

HOUSE JOURNAL

EIGHTIETH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FIFTH DAY — WEDNESDAY, MARCH 28, 2007

The house met at 11:20 a.m. and, at the request of the speaker, was called to order by Representative Krusee.

The roll of the house was called and a quorum was announced present (Record 202).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Garcia; Pierson; Riddle.

(Speaker pro tempore in the chair)

LEAVES OF ABSENCE GRANTED

On motion of Representative Krusee and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative Krusee moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative Krusee and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following bill number).

(Record 203): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Garcia; Pierson; Riddle.

HB 167

HB 178

HB 246

HB 313

HB 342

HB 365

HB 374

HB 398

HB 402

HB 412

HB 482

HB 504

HB 536

HB 860

SB 190

HB 1029

HB 1032 (Phillips - no) (144 - 1 - 2)

HB 1210

HB 1298

HB 1388

HB 1396 (Phillips and Talton - no) (143 - 2 - 2)

HB 1397

HB 1521

HB 1676

HB 1709

HB 1763

HB 1780

**MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 90 ON THIRD READING
(Corte and Naishtat - House Sponsors)**

SB 90, A bill to be entitled An Act relating to the establishment of a pilot program to provide a ballot by electronic mail to military personnel serving overseas.

Amendment No. 1

Representative Anchia offered the following amendment to **SB 90**:

Amend **SB 90**, Second Reading Engrossment, in SECTION 1, in added Section 101.0071(k)(1), Election Code (page 3, line 17), by inserting between "overseas" and the semicolon "and the expansion of the program to include all overseas voters".

Amendment No. 1 was adopted.

A record vote was requested.

SB 90, as amended, was passed by (Record 204): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Garcia; Pierson; Riddle.

Absent — King, P.; Moreno; Rose.

STATEMENT OF VOTE

When Record No. 204 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

POSTPONED BUSINESS

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

HB 590 ON THIRD READING

(by Delisi)

HB 590, A bill to be entitled An Act relating to standards of conduct for and conflicts of interest of state officers and employees.

HB 590 was read third time on March 22 and was postponed until 10 a.m. today.

Representative Delisi moved to postpone consideration of **HB 590** until 10 a.m. Wednesday, April 4.

The motion prevailed.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 1387 ON THIRD READING
(by P. King and Flynn)**

HB 1387, A bill to be entitled An Act relating to requiring a school district to provide for a feasibility study before acquiring title to real property through eminent domain.

(Speaker in the chair)

HB 1387 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HODGE: Representative, I understand the unfunded mandate, I'm opposed to that. I think the schools need local control, but more importantly, I am totally opposed to eminent domain. You're standing there saying two different things, using the same term.

REPRESENTATIVE P. KING: Okay.

HODGE: Originally, I thought this bill was to say if you decide you want to take a person's property through eminent domain, is that this feasibility study must be done before you do that.

P. KING: That's correct.

HODGE: But just a minute ago, sir, you said, "After it has been decided to take the property by eminent domain, then you have the—"

P. KING: Right. I'm sorry, I wasn't very clear. Typically the way it happens, they go out and they try to negotiate with a property owner and try to buy the land. They don't have to do a feasibility study to do that. But once the board makes the decision that they're going to file an eminent domain suit, before they actually do the eminent domain, actually do the forceful taking, that's when they have to do the feasibility study, but not until then.

HODGE: Mr. Speaker, I would like the conversation between me and the representative to be placed in the journal, because I really want to understand that what you're trying to do is to not have property taken by eminent domain if the property has not been proven to be necessary property to take.

P. KING: Yes, ma'am, that's exactly what I'm trying to do. If they're just buying land, until they start that eminent domain process, it's only necessary if they're going to exercise eminent domain. Otherwise they don't have to do it. Thank you for clarifying that.

REMARKS ORDERED PRINTED

Representative Hodge moved to print remarks between Representative P. King and Representative Hodge.

The motion prevailed.

A record vote was requested.

HB 1387 was passed by (Record 205): 96 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eiland; Eissler; Elkins; Escobar; Farabee; Flynn; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Herrero; Hilderbran; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Keffer; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laubenberg; Leibowitz; Macias; Mallory Caraway; Martinez; Miller; Morrison; Mowery; Murphy; O'Day; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Ritter; Rose; Smith, W.; Smithee; Strama; Swinford; Talton; Taylor; Van Arsdale; Vaught; Vo; West; Woolley; Zedler; Zerwas.

