

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FIRST DAY — TUESDAY, MARCH 31, 2009

The house met at 11:35 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 74).

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; Craddock; 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; 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, Excused — Hernandez.

LEAVES OF ABSENCE GRANTED

On motion of Representative Thompson 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 Thompson moved to suspend all necessary rules 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 Thompson 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 75): 147 Yeas, 0 Nays, 2 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; 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; 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.

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

Absent, Excused — Hernandez.

HB 551

HB 753

HB 963

HB 1683

HB 1758

HB 1871

HB 1963(Harper-Brown,P.King, Leibowitz, Riddle, andTaylor-no)(142-5-2)

HB 1975

HB 2208

HB 2237

HB 2275

HB 2433

HB 2434

HB 2560

REGULAR ORDER OF BUSINESS SUSPENDED

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

SCR 2 - PREVIOUSLY ADOPTED (Smithee - House Sponsor)

The chair laid out and had read the following previously adopted resolution:

SCR 2, Commemorating the centennial of West Texas A&M University.

(McClendon in the chair)

INTRODUCTION OF GUESTS

The chair recognized Representative Smithee who introduced representatives of West Texas A&M University.

(Speaker in the chair)

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 1671 ON THIRD READING

(by Crossover, Naishtat, Coleman, Zerwas, Gonzalez Toureilles, et al.)

HB 1671, A bill to be entitled An Act relating to mutual aid agreements for newborn screening laboratory services.

HB 1671 was passed by (Record 76): 147 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; Crossover; 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; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent — Rose.

STATEMENT OF VOTE

When Record No. 76 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

HB 1297 ON THIRD READING

(by Hochberg, Flores, et al.)

HB 1297, A bill to be entitled An Act relating to optional flexible school day program courses offered by school districts to enable students to earn course credit under certain circumstances.

HB 1297 was passed by (Record 77): 147 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; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent — Isett.

STATEMENT OF VOTE

When Record No. 77 was taken, I was in the house but away from my desk. I would have voted yes.

Isett

HB 1240 ON THIRD READING (by Villarreal, Naishtat, and Coleman)

HB 1240, A bill to be entitled An Act relating to information required to be provided to parents of an infant.

HB 1240 was passed by (Record 78): 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; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; 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, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent — Edwards; Hancock; Laubenberg.

HB 773 ON THIRD READING (by Oliveira, et al.)

HB 773, A bill to be entitled An Act relating to extending the expiration date of the Property Redevelopment and Tax Abatement Act.

HB 773 was passed by (Record 79): 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; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; 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; 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.

Nays — Crabb.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent — Edwards; Elkins.

STATEMENT OF VOTE

I was shown voting yes on Record No. 79. I intended to vote no.

Geren

HB 772 ON THIRD READING

(by D. Howard, Rodriguez, Maldonado, Leibowitz, et al.)

HB 772, A bill to be entitled An Act relating to Internet broadcasts of open meetings held by the State Board of Education.

HB 772 was passed by (Record 80): 148 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; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

HB 1038 ON THIRD READING

(by Paxton, Zerwas, Harless, Gattis, Truitt, et al.)

HB 1038, A bill to be entitled An Act relating to the determination of the market value of a residence homestead for purposes of ad valorem taxation.

HB 1038 was passed by (Record 81): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; 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.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; 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; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent — Alonzo; Davis, Y.; Elkins; Menendez.

HB 350 ON THIRD READING
(by Leibowitz, Herrero, Martinez, et al.)

HB 350, A bill to be entitled An Act relating to use of school district resources for athletic or instructional facilities.

HB 350 was passed by (Record 82): 148 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; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

HB 71 ON THIRD READING
(by Corte, Bohac, Chavez, Branch, S. Miller, et al.)

HB 71, A bill to be entitled An Act relating to the establishment of a program to provide a ballot by electronic mail to military personnel serving overseas and their spouses and dependents residing overseas.

Amendment No. 1

Representative Chisum offered the following amendment to **HB 71**:

Amend **HB 71** on third reading by inserting the following new section, appropriately numbered, and renumbering the subsequent sections of the bill accordingly:

SECTION _____. Chapter 63, Election Code, is amended by adding Section 63.0013 to read as follows:

Sec. 63.0013. EXEMPTION FROM PROOF OF IDENTIFICATION REQUIREMENT: ACTIVE DUTY MILITARY PERSONNEL SERVING IN COMBAT ZONE. (a) A voter is exempt from the proof of identification requirements prescribed by Section 63.0101 if the voter is a member of the armed

forces of the United States who is on active duty under the lawful orders of competent authority in an area that has been designated by the president of the United States as a combat zone.

