

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-EIGHTH DAY (CONTINUED) — FRIDAY, APRIL 29, 2005

The house met at 9 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 440).

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.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; 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.; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; 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.

Absent, Excused — Griggs; Martinez; Nixon; Noriega, M.; Woolley.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Luna; Pitts.

The invocation was offered by Representative McClendon.

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

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the conference committee on **SB 1**:

Gattis on motion of Homer.

Kolkhorst on motion of Homer.

Luna on motion of Homer.

Pitts on motion of Homer.

CAPITOL PHYSICIAN

The chair recognized Representative Hill who presented Dr. Les Tingle of Garland as the "Doctor for the Day."

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

HR 1074 - ADOPTED (by Callegari)

Representative Callegari moved to suspend all necessary rules to take up and consider at this time **HR 1074**.

The motion prevailed.

The following resolution was laid before the house:

HR 1074, Recognizing May 1, 2005, as Cold War Victory Day.

HR 1074 was read and was adopted.

On motion of Representative Uresti, the names of all the members of the house were added to **HR 1074** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Callegari who introduced Michael Stewart and Paul V. Dudkowski.

HR 1244 - ADOPTED (by Hill)

Representative Hill moved to suspend all necessary rules to take up and consider at this time **HR 1244**.

The motion prevailed.

The following resolution was laid before the house:

HR 1244, Welcoming the winners of the 2005 Richardson ISD Capitol Scholars program to the State Capitol on April 26-27, 2005.

HR 1244 was adopted.

HCR 3 - ADOPTED (by Berman)

Representative Berman moved to suspend all necessary rules to take up and consider at this time **HCR 3**.

The motion prevailed.

The following resolution was laid before the house:

HCR 3, Honoring officers of the Smith County Sheriff's Department, the Tyler Police Department, and the Smith County District Attorney's Office for their bravery in the line of duty on February 24, 2005.

HCR 3 was read and was adopted.

HR 1355 - ADOPTED
(by Strama)

Representative Strama moved to suspend all necessary rules to take up and consider at this time **HR 1355**.

The motion prevailed.

The following resolution was laid before the house:

HR 1355, Honoring retired U.S. Army Sergeant First Class Bobby R. Williams, Sr., for his service in behalf of his country.

HR 1355 was adopted.

On motion of Representative Strama, the names of all the members of the house were added to **HR 1355** as signers thereof.

HR 1373 - ADOPTED
(by Craddick)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1373**.

The motion prevailed.

The following resolution was laid before the house:

HR 1373, Honoring Larry Niemann of Austin on his retirement from the Texas Apartment Association as its legal counsel.

HR 1373 was adopted.

HR 1260 - ADOPTED
(by Castro)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1260**.

The motion prevailed.

The following resolution was laid before the house:

HR 1260, Honoring the brave citizens who served this nation in World War II.

HR 1260 was adopted.

On motion of Representative Edwards, the names of all the members of the house were added to **HR 1260** as signers thereof.

HR 1261 - ADOPTED
(by Castro)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1261**.

The motion prevailed.

The following resolution was laid before the house:

HR 1261, Congratulating Arnulfo Vasquez of the Edgewood School District Disciplinary Alternative Education Program on receiving the Trinity Prize for Excellence in Teaching from Trinity University.

HR 1261 was adopted.

HR 1262 - ADOPTED
(by Castro)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1262**.

The motion prevailed.

The following resolution was laid before the house:

HR 1262, Honoring Kevin Joseph Colson of San Antonio on his 54th birthday.

HR 1262 was adopted.

HR 1263 - ADOPTED
(by Castro)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1263**.

The motion prevailed.

The following resolution was laid before the house:

HR 1263, Congratulating Tricia Najera of Blattman Elementary School on earning the Trinity Prize for Excellence in Teaching from Trinity University.

HR 1263 was adopted.

HR 1144 - ADOPTED
(by Truitt)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1144**.

