

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SEVENTY-THIRD DAY (CONTINUED) — TUESDAY, MAY 19, 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 951).

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; 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; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Quintanilla; 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 — Cohen; Kuempel.

Absent, Excused, Committee Meeting — McClendon; Otto; Pitts; Raymond.

The invocation was offered by Paul Goodrich, senior pastor, First United Methodist Church, Wichita Falls, as follows:

Almighty, gracious, and loving God, once again you have blessed us with another day of life, another day filled with opportunities to serve you and to serve others. For these and your countless other blessings, including living in this great nation, state, and city, we give you thanks.

As this body begins its work today, we pray that these individuals who are stewards of the people's trust and power might keep their minds clear, their motives pure, their judgments keen, and possess the ideals of justice and fairness.

O God, help us to always remember that as we have gathered here this morning, there are those who are in harm's way, who are serving the citizens of our nation and our world, seeking to bring peace. We pray that you would watch

over them, and that you would bless their families. As always, may your will be done, in our work and in our lives. We pray in the name of Christ our Lord. Amen.

The speaker recognized Representative Farabee 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. C. Mark Chassay of Austin as the "Doctor for the Day."

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

### **LEAVES OF ABSENCE GRANTED**

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

Otto on motion of Farabee.

Pitts on motion of Farabee.

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

McClendon on motion of Farabee.

Raymond on motion of Farabee.

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

Cohen on motion of Allen.

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

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

(Eissler in the chair)

### **HCR 219 - ADOPTED (by Chisum)**

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **HCR 219**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 219**, Commending the Governor William P. Clements, Jr., Scholars on their service to their state and nation.

**HCR 219** was adopted.

On motion of Representative Flynn, the names of all the members of the house were added to **HCR 219** as signers thereof.

### **INTRODUCTION OF GUESTS**

The chair recognized Representatives Chisum, Hughes, Paxton, Christian, and Gattis who introduced the Governor William P. Clements, Jr., Scholars.

### **HR 1699 - PREVIOUSLY ADOPTED**

**(by Swinford, et al.)**

The chair laid out the following previously adopted resolution:

**HR 1699**, Recognizing the Texas A&M University Agricultural and Natural Resources Policy Internship Program and Public Policy Internship Program and the interns for the 81st legislative session.

On motion of Representative Gattis, the names of all the members of the house were added to **HR 1699** as signers thereof.

### **HR 2038 - ADOPTED**

**(by Gallego, et al.)**

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 2038**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2038**, Honoring Max Stool of San Antonio for his outstanding contributions to his community, state, and nation.

**HR 2038** was adopted.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Gallego who introduced Max Stool and members of his family.

(Geren in the chair)

### **CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were laid before the house:

**SCR 63** (Chisum - House Sponsor), Commending the Governor William P. Clements, Jr., Scholars on their service to their state.

**HR 1736** was withdrawn.

**HR 1927** (by D. Howard), Honoring members of Troop No. 399 in Austin on attaining the rank of Eagle Scout.

**HR 1928** (by Jackson), Honoring Tim Hayden for his service on the Carrollton City Council.

**HR 1929** (by Jackson), Honoring Larry Williams for his service with the Carrollton City Council.

**HR 1930** (by Jackson), Honoring Herb Weidinger for his service on the Carrollton City Council.

**HR 1931** (by Hopson), Congratulating Doyle Buckley of Cherokee County on his award from the Cherokee County Soil and Water Conservation District.

**HR 1932** (by Hopson), Congratulating Carolyn Cornelius of Jacksonville on her receipt of a conservation education award from the Cherokee County Soil and Water Conservation District.

**HR 1933** (by T. Smith), Congratulating Tracy Anderson on her selection as the 2009 Student of the Year by the Hurst-Eules-Bedford Education Foundation.

**HR 1935** (by Dutton), Commemorating the dedication of the William Leonard Davis Building at El Rancho Cima Boy Scout Camp.

**HR 1936** (by Peña), Honoring the 70th anniversary of the Edinburg Lions Club.

**HR 1938** (by Truitt), Commemorating the 75th anniversary of the Grapevine Lions Club.

**HR 1939** (by Bonnen), Congratulating Rich Tillman on earning the Community Builder Award from St. John's Masonic Lodge.

**HR 1942** (by Creighton), Honoring Richard B. Cowan on his service as superintendent of New Caney ISD.

**HR 1945** (by C. Turner), Honoring Joseph Parker Cullar for his service as a legislative intern in the office of State Representative Chris Turner.

