

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FORTY-SIXTH DAY — WEDNESDAY, APRIL 8, 2009

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

The roll of the house was called and a quorum was announced present (Record 127).

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; 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; 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 — Eiland.

The invocation was offered by Reverend Rhome Dyck, pastor, Stonebriar Community Church, Frisco, as follows:

Dear Father, we come before you this morning grateful for all that you have done for us. We take time to recognize you as our creator and redeemer. Father, we thank you for the freedom we enjoy in this land—we do not take it lightly. We think of those in harm's way in faraway places standing guard for what is right. We pray for their safety and that you would sustain their families here. We thank you for the beauty and the bounty of this state, a sign of your hand of goodness. We thank you for your blessings of provision that extend far beyond our needs.

We thank you for establishing order and protection through government. This morning we ask you for your wisdom in the midst of difficult times. We pray for insight for each member here this morning. We pray for courage to stand

for what is right and just. We pray for truth into the complicated matters of legislation and for moral uprightness in all actions. Guide these men and women as they serve the State of Texas for your honor and your glory. We submit to their leadership and authority granted to them by you alone. We pray these things by your Son and through the Spirit. Amen.

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

#### **CAPITOL PHYSICIAN**

The speaker recognized Representative Naishtat who presented Dr. Dana Sprute of Austin as the "Doctor for the Day."

The house welcomed Dr. Sprute and thanked her for her 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).

#### **HR 479 - PREVIOUSLY ADOPTED (by Aycock)**

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

**HR 479**, Recognizing April 8, 2009, as Leadership Highland Lakes Legislative Day at the State Capitol.

#### **HR 910 - PREVIOUSLY ADOPTED (by Hardcastle)**

The chair laid out the following previously adopted resolution:

**HR 910**, Commending Rob Storey of Nocona Athletic Goods Company.

On motion of Representative Bonnen, the names of all the members of the house were added to **HR 910** as signers thereof.

#### **INTRODUCTION OF GUESTS**

The speaker recognized Representative Hardcastle who introduced representatives of Nocona Athletic Goods Company and Robert Fenoglio, mayor of Nocona.

(Flores in the chair)

#### **HR 737 - ADOPTED (by Flynn)**

Representative Flynn moved to suspend all necessary rules to take up and consider at this time **HR 737**.

The motion prevailed.

The following resolution was laid before the house:

**HR 737**, Honoring the historical legacy of Moonshine Patio Bar & Grill in Austin.

**HR 737** was read and was adopted.

On motion of Representative Harper-Brown, the names of all the members of the house were added to **HR 737** as signers thereof.

**HR 1271 - ADOPTED**  
**(by Sheffield)**

Representative Sheffield moved to suspend all necessary rules to take up and consider at this time **HR 1271**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1271**, Honoring Uno for winning the best in show title at the 2008 Westminster Kennel Club Dog Show and congratulating owner Caroline Dowell on her success.

**HR 1271** was adopted.

On motion of Representative Bolton, the names of all the members of the house were added to **HR 1271** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Sheffield who introduced Caroline Dowell, David Frei, and Dan Huber.

**HR 1198 - ADOPTED**  
**(by Rios Ybarra)**

Representative Rios Ybarra moved to suspend all necessary rules to take up and consider at this time **HR 1198**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1198**, Welcoming the alumni of Texas A&I University to the State Capitol on April 8, 2009.

**HR 1198** was adopted.

**HR 1245 - ADOPTED**  
**(by Rios Ybarra)**

Representative Rios Ybarra moved to suspend all necessary rules to take up and consider at this time **HR 1245**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1245**, Welcoming members of the Texas A&M University–Kingsville Student Government Association to the State Capitol.

**HR 1245** was adopted.

On motion of Representative Guillen, the names of all the members of the house were added to **HR 1245** as signers thereof.

