

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-EIGHTH DAY — WEDNESDAY, MARCH 25, 2009

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 53).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Harcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent — Crownover.

The invocation was offered by William Eudy, pulpit minister, Southside Church of Christ, Mineral Wells, as follows:

Our most holy and perfect Father, we approach you this morning with praise and thanksgiving in our hearts for the grace you have freely bestowed on us. We are thankful that you have given us the privilege of living in the land of the free and the home of the brave, and we wish to thank you for the blessing of living in such a great state with such great people.

You have also blessed each of us with the benefit of using our lives to serve other people. Today, Lord, we ask you to bless your honorable servants in this chamber, and we pray, without doubting, that you will give them wisdom from above as they make decisions that will benefit our great state. We also bow before you to express our gratitude for the brave men and women who humbly serve in their home communities as our public servants. We realize that their

commitment is honored by you and we understand that their sacrifice goes above and beyond the call of duty. Father, please protect them as they work. Please comfort their families when they are afraid for their loved ones. We thank you that they show us such a great example of Christ when they disregard their own lives for the sake of protecting ours.

God, please give us a sense of unity as we try to be the servants you have called us to be. Help us to be the people Jesus died for us to be. It is in his precious name that we pray these things. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Paxton who presented Dr. N. Christopher Lawrence of McKinney as the "Doctor for the Day."

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

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).

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of family business:

Smithee on motion of Swinford.

HR 794 - ADOPTED (by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 794**.

The motion prevailed.

The following resolution was laid before the house:

HR 794, In memory of Gene Borders of Center.

HR 794 was read and was unanimously adopted by a rising vote.

INTRODUCTION OF GUESTS

The speaker recognized Representative Christian who introduced family members of Gene Borders.

(Crownover now present)

REGULAR ORDER OF BUSINESS SUSPENDED

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

HR 892 - ADOPTED
(by McReynolds, Hopson, and Frost)

Representative McReynolds moved to suspend all necessary rules to take up and consider at this time **HR 892**.

The motion prevailed.

The following resolution was laid before the house:

HR 892, Recognizing the Texas Forestry Association on the occasion of its seedling giveaway and commending association members for their reforestation efforts and advocacy.

(Sheffield in the chair)

HR 892 was read and was adopted.

On motion of Representative Cook, the names of all the members of the house were added to **HR 892** as signers thereof.

HR 875 - ADOPTED
(by Kleinschmidt)

Representative Kleinschmidt moved to suspend all necessary rules to take up and consider at this time **HR 875**.

The motion prevailed.

The following resolution was laid before the house:

HR 875, Recognizing Deputy Mayor Cedric Cirasa of Villefranche-sur-Mer, France, as an honorary Texan.

HR 875 was adopted.

INTRODUCTION OF GUEST

The chair recognized Representative Kleinschmidt who introduced Deputy Mayor Cedric Cirasa.

(Speaker in the chair)

HR 904 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 904**.

The motion prevailed.

The following resolution was laid before the house:

HR 904, Honoring Mayor Jack Leonhardt for his dedicated service to the City of Windcrest.

HR 904 was adopted.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 904** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative McClendon who introduced Mayor Jack Leonhardt and his wife, Barbara.

(Anderson in the chair)

**HCR 133 - ADOPTED
(by Berman)**

Representative Berman moved to suspend all necessary rules to take up and consider at this time **HCR 133**.

The motion prevailed.

The following resolution was laid before the house:

HCR 133, Honoring Calvin Nelson Clyde, Jr., of Tyler on his 88th birthday.

HCR 133 was adopted.

(Berman in the chair)

**HR 990 - ADOPTED
(by Anderson)**

Representative Anderson moved to suspend all necessary rules to take up and consider at this time **HR 990**.

The motion prevailed.

The following resolution was laid before the house:

HR 990, Congratulating the Robinson High School girls' basketball team on winning the 2009 UIL 3A state championship.

HR 990 was adopted.

**HR 549 - PREVIOUSLY ADOPTED
(by Heflin)**

The chair laid out the following previously adopted resolution:

HR 549, Recognizing March 25, 2009, as Big Spring Area Day at the State Capitol.

INTRODUCTION OF GUESTS

The chair recognized Representative Heflin who introduced a delegation from the Big Spring area.

(Speaker in the chair)

**HR 1031 - ADOPTED
(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 1031**.

The motion prevailed.

The following resolution was laid before the house:

HR 1031, Recognizing March 25, 2009, as Greek Independence Day.

HR 1031 was adopted.

On motion of Representative Veasey, the names of all the members of the house were added to **HR 1031** as signers thereof.

HR 868 - ADOPTED
(by Keffer)

Representative Keffer moved to suspend all necessary rules to take up and consider at this time **HR 868**.

The motion prevailed.

The following resolution was laid before the house:

HR 868, Recognizing the State Firemen's and Fire Marshals' Association of Texas on Firefighter Legislative Day at the State Capitol.

HR 868 was read and was adopted.

On motion of Representative S. King, the names of all the members of the house were added to **HR 868** as signers thereof.

HR 885 - ADOPTED
(by Swinford, Chisum, Darby, Heflin, Smithee, et al.)

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 885**.

The motion prevailed.

The following resolution was laid before the house:

HR 885, Recognizing March 25, 2009, as Texas Wind Energy Day at the State Capitol.

HR 885 was read and was adopted.

HR 1036 - ADOPTED
(by Swinford)

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 1036**.

The motion prevailed.

The following resolution was laid before the house:

HR 1036, Commending Warren Lasher and Dan Woodfin of the Electric Reliability Council of Texas for their award-winning work in behalf of renewable energy transmission infrastructure.

HR 1036 was read and was adopted.

HR 947 - ADOPTED
(by S. King)

Representative S. King moved to suspend all necessary rules to take up and consider at this time **HR 947**.

The motion prevailed.

The following resolution was laid before the house:

HR 947, Commemorating the 100th anniversary of the Texas Board of Nursing.

HR 947 was adopted.

