically that Representative Bill Keffer was not shown answering roll call but was later shown voting in favor of **HB 4** without being reflected as being present at any point between the roll call and the committee vote on **HB 4**.

Rule 4, Section 18(a)(2) requires that the minutes contain "a roll call to determine the members present at each meeting". The minutes for the April 5, 2005, Public Education meeting contain such an accurate roll call.

Rule 4, Section 18(a)(3) requires that there be an accurate record of all votes taken, including a listing of the yeas and nays cast on a record vote. The minutes for the April 5, 2005, Public Education meeting contain such an accurate record.

The committee report for **HB 4** also contains records that match the notation of the vote reflected in the minutes. Taken together, the minutes and the committee report are prima facie evidence that Mr. Keffer was present and voting on **HB 4**.

The chair also notes that Rule 4, Section 32(b) sets out 10 required elements for a committee report and that each of the applicable elements appears in the committee report to **HB 4**. In addition, Rule 4, Section 32(c) sets out five required elements of a bill analysis and each of these applicable elements appears in the committee report to **HB 4**.

Because the elements of Rule 4, Section 18 and Rule 4, Section 32 were complied with, the point of order is respectfully overruled.

(Bonnen in the chair)

Amendment No. 5

Representatives Branch and Oliveira offered the following amendment to **CSHB 4**:

Amend **CSHB 4** as follows:

(1) On page 12, between lines 4 and 5, insert the following:

(f) The contract may allow the publisher of an approved instructional material to update the material as provided by Section 31.032.

(2) On page 14, line 12, strike "Section 31.031" and substitute "Sections 31.031 and 31.032".

(3) On page 14, between lines 16 and 17, insert the following:

Sec. 31.032. UPDATING INSTRUCTIONAL MATERIALS. The publisher of an approved instructional material may, under the terms of a contract under Section 31.026, update the instructional material. The State Board of Education by rule shall provide for an expedited review process to determine the extent to which an updated instructional material:

(1) is aligned with the essential knowledge and skills for the subject and grade level; and

(2) does not contain factual errors.

Amendment No. 5 was adopted.

A record vote was requested.

CSHB 4, as amended, was passed to engrossment by (Record 347): 142 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Davis, Y.; Thompson.

Present, not voting — Mr. Speaker; Bonnen(C).

Absent, Excused — Dawson; Delisi; Hilderbran; Olivo.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Judiciary, upon lunch recess today, Desk 70, for a formal meeting, to consider pending business.

House Administration, upon lunch recess today, Desk 60, for a formal meeting, to consider **HR 703** and **HR 704**.

Criminal Jurisprudence, upon lunch recess today, Desk 59, for a formal meeting, to consider pending business.

Agriculture and Livestock, upon lunch recess today, Desk 25.

RECESS

At 12:01 p.m., the chair announced that the house would stand recessed until 1 p.m. today.

AFTERNOON SESSION

The house met at 1 p.m. and was called to order by the speaker.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

HB 137 ON THIRD READING

(by Paxton, Woolley, Van Arsdale, Hughes, B. Keffer, et al.)

HB 137, A bill to be entitled An Act relating to "Welcome to Texas" signs.

HB 137 was read third time earlier today and was postponed until 1 p.m. today.

Amendment No. 1

Representative Farrar offered the following amendment to **HB 137**:

Amend **HB 137** on third reading in Subsection (d), Section 201.617, Transportation Code, as added by Floor Amendment No. 1 by Farrar, by striking "January 1" and substituting "January 31".

Amendment No. 1 was adopted.

HB 137, as amended, was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**HB 168 ON SECOND READING
(by Deshotel)**

HB 168, A bill to be entitled An Act relating to the hours for selling alcoholic beverages at certain events.

HB 168 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Bohac, B. Brown, Howard, Riddle, Talton, and Wong recorded voting no.)

**CSHB 240 ON SECOND READING
(by Goolsby)**

CSHB 240, A bill to be entitled An Act relating to the right of an adopted person to have access to the person's original birth certificate.

CSHB 240 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 308 ON SECOND READING
(by Hope)**

CSHB 308, A bill to be entitled An Act relating to discipline in public schools and the assignment of certain public school students involved in a sexual assault.

Amendment No. 1

Representative R. Cook offered the following amendment to **CSHB 308**:

Amend **CSHB 308** as follows:

(1) Strike the text from page 4, line 1, through page 5, line 3, and renumber the subsequent sections of the bill accordingly.

(2) On page 5, line 4, strike "(a)".

(3) On page 5, strike lines 7 and 8.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Dutton offered the following amendment to **CSHB 308**:

Amend **CSHB 308** as follows:

(1) On page 1, between lines 4 and 5, insert the following new section, appropriately numbered:

SECTION __. Section 7.027(a), Education Code, as added by Section 4, Chapter 201, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a) Except as provided by Section 29.001(5), 29.010(a), 37.008, 39.074, or 39.075, the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, Subchapter A, Chapter 37, or Section 38.003, and the use of funds provided for such a program under Subchapter C, Chapter 42, only as necessary to ensure:

(1) compliance with federal law and regulations;

(2) financial accountability, including compliance with grant requirements; and

(3) data integrity for purposes of:

(A) the Public Education Information Management System (PEIMS); and

(B) accountability under Chapter 39.

(2) On page 4, strike lines 1 and 2 and substitute the following:

SECTION 3. Section 37.008, Education Code, is amended by amending Subsections (a), (c), and (m) and adding Subsection (n) to read as follows:

(3) On page 5, between lines 3 and 4, insert the following:

(m) The commissioner shall adopt rules necessary to evaluate annually the performance of each district's disciplinary alternative education program established under this subchapter. The evaluation required by this section must ~~shall~~ be based on indicators defined by the commissioner, including ~~but must include~~ student performance on assessment instruments required under Sections 39.023(a) and (c). The evaluation must include on-site analysis and interpretation of program data by the agency if determined necessary by the commissioner or if an electronic evaluation under Subsection (m-1) indicates the need for on-site evaluation. The academic ~~Academically, the~~ mission of disciplinary alternative education programs must ~~shall~~ be to enable students to perform at grade level.