**HR 1946** (by Dutton), Honoring Raisha Tierra Smith on earning the Girl Scout Gold Award.

**HR 1947** (by Dutton), Honoring Rai' Shonna Catrice Powell on earning the Girl Scout Gold Award.

**HR 1948** (by Dutton), Honoring Chantal Thomas on earning the Girl Scout Gold Award.

**HR 1949** (by Dutton), Commemorating the Three Score and Ten Senior Recognition Program, hosted by the Ella Bouldin Women's Missionary Society.

**HR 1950** (by Dutton), Honoring Kenyatta Montzel Chandler on earning the Girl Scout Gold Award.

**HR 1951** (by Dutton), Honoring Ariel Harper on earning the Girl Scout Gold Award.

**HR 1952** (by Dutton), Honoring Elandrea Dior McMillan on earning the Girl Scout Gold Award.

**HR 1953** (by Dutton), Honoring Magen Paige Norwood on earning the Girl Scout Gold Award.

**HR 1954** (by Dutton), Honoring Josslyn Wilson on earning the Girl Scout Gold Award.

**HR 1955** (by Dutton), Honoring Aundrea Williams on earning the Girl Scout Gold Award.

**HR 1956** (by Dutton), Honoring Angelica Elizabeth Washington on earning the Girl Scout Gold Award.

**HR 1958** (by Jackson), Commending the Honorable Douglas N. Stover for his service to the citizens of Coppell.

**HR 1959** (by T. Smith), Congratulating Nick Nguyen on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1960** (by T. Smith), Congratulating Sean Gilmore on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1961** (by T. Smith), Congratulating Pravin Boteju on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1962** (by T. Smith), Congratulating Anthony Hernandez on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1963** (by T. Smith), Congratulating Travis McDonald on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1964** (by T. Smith), Congratulating Jose Cervantes on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1965** (by T. Smith), Congratulating Edward Zayas on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1966** (by T. Smith), Congratulating Nolan King on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1967** (by T. Smith), Congratulating Daniel Lowder on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1968** (by T. Smith), Congratulating Lehi Tonga on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1969** (by T. Smith), Congratulating Christian Schooler on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1970** (by T. Smith), Congratulating Azim Hussain on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1971** (by T. Smith), Congratulating Michael Ray on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1972** (by T. Smith), Congratulating Hillary Head on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1973** (by T. Smith), Congratulating Ashley Bauman on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1974** (by T. Smith), Congratulating Chelsea Kreis on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1975** (by T. Smith), Congratulating Michelle DuFrane on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1976** (by T. Smith), Congratulating Mary Gomez on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1977** (by T. Smith), Congratulating Rebecca Voirin on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1978** (by T. Smith), Congratulating Emily Thatcher on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1979** (by T. Smith), Congratulating Adrienne Crandall on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1980** (by T. Smith), Congratulating Jennifer Goertz on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1981** (by T. Smith), Congratulating Darya Cheng on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1982** (by T. Smith), Congratulating Preslava Staneva on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1983** (by T. Smith), Congratulating Ashley Armendariz on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1984** (by T. Smith), Congratulating Lauren Levi on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1985** (by T. Smith), Congratulating Toni Moore on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1986** (by T. Smith), Congratulating Gabrielle Phillips on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1987** (by T. Smith), Congratulating Armanda Brackman on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

**HR 1988** (by Rodriguez), Honoring Anthony Ortiz, Jr., of Austin on his achievements as a musician.

**HR 1990** (by Craddick), Honoring Louis and Gertrude Bevacqua of Midland on their 60th wedding anniversary.

**HR 1991** (by Martinez, et al.), Congratulating IDEA Schools CEO Tom Torkelson on being nominated for inclusion in TIME magazine's 2009 TIME 100 list of the world's most influential people.

**HR 1992** (by Martinez), Congratulating Richard Garcia on being named the 2009 Man of the Year by the Mercedes Area Chamber of Commerce.

**HR 1993** (by Martinez), Congratulating Dalia de la O Carr on being named the 2008 Woman of the Year by the Mercedes Chamber of Commerce.

**HR 1994** (by P. King), Congratulating the Brock High School Lady Eagles basketball team on winning the UIL 2A state championship.

**HR 1998** (by McReynolds), Congratulating the staff of the Lufkin Daily News on their awards from the Better Newspaper Contest 2009.