The motion prevailed.

The following resolution was laid before the house:

HR 1144, Honoring the men of C Company, 506th Regiment, 101st Airborne Division, who courageously served this country during World War II.

HR 1144 was adopted.

On motion of Representative Edwards, the names of all the members of the house were added to **HR 1144** as signers thereof.

HR 1145 - ADOPTED
(by Truitt)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1145**.

The motion prevailed.

The following resolution was laid before the house:

HR 1145, Congratulating the Colleyville Covenant Christian Academy boys basketball team for winning the TAPPS Class 2A championship title.

HR 1145 was adopted.

HR 1146 - ADOPTED
(by Truitt)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1146**.

The motion prevailed.

The following resolution was laid before the house:

HR 1146, Congratulating the Grapevine Faith Christian boys basketball team for winning the TAPPS Class 3A state championship title.

HR 1146 was adopted.

HR 1257 - ADOPTED
(by Crabb)

Representative Crabb moved to suspend all necessary rules to take up and consider at this time **HR 1257**.

The motion prevailed.

The following resolution was laid before the house:

HR 1257, Commending the Leadership Officers Training Corps at Alice Johnson Junior High School in Channelview for its efforts to help its members develop strong leadership skills, good study habits, and self-confidence.

HR 1257 was adopted.

HCR 148 - ADOPTED
(by Krusee)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HCR 148**.

The motion prevailed.

The following resolution was laid before the house:

HCR 148, Designating the Texas Round-Up 10K as the Official 10K of Texas.

HCR 148 was adopted.

LEAVE OF ABSENCE GRANTED

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

Hilderbran on motion of Baxter.

(Edwards in the chair)

CONGRATULATORY AND MEMORIAL CALENDAR

The following congratulatory resolutions were laid before the house:

HR 1012 (by B. Brown), Honoring the Reverend Donald Royce Hickman of Athens for his service as Pastor of the Day.

HR 1013 (by B. Brown), Congratulating Native Texan Jamie Foxx on his successful acting career.

HR 1026 (by R. Cook), Recognizing the 13th Annual State Noodle Cook-off on May 21, 2005, at the 2005 Lee County Fair.

HR 1081 (by Uresti), Commemorating the "Spring Fest–Blue Star Salute" taking place on May 14, 2005, in Converse.

HR 1169 (by Gonzales), Honoring Belinda Cowan on the occasion of her retirement as executive director of the McAllen Boys & Girls Club and for her wide-ranging contributions to her community.

HR 1174 (by Hughes), Honoring retired Lieutenant Colonel Lester Dale Griffith and Joyce Garrett Griffith of Mineola on their 50th wedding anniversary.

HR 1175 was withdrawn.

HR 1176 (by Hughes), Honoring Julia Odom of Gladewater on her 110th birthday.

HR 1180 (by Gallego), Congratulating the Monahans High School Lady Loboes volleyball team for winning the UIL 3A state championship.

HR 1184 (by Farabee), Congratulating Bailey Gann of Wichita County on winning the Reserve Champion Lightweight Junior Market Goat prize at the Houston Livestock Show.

HR 1187 (by Solis), Honoring San Benito's veterans of Operation Iraqi Freedom.

HR 1188 (by Berman), Honoring Willie and Faye Freeman of Tyler on the occasion of their 50th wedding anniversary.

HR 1189 (by Goolsby), Honoring Jim R. Phillips on his nomination for the Texas Association of Broadcasters' 2005 Pioneer Broadcaster of the Year Award.

HR 1192 (by Kolkhorst), Honoring Coach Bob Brock of Sam Houston State University on his 800th career victory.

HR 1193 was withdrawn.

HR 1194 (by Crownover), Commemorating the opening and dedication of the Presbyterian Hospital of Denton in April 2005.

HR 1196 (by Baxter), Honoring U.S. Marine Lance Corporal Brian Evans of Austin.