(n) Section 7.027, Education Code, as added by Section 4, Chapter 201, Acts of the 78th Legislature, Regular Session, 2003, does not apply to an evaluation under Subsection (m) or (m-1).

(4) Renumber the existing sections of the bill accordingly.

Amendment No. 2 was adopted.

CSHB 308, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 384 ON SECOND READING
(by Dutton and Edwards)

CSHB 384, A bill to be entitled An Act relating to placement of a child with a noncustodial parent or relative to further the best interest of the child.

Amendment No. 1

Representative Dutton offered the following amendment to **CSHB 384**:

Amend **CSHB 384** as follows:

(1) On page 1, line 21, immediately following "that", insert ":

(A)".

(2) On page 1, line 23, strike "court" and substitute "department".

(3) On page 1, line 24, between "individual" and "with", insert "who has a significant, long-standing relationship with the child or the child's family".

(4) On page 2, line 1, between "placed" and the period, insert the following:
; and

(B) informs the parent, conservator, or other custodian of a location that is available to the person to submit the information in the form 24 hours a day either in person or by facsimile machine or by e-mail

Amendment No. 1 was adopted.

CSHB 384, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 492 ON SECOND READING
(by Woolley, Chavez, Menendez, and Hegar)

HB 492, A bill to be entitled An Act relating to personal finance education as a requirement for graduation from public high school.

Amendment No. 1

Representative Woolley offered the following amendment to **HB 492**:

Amend **HB 492** as follows:

(1) Strike Section 1 of the bill and substituting the following:

SECTION 1. Chapter 28, Education Code, is amended by adding Subsection 28.0021 to read as follows:

28.0021 Personal Financial Literacy (a) The Texas Essential Knowledge and Skills and Section 28.025 shall require instruction in personal financial literacy in one or more courses required for high school graduation.

(b) School districts and open-enrollment charters shall incorporate instruction in personal financial literacy into any course meeting a requirement for an economics credit under Section 28.025, using materials approved by the board.

(c) School districts and open-enrollment charters shall comply with subsection (b) beginning with the 2006-2007 school year. The board shall adopt Essential Knowledge and Skills for a course including the requirements of subsection (a) not later than the 2008-2009 school year. This subsection and subsection (b) expire September 1, 2009.

(2) On page 1, line 16, strike "28.002(g)" and substitute "28.0021".

Amendment No. 1 was adopted.

HB 492, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 567 ON SECOND READING (by Branch)

CSHB 567, A bill to be entitled An Act relating to the deadline for passing the examination for a license to practice medicine in this state.

Representative Eissler moved to postpone consideration of **CSHB 567** until the end of today's calendar.

The motion prevailed.

CSHB 599 ON SECOND READING (by Eissler)

CSHB 599, A bill to be entitled An Act relating to erecting certain outdoor signs; creating an offense; providing penalties.

Amendment No. 1

Representative Eissler offered the following amendment to **CSHB 599**:

Amend **CSHB 599** as follows:

(1) On page 1, between lines 4 and 5, insert the following appropriately numbered sections and renumber the remaining sections of the bill appropriately:

SECTION ____ . Section 391.031(a), Transportation Code, is amended to read as follows:

(a) A person commits an offense if the person [~~wilfully~~] erects or maintains outdoor advertising, or allows outdoor advertising to be erected or maintained on property owned by the person:

(1) within 660 feet of the nearest edge of a right-of-way if the advertising is visible from the main-traveled way of the interstate or primary system; or

(2) outside an urban area if the advertising is located more than 660 feet from the nearest edge of a right-of-way, is visible from the main-traveled way of the interstate or primary system, and is erected for the purpose of having its message seen from the main-traveled way of the interstate or primary system.

SECTION _____. The heading to Section 391.034, Transportation Code, is amended to read as follows:

Sec. 391.034. ~~REMOVAL OF~~ NUISANCE OUTDOOR ADVERTISING; ~~INJUNCTION~~ ~~BY COMMISSION~~.

SECTION _____. Sections 391.035(a) and (c), Transportation Code, are amended to read as follows:

(a) In addition to being subject to a criminal penalty or injunctive action, a person who intentionally violates this subchapter or Subchapter C is liable to the state for a civil penalty. The attorney general or a district or county attorney of the county in which the violation is alleged to have occurred may sue to collect the penalty.

(c) A penalty collected under this section shall be deposited to the credit of the state highway fund if collected by the attorney general, and to the credit of the county road and bridge fund of the county in which the violation occurred if collected by a district or county attorney.

SECTION _____. Subchapter B, Chapter 391, Transportation Code, is amended by adding Sections 391.038 and 391.039 to read as follows:

Sec. 391.038. ADMINISTRATIVE PENALTY. (a) In lieu of a suit to collect a civil penalty, the commission, after notice and an opportunity for a hearing before the department, may impose an administrative penalty against a person who intentionally violates this chapter or a rule adopted by the commission under this chapter. Each day a violation continues is a separate violation.

(b) The amount of the administrative penalty may not exceed the maximum amount of a civil penalty under Section 391.035.

(c) A proceeding under this section is a contested case under Chapter 2001, Government Code.

(d) An administrative penalty collected under this section shall be deposited to the credit of the state highway fund.

Sec. 391.039. REVOCATION OF PERMIT IN ADDITION TO OTHER PENALTY. (a) A court shall order the revocation of the permit issued under Section 391.068 that a person holds for a location at which a violation under this chapter occurs if it is shown at the trial of the person for the collection of a civil penalty under Section 391.035 or at an appeal of an administrative penalty under Section 391.038 that a judgment for a civil penalty, the imposition of an administrative penalty, or a final order for an administrative penalty that was not timely appealed was previously imposed under this chapter against the person.