On motion of Representative Patrick, the names of all the members of the house were added to **HR 947** as signers thereof.

MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 873 ON SECOND READING
(by Dukes, Pitts, McCall, Cook, Homer, et al.)

CSHB 873, A bill to be entitled An Act relating to incentives for the film, television, video, and digital interactive media production industries.

CSHB 873 was passed to engrossment. (Crabb, Geren, Laubenberg, and Paxton recorded voting no.)

CSHB 394 ON SECOND READING
(by Rose, Strama, Rodriguez, Harless, Parker, et al.)

CSHB 394, A bill to be entitled An Act relating to use of the money from the Texas Enterprise Fund to benefit small businesses.

Amendment No. 1

Representative Rose offered the following amendment to **CSHB 394**:

Amend **CSHB 394** as follows:

- (1) On page 1, line 7, strike "creation" and substitute "development".
- (2) On page 1, line 12, between "the" and "development", strike "creation".
- (3) On page 1, line 12, between "development" and "and", strike ";".
- (4) On page 1, line 14, between "fund" and ";", strike "to recipients that are".
- (5) On page 1, line 15, between "(1)" and "small", insert "to recipients that are".
- (6) On page 1, line 16, following ";", strike "or".
- (7) On page 1, line 17, between "(2)" and "small", insert "to recipients that are".

- (8) On page 1, line 18, between "state" and ":", insert "; or
(3) for individual projects that create 100 or fewer additional jobs".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Veasey offered the following amendment to **CSHB 394**:

Amend **CSHB 394** as follows:

(1) On page 1, line 11, strike "(k) and (l)" and substitute "(k), (l), and (m)".

(2) On page 1, following line 24, insert the following:

(m) In making grants under Subsection (k), the governor shall consider making grants from the fund to historically underutilized businesses, as defined by Section 2161.001.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Burnam offered the following amendment to **CSHB 394**:

Amend **CSHB 394** as follows:

(1) On page 1, line 11, strike "Subsections (k) and (l)" and substitute "Subsections (k), (l), and (m)".

(2) On page 1, immediately following line 24, insert the following:

(m) At least 10 percent of the total amount of grants made from the fund must be to fund the establishment and expansion of small businesses in this state that have as their primary purpose the provision of energy derived from renewable energy technology, as defined by Section 39.904(d), Utilities Code.

Representative Rose moved to table Amendment No. 3.

The motion to table prevailed by (Record 54): 95 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Driver; Edwards; Eissler; Elkins; England; Farabee; Fletcher; Flynn; Frost; Gattis; Geren; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hilderbran; Homer; Hopson; Howard, C.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Lewis; Lucio; Madden; McCall; McReynolds; Menendez; Merritt; Miller, D.; Miller, S.; Morrison; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pierson; Pitts; Quintanilla; Riddle; Rios Ybarra; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Swinford; Taylor; Thibaut; Truitt; Vaught; Weber; Woolley; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bolton; Burnam; Castro; Chavez; Cohen; Davis, Y.; Deshotel; Dunnam; Dutton; Eiland; Farias; Farrar; Flores; Gallego; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hernandez; Herrero; Hochberg; Hodge; Howard, D.; Kent; Leibowitz;

Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Miklos; Moody; Naishtat; Olivo; Ortiz; Peña; Raymond; Rodriguez; Strama; Thompson; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 54 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

I was shown voting no on Record No. 54. I intended to vote yes.

Guillen

Amendment No. 4

Representative England offered the following amendment to **CSHB 394**:

Amend **CSHB 394** as follows:

(1) On page 1, line 11, between "Subsections" and "(k)", insert "(f-1)".

(2) On page 1, between lines 11 and 12, insert:

(f-1) Once a grant is awarded to a business other than a small business, a grant recipient may not pay additional compensation to an executive above the executive's base salary in an amount that exceeds 1 percent of the base salary until the recipient actually creates the jobs the recipient promised to create and maintains those jobs for at least a period of two years beginning on the date the jobs are created. If a grant recipient pays additional compensation described by this section without meeting the requirements provided in this section, the grant recipient shall repay all amounts received under this section.

Amendment No. 4 - Point of Order

Representative Christian raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of Amendment No. 4.

Amendment No. 5

Representative Burnam offered the following amendment to **CSHB 394**:

Amend **CSHB 394** as follows:

(1) On page 1, line 11, strike "Subsections (k) and (l)" and substitute "Subsections (k), (l), and (m)".

(2) On page 1, immediately following line 24, insert the following:

(m) At least 10 percent of the total amount of grants made from the fund may be used to fund the establishment and expansion of small businesses in this state that have as their primary purpose the provision of energy derived from renewable energy technology, as defined by Section 39.904(d), Utilities Code.

Representative Rose moved to table Amendment No. 5.

The motion to table prevailed by (Record 55): 83 Yeas, 65 Nays, 1 Present, not voting.

Yeas — Anderson; Aycocock; Berman; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Driver; Dukes; Eissler; Elkins; Fletcher; Flores; Flynn; Gattis; Geren; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Homer; Hopson; Howard, C.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Lewis; Madden; McCall; McClendon; McReynolds; Merritt; Miller, D.; Miller, S.; Morrison; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pitts; Riddle; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Truitt; Weber; Woolley; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Deshotel; Dunnam; Dutton; Edwards; Eiland; England; Farabee; Farias; Farrar; Frost; Gallego; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Heflin; Hernandez; Herrero; Hochberg; Hodge; Howard, D.; Kent; Leibowitz; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; Menendez; Miklos; Moody; Naishtat; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Quintanilla; Raymond; Rios Ybarra; Rodriguez; Thibaut; Thompson; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Amendment No. 6

Representative England offered the following amendment to **CSHB 394**:

Amend **CSHB 394** on page 1, by striking lines 12 through 18, and substituting the following:

(k) To encourage the creation, development, and location of small businesses in this state, the governor:

(1) shall consider making grants from the fund to recipients that are:

(A) small businesses in this state that commit to using the grants to create additional jobs; or

(B) small businesses from outside the state that commit to relocate to this state; and

(2) may only grant an award to a business other than a small business, if the grant recipient agrees not to pay additional compensation to an executive above the executive's base salary in an amount that exceeds 1 percent of the base

salary until the recipient actually creates the jobs the recipient promised to create and maintains those jobs for at least a period of two years beginning on the date the jobs are created.