HR 1197 (by Flynn), Congratulating Crystal Hocutt on her graduation as valedictorian of the Celeste High School Class of 2005.

HR 1198 (by Chavez), Recognizing the Children's Legal Services of Houston's Kids Clothesline Project and National Youth Service Day 2005.

HR 1199 (by Chavez), Honoring Carmenita Littlejohn of El Paso for her heroism.

HR 1200 (by Chavez), Honoring Robert Andrew Tarango of El Paso for his heroism.

HR 1201 (by Chavez), Honoring Gloria Aguilera Terry on her contributions to the El Paso community as executive director of the Center Against Family Violence.

HR 1202 (by Chavez), Honoring Ted Bender for his role in ending enforced segregation in El Paso.

HR 1203 (by Chavez), Honoring Ruben Vogt of Canutillo for his selection as a Truman Scholar.

HR 1204 (by Chavez), Congratulating David Nabhan on winning the 2005 El Paso Times Spelling Bee.

HR 1205 (by Chavez), Honoring Ted Marquez on his contributions to his community as manager of the Traffic Engineering Division of the City of El Paso.

HR 1206 (by Chavez), Honoring Alfredo Aguirre, Alejandro Gutierrez, Albert Rosales, and Saul Sanchez-Lira of El Paso for their heroism.

HR 1207 (by Chavez), Honoring Gloria Ramos of El Paso for her heroism.

HR 1208 (by Chavez), Honoring El Paso police officer Jaime Esparza for his heroism.

HR 1209 (by Chavez), Honoring Retired Major General Edward Greer of El Paso for his service to his community and to his country.

HR 1210 (by Chavez), Honoring Alicia Chacon, former El Paso County Judge, for her exemplary career in public service.

HR 1212 (by Chavez), Honoring Ouisa Davis of El Paso on her achievements as executive director of Diocesan Migrant and Refugee Services.

HR 1215 was withdrawn.

HR 1216 was withdrawn.

HR 1217 (by Castro), Celebrating the 100th anniversary of Ferdinand Herff, Jr., Elementary School in San Antonio.

HR 1218 was withdrawn.

HR 1219 was withdrawn.

HR 1225 (by Giddings), Congratulating "Insights" on the occasion of its 25th anniversary.

HR 1226 (by P. King), Honoring Dr. Tom Annunziato, of Fort Worth and Weatherford, for his notable service to his community.

HR 1232 (by T. King), Honoring Dale L. Bates of San Angelo for his contributions to promoting weather modification technologies in Texas.

HR 1233 (by T. King), Honoring CASSE, Inc., and its board of directors for their service to the citizens of Maverick County.

HR 1234 (by T. King), Congratulating musician Gerardo Lopez of Eagle Pass on being selected to participate in the "Nuevas Voces de America" television program.

HR 1235 (by R. Cook), Congratulating Elm Grove Baptist Church on its sesquicentennial.

HR 1237 (by Anderson), Honoring Derrick Johnson of Waco for winning the 2004 Bronko Nagurski Trophy and the 2004 Dick Butkus Award.

HR 1238 (by Gonzales), Congratulating Oscar Rodriguez on his selection as superintendent of the Mission Consolidated Independent School District.

HR 1239 (by Gonzales), Congratulating Miriam M. Barrientos on being named 2004 Youth of the Year for the Boys and Girls Club of McAllen.

HR 1240 (by M. Noriega), Honoring Louis and Bertie Pedraza of Houston on their 50th anniversary.

HR 1243 was withdrawn.

HR 1246 (by Eissler), Congratulating The Woodlands Highsteppers on being named Grand Champions at the Champion Dance Nationals Drill Team Contest.

HR 1247 (by Hughes and Merritt), Honoring Gene Keenon of Laird Hill on his receipt of the Regional Committee Service Award from the East Texas Council of Governments.