(b) The revocation of a permit under this section is in addition to any other penalty that may be imposed under this chapter.

(2) On page 3, following line 27, add the following appropriately numbered section and renumber the remaining sections appropriately:

SECTION _____. (a) The change in law made by this Act to Section 391.031, Transportation Code, applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

(Woolley in the chair)

Amendment No. 1 was adopted.

CSHB 599, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 600 ON SECOND READING

(by Eissler)

CSHB 600, A bill to be entitled An Act relating to erecting certain signs on certain rights-of-way; providing penalties.

(Speaker in the chair)

CSHB 600 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 657 ON SECOND READING

(by Bonnen, et al.)

HB 657, A bill to be entitled An Act relating to terminating the parent-child relationship of a parent convicted of certain crimes.

HB 657 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 695 ON SECOND READING

(by Leibowitz, Martinez, Eiland, Herrero, Vo, et al.)

CSHB 695, A bill to be entitled An Act relating to restrictions on the prices of certain consumer goods and services during an abnormal disruption of the market.

Representative Leibowitz moved to postpone consideration of **CSHB 695** until 2 p.m. today.

The motion prevailed.

CSHB 880 ON SECOND READING**(by Delisi)**

CSHB 880, A bill to be entitled An Act relating to attorney general review of certain contracts for health care purposes.

CSHB 880 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 883 ON SECOND READING**(by Seaman)**

CSHB 883, A bill to be entitled An Act relating to the disposition of abandoned watercraft and the construction of, and donation of materials for, artificial reefs.

CSHB 883 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 968 ON SECOND READING**(by Keel, Naishtat, Dukes, Rodriguez, et al.)**

HB 968, A bill to be entitled An Act relating to the creation of an additional judicial district in Travis County.

HB 968 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1174 ON SECOND READING**(by Dutton)**

CSHB 1174, A bill to be entitled An Act relating to attorney's fees and costs in a proceeding to enforce an order for the possession of or access to a child.

CSHB 1174 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1182 ON SECOND READING**(by Dutton)**

HB 1182, A bill to be entitled An Act relating to the issuance of an administrative writ of withholding for the enforcement of a child support obligation.

HB 1182 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1253 ON SECOND READING
(by Kuempel)

CSHB 1253, A bill to be entitled An Act relating to projects that may be undertaken by certain development corporations for career centers.

CSHB 1253 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Zedler recorded voting no.)

CSHB 1546 ON SECOND READING
(by McClendon)

CSHB 1546, A bill to be entitled An Act relating to the administration and use of the Texas rail relocation and improvement fund and the issuance of obligations for financing the relocation, construction, reconstruction, acquisition, improvement, rehabilitation, and expansion of certain rail facilities.

Representative McClendon moved to postpone consideration of **CSHB 1546** until 11 a.m. April 25.

The motion prevailed.

CSHB 1567 ON SECOND READING
(by Ritter, Deshotel, Hamilton, Otto, Crabb, et al.)

CSHB 1567, A bill to be entitled An Act relating to the transition to competition of certain electric utilities outside of ERCOT.

Representative Deshotel moved to postpone consideration of **CSHB 1567** until 2 p.m. today.

The motion prevailed.

CSHB 1601 ON SECOND READING
(by Madden)

CSHB 1601, A bill to be entitled An Act relating to the use of interpreter services in a criminal case.

CSHB 1601 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1677 ON SECOND READING
(by Dukes)

CSHB 1677, A bill to be entitled An Act relating to establishing a sentinel surveillance program for respiratory syncytial virus.

CSHB 1677 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1734 ON SECOND READING

(by Krusee)

CSHB 1734, A bill to be entitled An Act relating to the use of municipal hotel occupancy taxes for the enhancement and upgrading of sports facilities and fields by certain municipalities.

Amendment No. 1

Representative Paxton offered the following amendment to **CSHB 1734**:

Amend **CSHB 1734** on page 2, line 14 by striking the number "290,000" and substituting the words "one million".

Amendment No. 1 was adopted.

CSHB 1734, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1752 ON SECOND READING

(by J. Davis)

CSHB 1752, A bill to be entitled An Act relating to the regulation of germicidal treatment of certain bedding, materials, and upholstered items.

Amendment No. 1

Representative J. Davis offered the following amendment to **CSHB 1752**:

Amend **CSHB 1752** on page 1, line 19, by striking "department" and substituting "executive commissioner of the Health and Human Services Commission".

Amendment No. 1 was adopted.

CSHB 1752, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1855 ON SECOND READING

(by Giddings)

HB 1855, A bill to be entitled An Act relating to the deletion of certain electronic records concerning a customer who issues a check; providing a civil penalty.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Elkins, Representative Giddings offered the following committee amendment to **HB 1855**:

Amend **HB 1855** as follows:

On Page 2, between Lines 7 and 8, insert a new subsection (f) to read as follows:

"(f) This section does not apply to a financial institution as defined by 31 U.S.C. Section 5312 (a)(2), as amended."

(Branch in the chair)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Giddings offered the following amendment to **HB 1855**:

Amend **HB 1855** as follows:

(1) On page 1, line 13, following "information" and before "on", insert "except for the checking account number or bank routing transit number".

Amendment No. 2 was adopted.

HB 1855, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1912 ON SECOND READING

(by Hupp)

CSHB 1912, A bill to be entitled An Act relating to rates for medical services provided by the Department of Assistive and Rehabilitative Services.

(Speaker in the chair)

CSHB 1912 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1956 ON SECOND READING

(by Menendez)

HB 1956, A bill to be entitled An Act relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.

Representative Menendez moved to postpone consideration of **HB 1956** until 11 a.m. April 29.

The motion prevailed.