**HR 1999** (by Martinez Fischer), Honoring Regina Campos of Driftwood for her participation in the Moreno/Rangel Legislative Leadership Program.

**HR 2000** (by Martinez Fischer), Honoring Celeste Montellano of Stephenville for her participation in the Moreno/Rangel Legislative Leadership Program.

**HR 2001** (by Martinez Fischer), Honoring Samantha Dominguez of El Paso for her participation in the Moreno/Rangel Legislative Leadership Program.

**HR 2002** (by Martinez Fischer), Honoring Clarissa Ramon of San Antonio for her participation in the Moreno/Rangel Legislative Leadership Program.

**HR 2004** (by Martinez Fischer), Honoring Alondra Johnson of Buda for her participation in the Moreno/Rangel Legislative Leadership Program.

**HR 2005** (by Martinez Fischer), Honoring Oscar Padilla of El Paso for his participation in the Moreno/Rangel Legislative Leadership Program.

**HR 2008** (by Creighton), Honoring Matt Shepperd, creator of I Am Change, for his efforts to improve the lives of others.

**HR 2009** (by Naishtat), Commemorating the 25th anniversary of Northwest Montessori House of Children in Austin.

**HR 2012** (by Kent, Button, Vaught, Hartnett, and Madden), Honoring Dr. David Simmons, superintendent of the Richardson Independent School District.

**HR 2013** (by Eissler), Congratulating Michael Holland on the occasion of his retirement as superintendent of the Magnolia Independent School District.

**HR 2014** (by Dutton), Congratulating Breanna Lewis on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2015** (by Y. Davis), Congratulating DeMetris Sampson on her receipt of a 2009 Women of Spirit Award from the American Jewish Congress.

**HR 2016** (by Dutton), Congratulating the 2009 graduating class of Kingdom Builders Bible Seminary.

**HR 2017** (by Dutton), Congratulating Karen Flake on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2018** (by Dutton), Congratulating Krystal Allison Bryant on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2019** (by Dutton), Congratulating Tasmine Davis on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2020** (by Dutton), Congratulating Amber Michelle Randall on being named an honoree at the 2009 Reginald Keith Guillory Scholarship Luncheon.

**HR 2021** (by Dutton), Congratulating David Fletcher on his receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2022** (by Dutton), Congratulating Norrisa Terry on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2023** (by Dutton), Congratulating Jasmine A. Davis on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2024** (by Bonnen), Commending Houston police officer Rick Salter for his brave service.

**HR 2025** (by Bonnen), Honoring David Howarth of Lake Jackson on his receipt of the Individual Leadership Award from the Keep Texas Beautiful organization.

**HR 2028** (by Leibowitz), Congratulating Jordan Daniel Marin of San Antonio on earning membership in the National Society of High School Scholars.

**HR 2029** (by Leibowitz), Congratulating Christie Nowlin on being named Grand Marshal of the 2009 Cornyval Parade.

**HR 2031** (by Eiland), Congratulating Betty Massey on her receipt of the Educational Leadership Award from the Galveston Independent School District Educational Foundation.

**HR 2032** (by Flynn), Congratulating Al and Dee Stover of Emory on their 50th wedding anniversary.

**HR 2034** (by Crownover), Honoring M. Cass Wheeler on the occasion of his 2008 retirement as chief executive officer of the American Heart Association.

**HR 2036** (by Cohen), Honoring Dr. Patricia L. Starck for her tremendous achievements as dean of The University of Texas Health Science Center at Houston School of Nursing.

**HR 2038** was previously adopted.

**HR 2042** (by Harper-Brown), Congratulating First United Methodist Church on 101 years of service to the Irving community.

**HR 2043** (by Veasey), Honoring Alexis Dugger for her service as a legislative intern in the office of Representative Marc Veasey.

**HR 2045** (by Leibowitz), Congratulating Ruoheng Zhang on being named the 2009 salutatorian of Sandra Day O' Connor High School in Helotes.

**HR 2046** (by Leibowitz), Congratulating Mu Li on being named the 2009 valedictorian of Sandra Day O' Connor High School in Helotes.

**HR 2047** (by Leibowitz), Congratulating David Joseph Spellman on being named the 2009 valedictorian of William H. Taft High School in San Antonio.

**HR 2054** (by Hopson), Commending Phillip Power of Lone Oak for his achievements in maintaining sustainable forest land.