HR 1248 (by Hughes), Honoring Don and Pauletta McConathy of Mineola on the occasion of their 50th wedding anniversary.

HR 1250 was withdrawn.

HCR 145 (by Kuempel), Honoring Sally Ann Reynolds, former director of the Legislative Reference Library for her remarkable career in state government.

HCR 147 (by Craddick), Honoring Kathryn Patricia Beal, the 2005 Bluebonnet Queen.

HCR 149 was withdrawn.

SCR 20 (Dutton - House Sponsor), Commending the professionals of the Texas Juvenile Justice System and recognizing April 19 as Texas Juvenile Justice Day 2005.

SCR 26 (Gonzales - House Sponsor), Commending Troy Lowell Luce for his service to his country.

SCR 28 (Denny - House Sponsor), Recognizing Texas Motor Speedway.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

HR 733 was withdrawn.

HR 1138 (by Chavez), In memory of James Celaya of El Paso.

HR 1150 (by Gallego), In memory of Manuel "Cougar" Fierro, Jr., of Alpine.

HR 1151 (by Gallego), In memory of Maria Belia Gordon of Alpine.

HR 1152 (by Gallego), In memory of Ronnie McFadin of Del Rio.

HR 1154 (by Gallego), In memory of Jimmy Owens of Forney.

HR 1155 (by Gallego), In memory of James Humphrey Marshall III, former superintendent of the Alpine ISD.

HR 1156 (by Gallego), In memory of Guy C. "Woody" Woodruff of Alpine.

HR 1157 (by Gallego), In memory of Freddy Cordova.

HR 1158 (by Frost), In memory of Wilbert Andrew "Big Daddy" Griffin of Texarkana.

HR 1160 (by A. Allen), In memory of Ruth Ella Gee Byrd of Houston.

HR 1182 (by Seaman), In memory of U.S. Army Private First Class Danny Lamar Anderson of Corpus Christi.

HR 1186 (by Solis), In memory of the Honorable Adolfo G. Betancourt, Sr., of Cameron County.

HR 1191 (by Martinez Fischer), Honoring the life of Irene G. Henry of San Antonio.

HR 1211 (by Chavez), In memory of former El Paso mayor Thomas D. Westfall.

HR 1224 (by Giddings, Y. Davis, J. Jones, and Hodge), In memory of James Norman Whitlow of Dallas.

HR 1241 (by Quintanilla), In memory of John Henry Hill of El Paso.

HR 1265 (by Quintanilla), In memory of Margarita Rodriguez of Tornillo.

HR 1266 (by Gallego), In memory of Jimmie L. Rose of Fort Davis.

HR 1267 (by Gallego), In memory of Dorothy Buhler Crawford of El Paso.

HR 1269 (by Gallego), In memory of Alpine native Tom Connor, Jr.

HR 1294 (by Dutton), In memory of Janice Gibson of Houston.

The resolutions were unanimously adopted by a rising vote.

(Speaker pro tempore in the chair)

HR 1428 - ADOPTED
(by Guillen)

Representative Guillen moved to suspend all necessary rules to take up and consider at this time **HR 1428**.

The motion prevailed.

The following resolution was laid before the house:

HR 1428, Honoring the students and faculty of Bernarda Jaime Junior High School in San Diego, Texas, on their visit to the State Capitol.

HR 1428 was read and was adopted.

(Kolkhorst now present)

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING

The following bills were laid before the house, read second time, and passed to third reading, and the following resolutions were laid before the house on committee report and adopted (members registering votes are shown following the caption):

CSHB 161 (by McCall, Strama, Edwards, and Paxton), A bill to be entitled An Act relating to an exemption from the sales tax for nonvehicular fuel cells.

SB 766 (Chisum - House Sponsor), in lieu of **HB 175**, A bill to be entitled An Act relating to allowing a lodge or other local organization affiliated with a grand lodge or similar charitable or benevolent institution or order incorporated under state law to hold a charitable raffle.