HB 1970 ON SECOND READING
(by Raymond)

HB 1970, A bill to be entitled An Act relating to reports and investigations of child abuse and neglect.

Amendment No. 1

Representative Raymond offered the following amendment to **HB 1970**:

Amend **HB 1970**, on page 1, line 18, by inserting "other than a report under Subsection (a)(3) or Section 261.405." between "report" and "must".

Amendment No. 1 was adopted.

HB 1970, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2021 ON SECOND READING
(by Casteel)

HB 2021, A bill to be entitled An Act relating to the identification and administration of land located in a future transportation corridor of a county.

HB 2021 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2039 ON SECOND READING
(by Nixon and Van Arsdale)

CSHB 2039, A bill to be entitled An Act relating to the adjudication of claims arising under written contracts with local governmental entities.

CSHB 2039 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE VAN ARSDALE: Joe, I just want to clarify, as you said, that—and I like this bill, it's a great bill, and I'm a joint author, but I want to be sure because there are some cases pending right now in the courts under existing law and this is not in any way intended to imply that these entities enjoy sovereign unity right now in contract cases, is it?

REPRESENTATIVE NIXON: That's correct. This is to clarify the fact that the current statutory language does not provide immunity from suit where there's a written agreement.

VAN ARSDALE: It's just supposed to clarify law, isn't that right?

NIXON: It clarifies the current law and the current legislative intent of the statutes that have been previously written.

REMARKS ORDERED PRINTED

Representative Van Arsdale moved to print remarks between Representative Nixon and Representative Van Arsdale.

The motion prevailed.

CSHB 2039 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2070 ON SECOND READING
(by Rose)

CSHB 2070, A bill to be entitled An Act relating to a landowner's liability for injuries incurred during certain recreational activities.

Representative Rose moved to postpone consideration of **CSHB 2070** until 10 a.m. May 2.

The motion prevailed.

CSHB 2217 ON SECOND READING
(by McCall)

CSHB 2217, A bill to be entitled An Act relating to the management of public school land and the permanent school fund.

Amendment No. 1

Representative Gallego offered the following amendment to **CSHB 2217**:

Amend **CSHB 2217** on page 6, between lines 5 and 6, by inserting the following appropriately numbered section and renumbering subsequent sections of the bill accordingly:

SECTION _____. Subchapter C, Chapter 31, Natural Resources Code, is amended by adding Section 31.069 to read as follows:

Sec. 31.069. TEMPORARY MORATORIUM ON GROUNDWATER LEASES OR FACILITATION OF WATER MARKETING INITIATIVES. (a) Notwithstanding any other law, the commissioner and the land office may not:

(1) lease the right to produce groundwater from state land to an individual or a private entity; or

(2) use any state resource to facilitate a water marketing initiative of an individual or a private entity.

(b) This section expires September 1, 2007.

Amendment No. 1 was withdrawn.

CSHB 2217 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2297 ON SECOND READING
(by R. Cook, et al.)

HB 2297, A bill to be entitled An Act relating to penalties for repeat and habitual misdemeanor offenders.

HB 2297 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2475 ON SECOND READING
(by Delisi)

HB 2475, A bill to be entitled An Act relating to a cervical cancer initiative.

HB 2475 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Zedler recorded voting no.)

CSHB 2510 ON SECOND READING
(by Bonnen)

CSHB 2510, A bill to be entitled An Act relating to the regulation of on-site sewage disposal systems and the maintenance of those systems; imposing administrative and criminal penalties.

Amendment No. 1

Representative McReynolds offered the following amendment to **CSHB 2510**:

Amend **CSHB 2510** (House committee printing) by striking page 1, lines 6 and 7, and substituting:

SECTION 1. Section 366.0515, Health and Safety Code, is amended by amending Subsection (g) and adding Subsections (h), (i), and (j) to read as follows:

(g) The owner of a single-family residence located in a county with a population of less than 40,000 shall maintain the system directly or through a maintenance contract. If the owner elects to maintain the system directly, the owner must obtain training in system maintenance from the authorized agent or the installer. The commission shall adopt rules governing:

(1) the training in system maintenance to be provided to an owner who elects to maintain the system directly; and

(2) the maintenance of a system by the owner of the system.

Amendment No. 1 was adopted.

CSHB 2510, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2553 ON SECOND READING
(by McCall)

CSHB 2553, A bill to be entitled An Act relating to the publication of mobile service customer telephone numbers by commercial mobile service providers; providing a civil penalty.

CSHB 2553 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2604 ON SECOND READING
(by Guillen)

HB 2604, A bill to be entitled An Act relating to preferences for veterans in state-funded job training or employment assistance programs and services.

HB 2604 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Zedler recorded voting no.)

(Hilderbran now present)

CSHB 3017 ON SECOND READING
(by Orr, Hegar, Anderson, et al.)

CSHB 3017, A bill to be entitled An Act relating to the procedure for initiating and the award of certain costs in eminent domain proceedings.

A record vote was requested.

CSHB 3017 was passed to engrossment by (Record 348): 131 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; Escobar; Farabee; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzalez Tourelles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Vo; West; Wong; Woolley; Zedler.

Nays — Flores; Isett; Villarreal.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Olivo.

Absent — Bonnen; Burnam; Coleman; Edwards; Farrar; Gonzales; Hartnett; Jackson; Jones, J.; Laubenberg; Moreno, P.; Smithee.

STATEMENT OF VOTE

When Record No. 348 was taken, I was in the house but away from my desk. I would have voted yes.

Gonzales

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

**CSHB 567 ON SECOND READING
(by Branch)**

CSHB 567, A bill to be entitled An Act relating to the deadline for passing the examination for a license to practice medicine in this state.

CSHB 567 was read second time earlier today and was postponed until this time.

Representative Branch moved to postpone consideration of **HB 567** until 10 a.m. April 27.

The motion prevailed.