Nays — Burnam; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; England; Farias; Farrar; Flores; Hartnett; Hernandez; Hill; Homer; Isett; Jones; Latham; Lucio; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Naishtat; Noriega; Oliveira; Olivo; Phillips; Pitts; Puente; Quintanilla; Raymond; Rodriguez; Smith, T.; Solomons; Straus; Thompson; Truitt; Turner; Veasey; Villarreal.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Frost; Gallego; King, S.

STATEMENTS OF VOTE

When Record No. 205 was taken, I was in the house but away from my desk. I would have voted yes.

Frost

When Record No. 205 was taken, my vote failed to register. I would have voted yes.

S. King

I was shown voting no on Record No. 205. I intended to vote yes.

Truitt

HB 227 ON THIRD READING **(by Ritter and Farabee)**

HB 227, A bill to be entitled An Act relating to the operation of golf carts and side-by-side utility vehicles on municipal streets or county roads.

A record vote was requested.

HB 227 was passed by (Record 206): 138 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Chavez; Christian; Cohen; Cook, B.; Cook, R.; Corte; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Callegari.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Castro; Chisum; Coleman; Crabb; Flores; Heflin; Naishtat.

STATEMENTS OF VOTE

When Record No. 206 was taken, I was in the house but away from my desk. I would have voted yes.

Heflin

I was shown voting yes on Record No. 206. I intended to vote no.

Miller

When Record No. 206 was taken, my vote failed to register. I would have voted yes.

Naishtat

**HB 271 ON THIRD READING
(by Gonzales)**

HB 271, A bill to be entitled An Act relating to disclosure by a home seller of previous use of the home for manufacture of methamphetamine.

A record vote was requested.

HB 271 was passed by (Record 207): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb;

Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Hodge; Miller.

STATEMENT OF VOTE

When Record No. 207 was taken, I was in the house but away from my desk. I would have voted yes.

Miller

HB 1010 ON THIRD READING (by D. Howard, Elkins, and Villarreal)

HB 1010, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of property located in more than one appraisal district and to the boundaries of an appraisal district.

A record vote was requested.

HB 1010 was passed by (Record 208): 131 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Miller; Moreno; Morrison; Mowery; Murphy;

Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Zedler.

Nays — Aycock; Callegari; Crownover; Gattis; Merritt; Phillips; Talton; Taylor; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Darby; Hughes; Macias; Rose; Van Arsdale; Woolley.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 208. I intended to vote no.

B. Brown

I was shown voting yes on Record No. 208. I intended to vote no.

F. Brown

When Record No. 208 was taken, my vote failed to register. I would have voted yes.

Darby

I was shown voting yes on Record No. 208. I intended to vote no.

Hancock

When Record No. 208 was taken, I was in the house but away from my desk. I would have voted yes.

Woolley

HB 1060 ON THIRD READING
(by Parker, McClendon, Zerwas, et al.)

HB 1060, A bill to be entitled An Act relating to the use of electronically readable information from a driver's license or personal identification certificate by certain health care providers and hospitals.

A record vote was requested.

HB 1060 was passed by (Record 209): 136 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.;

King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Morrison; Murphy; Naishtat; Noriega; O'Day; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Aycock; Bailey; Callegari; Howard, C.; Miller.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Cohen; Darby; Farrar; Mowery; Oliveira.

STATEMENT OF VOTE

When Record No. 209 was taken, my vote failed to register. I would have voted yes.

Darby

HB 391 ON THIRD READING (by Hartnett)

HB 391, A bill to be entitled An Act relating to the estates of decedents.

A record vote was requested.

HB 391 was passed by (Record 210): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

HB 684 ON THIRD READING

(by Pickett)

HB 684, A bill to be entitled An Act relating to state assistance for housing developments located in certain disaster areas.

A record vote was requested.

HB 684 was passed by (Record 211): 136 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Callegari; Hilderbran; Macias; Talton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Burnam; Dutton; Flores; Hernandez; King, S.; McClendon.

STATEMENT OF VOTE

I was shown voting yes on Record No. 211. I intended to vote no.

Darby

HB 423 ON THIRD READING

(by Corte)

HB 423, A bill to be entitled An Act relating to requiring that medical examiners and justices of the peace report certain deaths that result from a motor vehicle accident to the Texas Department of Public Safety.

A record vote was requested.

HB 423 was passed by (Record 212): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Flores; McClendon; Mowery.

HB 34 ON THIRD READING (by Solomons)

HB 34, A bill to be entitled An Act relating to the prohibition of certain payments or other inducements regarding a workers' compensation claim; providing an administrative violation.

A record vote was requested.

HB 34 was passed by (Record 213): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; Menendez; Merritt; Miles; Miller;

Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Alonzo; Bailey; Flores; Hancock; Harless; McReynolds.

STATEMENT OF VOTE

When Record No. 213 was taken, I was in the house but away from my desk. I would have voted yes.