Amendment No. 6 - Point of Order

Representative Christian raised a point of order against further consideration of Amendment No. 6 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

RECESS

At 12:05 p.m., the speaker announced that the house would stand recessed until 1:15 p.m. today.

AFTERNOON SESSION

The house met at 1:15 p.m. and was called to order by the speaker.

CSHB 394 - (pending business)

A point of order against Amendment No. 6 was pending at the time of recess.

The point of order was withdrawn.

Amendment No. 6 was withdrawn.

Amendment No. 7

Representative England offered the following amendment to **CSHB 394**:

Amend **CSHB 394** as follows:

(1) On page 1, line 11, strike "Subsections (k) and (l)" and substitute "Subsections (k), (l), and (m)".

(2) On page 1, following line 24, insert the following:

(m) In deciding to award a grant under Subsection (k), the governor must give priority to a small business over a business that pays any of the grant funds to an executive in the form of compensation above the executive's base salary.

Amendment No. 7 was adopted by (Record 56): 103 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Button; Castro; Chavez; Cohen; Coleman; Cook; Crabb; Crownover; Davis, Y.; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Herrero; Hochberg; Hodge; Hopson; Howard, D.; Hunter; Isett; Jackson; Jones; Kent; King, T.; Kleinschmidt; Kolkhorst; Leibowitz; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, T.; Strama; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Aycock; Brown, F.; Callegari; Chisum; Christian; Corte; Craddick; Darby; Davis, J.; Driver; Elkins; Fletcher; Flynn; Geren; Hartnett; Hilderbran; Homer; Howard, C.; Keffer; King, P.; Kuempel; Laubenberg; Legler; Lewis; Madden; Miller, S.; Parker; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, W.; Solomons; Swinford; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Absent — Alvarado; Creighton; Deshotel; Hernandez; Hughes; King, S.; Morrison; Peña.

STATEMENTS OF VOTE

When Record No. 56 was taken, I was in the house but away from my desk. I would have voted yes.

Alvarado

When Record No. 56 was taken, I was in the house but away from my desk. I would have voted no.

Creighton

When Record No. 56 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

I was shown voting no on Record No. 56. I intended to vote yes.

Hilderbran

I was shown voting no on Record No. 56. I intended to vote yes.

Homer

When Record No. 56 was taken, I was temporarily out of the house chamber. I would have voted yes.

Hughes

I was shown voting no on Record No. 56. I intended to vote yes.

Keffer

When Record No. 56 was taken, my vote failed to register. I would have voted no.

S. King

I was shown voting no on Record No. 56. I intended to vote yes.

Solomons

Amendment No. 8

Representative Burnam offered the following amendment to **CSHB 394**:

Amend **CSHB 394** as follows:

(1) On page 1, line 11, strike "Subsections (k) and (l)" and substitute "Subsections (k), (l), and (m)".

(2) On page 1, immediately following line 24, insert the following:

(m) The governor is encouraged to consider making grants from the fund to support the establishment and expansion of small businesses in this state that have as their primary purpose the provision of energy derived from renewable energy technology, as defined by Section 39.904(d), Utilities Code.

Amendment No. 8 was adopted by (Record 57): 125 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycoc; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Smith, T.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Zerwas.

Nays — Berman; Callegari; Craddick; Elkins; Fletcher; Hancock; Howard, C.; Laubenberg; Legler; Miller, S.; Parker; Paxton; Riddle; Shelton; Smith, W.; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Absent — Creighton; Deshotel; Hernandez; Hughes; King, S.; Merritt; Peña.

STATEMENTS OF VOTE

When Record No. 57 was taken, I was in the house but away from my desk. I would have voted no.

Creighton

When Record No. 57 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

I was shown voting no on Record No. 57. I intended to vote yes.

Hancock

When Record No. 57 was taken, my vote failed to register. I would have voted yes.

S. King

CSHB 394, as amended, was passed to engrossment by (Record 58): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Riddle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Absent — Deshotel; Peña.

STATEMENT OF VOTE

When Record No. 58 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

HB 1822 ON SECOND READING (by Solomons, Maldonado, et al.)

HB 1822, A bill to be entitled An Act relating to the use of certain terms by certificated telecommunications utilities, retail electric providers, and electric utilities in retail bills.

HB 1822 was passed to engrossment.

HB 782 ON SECOND READING**(by Pickett)**

HB 782, A bill to be entitled An Act relating to registration exemptions for certain foreign commercial motor vehicles.

HB 782 was passed to engrossment.

CSHB 38 ON SECOND READING**(by Corte, Guillen, Maldonado, Flores, Gattis, et al.)**

CSHB 38, A bill to be entitled An Act relating to resident tuition rates at public institutions of higher education for certain veterans and their spouses and children.

Representative Corte moved to postpone consideration of **CSHB 38** until 10 a.m. Monday, April 6.

The motion prevailed.

HB 693 ON SECOND READING**(by Truitt)**

HB 693, A bill to be entitled An Act relating to an exemption from the structural pest control license requirement for certain falconers.

HB 693 was passed to engrossment.

HB 968 ON SECOND READING**(by Homer, Kuempel, Aycock, and Edwards)**

HB 968, A bill to be entitled An Act relating to the use of crossbows for hunting.

HB 968 was passed to engrossment by (Record 59): 147 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.;

Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Phillips.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

HB 1695 ON SECOND READING

(by S. Turner)

HB 1695, A bill to be entitled An Act relating to the requirement that electric utilities create and implement a plan for infrastructure improvement and maintenance.