**CSSB 848 ON SECOND READING
(Kuempel - House Sponsor)**

CSSB 848, A bill to be entitled An Act relating to the approval of certain permit applications by local governments.

CSSB 848 was considered in lieu of **HB 1704**.

CSSB 848 was read second time.

Amendment No. 1

Representatives Rodriguez, Dukes, Naishtat, and Strama offered the following amendment to **CSSB 848**:

Amend **CSSB 848** by the striking SECTION 1 and substituting the following:

"SECTION 1. Subdivision (1), Section 245.001, Local Government Code, is amended to read as follows:

(1) "Permit" means a license, certificate, approval, registration, consent, permit, contract or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought."

Amendment No. 1 was adopted.

Amendment No. 2

Representative Leibowitz offered the following amendment to **CSSB 848**:

Amend **CSSB 848** as follows:

(1) On page 3, after line 12, insert the following in Section 245.004:

"(12) regulations found by a political subdivision to be necessary to protect clean and safe drinking water or to prevent the degradation of water quality of an aquifer that serves as a source of the political subdivision's drinking water supply."

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Puente offered the following amendment to **CSSB 848**:

Amend **CSSB 848** in SECTION 2 of the bill, in added Subsection (a-1), Section 245.002, Local Government Code, by adding a new sentence at the end of that subsection (page 2, line 14, house committee printing) to read as follows:

A permit application that is denied or expires as provided by Subsection (e) does not accrue any rights under this subsection on the filing of the application.

Representative Kuempel moved to table Amendment No. 3.

A record vote was requested.

The motion to table prevailed by (Record 349): 94 Yeas, 38 Nays, 3 Present, not voting.

Yeas — Allen, R.; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chavez; Chisum; Cook, B.; Cook, R.; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Driver; Dutton; Edwards; Eissler; Elkins; Farabee; Farrar; Flynn; Frost; Gonzales; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Homer; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; Kolkhorst; Krusee; Kuempel; Laubenberg; Madden; Merritt; Miller; Moreno, J.; Morrison; Mowery; Nixon; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Reyna; Riddle; Ritter; Seaman; Smith, T.; Smith, W.; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Wong; Woolley; Zedler.

Nays — Allen, A.; Anchia; Burnam; Castro; Coleman; Deshotel; Dukes; Dunnam; Eiland; Escobar; Flores; Gallego; Goodman; Herrero; Hochberg; Hodge; Hope; Jones, J.; Laney; Leibowitz; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, P.; Naishtat; Noriega, M.; Puente; Raymond; Rodriguez; Rose; Solis; Strama; Turner; Uresti; Veasey; Villarreal.

Present, not voting — Mr. Speaker(C); Giddings; Vo.

Absent, Excused — Dawson; Delisi; Olivo.

Absent — Alonzo; Corte; Gattis; Geren; Gonzalez Toureilles; Hardcastle; King, T.; Luna; McCall; Quintanilla; Smithee; West.

STATEMENTS OF VOTE

When Record No. 349 was taken, my vote failed to register. I would have voted yes.

Alonzo

I was shown voting yes on Record No. 349. I intended to vote no.

Gonzales

When Record No. 349 was taken, my vote failed to register. I would have voted no.

Gonzalez Toureilles

When Record No. 349 was taken, I was in the house but away from my desk. I would have voted yes.

McCall

Amendment No. 4

Representative Leibowitz offered the following amendment to **CSSB 848**:

Amend **CSSB 848** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Section 245.004, Local Government Code, is amended to read as follows:

Sec. 245.004. EXEMPTIONS. This chapter does not apply to:

(1) a permit that is at least two years old, is issued for the construction of a building or structure intended for human occupancy or habitation, and is issued under laws, ordinances, procedures, rules, or regulations adopting only:

(A) uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; or

(B) local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons;

(2) municipal zoning regulations that do not affect lot size, lot dimensions, lot coverage, or building size or that do not change development permitted by a restrictive covenant required by a municipality;

(3) regulations that specifically control only the use of land in a municipality that does not have zoning and that do not affect lot size, lot dimensions, lot coverage, or building size;

(4) regulations for sexually oriented businesses;

(5) municipal or county ordinances, rules, regulations, or other requirements affecting colonias;

(6) fees imposed in conjunction with development permits;

(7) regulations for annexation;

(8) regulations for utility connections;

(9) regulations to prevent imminent destruction of property or injury to persons from flooding that are effective only within a flood plain established by a federal flood control program and enacted to prevent the flooding of buildings intended for public occupancy;

(10) construction standards for public works located on public lands or easements; ~~(11)~~

(11) regulations to prevent the imminent destruction of property or injury to persons if the regulations do not:

(A) affect lot size, lot dimensions, lot coverage, building size, residential or commercial density, or the timing of a project; or

(B) change development permitted by a restrictive covenant required by a municipality; or

(12) regulations found by a political subdivision to be necessary to protect clean and safe drinking water or to prevent the degradation of water quality of an aquifer that serves as a source of the political subdivision's drinking water supply.

(Solomons in the chair)

AMENDMENT NO. 4 – DEBATE

REPRESENTATIVE LEIBOWITZ: Mr. Kuempel, as I understand your bill, your goal is to prevent the rules from being changed in the middle of the game. Is that correct sir?

REPRESENTATIVE KUEMPEL: It's to play by the rules that when they accepted—when they took the permit in for that city and they said this permit is approved—to play by those rules at that time.

LEIBOWITZ: Yes sir, and you don't want the rules changed in the middle of the game based upon the date the permit is filed. Is that correct?

KUEMPEL: I want them to play by the rules when whomever took the permit in that day, to play by the rules.

LEIBOWITZ: And you want the developers to know the rules under which they have to play. Is that true, sir?

KUEMPEL: I want the rules to be played by when the developer took his plat in to play by those rules when they put their plat in and it was approved.