**HR 2056** (by D. Miller), Recognizing the Germania Farmer Verein of Anhalt.

**HR 2057** (by Bolton), Congratulating Verda Herrington on her retirement as assistant band director at Clint Small, Jr., Middle School in Austin.

**HR 2058** (by Bolton), Congratulating Paulette Rainey on her retirement from Clint Small, Jr., Middle School in Austin.

**HR 2059** (by Bolton), Congratulating Jacob Allen Hammack on becoming an Eagle Scout.

**HR 2060** (by Leibowitz), Congratulating Justin Daniel Rodriguez on being named the 2009 salutatorian of William H. Taft High School in San Antonio.

**HR 2065** (by Castro), Congratulating Valero Energy Corporation of San Antonio on its inclusion in the 2009 annual Fortune 500 listing.

**HR 2067** (by Castro), Congratulating Roberto Gonzales of San Antonio on the reopening of Advanced First Auto and Collision Center and commending him on his commitment to his employees.

**HR 2069** (by Castro), Honoring Francisco O. Chapa for his military service and civic activism.

**HR 2071** (by Marquez), Congratulating Lara Jackson on her receipt of the Ruby Award for her athletic success at the University of Arizona.

**HR 2072** (by Marquez), Congratulating Marge and Jesse Blair of El Paso on their 60th wedding anniversary.

**HR 2075** (by Hunter), Congratulating W. Wesley Hoskins of First Community Bank on his election as chair of the Texas Bankers Association board of directors.

**HR 2076** (by Hunter, et al.), Congratulating Nick Jimenez on his retirement as editorial page editor of the Corpus Christi Caller-Times.

**HR 2077** (by Hunter), Recognizing the Calhoun County Airport for winning the 2009 Most Improved Airport Award from the Aviation Division of the Texas Department of Transportation.

**HR 2079** (by Rodriguez), Honoring legislative aide Gustavo Garza for his work in the office of Representative Eddie Rodriguez.

**HR 2081** (by Dutton), Commemorating the 110th anniversary of the founding of Saint John Missionary Baptist Church in Houston.

**HR 2083** (by Gonzales), Congratulating Larry Pressler on his retirement as director of Parks & Recreation for McAllen.

**HR 2086** (by Kent and Button), Honoring the Richardson High School Law Magnet program.

**HR 2087** (by Kent and Vaught), Honoring the Exchange Club of Lake Highlands for its many contributions.

**HR 2088** (by Dutton), Congratulating Brittany Taylor on being named an honoree at the 2009 Reginald Keith Guillory Scholarship Luncheon.

**HR 2089** (by Dutton), Congratulating Sadie Chrisasia Brown on being named an honoree at the 2009 Reginald Keith Guillory Scholarship Luncheon.

**HR 2090** (by Dutton), Congratulating Priscilla M. Dubose on being named an honoree at the Reginald Keith Guillory Scholarship Luncheon.

**HR 2091** (by Dutton), Congratulating Brittney Roche' Garrett on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2092** (by Dutton), Congratulating Angelique Stubbs of Houston on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2093** (by Dutton), Congratulating Sparkle L. Williams on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2094** (by Dutton), Congratulating Wynnell T. Lee on his receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2095** (by Dutton), Congratulating Skyler K. Reynolds of Houston on her receipt of a 2009 Reginald Keith Guillory Scholarship.

**HR 2096** (by Gonzales), Honoring Nathan Selzer and Hortencia Armendariz on their work as community organizers in the Rio Grande Valley.

**HCR 219** was previously adopted.

The resolutions were adopted.

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

Representative Y. Davis requested permission for the Committee on Urban Affairs to meet while the house is in session, at 11:15 a.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Urban Affairs, 11:15 a.m. today, 3W.9, for a formal meeting, to consider pending business.

#### **CONGRATULATORY AND MEMORIAL CALENDAR (consideration continued)**

The following memorial resolutions were laid before the house:

**HR 4** (by Straus and Martinez Fischer), In memory of Dulcenea "Nellie" Maria Munoz of Georgetown.

**HR 1940** (by Moody and Pierson), Honoring the life of Margaret Caroline Hussmann of El Paso.

**HR 1941** (by Moody, Pickett, Chavez, Quintanilla, and Marquez), Honoring the life of John Paul Scarbrough of El Paso.

**HR 1943** (by Creighton), In memory of U.S. Army Captain Rowdy J. Inman of Panorama Village.

**HR 1944** (by Kent), In memory of Marion Allen Mitchell of Dallas.

**HR 1989** (by Branch), Paying tribute to Senator John G. Tower and commemorating the dedication of a memorial marker in his honor on the grounds of the Texas State Cemetery.