(b) The secretary of state shall prescribe procedures as necessary to implement this section.

Amendment No. 1 was adopted.

HB 71, as amended, was passed by (Record 83): 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; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Harless; Harper-Brown; Hartnett; Heflin; 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; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent — Hardcastle; Pierson; Thibaut.

HB 271 ON THIRD READING

(by Ortiz, Button, F. Brown, Strama, Parker, et al.)

HB 271, A bill to be entitled An Act relating to the designation of enterprise projects during a biennium.

HB 271 was passed by (Record 84): 148 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; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

POSTPONED BUSINESS

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

CSHB 1161 ON SECOND READING (by Geren)

CSHB 1161, A bill to be entitled An Act relating to local regulation of distance requirements for businesses selling alcoholic beverages near certain establishments.

CSHB 1161 was read second time on March 30 and was postponed until 10 a.m. today.

Representative Geren moved to postpone consideration of **CSHB 1161** until 11:30 a.m. tomorrow.

The motion prevailed.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Gonzalez Tourelles requested permission for the Committee on Agriculture and Livestock to meet while the house is in session, during bill referral today, in E2.028, for a public hearing, to consider the previously posted agenda.

Permission to meet was granted.

Representative Homer requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, during bill referral today, in E1.010, for a public hearing, to consider items from a previously posted notice.

Permission to meet was granted.

Representative Vaught requested permission for the Committee on Criminal Jurisprudence, Subcommittee on Violent Crimes, to meet while the house is in session, during bill referral today, in JHR 120, to continue the posted agenda.

Permission to meet was granted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Deshotel moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Business and Industry, Subcommittee on Consumer and Employee Issues, to consider **HB 1787, HB 1835, HB 1953, HB 2623, HB 2988, HB 3077, HB 3083, HB 3166, HB 3167, HB 3525, and HB 4395.**

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, Subcommittee on Consumer and Employee Issues, 8 a.m. tomorrow, E2.036, for a public hearing, to consider **HB 1787, HB 1835, HB 1953, HB 2623, HB 2988, HB 3077, HB 3083, HB 3166, HB 3167, HB 3525, and HB 4395.**

COMMITTEES GRANTED PERMISSION TO MEET

Representative Pickett requested permission for the Committee on Transportation to meet while the house is in session, during bill referral today, in E2.014.

Permission to meet was granted.

Representative Kolkhorst requested permission for the Committee on Public Health to meet while the house is in session, during bill referral today, in E2.012, to continue the previously posted agenda.

Permission to meet was granted.

FIVE-DAY POSTING RULE SUSPENDED

Representative McClendon moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Criminal Jurisprudence to consider **HB 4464.**

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, 2 p.m. or upon final adjournment tomorrow, E2.028, for a public hearing, to consider **HB 4464** and the posted agenda.

PROVIDING FOR ADJOURNMENT

Representative Zerwas moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

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.)

(Taylor in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 12:34 p.m., adjourned 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

HCR 136 (By Creighton), Designating the tarpon as the official State Saltwater Fish of Texas.

To Culture, Recreation, and Tourism.

HCR 137 (By Gonzalez Toureilles), Commending Orange Grove High School Family, Career, and Community Leaders of America students for their efforts to raise awareness of cancer of unknown primary (CUP) origin and for choosing zebra stripes as the ribbon color to symbolize this rare form of cancer.

To Public Health.

HCR 139 (By Flores), Directing the State Preservation Board to amend its rules to allow the statue in honor of Tejanos to be placed on the south lawn of the Capitol.

To Culture, Recreation, and Tourism.

HCR 148 (By Veasey), Memorializing Congress to ensure that women in U.S. Immigration and Customs Enforcement detention facilities receive full access to the medical care to which they are entitled.

To State Affairs.

HJR 98 (By Thompson), Proposing a constitutional amendment authorizing the governor to grant a pardon to a person who successfully completes a term of deferred adjudication community supervision.

To Corrections.

HR 1138 (By Mallory Caraway), Urging U.S. Treasury Secretary Timothy Geithner to implement a plan that will allow cities affected by the credit crisis to access traditional market interest rates for bonds.

To Urban Affairs.

SB 32 to Public Health.

SB 33 to Public Education.

SB 34 to Judiciary and Civil Jurisprudence.

SB 39 to Insurance.

SB 44 to Higher Education.

SB 52 to Transportation.

SB 65 to Higher Education.

SB 71 to Human Services.

SB 72 to Human Services.

SB 81 to Human Services.

SB 86 to Public Health.

SB 90 to Defense and Veterans' Affairs.

SB 93 to Higher Education.

SB 158 to Public Education.

SB 175 to Higher Education.

SB 188 to Public Health.