LEIBOWITZ: And you want, if someone starts a development, you want them to be able to finish the development under the same guidelines. Is that accurate?

KUEMPEL: Under the guidelines that were approved by the city or whomever they took those plats to, those are the rules the have to play by.

LEIBOWITZ: Because you do not believe that it's fair to change the rules in the middle of the game. Is that true?

KUEMPEL: I want them to play by those rules they originally had.

LEIBOWITZ: That's correct, sir. You want to take the rules they originally had and work through the process. And you don't want the cities and counties changing the rules on the developers in the middle of the game.

KUEMPEL: And to play by the original rules. That's right. To play by the original rules.

LEIBOWITZ: Is that correct, sir?

KUEMPEL: To play by the original rules at the time that they were...

LEIBOWITZ: And not change those rules in the middle of the game?

KUEMPEL: To play by those rules. Yes, that's what I'm saying.

LEIBOWITZ: Do you want the cities to change the rules in the middle of the game?

KUEMPEL: I want them to play by the rules they originally stuck by when it was platted.

LEIBOWITZ: Which means you don't want them....

KUEMPEL: I guess it might mean different things to different people. I want them to play by the rules when it was platted. That's what I'm saying.

LEIBOWITZ: And not change the rules in the middle of the game?

KUEMPEL: To play by the original rules, yes.

LEIBOWITZ: Okay. So, do you feel that it's equitable—we need to go with both sides of the equation. If there's a city, if there's the Edwards Underground Aquifer Authority, if there's the developers—you don't think it's fair for anyone to be changing the rules in the middle of the game?

KUEMPEL: I want, if the city approved those rules and approved that plat, those are the rules I want the developer to play by.

LEIBOWITZ: That's right, sir. So, you don't have any intent in this legislation to cause this legislation to be retroactive. Because that would change the rules in the middle of the game. Is that correct?

KUEMPEL: This is perspective.

LEIBOWITZ: Sir?

KUEMPEL: This is perspective, they are going to play by the rules that the city gave them and that were in place at that time.

LEIBOWITZ: That's right, but you don't want your legislation to be retroactive because that would change the rules everyone's playing by. Would it not?

KUEMPEL: I don't know that you can even pass retroactive, it might even be unconstitutional.

LEIBOWITZ: I'm sorry sir, I can't hear you.

KUEMPEL: Retroactive rules might be unconstitutional. I just want them to play by the rules that were in place when they got their permit.

LEIBOWITZ: And you want to make sure that's the case from this day forward.

KUEMPEL: To play by the rules they got when they got the permit.

LEIBOWITZ: That's right, sir. But, you're not looking for—it's not your intent to create something retroactively that would go back 40 or 50 years? Is that correct?

KUEMPEL: If they got the plat at that time and it was—they played by the rules that got at that time, that were in place at that time.

LEIBOWITZ: So you're telling this body that if they filed a one-page document 40 or 50 years ago; you want the rules that were in existence at that time to be retroactively be applied to today's dates?

KUEMPEL: Are you talking about sham applications by any chance?

LEIBOWITZ: I'm talking about—

KUEMPEL: You have to play by, at that time—those were the best rules they could play by at that time and they were issued. I think if you're looking at sham applications to the law, really, most of your sham applications in San Antonio went from 500, and 400 of them were thrown out. If that's what you're trying to get out of me. The law does not allow you to permit with a sham—with just a piece of paper. You can file a sham application, but it won't create a project with vested rights. A project doesn't exist unless it complies with all of a city's development regulations. If it complied with all the city's development regulations at that time, it is still enforced.

LEIBOWITZ: I have a simple question, sir.

KUEMPEL: Yes.

LEIBOWITZ: If I wrote the San Antonio water system 40 years ago, and I told them I had a piece of land at Loop 1604 and Potranco Road on which I want to put 4,000 homes, and I ask them will they be able to supply me with water, and I wrote them a certified letter, and the letter fell through the cracks—they never responded to it, but I still have my green card. Are you telling this body that the letter I wrote 40 years ago is going to cause the rights of that letter that was written to retroactively apply back 40 years?

KUEMPEL: If he could find that, if he could find out, I think that would be correct. To best of my knowledge that would be correct.

LEIBOWITZ: I'm sorry sir, I didn't hear you.

KUEMPEL: To the best of my knowledge that would be correct. If he could find his certified letter. It's just playing by the rules if you said he lost his—

LEIBOWITZ: So you do want it to retroactively apply?

KUEMPEL: I want him to play by the rules that were enforced 40 years ago.

LEIBOWITZ: What's the rules? I sent in a letter 40 years ago and asked them if they could supply water, and that's playing by the rules?

KUEMPEL: I think you're probably grasping at straws but I still believe you play by those rules.

REMARKS ORDERED PRINTED

Representative Leibowitz moved to print remarks by Representative Kuempel and Representative Leibowitz.

The motion prevailed.

Representative Kuempel moved to table Amendment No. 4.

(Speaker in the chair)

A record vote was requested.

The motion to table prevailed by (Record 350): 91 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dutton; Eissler; Elkins; Farabee; Flynn; Frost; Geren; Goolsby; Griggs; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Homer; Hope; Hopson; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Oliveira; Orr; Otto; Paxton; Phillips; Pickett; Pitts; Riddle; Ritter; Smith, T.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Dukes; Dunnam; Edwards; Escobar; Farrar; Flores; Gallego; Gonzales; Gonzalez Tourelles; Goodman; Guillen; Herrero; Hochberg; Hodge; Jones, J.; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Puente; Raymond; Reyna; Rodriguez; Rose; Solis; Strama; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C); Giddings.

Absent, Excused — Dawson; Delisi; Olivo.

Absent — Crownover; Eiland; Gattis; Howard; Peña; Quintanilla; Seaman; Smith, W.

STATEMENTS OF VOTE

When Record No. 350 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

I was shown voting no on Record No. 350. I intended to vote yes.