**HR 1995** (by Rodriguez), In memory of Hannah Isabella Rose Kiely.

**HR 1997** (by McReynolds), In memory of Brandon Demond Hart of Woodville.

**HR 2003** (by Martinez Fischer), In memory of Dr. Michael J. Sanchez of San Antonio.

**HR 2007** (by Gallego), In memory of Martha Floro of Alpine.

**HR 2035** (by Hilderbran), In memory of Laurie Bushong Lang of Boerne.

**HR 2041** (by Peña), In memory of Leonel Garza, Sr., of Elsa.

**HR 2048** (by Moody), In memory of El Paso attorney Robert "Ray" Pearson.

**HR 2052** (by Mallory Caraway), In memory of Donald Crockett of Dallas County.

**HR 2053** (by Hopson), In memory of Paul Hart of Jacksonville.

**HR 2061** (by Castro), In memory of General Robert T. Herres, U.S. Air Force (Ret.), of San Antonio.

**HR 2063** (by Castro), In memory of Howard Mangold of San Antonio.

**HR 2064** (by Castro), Honoring the life of U.S. Army Specialist Marquis J. McCants of San Antonio.

**HR 2066** (by Castro), Honoring the life of U.S. Army Private First Class Christopher Dane Adan of Eagle Pass.

**HR 2068** (by T. Smith), In memory of Private Sean P. McCune of Euless.

**HR 2070** (by Geren), In memory of William Kelly Young of Fort Worth.

**HR 2080** (by Dutton), In memory of Raphael Wilbur Dutton, Jr., of Houston.

**HR 2082** (by Gonzales), In memory of Penny Payte McLeaish of McAllen.

**HR 2085** (by Cook), In memory of Robert Lee Clark, Jr., of Streetman.

**HCR 216** (by Homer), In memory of Leo Edward Polowy, Jr., of Paris, Texas.

**HCR 217** (by Homer), In memory of Meredith G. Harper of Pattonville.

**HCR 218** (by Homer), In memory of Hazel Keith Schmitter of Cooper.

**HCR 223** (by Homer), In memory of Frank Weaver of Paris, Texas.

The resolutions were unanimously adopted by a rising vote.

(Speaker pro tempore in the chair)

### **LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING**

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

**CSHB 3521** (by S. Miller), A bill to be entitled An Act relating to the Fox Crossing Water District.

**HB 4702** (by Laubenberg), A bill to be entitled An Act relating to the creation of the Sienna Ranch Municipal Utility District No. 1 of Collin County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**SB 97** (Villarreal - House Sponsor), A bill to be entitled An Act relating to the authority of a dental hygienist to provide services in certain facilities. (Shelton recorded voting no.)

**SB 161** (Harper-Brown - House Sponsor), A bill to be entitled An Act relating to specialty license plates supporting the Safe Routes to School Program.

**SB 381** (Hopson - House Sponsor), A bill to be entitled An Act relating to the authority of physicians to delegate to certain pharmacists the implementation and modification of a patient's drug therapy. (Aycock and Darby recorded voting no.)

**SB 407** (Jackson - House Sponsor), A bill to be entitled An Act relating to the appointment of magistrates to hear truancy cases in certain counties.

**SB 461** (Miklos - House Sponsor), A bill to be entitled An Act relating to eligibility to take the entrance examination for a beginning position in the fire department. (Aycock, Darby, and Harless recorded voting no.)

**CSSB 470** (Hamilton - House Sponsor), A bill to be entitled An Act relating to training and continuing education for licensed electrical apprentices. (Flynn, Phillips, and Weber recorded voting no.)

**CSSB 488** (Harper-Brown - House Sponsor), A bill to be entitled An Act relating to the operation of a motor vehicle in the vicinity of a vulnerable road user; providing penalties. (Anderson, Aycock, Darby, Flynn, and Harless recorded voting no.)

**SB 529** (Truitt - House Sponsor), A bill to be entitled An Act relating to the sale and use of certain alcoholic beverages manufactured by holders of a winery permit.