Amendment No. 1

Representative S. Turner offered the following amendment to **HB 1695**:

Amend **HB 1695** on page 3, line 13 by inserting the following:

(11) a plan to insure that the utility has a sufficient number of trained and skilled employees to insure the adequate maintenance and reliability of the utility's infrastructure, including a plan to meet both short and long term personnel needs.

Amendment No. 1 was adopted.

Amendment No. 2

Representative S. Turner offered the following amendment to **HB 1695**:

Amend **HB 1695** (house committee report) on page 3, line 20, following the period by inserting:

An entity with facilities attached to the infrastructure of an electric utility submitting a plan shall be included in the notice and opportunity for hearing and shall be permitted to submit information regarding factors such as anticipated cost or benefit as provided in Section 38.101(d).

Amendment No. 2 was adopted.

HB 1695, as amended, was passed to engrossment. (Flynn recorded voting no.)

HB 1637 ON SECOND READING

(by C. Turner, Chavez, Edwards, et al.)

HB 1637, A bill to be entitled An Act relating to normal weekly hours of work under the shared work unemployment compensation program.

HB 1637 was passed to engrossment by (Record 60): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel;

Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Absent — Farrar; Pitts; Swinford.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Truitt requested permission for the Committee on Pensions, Investments, and Financial Services to meet while the house is in session, during bill referral today, in E2.030, to continue the recessed public hearing.

Permission to meet was granted.

Representative Corte requested permission for the Committee on Defense and Veterans' Affairs to meet while the house is in session, during bill referral today, in E2.026, to continue this morning's public hearing.

Permission to meet was granted.

Representative Deshotel requested permission for the Committee on Business and Industry, Subcommittee on Consumer and Employee Issues, to meet while the house is in session, during bill referral today, in E2.036, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, during bill referral today, E2.036, for a formal meeting, to consider pending business.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Kuempel requested permission for the Committee on Licensing and Administrative Procedures to meet while the house is in session, during bill referral today, in E2.016, for a public hearing, to consider previously posted bills.

Permission to meet was granted.

Representative Oliveira requested permission for the Committee on Ways and Means to meet while the house is in session, during bill referral today, in E2.010.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

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

COMMITTEE GRANTED PERMISSION TO MEET

Representative T. Smith requested permission for the Committee on Elections to meet while the house is in session, during bill referral today, in 3W.9, to consider pending business.

Permission to meet was granted.

HB 1783 - RECOMMITTED

Representative Solomons moved to suspend all necessary rules and to recommit **HB 1783** from the Committee on Calendars to the Committee on State Affairs.

The motion prevailed.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Cook requested permission for the Committee on Environmental Regulation to meet while the house is in session, during bill referral today, in E1.014, to consider the posted agenda.

Permission to meet was granted.

Representative Bonnen requested permission for the Committee on Land and Resource Management to meet while the house is in session, during bill referral today, in E2.012, to consider pending and posted business.

Permission to meet was granted.

(Harper-Brown in the chair)

Representative Deshotel requested permission for the Committee on Business and Industry to meet while the house is in session, during bill referral today, in E2.036, for a formal meeting, to consider pending business.

Permission to meet was granted.

Representative Farabee requested permission for the Committee on Energy Resources to meet while the house is in session, during bill referral today, in E1.010, to consider pending and posted business.

Permission to meet was granted.

Representative Gallego requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, during bill referral today, in E2.028, to consider the posted agenda.

Permission to meet was granted.

PROVIDING FOR RECESS

Representative Hopson moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 10 a.m. tomorrow in memory of Susan Thompson of Jacksonville.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Creighton in the chair)

RECESS

In accordance with a previous motion, the house, at 2:53 p.m., recessed until 10 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

HB 2585 (By Hartnett), Relating to advance directives.
To Judiciary and Civil Jurisprudence.

HB 4341 (By Truitt), Relating to the regulation of discount health care programs by the Texas Department of Insurance; providing penalties.
To Public Health.

HB 4342 (By Smithee), Relating to required use by insurers of certain standard insurance policy forms for residential property insurance.
To Insurance.

HB 4343 (By Smithee), Relating to access to certain criminal history record information maintained by the Department of Public Safety.
To Public Safety.

HB 4344 (By Smithee), Relating to regulation of premium rates for long-term care insurance.
To Insurance.

HB 4345 (By Chisum), Relating to relating to the creation of the Texas Center for Sustainable Business.

To Energy Resources.

HB 4346 (By Chisum), Relating to "no regrets" greenhouse gas emission reduction strategies.

To Environmental Regulation.

HB 4347 (By Ortiz), Relating to adoption of a consumer bill of rights for insurance coverage obtained through the Texas Windstorm Insurance Association.

To Insurance.

HB 4348 (By Ortiz), Relating to the allocation of a portion of the state hotel occupancy tax revenue collected in a catastrophe area to the catastrophe reserve trust fund.

To Ways and Means.

HB 4349 (By T. King), Relating to certification of a person as eligible for disabled parking privileges.

To Transportation.

HB 4350 (By Chisum), Relating to the definition of "operator" in relation to the regulation of a solid waste facility.

To Environmental Regulation.

HB 4351 (By Morrison), Relating to the administration and operation of, and the participation of state employees in, the state's programs for prepaying or saving toward the costs of attending an institution of higher education.

To Higher Education.

HB 4352 (By Gonzales), Relating to the removal of county officers from office.

To County Affairs.

HB 4353 (By Gonzales), Relating to the licensing of certain nurses who will practice in border counties.

To Border and Intergovernmental Affairs.

HB 4354 (By T. Smith), Relating to a program allowing for countywide voting centers as an alternative election system.

To Elections.

HB 4355 (By D. Howard), Relating to the conducting of a research study on alternate ways to assure clinical competency of graduates of nursing educational programs.

To Public Health.

HB 4356 (By D. Howard), Relating to the Lower Colorado River Authority's duty to ensure compliance with certain water pressure standards.

To Natural Resources.

HB 4357 (By Madden), Relating to the authority of a justice or municipal court over certain juvenile offenders and their parents.

To Corrections.