Representative Chisum moved to lay **HB 175** on the table subject to call.

The motion prevailed.

HB 312 (by McReynolds), A bill to be entitled An Act relating to the additional tax imposed on land appraised for ad valorem taxation as timber land that is claimed as part of a residence homestead or diverted to certain other uses.

CSHB 381 (by Kolkhorst), A bill to be entitled An Act relating to the service area of the Blinn College District.

CSHB 506 was withdrawn.

HB 703 (by Elkins), A bill to be entitled An Act relating to the deferral of adjudication in cases involving certain misdemeanor traffic offenses.

CSHB 788 (by Hardcastle), A bill to be entitled An Act relating to the jurisdiction of the district court and the transfer of cases from the county courts in the 50th Judicial District to the district court.

HB 831 (by Gonzales and Hartnett), A bill to be entitled An Act relating to the eligibility of certain appellate judges to retire with full benefits.

HB 841 (by Kolkhorst), A bill to be entitled An Act relating to the rates charged by a municipally owned utility to certain recreational vehicle parks for potable water or wastewater service.

CSHB 868 (by Ritter), A bill to be entitled An Act relating to the establishment of a Center for Excellence in Deaf Studies and Deaf Education at Lamar University.

HB 1118 (by Eiland), A bill to be entitled An Act relating to operating a motor vehicle with a person riding in a boat or personal watercraft being drawn by the vehicle; creating an offense.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Phillips, Representative Eiland offered the following committee amendment to **HB 1118**:

Amend **HB 1118**, line 14, by inserting the following after "motor vehicle" and before "in a parade":

while launching the boat or personal watercraft into or retrieving it from an adjacent body of water.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Eiland offered the following amendment to **HB 1118**:

Amend **HB 1118**, line 14, by inserting the following after "motor vehicle" and before "in a parade":

while launching the boat or personal watercraft into or retrieving it from an adjacent body of water.

Amendment No. 2 was adopted.

HB 1244 (by Hopson), A bill to be entitled An Act relating to specialty license plates for classic travel trailers.

CSHB 1248 (by Villarreal and Leibowitz), A bill to be entitled An Act relating to erecting an off-premise sign adjacent to and visible from certain roads.

CSHB 1255 (by Coleman and M. Noriega), A bill to be entitled An Act relating to an increased penalty for certain privileged parking offenses.

HB 1274 (by Hardcastle), A bill to be entitled An Act relating to the service area of the Ranger Junior College District.

CSHB 1391 (by Leibowitz, et al.), A bill to be entitled An Act relating to the creation and availability of a list of builders who provide certain types of building services.

HB 1398 (by Jackson), A bill to be entitled An Act relating to the waiver of penalties and interest on a delinquent ad valorem tax.

HB 1403 (by Deshotel), A bill to be entitled An Act relating to the board of port commissioners of the Port of Beaumont Navigation District of Jefferson County.

HB 1409 (by Coleman and Hegar), A bill to be entitled An Act relating to the authority to change the name of component institutions of The Texas A&M University System.

HB 1455 (by T. King), A bill to be entitled An Act relating to hospital and medical care required to be provided by the Maverick County Hospital District.

CSHB 1458 (by Bailey), A bill to be entitled An Act relating to the creation of the Airline Improvement District; providing authority to impose a tax and issue a bond or similar obligation.

CSHB 1508 (by Denny), A bill to be entitled An Act relating to reporting of expenditures by persons registered as lobbyists.

HB 1606 (by Thompson), A bill to be entitled An Act relating to the level of municipal participation in contracts with developers for public improvements.

HB 1647 (by Hughes), A bill to be entitled An Act relating to the appointment of a campaign treasurer and the filing of reports by a political party's county executive committee that accepts or makes a certain amount of political contributions or expenditures.

HB 1653 (by Chisum), A bill to be entitled An Act relating to the approval, certification, and oversight of the private sector prison industries program.