Guillen

When Record No. 350 was taken, I was in the house but away from my desk. I would have voted yes.

Howard

When Record No. 350 was taken, I was in the house but away from my desk. I would have voted yes.

Seaman

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CSSB 848 - (consideration continued)**CSSB 848 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE PUENTE: Mr. Kuempel, does **SB 848** authorize the city or the county to impose a 45 day expiration date on incomplete permit applications? If an application does not comply with all the local application requirements within that time—the application, the applicant must start over. My concern is when the application is filed, development rights rest at that stage. Well, what happens to those vested rights if the applications expires?

REPRESENTATIVE KUEMPEL: Mr. Puente, it was my intent that the vested rights expire when an incomplete application expires. Upon expiration of the application, vested rights associated with the application are simultaneously extinguished. Gone.

PUENTE: Thank you, Mr. Kuempel.

REMARKS ORDERED PRINTED

Representative Puente moved to print remarks between Representative Kuempel and Representative Puente.

The motion prevailed.

A record vote was requested.

CSSB 848, as amended, was passed to third reading by (Record 351): 113 Yeas, 29 Nays, 1 Present, not voting.

Yeas — Allen, R.; Alonzo; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Deshotel; Driver; Dutton; Edwards; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Geren; Giddings; Gonzalez Tourelles; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Luna; Madden; McCall; McReynolds; Merritt; Miller; Moreno, J.; Morrison; Mowery; Nixon; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Quintanilla; Reyna; Riddle; Ritter; Rodriguez; Seaman; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Van Arsdale; Veasey; Vo; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Anchia; Burnam; Castro; Chavez; Coleman; Dukes; Dunnam; Gallego; Gonzales; Goodman; Herrero; Hochberg; Jones, J.; Leibowitz; Martinez; Martinez Fischer; McClendon; Moreno, P.; Naishtat; Noriega, M.; Puente; Raymond; Rose; Smith, T.; Truitt; Turner; Uresti; Villarreal.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dawson; Delisi; Olivo.

Absent — Campbell; Eiland; Gattis; Menendez.

STATEMENTS OF VOTE

When Record No. 351 was taken, my vote failed to register. I would have voted yes.

Campbell

I was shown voting yes on Record No. 351. I intended to vote no.

Escobar

I was shown voting no on Record No. 351. I intended to vote yes.

Gonzales

I was shown voting no on Record No. 351. I intended to vote yes.

Martinez

HB 1704 - LAID ON THE TABLE SUBJECT TO CALL

Representative Kuempel moved to lay **HB 1704** on the table subject to call.

The motion prevailed.

CSHB 1567 ON SECOND READING

(by Ritter, Deshotel, Hamilton, Otto, Crabb, et al.)

CSHB 1567, A bill to be entitled An Act relating to the transition to competition of certain electric utilities outside of ERCOT.

Amendment No. 1

Representatives Ritter, Otto, McReynolds, and Hamilton offered the following amendment to **CSHB 1567**:

Amend **CSHB 1567** as follows:

(1) On page 1, line 22, strike "and 39.455" and substitute "39.455, and 39.456".

(2) On page 6, between lines 18 and 19, insert the following:

Sec. 39.456. FRANCHISE AGREEMENTS. A municipality, with the agreement of an electric utility, may accelerate the expiration date of a franchise agreement that was in existence on September 1, 1999. Any new franchise agreement must be approved by the governing body of the municipality. To the extent that a new franchise agreement would result in an increase in the payment of franchise fees to the municipality, and subject to the terms of the franchise agreement, either the electric utility or the municipality, without the need for a rate proceeding under Chapter 36, may file with the commission for approval of a rider for the electric utility's recovery of franchise payments resulting from the agreement, so long as such rider is collected only from customers of the electric utility that are located within the boundaries of the municipality.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Otto, Hamilton, Ritter, McReynolds, and Blake offered the following amendment to **CSHB 1567**:

Amend **CSHB 1567** on page 6, between lines 18 and 19, by adding the following appropriately numbered section to Subchapter J, Chapter 39, Utilities Code, as added by SECTION 1 of the bill, and renumbering subsequent sections accordingly:

Sec. 39. . CONTRACTUAL RIGHTS. In the event that the electric utility subject to this subchapter either merges, consolidates, or otherwise becomes affiliated with another owner of electric generation, or completes the jurisdictional separation authorized by Section 39.452(e) and the resulting vertically integrated utility proposes to join a regional transmission organization, and either action adversely affects the rights or obligations of an electric cooperative under a wholesale generation or transmission agreement entered into before the effective date of this subchapter or otherwise adversely affects the electric cooperative's access to its existing generation resources under said agreements, then the utility shall submit a proposal agreeable to the cooperative and the utility for addressing such rights and obligations in the appropriate regulatory proceeding. Such proposal shall be consistent with applicable law regarding the rights and obligations of the electric cooperative and the utility under such existing generation or transmission agreements.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Deshotel offered the following amendment to **CSHB 1567**:

Amend **CSHB 1567** as follows:

(1) On page 2, line 21, strike "and".

(2) On page 2, line 26, strike the underlined period and substitute:

;

(3) the electric utility may not use credit scoring to determine charges for residential electric service or for any other purpose in relation to residential services other than to evaluate whether a residential customer must qualify for credit by making a security deposit;

(4) the electric utility shall accept a security deposit from a residential customer as a means of qualifying for credit, in an amount not to exceed a reasonable estimate of an average charge for two months of service for the customer; and

(5) the electric utility shall, without interruption or a reduction in resources, continue to offer all programs to assist low-income customers that were being offered on January 1, 2005.

Amendment No. 3 was adopted.

CSHB 1567, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 695 ON SECOND READING
(by Leibowitz, Martinez, Eiland, Herrero, Vo, et al.)