(Speaker in the chair)

**HR 975 - ADOPTED**  
**(by Rodriguez, Naishtat, Maldonado, and Bonnen)**

Representative Rodriguez moved to suspend all necessary rules to take up and consider at this time **HR 975**.

The motion prevailed.

The following resolution was laid before the house:

**HR 975**, Recognizing April 8, 2009, as St. Edward's University Day at the State Capitol.

**HR 975** was adopted.

On motion of Representative Bonnen, the names of all the members of the house were added to **HR 975** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Rodriguez who introduced representatives of St. Edward's University.

(Mallory Caraway in the chair)

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today to observe a religious holiday:

Cohen on motion of Creighton.

(Speaker in the chair)

**HR 1227 - ADOPTED**  
**(by Branch)**

Representative Branch moved to suspend all necessary rules to take up and consider at this time **HR 1227**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1227**, Commending Dr. Kern Wildenthal on his career with The University of Texas Southwestern Medical Center.

**HR 1227** was adopted.

On motion of Representative Hodge, the names of all the members of the house were added to **HR 1227** as signers thereof.

**INTRODUCTION OF GUEST**

The speaker recognized Representative Branch who introduced Dr. Kern Wildenthal.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative McCall requested permission for the Committee on Calendars to meet while the house is in session, at 10:15 a.m. today, in 2W.6, to consider and adopt the Committee on Calendars rules for the appropriations bills.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 10:15 a.m. today, 2W.6, for a formal meeting, to adopt the Committee on Calendars rules for the appropriations bills.

(Geren in the chair)

**HR 1255 - ADOPTED  
(by Kolkhorst)**

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 1255**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1255**, Recognizing April 8, 2009, as Start! Day at the Capitol.

**HR 1255** was adopted.

(Speaker in the chair)

**HR 1270 - ADOPTED  
(by Thompson)**

Representative Thompson moved to suspend all necessary rules to take up and consider at this time **HR 1270**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1270**, Congratulating the Honorable Byron Cook on the occasion of his birthday.

**HR 1270** was adopted.

On motion of Representative Thompson, the names of all the members of the house were added to **HR 1270** as signers thereof.

(Eiland now present)

**HR 1274 - ADOPTED  
(by Hughes)**

Representative Hughes moved to suspend all necessary rules to take up and consider at this time **HR 1274**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1274**, Honoring Glenn E. Breazeale on his 75th birthday.

**HR 1274** was adopted.

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 297 ON THIRD READING**

**(Corte, Guillen, Maldonado, Flores, Gattis, et al. - House Sponsors)**

**SB 297**, A bill to be entitled An Act relating to resident tuition rates and fees at public institutions of higher education for certain veterans and their spouses and children.

**SB 297** was passed by (Record 128): 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; 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; 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 — Cohen.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 1672 ON THIRD READING**

**(by Crownover, Zerwas, Coleman, Dukes, Shelton, et al.)**

**HB 1672**, A bill to be entitled An Act relating to newborn screening information.

**HB 1672** was passed by (Record 129): 141 Yeas, 4 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; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; 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; 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; 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 — Christian; Flynn; Legler; Phillips.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cohen.

Absent — Deshotel; Eiland; Peña.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 129. I intended to vote no.

Berman

When Record No. 129 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 129 was taken, I was in the house but away from my desk. I would have voted yes.

Peña

### HB 2064 ON THIRD READING

(by Smithee, Hardcastle, Eiland, Bohac, Alonzo, et al.)

**HB 2064**, A bill to be entitled An Act relating to premium discounts for certain participants in the Texas Health Insurance Risk Pool and to related tax credits for health benefit plan issuers.

**HB 2064** was passed by (Record 130): 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; 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; 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; 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 — Cohen.

Absent — Deshotel; Hopson; Peña.

### STATEMENTS OF VOTE

When Record No. 130 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 130 was taken, I was temporarily out of the house chamber. I would have voted yes.