HB 1659 (by Chavez), A bill to be entitled An Act relating to the designation of certain areas of this state as enterprise zones under the enterprise zone program.

CSHB 1698 (by Puente), A bill to be entitled An Act relating to the authority of certain municipal electric utilities to invest funds held in a decommissioning trust.

Representative Puente moved to postpone consideration of **CSHB 1698** until 10 a.m. May 4.

The motion prevailed.

CSHB 1800 (by Denny and J. Jones), A bill to be entitled An Act relating to corrected reports, registrations, and statements filed with the Texas Ethics Commission.

HB 1893 (by Eiland), A bill to be entitled An Act relating to authorizing a consumer credit reporting agency to provide certain information if the information is needed to avoid a violation of federal law.

CSHB 1997 (by J. Keffer), A bill to be entitled An Act relating to the creation of an appellate judicial system for the Eleventh Court of Appeals District.

CSHB 2027 (by Hilderbran), A bill to be entitled An Act relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.

HB 2045 (by Puente), A bill to be entitled An Act relating to incorporation of a water supply and sewer service corporation as a nonprofit corporation.

HB 2068 (by Anderson), A bill to be entitled An Act relating to the designation of certain state agencies as voter registration agencies.

HB 2069 (by Anderson), A bill to be entitled An Act relating to contracts to provide election services to a political party.

CSHB 2071 (by Rose), A bill to be entitled An Act relating to the designation of U.S. Highway 281 as the American Legion Memorial Highway.

CSHB 2200 (by Thompson), A bill to be entitled An Act relating to the appointment of certified court interpreters.

CSHB 2202 (by Hughes), A bill to be entitled An Act relating to prohibited conflicts of interest of registered lobbyists. (Herrero recorded voting no.)

CSHB 2243 (by Jackson), A bill to be entitled An Act relating to the regulation of locksmiths and locksmith companies under the Private Security Act.

Amendment No. 1

Representative Ritter offered the following amendment to **CSHB 2243**:

Amend **CSHB 2243** on page 1, by striking lines 7-15 and substituting:

Sec. 1702.1056. LOCKSMITH COMPANY. (a) A person acts as a locksmith company for the purposes of this chapter if the person sells, installs, services, or maintains mechanical security devices, including deadbolts and locks, and:

(1) advertises services offered by the company using the term "locksmith"; or

(2) includes the term "locksmith" in the company's name.

Amendment No. 1 was adopted.

CSHB 2257 (by Gallego), A bill to be entitled An Act relating to the speed limit on certain highways in rural counties.

HB 2293 (by R. Cook), A bill to be entitled An Act relating to the disposition of seized weapons.

HB 2322 (by Anchia, et al.), A bill to be entitled An Act relating to the electronic administration of state funds used for voter registration.

CSHB 2335 (by Corte), A bill to be entitled An Act relating to certain duties of state agencies with regard to members of the United States armed forces and their dependents and the communities in which they reside.

CSHB 2348 (by Raymond), A bill to be entitled An Act relating to construction on a highway under the jurisdiction of the Texas Department of Transportation by certain transit departments.

HB 2374 (by McClendon), A bill to be entitled An Act relating to the retirement system for firefighters and police officers in certain municipalities.

HB 2401 was deferred until the end of today's Local, Consent, and Resolutions Calendar.

HB 2414 (by J. Keffer), A bill to be entitled An Act relating to jury service in certain counties.

HB 2466 (by Swinford), A bill to be entitled An Act relating to recycling market development.

CSHB 2518 (by Coleman, et al.), A bill to be entitled An Act relating to the requirements of a mental health court program.

HB 2574 (by Hamric), A bill to be entitled An Act relating to the waiver of civil process continuing education requirements for constables and deputy constables by the Commission on Law Enforcement Officer Standards and Education.