HB 4358 (By Smithee), Relating to rulemaking authority for administrative penalties assessed for violations of the Insurance Code.

To Insurance.

HB 4359 (By Smithee), Relating to the registration with the Texas Department of Insurance of certain contract examiners.

To Insurance.

HB 4360 (By Geren), Relating to revenue sources that may be deposited into a municipality or county venue project fund.

To Business and Industry.

HB 4361 (By Geren), Relating to the regulation of retail installment contracts for commercial vehicles.

To Pensions, Investments, and Financial Services.

HB 4362 (By Farabee), Relating to the establishment and operation of the Texas Women Veterans Program.

To Defense and Veterans' Affairs.

HB 4363 (By Y. Davis), Relating to incorrect or unequal appraised value of a property.

To Ways and Means.

HB 4364 (By Y. Davis), Relating to certain individuals entitled to notice from an appraisal district.

To Ways and Means.

HB 4365 (By Y. Davis), Relating to an award of attorney's fees to a prevailing property owner in a property tax dispute resolved by binding arbitration.

To Ways and Means.

HB 4366 (By Riddle), Relating to the powers and duties of the Texas Medical Board.

To Public Health.

HB 4367 (By Castro), Relating to the formula funding for public institutions of higher education for certain credit hours that do not count toward a degree.

To Higher Education.

HB 4368 (By Castro), Relating to the ineligibility for employment by a school district, open-enrollment charter school, or shared services arrangement of persons convicted of certain offenses.

To Public Education.

HB 4369 (By Elkins), Relating to the private disposition of used motor vehicles at certain auto auctions conducted by independent motor vehicle dealers.

To Transportation.

HB 4370 (By Elkins), Relating to the authority of Harris County probate judges to sign orders and act on each other's behalf in the event of their absence, disqualification, or incapacity.

To Judiciary and Civil Jurisprudence.

HB 4371 (By Elkins), Relating to failure to submit to a designated doctor examination.

To Business and Industry.

HB 4372 (By Elkins), Relating to income benefits in the workers' compensation system.

To Business and Industry.

HB 4373 (By Castro), Relating to the independent office of consumer affairs for the Department of Family and Protective Services.

To Human Services.

HB 4374 (By Castro), Relating to the approval of certain construction, repair, or rehabilitation projects at public institutions of higher education in this state.

To Higher Education.

HB 4375 (By Ritter), Relating to methods and procedures of ad valorem tax valuation of inventory of persons engaged in the business of leasing or renting certain vehicles, machinery, or equipment, and to any collection by those persons of tax escrow payments.

To Ways and Means.

HB 4376 (By W. Smith), Relating to the authority of the Baytown Municipal Development District to use sales tax revenue to promote new or expanded business development.

To Natural Resources.

HB 4377 (By Rose), Relating to the confidentiality of certain communications involving an ombudsman program established by an employer as an alternative dispute resolution service.

To Judiciary and Civil Jurisprudence.

HB 4378 (By Rose), Relating to the repeal of obsolete or redundant reporting requirements of health and human services agencies.

To Human Services.

HB 4379 (By Gallego), Relating to certain pretrial and post-trial procedures in a criminal case.

To Criminal Jurisprudence.

HB 4380 (By Gallego), Relating to the contents of an application for a place on the ballot as a candidate for the legislature.

To Elections.

HB 4381 (By Gallego), Relating to the creation of the offense of directing the activities of a criminal street gang.

To Criminal Jurisprudence.

HB 4382 (By Gallego), Relating to standards of competency for attorneys appointed as counsel to indigent applicants in certain habeas corpus proceedings.
To Criminal Jurisprudence.

HB 4383 (By Gallego), Relating to certain license plates issued by the Texas Department of Transportation.
To Transportation.

HB 4384 (By Vaught), Relating to a temporary moratorium on authorizations for certain coal-fired or petroleum coke-fired electric generating facilities.
To Environmental Regulation.

HB 4385 (By Vaught), Relating to the prosecution and punishment of fraud upon certain practitioners; creating an offense and providing criminal penalties.
To Criminal Jurisprudence.

HB 4386 (By Vaught), Relating to the creation of DNA records for the DNA database system.
To Criminal Jurisprudence.

HB 4387 (By Vaught), Relating to the development of contract terms regarding noncompliance by state contractors.
To State Affairs.

HB 4388 (By Chavez), Relating to veteran's employment preferences.
To Defense and Veterans' Affairs.

HB 4389 (By Farias), Relating to the Health and Human Services Commission's authority to combine applications for benefits with a voter registration application.
To Human Services.

HB 4390 (By Farias), Relating to the organization, duties, and functions of the Texas Veterans Commission.
To Defense and Veterans' Affairs.

HB 4391 (By Farias), Relating to the regulation of credit services organizations; providing a civil penalty.
To Pensions, Investments, and Financial Services.

HB 4392 (By Farias), Relating to an electronic means for voters to determine the status of ballots submitted by mail.
To Elections.

HB 4393 (By Farias), Relating to the creation of a pilot program to provide electronic prescribing tools to rural physicians.
To Public Health.

HB 4394 (By C. Turner), Relating to the waiting period for eligibility for benefits under the Texas Employees Group Benefits Act.
To Pensions, Investments, and Financial Services.

HB 4395 (By Deshotel), Relating to dealer agreements and other business requirements for boat dealers, distributors, and manufacturers.

To Business and Industry.

HB 4396 (By Deshotel), Relating to setting a prudent uniform standard for the retail display of aerosol paint; and providing for the collection and distribution of a surcharge on such paint for purpose of preventing graffiti vandalism and repairing damage there from.

To Business and Industry.

HB 4397 (By Deshotel), Relating to payoff statements in connection with mortgage loans.

To Business and Industry.

HB 4398 (By Deshotel), Relating to workers' compensation supplemental income benefits.

To Business and Industry.

HB 4399 (By Peña), Relating to the criminal prosecution of racketeering; providing penalties.

To Criminal Jurisprudence.

HB 4400 (By Martinez Fischer), Relating to the forfeiture of certain contraband.