Peña

### HB 2030 ON THIRD READING (by Zerwas)

**HB 2030**, A bill to be entitled An Act relating to the Medicaid Drug Utilization Review Program and prescription drug use under the Medicaid program.

**HB 2030** was passed by (Record 131): 146 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; 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; Giddings;

Gonzales; Gonzalez Toureilles; Guillen; 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; 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 — Cohen.

Absent — Geren; Gutierrez.

**HB 328 ON THIRD READING**  
(by Heflin)

**HB 328**, A bill to be entitled An Act relating to abolishing the office of inspector of hides and animals.

**HB 328** was passed by (Record 132): 146 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; 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; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; 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 — Cohen.

Absent — Olivo; Shelton.

### STATEMENTS OF VOTE

When Record No. 132 was taken, I was in the house but away from my desk. I would have voted yes.

Olivo

When Record No. 132 was taken, I was in the house but away from my desk. I would have voted yes.

Shelton

### HB 1282 ON THIRD READING

(by McClendon, Riddle, Hodge, Vo, et al.)

**HB 1282**, A bill to be entitled An Act relating to the penalty for theft of a driver's license, commercial driver's license, or personal identification certificate.

**HB 1282** was passed by (Record 133): 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; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cohen.

Absent — Hardcastle.

**HB 2374 ON THIRD READING**

**(by Guillen, Lucio, Peña, Martínez, Herrero, et al.)**

**HB 2374**, A bill to be entitled An Act relating to financing of water and wastewater connections and plumbing improvements in economically distressed areas.

**HB 2374** was passed by (Record 134): 102 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Berman; Bohac; Bolton; Branch; Burnam; Button; Callegari; Castro; Chavez; Coleman; Corte; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Flores; Frost; Gallego; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Heflin; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Keffer; Kent; King, P.; King, T.; Kuempel; Leibowitz; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle.

Nays — Anderson; Aycock; Bonnen; Brown, B.; Brown, F.; Chisum; Christian; Cook; Crabb; Craddick; Creighton; Fletcher; Flynn; Geren; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Howard, C.; Hughes; Jackson; Jones; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Miller, D.; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Smith, W.; Truitt; Weber; Woolley; Zerwas.

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

Absent, Excused — Cohen.

Absent — Farrar; Isett.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 134. I intended to vote no.

J. Davis

When Record No. 134 was taken, I was in the house but away from my desk. I would have voted yes.

Farrar

I was shown voting yes on Record No. 134. I intended to vote no.

Taylor

**HB 1084 ON THIRD READING****(by Truitt)**

**HB 1084**, A bill to be entitled An Act relating to shipment of wine to ultimate consumers.

**HB 1084** was passed by (Record 135): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; 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; 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; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cohen.

Absent — Anchia; Veasey.

**STATEMENTS OF VOTE**

When Record No. 135 was taken, my vote failed to register. I would have voted yes.

Anchia

I was shown voting yes on Record No. 135. I intended to vote no.

Flynn

**HB 19 ON THIRD READING****(by Leibowitz, Naishtat, Shelton, and Bolton)**

**HB 19**, A bill to be entitled An Act relating to the labeling requirements for drugs dispensed by pharmacists.

**HB 19** was passed by (Record 136): 146 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; 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; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; 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 — Kleinschmidt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cohen.

Absent — Isett.

### **HB 2666 ON THIRD READING** (by Ritter)

**HB 2666**, A bill to be entitled An Act relating to the authority of the Lower Neches Valley Authority to acquire, own, operate, maintain, and improve the Devers Canal System, its water rights, and associated property.

**HB 2666** was passed by (Record 137): 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; 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; 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 — Cohen.

**HB 2073 ON THIRD READING**  
**(by Bonnen)**

**HB 2073**, A bill to be entitled An Act relating to plans by local governments in coastal areas for reducing public expenditures for erosion and storm damage losses to public and private property.

**HB 2073** was passed by (Record 138): 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; 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; 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; 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 — Cohen.

Absent — Gattis.