CSHB 2581 (by Solomons), A bill to be entitled An Act relating to the regulation of a perpetual care cemetery and the sale of interment rights in a mausoleum before completion of construction.

HB 2622 (by Phillips), A bill to be entitled An Act relating to boating safety.

CSHB 2656 (by Krusee), A bill to be entitled An Act relating to the establishment of a state airport in Central Texas by the Texas Department of Transportation.

HB 2671 (by Hughes), A bill to be entitled An Act relating to the assignment of certain visiting judges.

HB 2685 (by Gallego), A bill to be entitled An Act relating to the acceptance of gratuities by certain employees of the Parks and Wildlife Department.

HB 2746 (by Deshotel), A bill to be entitled An Act relating to the examination requirements for mold assessors and remediators.

HB 2807 (by Morrison, Berman, Corte, and Escobar), A bill to be entitled An Act relating to vouchers for tuition and required fees at certain institutions of higher education for students who sound "Taps" at a veteran's funeral.

CSHB 2828 (by Hamric), A bill to be entitled An Act relating to the powers and duties of a navigation district or port authority.

HB 2900 (by Hilderbran), A bill to be entitled An Act relating to the eligibility of certain persons for burial in the state cemetery.

HB 2918 (by Kuempel), A bill to be entitled An Act relating to resumption of employment within the Texas Municipal Retirement System by a person who has filed an application for retirement.

CSHB 2942 (by Eiland), A bill to be entitled An Act relating to license fees for commercial fish dealers and shrimp boats.

HB 3113 (by Corte), A bill to be entitled An Act relating to performance incentive awards for certain employees of state agencies who provide services to veterans.

HB 3163 (by M. Noriega), A bill to be entitled An Act relating to the membership of the Texas Military Preparedness Commission.

CSHB 3227 (by Swinford), A bill to be entitled An Act relating to the management of state agency vehicle fleets.

HB 3262 (by Escobar), A bill to be entitled An Act relating to the validation of a governmental act or proceeding of the Town of South Padre Island.

CSHB 3263 (by Hegar, Howard, and Olivo), A bill to be entitled An Act relating to the powers and duties of the district attorney and county attorney in Fort Bend County.

HB 3485 (by Oliveira), A bill to be entitled An Act relating to the establishment of criminal law hearing officers in Cameron County.

SB 129 (Dukes - House Sponsor), A bill to be entitled An Act relating to certain exceptions to the requirement that the operator of a motor vehicle operated on a turnpike project pay the proper toll or the full amount of the toll. (Keel recorded voting no.)

SB 177 (Veasey - House Sponsor), A bill to be entitled An Act relating to the composition of a board of adjustment in certain municipalities.

SB 541 (J. Keffer - House Sponsor), A bill to be entitled An Act relating to posting on the Internet information regarding certain residential property held by an appraisal district.

SB 692 (Puente - House Sponsor), A bill to be entitled An Act relating to the fee a county tax assessor-collector may charge for assessing and collecting ad valorem taxes for certain river authorities.

SB 1342 (Campbell - House Sponsor), A bill to be entitled An Act relating to unemployment compensation eligibility and chargebacks regarding certain spouses of military personnel.

HB 2401 (by Campbell, et al.), A bill to be entitled An Act relating to the eligibility of certain spouses of military personnel for unemployment compensation.

Representative Campbell moved to lay **HB 2401** on the table subject to call.

The motion prevailed.

HB 580 - RECOMMITTED

Representative Howard moved to recommit **HB 580** to the Committee on Environmental Regulation.

The motion prevailed.

MOTION TO ADD NAMES

On motion of Representative Gallego, the names of all the members of the house were added to **HR 1150**, **HR 1151**, **HR 1155**, and **HR 1180** as signers thereof.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 33 and Senate List No. 12).

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).

**PROVIDING FOR A LOCAL, CONSENT,
AND RESOLUTIONS CALENDAR**

Representative Reyna moved to set a local, consent, and resolutions calendar for 9 a.m. Friday, May 6.