To Criminal Jurisprudence.

HB 4401 (By Martinez Fischer), Relating to access to certain licensed mental health practitioners.

To Public Health.

HB 4402 (By Martinez Fischer), Relating to insurance coverage of prescription drugs provided under a health benefit plan.

To Insurance.

HB 4403 (By Villarreal), Relating to the filling of a vacancy in state judicial offices by appointment.

To Judiciary and Civil Jurisprudence.

HB 4404 (By Villarreal), Relating to repealing the tuition set aside requirement for the B-On-Time program.

To Higher Education.

HB 4405 (By Villarreal), Relating to establishment of the TEXAS Grant early enrollment guarantee program.

To Higher Education.

HB 4406 (By Taylor), Relating to the application process for a license to carry a concealed handgun.

To Public Safety.

HB 4407 (By Taylor), Relating to maintaining a supply of anaphylaxis medicine on public school campuses served by school nurses.

To Public Education.

HB 4408 (By Taylor), Relating to contracts for the disposal of dredged material from a portion of the Gulf Coast Intracoastal Waterway.

To Transportation.

HB 4409 (By Taylor), Relating to emergency preparation and management.

To Defense and Veterans' Affairs.

HB 4410 (By Taylor), Relating to exemptions from certain mandated benefit requirements in supplemental or limited coverage health benefit plans.

To Insurance.

HB 4411 (By Taylor), Relating to a central database containing information about persons who have been convicted of or received a grant of deferred adjudication for certain offenses involving the manufacture or delivery of a controlled substance.

To Public Safety.

HB 4412 (By Taylor), Relating to the arbitration deposit required for an appeal through binding arbitration of appraisal review board orders involving multiple tracts of land.

To Ways and Means.

HB 4413 (By Taylor), Relating to the required notice of a public hearing on the adoption of an ad valorem tax rate by the governing body of a taxing unit.

To Ways and Means.

HB 4414 (By Taylor), Relating to the application of the sunset review process to the office of vehicle fleet management.

To State Affairs.

HB 4415 (By Farias), Relating to tuition and fee exemptions at public institutions of higher education for certain military personnel and the spouses of certain deceased and missing military personnel.

To Defense and Veterans' Affairs.

HB 4416 (By Kuempel), Relating to the establishment of the Texas Gaming Commission to regulate games of chance or other gaming activities at specific locations including dog or horse tracks, destination resort casinos, or on Indian tribal lands.

To Licensing and Administrative Procedures.

HB 4417 (By Hopson), Relating to the cigars and tobacco products tax.

To Ways and Means.

HB 4418 (By Dunnam), Relating to voter integrity measures and punishment for related offenses.

To Elections.

HB 4419 (By Dunnam), Relating to money contributed to the secretary of state for officeholder purposes.

To State Affairs.

HB 4420 (By Dunnam), Relating to certain reports related to the cancellation of voter registrations.

To Elections.

HB 4421 (By Dunnam), Relating to the form of, and information contained on, a voter registration certificate.

To Elections.

HB 4422 (By Dunnam), Relating to the punishment for the fraudulent use or possession of identifying information related to voter registration or voter impersonation.

To Criminal Jurisprudence.

HB 4423 (By Gonzales), Relating to physician shortage residency programs.

To Public Health.

HB 4424 (By Hernandez), Relating to operations or service fees collected by domestic relations offices.

To Judiciary and Civil Jurisprudence.

HB 4425 (By Hernandez), Relating to authorizing a suit to declare that certain children have been abused, neglected, or abandoned.

To Human Services.

HB 4426 (By Hernandez), Relating to extending foster care coverage for certain children.

To Human Services.

HB 4427 (By Hernandez), Relating to the disposal of certain exhibits used in criminal proceedings in certain counties.

To Criminal Jurisprudence.

HB 4428 (By Hernandez), Relating to eligibility of certain professional librarian faculty members of public institutions of higher education to participate in the group benefits program for state employees.

To Pensions, Investments, and Financial Services.

HB 4429 (By Chisum), Relating to the authority of a school district to impose ad valorem taxes.

To Ways and Means.

HB 4430 (By Dutton), Relating to the waiver of sovereign immunity of a school district for certain claims arising from the provision of community education child care services.

To Public Education.

HB 4431 (By Christian), Relating to the composition of the Texas Medical Board.

To Public Health.

HB 4432 (By Rodriguez), Relating to certain transit authorities.

To Transportation.

HB 4433 (By Rodriguez), Relating to an exemption from oil and gas severance taxes for oil and gas produced in association with the production of geothermal energy.

To Ways and Means.

HB 4434 (By Allen), Relating to voter registration.

To Elections.

HB 4435 (By Allen), Relating to the requirement for mandatory participation by certain principals in the School Leadership Pilot Program for Principals.

To Public Education.

HB 4436 (By T. Smith), Relating to the period during which a judicial candidate or officeholder may accept political contributions.

To Elections.

HB 4437 (By Gonzales), Relating to examination requirements for certain applicants for a license to practice medicine.

To Public Health.

HB 4438 (By Kolkhorst), Relating to the transfer of certain state property from the Texas Department of Criminal Justice to the Texas Forest Service.

To Land and Resource Management.

HB 4439 (By Kolkhorst), Relating to the transmission of information regarding public school students through the use of radio frequency identification technology.

To Public Education.

HB 4440 (By Kolkhorst), Relating to a study by the attorney general of the effects on state law and authority of certain international and other agreements and bodies.

To Judiciary and Civil Jurisprudence.

HB 4441 (By Gonzalez Toureilles), Relating to the authority of the Railroad Commission of Texas to establish standards regarding certain pipelines and appurtenant facilities.

To Energy Resources.

HB 4442 (By Quintanilla), Relating to telecommunications services provided by cable service providers.

To State Affairs.

HB 4443 (By Hancock), Relating to notice to an insurer of an adverse claim to policy proceeds by a person with a bona fide legal claim.

To Insurance.