**STATEMENT OF VOTE**

When Record No. 138 was taken, I was in the house but away from my desk. I would have voted yes.

Gattis

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative McCall requested permission for the Committee on Calendars to meet while the house is in session, 10:45 a.m. today, in 2W.6, to adopt the Committee on Calendars rules for the appropriations bills.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 10:45 a.m. today, 2W.6, for a formal meeting, to adopt the Committee on Calendars rules for the appropriations bills.

**POSTPONED BUSINESS**

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

**HB 1454 ON SECOND READING**

**(by Naishtat and Lucio)**

**HB 1454**, A bill to be entitled An Act relating to the establishment of a volunteer-supported decision-making advocate pilot program for persons with intellectual and developmental disabilities and persons with other cognitive disabilities.

**HB 1454** was read second time on April 6, was postponed until April 7, and was again postponed until 10 a.m. today.

Representative Naishtat moved to postpone consideration of **HB 1454** until 9 a.m. tomorrow.

The motion prevailed.

**GENERAL STATE CALENDAR**

**HOUSE BILLS**

**SECOND READING**

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

**HB 1908 ON SECOND READING**

**(by T. King)**

**HB 1908**, A bill to be entitled An Act relating to the safety of the fresh fruit and vegetables produced in this state.

**HB 1908** was passed to engrossment.

**HB 205 ON SECOND READING**

**(by Aycock)**

**HB 205**, A bill to be entitled An Act relating to the applicability of certain city requirements affecting the restraint of certain dogs on annexed or otherwise acquired property used for agricultural operations.

**Amendment No. 1**

Representative Aycock offered the following amendment to **HB 205**:

Amend **HB 205** by inserting the following at the end of new Subsection (c-2), between "owner" and ".": "while the dog is being used on such property for that purpose".

Amendment No. 1 was adopted.

**HB 205**, as amended, was passed to engrossment.

**HB 1530 ON SECOND READING**

(by **Button, Driver, Hardcastle, Gonzalez Toureilles, Rios Ybarra, et al.**)

**HB 1530**, A bill to be entitled An Act relating to the licensing and regulation of health-related pest control by the Department of Agriculture.

**HB 1530** was passed to engrossment.

**HB 2074 ON SECOND READING**

(by **Bonnen and Lucio**)

**HB 2074**, A bill to be entitled An Act relating to the designation by the commissioner of the General Land Office of critical coastal erosion areas for purposes of the coastal erosion response plan.

Representative Bonnen moved to postpone consideration of **HB 2074** until 10 a.m. tomorrow.

The motion prevailed.

**CSHB 2387 ON SECOND READING**

(by **Bonnen and Lucio**)

**CSHB 2387**, A bill to be entitled An Act relating to the authority of the General Land Office to undertake coastal erosion studies and projects in conjunction with qualified project partners.

Representative Bonnen moved to postpone consideration of **CSHB 2387** until 10 a.m. tomorrow.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Public Safety, upon recess today, 3W.9, for a formal meeting, to consider pending business.

Business and Industry, upon recess today, Desk 47, for a formal meeting, to consider pending business.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Farabee moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Energy Resources, Subcommittee on Energy Efficiency and Renewables, to consider **HB 4636** at 8 a.m. tomorrow.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Energy Resources, Subcommittee on Energy Efficiency and Renewables, 8 a.m. tomorrow, E2.026, for a public hearing, to consider **HB 4636** and posted bills.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Gonzales requested permission for the Committee on Border and Intergovernmental Affairs to meet while the house is in session, during bill referral today, in 3W.15, for a formal meeting, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Border and Intergovernmental Affairs, during bill referral today, 3W.15, for a formal meeting, to consider pending business.

Judiciary and Civil Jurisprudence, upon recess today, JHR 140, for a formal meeting, to consider pending business.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Farabee 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 posted bills.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Pensions, Investments, and Financial Services will reconvene at 2 p.m. or upon recess today, E2.030, for a public hearing.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Y. Davis requested permission for the Committee on Urban Affairs to meet while the house is in session, during bill referral today, in JHR 120, to consider pending business.