The motion prevailed.

**HR 1005 - ADOPTED
(by Dukes)**

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 1005**.

The motion prevailed.

The following resolution was laid before the house:

HR 1005, Commending Jack and Jill of America, Incorporated, and its Austin chapter for their service to youth.

HR 1005 was read and was adopted.

On motion of Representative A. Allen, the names of all the members of the house were added to **HR 1005** as signers thereof.

**HR 1006 - ADOPTED
(by Dukes)**

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 1006**.

The motion prevailed.

The following resolution was laid before the house:

HR 1006, Honoring Bertha Elizabeth Sadler Means of Austin for her work with the Austin chapter of Jack and Jill of America, Incorporated, and her lifelong contributions to the city of Austin and the State of Texas.

HR 1006 was adopted.

On motion of Representative A. Allen, the names of all the members of the house were added to **HR 1006** as signers thereof.

**HR 1008 - ADOPTED
(by Dukes)**

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 1008**.

The motion prevailed.

The following resolution was laid before the house:

HR 1008, Honoring Ada Cecilia Collins Anderson of Austin for her work with Jack and Jill of America, Incorporated, and her lifelong contributions to the city of Austin and the State of Texas.

HR 1008 was adopted.

On motion of Representative A. Allen, the names of all the members of the house were added to **HR 1008** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Dukes who introduced Bertha Sadler Means, Ada Anderson, and representatives of Jack and Jill of America, Incorporated.

(Luna and Pitts now present)

FIVE DAY POSTING RULE SUSPENDED

Representative Morrison moved to suspend the five day posting rule to allow the Committee on Higher Education to consider **HB 1171**, **HB 2488**, **HB 3074**, and **HB 3075** at 8 a.m. Monday, May 2, in JHR 120, for a public hearing.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative J. Keffer requested permission for the Committee on Ways and Means to meet while the house is in session during bill referral today, in 3W.9, for a formal meeting, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Transportation, upon first adjournment today, Desk 46, for a formal meeting, to consider pending business.

Environmental Regulation, upon first adjournment today, Desk 95, for a formal meeting, to consider **HB 39**, **HB 580**, **HB 1821**, **HB 2651**, and **HB 2793**.

Appropriations, upon first adjournment today, Desk 96, for a formal meeting, to consider pending business.

Urban Affairs, upon first adjournment today, Desk 48, for a formal meeting, to consider pending legislation.

State Affairs, upon first adjournment today, Desk 9, for a formal meeting, to consider **HB 3563**.

Public Health, upon final adjournment today, Desk 39, for a formal meeting, to consider pending bills.

Local and Consent Calendars, 4 p.m. or upon final adjournment Monday, May 2, E2.024, for a formal meeting, to consider a local and consent calendar.

Ways and Means, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

ADJOURNMENT

At 11:04 a.m., the chair announced that the house would stand adjourned until 11:15 a.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 33

HB 67, HB 423, HB 1657, HB 1815

Senate List No. 12

SB 492, SB 1299

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

Friday, April 29, 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 151 Zaffirini

Relating to students enrolled in junior college courses for which students may receive both high school and higher education academic credit.

SB 967 Fraser

Relating to the creation of the Central Texas Groundwater Conservation District; providing authority to impose a tax and issue bonds.

SB 1189

Wentworth

Relating to the creation, composition, jurisdiction, and procedure of certain judicial districts, to the election of a local administrative district judge for certain counties, to the juvenile board in certain counties, and to the district courts in certain counties.

SB 1239

Lucio

Relating to a risk assessment program for Type 2 diabetes and the creation of the Type 2 Diabetes Risk Assessment Program Advisory Committee.

SB 1553

Ellis

Relating to the creation of a program for alternative funding of Toward EXcellence, Access, & Success (TEXAS) grants.

Respectfully,

Patsy Spaw

Secretary of the Senate