HB 4444 (By Dunnam), Relating to campaigns for and the election of the speaker of the house of representatives, and the punishment for offenses committed during a campaign or election.

To Elections.

HB 4445 (By Alvarado), Relating to the licensing of court interpreters.
To Judiciary and Civil Jurisprudence.

HB 4446 (By Alvarado), Relating to the investment authority of the Teachers Retirement System of Texas and Employees Retirement System of Texas.

To Pensions, Investments, and Financial Services.

HB 4447 (By Strama), Relating to the Child Care and Development Block Grant.

To Appropriations.

HB 4448 (By Chisum), Relating to fuel quality testing.

To Agriculture and Livestock.

HB 4449 (By Bolton), Relating to the criminal consequences of operating a motorcycle on which a person younger than five is a passenger.

To Transportation.

HB 4450 (By Corte), Relating to including certain veterans service organizations as small businesses for the purpose of state contracting.

To Defense and Veterans' Affairs.

HB 4451 (By McReynolds), Relating to provision of continuity of care services for youth with mental illness or mental retardation who are paroled or discharged from the Texas Youth Commission.

To Corrections.

HB 4452 (By Geren), Relating to amendments to the Texas Timeshare Act.

To Licensing and Administrative Procedures.

HB 4453 (By Branch), Relating to the national research university fund and the allocation of amounts appropriated from the fund, the abolition of the higher education fund, and the institutional groupings established by the Texas Higher Education Coordinating Board.

To Higher Education.

HB 4454 (By Driver), Relating to the regulation of metal recycling entities; providing penalties.

To Environmental Regulation.

HB 4455 (By Martinez Fischer), Relating to prompt payment of insurance claims.

To Insurance.

HB 4456 (By Driver), Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.

To Criminal Jurisprudence.

HB 4457 (By Martinez Fischer), Relating to damages for certain insurance practices.

To Insurance.

HB 4458 (By Strama), Relating to research development and deployment of emerging technology in the area of electricity storage.

To State Affairs.

HB 4459 (By Strama), Relating to economic development and employment opportunities in the renewable energy or energy efficiency industries.

To State Affairs.

HB 4460 (By Martinez Fischer), Relating to the creation of Austin Desired Development Zone District No. 4; providing authority to levy an assessment, impose taxes, and issue bonds; and granting a limited power of eminent domain.

To Natural Resources.

HB 4461 (By Smithee), Relating to confidentiality of certain information maintained by the Texas Department of Insurance.

To Insurance.

HB 4462 (By Hughes), Relating to third-party health insurers.

To Insurance.

HB 4463 (By Martinez Fischer), Relating to the creation of Austin Desired Development Zone District No. 5; providing authority to levy an assessment, impose taxes, and issue bonds; and granting a limited power of eminent domain.

To Natural Resources.

HB 4464 (By Gallego), Relating to crime victim information in a criminal judgment.

To Criminal Jurisprudence.

HB 4465 (By Gallego), Relating to "Welcome to Texas" signs on highways entering Texas and to the placement of Texas flags at international ports-of-entry.

To Culture, Recreation, and Tourism.

HB 4466 (By Gallego), Relating to the applicability of the death penalty to a capital offense committed by a person with mental retardation.

To Criminal Jurisprudence.

HB 4467 (By Gallego), Relating to the creation and prosecution of the offense of making a false statement with the intent to deny a benefit.

To Criminal Jurisprudence.

HB 4468 (By Ritter), Relating to the transfer of funds to the water infrastructure fund from the economic stabilization fund.

To Appropriations.

HB 4469 (By Ritter), Relating to administration of the storage acquisition fund by the Texas Water Development Board.

To Natural Resources.

HB 4470 (By England), Relating to birth records of adopted children.

To Public Health.

HB 4471 (By Kolkhorst), Relating to the professional nursing shortage reduction program.

To Public Health.

HB 4472 (By Callegari), Relating to the monumentation of residential subdivisions in the county.

To Land and Resource Management.

HB 4473 (By Callegari), Relating to the monumentation of residential subdivisions in a municipality.

To Land and Resource Management.

HB 4474 (By Callegari), Relating to the applicability of a fire code in an unincorporated area of a county.

To County Affairs.

HB 4475 (By Callegari), Relating to fire code certificates of compliance, violations, and enforcement; providing penalties.

To County Affairs.

HB 4476 (By Cohen), Relating to eligibility requirements for the tuition equalization grant program.

To Higher Education.

HB 4477 (By Smithee), Relating to assessments, coverage, deposits, and reinsurance of the Texas Life, Accident, Health, and Hospital Service Insurance Guaranty Association.

To Insurance.

HB 4478 (By Martinez Fischer), Relating to the creation of Austin Desired Development Zone District No. 2; providing authority to levy an assessment, impose taxes, and issue bonds; and granting a limited power of eminent domain.

To Natural Resources.

HB 4479 (By Martinez Fischer), Relating to the creation of Austin Desired Development Zone District No. 3; providing authority to levy an assessment, impose taxes, and issue bonds; and granting a limited power of eminent domain.

To Natural Resources.

HB 4480 (By C. Howard), Relating to documentary evidence of citizenship or other status as a requirement for issuance of certain identification documents.

To Public Education.

HB 4481 (By C. Howard), Relating to the establishment of a fraudulent identification unit to be operated by the Department of Public Safety.

To Public Safety.

HB 4482 (By C. Howard), Relating to a requirement of lawful presence in the United States for receipt of state educational benefits and to the determination of resident status of students by public institutions of higher education.

To State Affairs.

HB 4483 (By C. Howard), Relating to verifying the eligibility of applicants for federal, state, and local public benefits; providing a criminal penalty.

To State Affairs.

HB 4484 (By C. Howard), Relating to the creation of the offense of unlawful transport or concealment of an illegal alien.

To Criminal Jurisprudence.

HB 4485 (By C. Howard), Relating to the identification of certain defendants as foreign nationals who were not lawfully admitted to the United States or whose lawful status has expired and to their release on bail.

To Criminal Jurisprudence.