Permission to meet was granted.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Gallego moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Criminal Jurisprudence to consider the posted agenda upon recess today, instead of at 2 p.m. today as previously scheduled.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Urban Affairs, during bill referral today, JHR 120, for a public hearing, to consider posted business.

Public Education, 8:15 a.m. tomorrow, 3W.9, for a formal meeting, to consider pending business.

Criminal Jurisprudence, upon recess today, E2.028, for a public hearing, to consider the previously posted agenda.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Geren requested permission for the Committee on House Administration to meet while the house is in session, during bill referral today, in 2W.25.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

House Administration, during bill referral today, 2W.25, for a formal meeting.

(Gattis in the chair)

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 14).

### **PROVIDING FOR RECESS**

Representative S. Miller moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 9 a.m. tomorrow in memory of Colonel Jerry Smith (ret.) of Copperas Cove.

The motion prevailed.

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL**

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

(Gallego in the chair)

### **RECESS**

In accordance with a previous motion, the house, at 11:56 a.m., recessed until 9 a.m. tomorrow.

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**ADDENDUM**

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**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 4765** (By Oliveira), Relating to the total revenue exemption for the franchise tax.

To Ways and Means.

**HB 4766** (By Oliveira), Relating to the computation of the franchise tax.

To Ways and Means.

**HB 4767** (By Homer), Relating to the designation of days, weeks, and months for recognition by concurrent resolution of the legislature.

To Culture, Recreation, and Tourism.

**HB 4768** (By Hunter), Relating to the creation of the Padre Island Gateway Municipal Management District; providing authority to impose a tax and issue bonds.

To County Affairs.

**HB 4769** (By B. Brown), Relating to the powers and duties of the Lake View Management and Development District; providing authority to impose a tax and issue bonds; granting certain powers relating to navigation improvements; and granting powers of a road district.

To Natural Resources.

**HB 4770** (By Eissler), Relating to the creation of the Montgomery County Water Control and Improvement District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

**HB 4771** (By Allen), Relating to the powers and duties of Harris County Improvement District No. 5; providing authority to impose a tax and issue bonds.

To County Affairs.

**HB 4772** (By Kleinschmidt), Relating to the creation of the Bastrop County Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

**HB 4773** (By Eiland), Relating to the creation of Chambers County Improvement District No. 2; providing authority to levy an assessment, impose a tax, and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

**HB 4774** (By Eiland), Relating to the creation of the Chambers County Improvement District No. 3; granting road powers; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

**HB 4775** (By Bonnen), Relating to the creation of the Alden Lake Management District; providing authority to impose an assessment, impose a tax, and issue bonds.

To County Affairs.

**HR 1188** (By Leibowitz), Honoring Andy Mendoza of St. Paul Catholic School in Helotes for his award-winning science fair project.

To Rules and Resolutions.

**HR 1189** (By Harper-Brown), Commemorating the dedication of the Irving Veterans Memorial Park on May 17, 2009.

To Rules and Resolutions.

**HR 1192** (By Button), Congratulating Trey Rieper on being named the 2009 Firefighter of the Year by the Garland Fire Department.

To Rules and Resolutions.

**HR 1194** (By Shelton), In memory of Delbert Willis of Fort Worth.

To Rules and Resolutions.

**HR 1196** (By Gallego), Congratulating Robert J. Mallouf on his retirement as director of the Center for Big Bend Studies at Sul Ross State University.

To Rules and Resolutions.

**HR 1197** (By Marquez), Recognizing Kristopher and Lupita Acosta of El Paso for hosting a community cafequito.

To Rules and Resolutions.

**HR 1199** (By Castro), Congratulating the San Antonio Memorial High School academic decathlon team on its participation and awards in the 2009 Regional and State Academic Decathlon Competitions.