McReynolds

HB 694 ON THIRD READING (by Smithee)

HB 694, A bill to be entitled An Act relating to the declination of compensation by a candidate for a county or precinct office.

A record vote was requested.

HB 694 was passed by (Record 214): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

HB 396 ON THIRD READING
(by B. Cook and Murphy)

HB 396, A bill to be entitled An Act relating to the development of a standard method of computing a student's high school grade point average.

A record vote was requested.

HB 396 was passed by (Record 215): 143 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Latham.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Miller; Mowery.

HB 314 ON THIRD READING
(by Eissler, Eiland, et al.)

HB 314, A bill to be entitled An Act relating to the classroom placement of multiple birth siblings in public schools.

A record vote was requested.

HB 314 was passed by (Record 216): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales;

Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Bailey; Bolton; Darby.

STATEMENTS OF VOTE

When Record No. 216 was taken, my vote failed to register. I would have voted yes.

Bailey

When Record No. 216 was taken, my vote failed to register. I would have voted yes.

Bolton

HB 1206 ON THIRD READING (by Keffer)

HB 1206, A bill to be entitled An Act relating to the effect of a school district's participation in tax increment financing in connection with certain reinvestment zones on the taxable value of property in the district for school finance purposes.

A record vote was requested.

HB 1206 was passed by (Record 217): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer;

McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Garcia; Pierson; Riddle.

Absent — Eiland; Hamilton; Hodge; Latham; Macias; Miller; Oliveira.

STATEMENT OF VOTE

I was shown voting present, not voting on Record No. 217. I intended to vote yes.

Giddings

CORRECTIONS IN REFERRAL

Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

FIVE DAY POSTING RULE SUSPENDED

Representative Keffer moved to suspend the five day posting rule to allow the Committee on Ways and Means to consider **HB 1976** at 1 p.m. or upon adjournment today in E2.010.

The motion prevailed.

Representative Driver moved to suspend the five day posting rule to allow the Committee on Law Enforcement to consider **SB 295**, **SB 330**, and **SB 332** upon adjournment today in 3W.9.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Border and International Affairs and State Affairs joint committee meeting, 1 p.m. today, E1.004, for a public hearing, to hear invited testimony.

County Affairs, 2 p.m. today, at the posted location.

Corrections, Senate Committee on Criminal Justice, and the Joint Select Committee on the Operation and Management of the Texas Youth Commission, 1 p.m. today, House Appropriations Committee Room, for a public hearing.

Juvenile Justice and Family Issues, 2 p.m. today, E2.026, for a formal meeting, to consider posted business.

Criminal Jurisprudence, upon adjournment today, Desk 37, for a formal meeting, to consider pending business.

Law Enforcement, upon adjournment today, 3W.9, for a formal meeting, to consider **SB 295**, **SB 330**, **SB 332**, and pending business.

Border and International Affairs, upon final adjournment today, Desk 30, for a formal meeting, to consider pending business.

Insurance, upon final adjournment today, Desk 24, for a formal meeting, to consider pending business.

ADJOURNMENT

Representative Bonnen moved that the house adjourn until 9 a.m. tomorrow in memory of Dorothy McNally of Longview.

The motion prevailed.

The house accordingly, at 12:11 p.m., adjourned until 9 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 3821 (By Villarreal), Relating to the disclosure and use of sales price of real property sales; providing a civil penalty.

To Ways and Means.

HB 3837 (By Gonzalez Toureilles), Relating to regulation by the railroad commission of injection wells used for in situ uranium mining.

To Energy Resources.

HB 3879 (By Menendez), Relating to the powers and duties of defense base development authorities; modifying the power of eminent domain.

To Defense Affairs and State-Federal Relations.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 27

Border and International Affairs - **HB 2212, HCR 125**

Business and Industry - **HB 85, HB 550**

County Affairs - **HB 492, HB 892, HB 1380**

Criminal Jurisprudence - **HB 1093**

Environmental Regulation - **HB 1956**

Financial Institutions - **HB 1716**

Judiciary - **HB 421, HB 1346, HB 1356, HB 2766, HB 2967**

Licensing and Administrative Procedures - **HB 2352, HB 2425**

Transportation - **HB 90**

ENGROSSED

March 27 - HB 48, HB 389, HB 566, HB 733, HB 1212, HB 1295, HB 1967

ENROLLED

March 27 - HCR 27, HCR 131

RECOMMENDATIONS FILED WITH THE SPEAKER

March 27 - HB 475, HB 1020, HB 1283, HB 1329, HB 1376, HB 1498, HB 1565, HB 1854, HB 1918, HB 2072, HB 2384, HB 2442