HB 4486 (By C. Howard), Relating to the participation of governmental entities and other employers in a federal work eligibility verification program; establishing an unlawful employment practice.

To State Affairs.

HB 4487 (By C. Howard), Relating to state and local activities concerning and enforcement of federal immigration and custom laws.

To State Affairs.

HB 4488 (By C. Howard), Relating to an alternative graduation plan for students planning to attend certain postsecondary educational institutions.

To Public Education.

HB 4489 (By Eiland), Relating to certain contracts by certain governmental entities.

To State Affairs.

HB 4490 (By Eiland), Relating to certain contracts by certain governmental entities.

To Ways and Means.

HB 4491 (By Eiland), Relating to a tax credit for eligible costs and expenses incurred during the rehabilitation of a historic structure located in a severely damaged or flooded census tract.

To Ways and Means.

HB 4492 (By Eiland), Relating to annuities registered under the Securities Act of 1933.

To Insurance.

HB 4493 (By Eiland), Relating to contracts awarded through competitive bidding by certain port and harbor facilities.

To Transportation.

HB 4494 (By Eiland), Relating to indigent health care costs related to a declared disaster.

To Ways and Means.

HB 4495 (By P. King), Relating to the titling, registration, and operation of mini-trucks.

To Transportation.

HB 4496 (By P. King), Relating to the ad valorem tax situs of certain portable drilling rigs and associated equipment.

To Ways and Means.

HB 4497 (By Vo), Relating to maximization of the amount of federal funding obtained by school districts.

To Public Education.

HB 4498 (By Hamilton), Relating to the issues upon which a local option election may be called.

To Licensing and Administrative Procedures.

HB 4499 (By Hamilton), Relating to school bus safety.

To Public Education.

HB 4500 (By Martinez Fischer), Relating to the creation of Austin Desired Development Zone District No. 1; providing authority to levy an assessment, impose taxes, and issue bonds; and granting a limited power of eminent domain.

To Natural Resources.

HB 4501 (By Coleman), Relating to authorizing an increase in the Intercollegiate Athletics fee at Texas Southern University.

To Higher Education.

HB 4502 (By Coleman), Relating to charity care.

To Public Health.

HB 4503 (By Coleman), Relating to charity care and government-sponsored indigent health care provided by certain hospitals.

To Public Health.

HB 4504 (By Coleman), Relating to reporting requirements for health occupation regulatory agencies.

To Public Health.

HB 4505 (By Coleman), Relating to the eligibility of certain postdoctoral fellows and graduate students to participate in health benefit programs at public institutions of higher education.

To Higher Education.

HB 4506 (By Coleman), Relating to the screening of newborns for sickle-cell trait and other disorders by the Department of State Health Services.

To Public Health.

HB 4507 (By Coleman), Relating to reporting by the Department of State Health Services regarding services provided at school-based health centers.

To Public Health.

HB 4508 (By Coleman), Relating to creation and duties of a county economic development district.

To County Affairs.

HB 4509 (By Coleman), Relating to the exemption from ad valorem taxation of certain real property owned by a nonprofit hospital or hospital system.

To Ways and Means.

HB 4510 (By Coleman), Relating to the creation of a separate local workforce development board for certain counties.

To County Affairs.

HB 4511 (By Coleman), Relating to the composition of certain regional planning commissions.

To County Affairs.

HB 4512 (By Coleman), Relating to the Greater Houston Partnership.

To County Affairs.

HB 4513 (By Coleman), Relating to the licensing and regulation of amusement redemption machines at certain locations; providing criminal penalties.

To Licensing and Administrative Procedures.

HB 4514 (By Coleman), Relating to requiring the Texas Department of Transportation to demonstrate that alternatives to toll roads have been considered.

To Transportation.

HB 4515 (By Coleman), Relating to contracting practices of certain large nonprofit corporations.

To Business and Industry.

HB 4516 (By Homer), Relating to the taxation of sales and use of off-road vehicles.

To Ways and Means.

HB 4517 (By Homer), Relating to transmission of records regarding over-the-counter sales of ephedrine, pseudoephedrine, and norpseudoephedrine.

To Public Safety.

HB 4518 (By Homer), Relating to district court cases that may be considered by judges of constitutional county courts located within the 76th judicial district and 276th judicial district.

To Judiciary and Civil Jurisprudence.

HB 4519 (By Homer), Relating to standards for independent review organizations.

To Insurance.

HB 4520 (By Phillips), Relating to administrative fees for nonpayment of a toll.

To Transportation.

HB 4521 (By Phillips), Relating to the calculation of the rollback tax rate of a school district.

To Ways and Means.

HB 4522 (By Phillips), Relating to the powers and duties of the Texas Department of Transportation related to county traffic officers.

To County Affairs.

HJR 136 (By Gallego), Proposing a constitutional amendment disqualifying certain persons from service in the Legislature.

To Elections.

HJR 137 (By Kuempel), Proposing a constitutional amendment authorizing and regulating games of chance or other gaming activities at specific locations including dog or horse race tracks, destination resort casinos, or on Indian tribal lands.

To Licensing and Administrative Procedures.

SCR 41 to Rules and Resolutions.

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, March 25, 2009

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 158 Ellis

Relating to a notification requirement if a nurse is not assigned to a public school campus.

SB 297 Van de Putte

Relating to resident tuition rates and fees at public institutions of higher education for certain veterans and their spouses and children.

SB 309 Jackson

Relating to the licensing and regulation of amusement redemption machines at certain locations; providing penalties.

SB 657 Fraser

Relating to the selection of the local administrative district judge for Blanco, Burnet, Llano, and San Saba Counties.

SB 745 Duncan

Relating to state travel policies and procedures for the reimbursement or payment of travel expenses.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 24

Corrections - **HB 93, HB 94**

Pensions, Investments, and Financial Services - **HCR 61**

Public Health - **HB 675, HB 1240, HB 1671**

Ways and Means - **HB 773, HB 1038**

SENT TO THE GOVERNOR

March 24 - HCR 36, HCR 98