SB 189 to Defense and Veterans' Affairs.

SB 202 to Public Health.

SB 220 to Transportation.

SB 229 to County Affairs.

SB 234 to Business and Industry.

SB 235 to Business and Industry.

SB 236 to Business and Industry.

SB 239 to Business and Industry.

SB 271 to Judiciary and Civil Jurisprudence.

SB 279 to Judiciary and Civil Jurisprudence.

SB 284 to Public Health.

SB 286 to Public Health.

SB 287 to Public Health.

SB 288 to Public Health.

SB 289 to Public Health.

- SB 291** to Public Health.
- SB 292** to Public Health.
- SB 293** to Transportation.
- SB 297** to Defense and Veterans' Affairs.
- SB 300** to Public Education.
- SB 309** to Licensing and Administrative Procedures.
- SB 316** to Transportation.
- SB 328** to Criminal Jurisprudence.
- SB 333** to Criminal Jurisprudence.
- SB 334** to Transportation.
- SB 343** to Public Health.
- SB 347** to Public Health.
- SB 348** to Transportation.
- SB 362** to Elections.
- SB 374** to Public Safety.
- SB 376** to County Affairs.
- SB 381** to Public Health.
- SB 395** to Agriculture and Livestock.
- SB 397** to Judiciary and Civil Jurisprudence.
- SB 405** to Transportation.
- SB 407** to Judiciary and Civil Jurisprudence.
- SB 420** to Judiciary and Civil Jurisprudence.
- SB 424** to Public Health.
- SB 434** to Transportation.
- SB 445** to Judiciary and Civil Jurisprudence.
- SB 446** to Urban Affairs.
- SB 470** to Licensing and Administrative Procedures.
- SB 476** to Public Health.
- SB 477** to Judiciary and Civil Jurisprudence.
- SB 481** to Transportation.
- SB 492** to Urban Affairs.
- SB 497** to Judiciary and Civil Jurisprudence.
- SB 503** to Public Education.
- SB 504** to Higher Education.

- SB 506 to Public Safety.
- SB 517 to Judiciary and Civil Jurisprudence.
- SB 524 to County Affairs.
- SB 525 to Public Health.
- SB 527 to Public Health.
- SB 530 to County Affairs.
- SB 531 to Public Health.
- SB 532 to Public Health.
- SB 555 to Judiciary and Civil Jurisprudence.
- SB 572 to Human Services.
- SB 576 to Ways and Means.
- SB 581 to Transportation.
- SB 584 to Public Health.
- SB 589 to Transportation.
- SB 623 to Urban Affairs.
- SB 625 to Criminal Jurisprudence.
- SB 627 to Judiciary and Civil Jurisprudence.
- SB 633 to Corrections.
- SB 643 to Public Health.
- SB 657 to Judiciary and Civil Jurisprudence.
- SB 662 to Public Health.
- SB 683 to Judiciary and Civil Jurisprudence.
- SB 687 to Public Safety.
- SB 703 to Public Health.
- SB 730 to Public Safety.
- SB 731 to Licensing and Administrative Procedures.
- SB 745 to State Affairs.
- SB 759 to Public Education.
- SB 769 to State Affairs.
- SB 820 to Urban Affairs.
- SB 987 to Public Education.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 30

Agriculture and Livestock - **HB 681, HB 1908, HB 1918**

Business and Industry - **HB 257, HB 1209, HB 1382, HB 1819**

Corrections - **HB 609, HB 1688, HB 1711**

Criminal Jurisprudence - **HB 348, HB 493, HB 528, HB 549, HB 825, HB 958, HB 1282, HB 1372, HB 1506, HB 1644, HB 2058**

Culture, Recreation, and Tourism - **HB 1786, HB 2242**

Higher Education - **HB 602, HB 962**

Human Services - **HB 802**

Insurance - **HB 1290, HB 1759, HB 2064, HB 2449, HB 2752, HR 798**

Land and Resource Management - **HB 1213, HB 1445, HB 2387, HB 2906, HB 3202**

Licensing and Administrative Procedures - **HB 357, HB 358, HB 1084, HB 1406, HB 1484, HB 1505, HB 1974, HB 2104, HB 2238, HB 2310, HB 2509, HB 2594, HB 2763, HB 3113**

Natural Resources - **HB 2374, HB 2666**

Public Education - **HB 200, HB 2263**

Public Health - **HB 19, HB 594, HB 887, HB 1232, HB 1363, HB 1404, HB 1409, HB 1678, HB 1740, HB 1785, HB 1990, HB 2030, HB 2055, HB 2196, HB 2330, HB 2382, HB 2383, HCR 88**

Transportation - **HB 575, HB 1810**