To Rules and Resolutions.

**HR 1200** (By Gattis), In memory of Clara May Stearns Scarbrough of Georgetown.

To Rules and Resolutions.

**HR 1201** (By Martinez), Honoring Gonzalez Place tavern in Weslaco.

To Rules and Resolutions.

**HR 1202** (By Martinez), Congratulating Dr. Marla M. Guerra, superintendent of South Texas ISD, on earning the 2009 Texas Excellence in Education Award from AdvancED.

To Rules and Resolutions.

**HR 1204** (By Rodriguez), In memory of John William Johnson.

To Rules and Resolutions.

**HR 1205** (By Laubenberg), Honoring Sam D. R. Satterwhite of Wylie for his service to the community.

To Rules and Resolutions.

**HR 1206** (By Laubenberg), Congratulating Bruce and Shirley Shoquist of Rockwall on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1207** (By Mallory Caraway), Commending the actor Louis Gossett, Jr., for his exemplary career and civic contributions.

To Rules and Resolutions.

**HR 1208** (By Legler), In memory of Dr. Milton Covell, Jr., of Pasadena.

To Rules and Resolutions.

**HR 1209** (By Legler), Congratulating South Houston Intermediate School on its selection as a National Model School by the International Center for Leadership in Education.

To Rules and Resolutions.

**HR 1210** (By Legler), Congratulating Ann Cunningham on being named Ms. Pasadena Senior.

To Rules and Resolutions.

**HR 1211** (By Crownover), Congratulating Jesús Moroles of Rockport on his receipt of a 2008 National Medal of Arts.

To Rules and Resolutions.

**HR 1213** (By Harper-Brown), Commemorating the groundbreaking for the Orange Line of Dallas Area Rapid Transit in Irving on April 13, 2009.

To Rules and Resolutions.

**HR 1214** (By Leibowitz), Congratulating Roland Sandoval on his election to the international bandmasters' fraternity Phi Beta Mu.

To Rules and Resolutions.

**HR 1215** (By Hardcastle), Commemorating the 100th anniversary of the incorporation of Olney.

To Rules and Resolutions.

**HR 1216** (By Deshotel), Commending Our Mother of Mercy Catholic School for 82 years of service to the Beaumont community.

To Rules and Resolutions.

**HR 1217** (By Taylor), In memory of Therese Fitzgerald Deats of Dickinson.

To Rules and Resolutions.

**HR 1218** (By Kent), Honoring J. J. Pearce High School of the Richardson Independent School District.

To Rules and Resolutions.

**HR 1219** (By Kent), Congratulating Forest Lane Academy on achieving "Recognized" status by the Texas Education Agency in 2008.

To Rules and Resolutions.

**HR 1220** (By Kent), Honoring Dobie Primary Elementary School for its service to the North Dallas community.

To Rules and Resolutions.

**HR 1221** (By McClendon), Honoring Dr. Jacqueline O. Dansby for her contributions to the San Antonio Women's Hall of Fame.

To Rules and Resolutions.

**HR 1222** (By McClendon), In memory of Jordan Winters, Sr., of San Antonio.

To Rules and Resolutions.

**HR 1226** (By Branch), Congratulating the Honorable Jack Pope of Austin on the occasion of his 96th birthday.

To Rules and Resolutions.

**HR 1228** (By Kleinschmidt), Honoring Bill Brown for his service as chair of the board of the Texas Nursery and Landscape Association.

To Rules and Resolutions.

**HR 1230** (By B. Brown), Commemorating the dedication of a Texas Historical Marker at St. Paul Industrial Training School in Caney City.

To Rules and Resolutions.

**HR 1232** (By Button), Honoring Richardson Republican Women for receiving a David Dewhurst Texas Federation of Republican Women Award.

To Rules and Resolutions.

**HR 1233** (By Chisum), Granting the Texas DeMolay Association permission to use the house chamber on February 20 and 21, 2010.