CSHB 695, A bill to be entitled An Act relating to restrictions on the prices of certain consumer goods and services during an abnormal disruption of the market.

CSHB 695 was read second time earlier today and was postponed until this time.

(Farabee in the chair)

Amendment No. 1

Representative Elkins offered the following amendment to **CSHB 695**:

Amend **CSHB 695** as follows:

(1) On page 3, line 8, strike "A" and substitute "Except as otherwise provided by this subsection, a".

(2) On page 3, line 16, following the period, add the following:
The price for a room in a hotel, as defined by Section 156.001, Tax Code, is unconscionably excessive as a matter of law if the price exceeds the daily room rate posted as provided under Section 2155.001, Occupations Code.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Elkins offered the following amendment to **CSHB 695**:

Amend **CSHB 695** as follows:

(1) Strike page 1, line 14 through page 3, line 1.

(2) On page 3, line 2, strike "48.005" and substitute "48.002".

(3) On page 3, line 3, strike "a proclamation of".

(4) On page 3, line 4, strike "is in effect for" and substitute "for any consumer good or service occurs in".

(5) On page 3, lines 14-15, strike "occurrence of the event or circumstance identified by the governor's proclamation as preventing" and substitute "abnormal disruption of the market that prevents".

(6) On page 3, lines 17-19, strike "a deceptive trade practice under Subchapter E, Chapter 17, and constitutes a separate violation from any violation of Section 17.46(b)(27)" and substitute "considered a false, misleading, or deceptive act or practice for purposes of Section 17.46(a), and is subject to action only by the consumer protection division of the attorney general's office as provided by Section 17.46(a)".

Amendment No. 2 was adopted.

CSHB 695, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Jackson recorded voting no)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Natural Resources, upon adjournment today, Desk 112, for a formal meeting, to consider pending business.

Rules and Resolutions, upon adjournment today, 2W.25, for a formal meeting, to set the calendar.

Government Reform, upon adjournment today, Desk 114, for a formal meeting.

Energy Resources will reconvene 15 minutes after adjournment today, E1.014, for a public hearing.

County Affairs will reconvene upon adjournment today, E2.016, for a public hearing, to consider bills as posted and pending bills.

Calendars, upon adjournment today, 3W.9, for a formal meeting, to set the calendar.

FIVE DAY POSTING RULE SUSPENDED

Representative Seaman moved to suspend the five day posting rule to allow the Committee on Insurance, Subcommittee on Life and Health, to consider **HB 2813** upon final recess/adjournment tomorrow in E2.012.

The motion prevailed.

Representative Dutton moved to suspend the five day posting rule to allow the Committee on Juvenile Justice and Family Issues to consider **SB 90**.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Insurance, Subcommittee on Life and Health, upon final recess/adjournment tomorrow, E2.012, for a public hearing, to consider **HB 2813** and posted bills.

Juvenile Justice and Family Issues, upon adjournment today, E2.014, for a public hearing, to consider **SB 90** and pending business.

ADJOURNMENT

Representative Denny moved that the house adjourn until 10 a.m. tomorrow in memory of Private Aaron Hudson of Highland Village who was killed in the line of duty.

The motion prevailed.

The house accordingly, at 3:20 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1**MESSAGE FROM THE SENATE**

SENATE CHAMBER

Austin, Texas

Wednesday, April 20, 2005

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:**SB 253**

West, Royce

Relating to the eligibility of juvenile justice alternative education programs for free textbooks for use in the programs.

SB 517

Armbrister

Relating to studies or projects concerning coastal erosion that may be undertaken by the General Land Office in conjunction with qualified project partners.

SB 767

Wentworth

Relating to the appraisal for ad valorem tax purposes of certain land included in a habitat preserve and subject to a conservation easement.

SB 815

Lucio

Relating to the long-range plan for the South Texas Health Care System and the provision of tuberculosis and other health care services in the Lower Rio Grande Valley.

SB 938

West, Royce

Relating to the creation of a prison diversion pilot program.

SB 1298

Armbrister

Relating to restrictions on the transfer of a fuel tank to a metal recycling entity.

SB 1345

Van de Putte

Relating to the amount of emergency leave granted by state agencies to state employees on unpaid military leave.

SB 1525

Zaffirini

Relating to safe patient handling and movement practices of nurses in hospitals and nursing homes.

THE SENATE HAS CONCURRED IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 280 (31 Yeas, 0 Nays)

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 19

Agriculture and Livestock - **HB 1426, HB 1568, HB 2049, HB 2313**

Business and Industry - **HB 1870, HB 2452**

Civil Practices - **HB 3356**

Culture, Recreation, and Tourism - **HB 505, HB 2027, HB 2037, HB 2622, HB 2942, HB 3386**

Defense Affairs and State-Federal Relations - **HB 2335, HB 3115, HB 3163**

Environmental Regulation - **HB 1611**

Financial Institutions - **HB 846**

Human Services - **HB 470, HB 877, HB 1867, HB 1999, SB 187**

Judiciary - **HB 2569, HB 2671, HB 3263**

Law Enforcement - **HB 2110**

Pensions and Investments - **HB 815, HB 831, HB 1594, HB 2374, HB 2918**

Public Health - **SB 239**

Regulated Industries - **HB 843, HB 1698**

State Affairs - **HB 2466**

Urban Affairs - **HB 2209**

ENGROSSED

April 19 - HB 56, HB 57, HB 311, HB 348, HB 383, HB 571, HB 678, HB 758, HB 856, HB 942, HB 1015, HB 1088, HB 1155, HB 1215, HB 1262, HB 1304, HB 1347, HB 1685, HB 2131, HB 2191, HB 2194, HB 2199, HB 2274, HB 2392, HB 2650, HB 2653, HB 3016, HB 3036, HCR 37

ENROLLED

April 19 - HCR 141

SENT TO THE GOVERNOR

April 19 - HCR 10, HCR 141, HCR 142