To House Administration.

**HR 1234** (By Hopson), In memory of Mayor Robert Lee Young of Overton.

To Rules and Resolutions.

**HR 1235** (By Hopson), In memory of Helen Ann Wade of Jacksonville.

To Rules and Resolutions.

**HR 1236** (By Hopson), In memory of Tommie Fay Holcomb Darby of Jacksonville.

To Rules and Resolutions.

**HR 1237** (By Hopson), In memory of Richard P. "Dick" Sheffield of Jacksonville.

To Rules and Resolutions.

**HR 1238** (By Hopson), In memory of Lois Boles of Jacksonville.

To Rules and Resolutions.

**HR 1239** (By Farabee), Congratulating Jan Banta of Wichita Falls on being named Wichitan of the Year by the Times Record News.

To Rules and Resolutions.

**HR 1240** (By Flynn), Congratulating Bill and Sue Martin of Greenville on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1241** (By Christian), Honoring the Stephen F. Austin State University men's basketball team on its achievements during the 2008-2009 season.

To Rules and Resolutions.

**HR 1242** (By D. Howard), Recognizing the Honorable L. DeWitt Hale of Austin for his outstanding service to this state and wishing him a happy 92nd birthday.

To Rules and Resolutions.

**HR 1243** (By D. Howard), Recognizing May 5, 2009, as Children's Mental Health Awareness Day.

To Rules and Resolutions.

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

**HB 4627** (By Lucio), Relating to physical examination requirements for participation in certain University Interscholastic League extracurricular athletic activities.

To Public Education.

#### **SIGNED BY THE SPEAKER**

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

#### **Senate List No. 14**

**SB 769**

#### **MESSAGES FROM THE SENATE**

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

#### **Message No. 1**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, April 8, 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:

**HCR 123**

Straus

SPONSOR: Ellis

Honoring the recipients of the 2009 Texas Medal of Arts Awards.

**SB 482** Ellis  
Relating to the Texas Holocaust and Genocide Commission.

**SB 638** Nichols  
Relating to the collateralization of certain public funds; providing administrative penalties.

**SB 872** Lucio  
Relating to continued health insurance coverage for eligible survivors of certain public servants killed in the line of duty.

**SB 1003** Deuell  
Relating to the abolishment of the Office of State-Federal Relations as an independent agency and the transfer of the duties and functions of that agency to the office of the governor.

**SB 1410** Jackson, Mike  
Relating to the licensing and regulation of plumbers.

**SB 2015** Watson  
Relating to certain metropolitan rapid transit authorities.

**SCR 56** Whitmire  
Granting the legislature permission to adjourn for more than three days during the period beginning on Thursday, April 9, 2009, and ending on Tuesday, April 14, 2009.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**April 7**

Agriculture and Livestock - **HB 2318, HB 2527, HB 4006**

Appropriations - **HB 4586, SB 1**

Business and Industry - **HB 523, HB 1513, HB 2127, HB 2128**

Corrections - **HB 2100**

Criminal Jurisprudence - **HB 671, HB 1148, HB 1750, HJR 58**

Energy Resources - **HB 629, HB 1467, HB 1731, HCR 67**

Higher Education - **HB 3456**

Judiciary and Civil Jurisprudence - **HB 72, HB 659, HB 764, HCR 22**

Licensing and Administrative Procedures - **HB 1299, SB 731**

Natural Resources - **HB 2035, HB 2177, HB 2231**

Public Safety - **HB 590, HB 759**

Technology, Economic Development, and Workforce - **HB 270, HB 1043, HB 1858, HB 2661, HB 3519**

Ways and Means - **HB 2814**

**ENGROSSED**

**April 7 - HB 375, HB 1079, HB 1404, HB 1484, HB 1580, HB 1819, HB 1918, HB 2058**

**SENT TO THE GOVERNOR**

**April 7 - HCR 135**