**SB 663** (S. Miller - House Sponsor), A bill to be entitled An Act relating to the dissolution of the Tablerock Groundwater Conservation District.

**CSSB 702** (Jackson - House Sponsor), A bill to be entitled An Act relating to the regulation of the towing and storage of vehicles.

**CSSB 702 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE HEFLIN: Mr. Jackson, you and I talked about this bill.

REPRESENTATIVE JACKSON: Yes.

HEFLIN: You understand my view of this bill is—it's a big-city tow truck bill.

JACKSON: Yes, sir.

HEFLIN: I have expressed to you that this bill has—I've lost several tow truck operators in my district. In fact, many counties, we do not even have any tow trucks left, because of, I believe, this bill. You and I have discussed this issue, have we not?

JACKSON: Yes, sir. I believe most of what you're going to talk about is current law.

HEFLIN: Yes.

JACKSON: This bill does not change, but I know what you're going to ask for—but go ahead.

HEFLIN: What I want to ask you for is, would you agree that there's an interim, that we study this situation and the effects of this bill—and the preceding bill—has on rural operators of tow trucks?

JACKSON: Yes, sir. You might request the speaker for an interim study. If not, I'll be glad to visit with you personally on it during the interim and see if there are problems we need to address.

HEFLIN: I will so request from the speaker and I certainly appreciate your cooperation on this matter.

**REMARKS ORDERED PRINTED**

Representative Heflin moved to print remarks between Representative Jackson and Representative Heflin.

The motion prevailed.

**Amendment No. 1**

Representative Jackson offered the following amendment to **CSSB 702**:

Amend **CSSB 702** (house committee printing), in SECTION 1 of the bill, in proposed Section 2303.1016, Occupations Code, by striking Subsection (c) of that section (page 1, line 24, through page 2, line 6).

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Jackson offered the following amendment to **CSSB 702**:

Amend **CSSB 702** (81R30389), in SECTION 10 of the bill, in amended Section 2308.158(b)(1), Occupations Code (page 7, line 21), by striking "alcohol and".

Amendment No. 2 was adopted.

**CSSB 866** (Frost - House Sponsor), A bill to be entitled An Act relating to the rights and liabilities of the parties in a suit for dissolution of a marriage and certain post-dissolution proceedings.

**SB 874** (Quintanilla, Chavez, Pickett, Marquez, and Moody - House Sponsors), A bill to be entitled An Act relating to the exemption of certain counties from the drainage charge imposed by a municipal drainage utility system.

**SB 1036** (Geren - House Sponsor), A bill to be entitled An Act relating to amendments to the Texas Timeshare Act.

**SB 1225** (Eissler - House Sponsor), A bill to be entitled An Act relating to faculty temporary licenses to practice medicine.

#### **Amendment No. 1**

Representative Eissler offered the following amendment to **SB 1225**:

Amend **SB 1225** (house committee report) on page 2, line 10, by striking (H), and by adding a new subdivision (H) as follows:

(H) the Schools of Medicine at Texas Tech University Health Sciences Center;

Amendment No. 1 was adopted.

**SB 1246** (Eiland - House Sponsor), A bill to be entitled An Act relating to fees for certain licenses issued by the Parks and Wildlife Department. (Anderson, Aycock, and Harless recorded voting no.)

**SB 1291** (Martinez Fischer - House Sponsor), A bill to be entitled An Act relating to access to certain counselors and therapists.

**CSSB 1334** (Zerwas - House Sponsor), A bill to be entitled An Act relating to continuation of the intercollegiate athletics fee for students at Prairie View A&M University.

**SB 1448** (Thompson - House Sponsor), A bill to be entitled An Act relating to actions in a justice court regarding the repair of residential rental property.

(McClendon and Raymond now present)

**SB 1796** (Castro - House Sponsor), A bill to be entitled An Act relating to the approval of certain construction, repair, or rehabilitation projects at public institutions of higher education in this state. (Aycock, Darby, and Harless recorded voting no.)

**SB 2019** (Farrar - House Sponsor), A bill to be entitled An Act relating to the use of certain refrigerants in motor vehicle air conditioning units.

**SB 2497** (Hardcastle - House Sponsor), A bill to be entitled An Act relating to the creation of the North Texas Groundwater Conservation District; providing authority to issue bonds.

**SB 2513** (Dunnam - House Sponsor), A bill to be entitled An Act relating to the name and confirmation of, and to certain fees imposed by, the McLennan County Groundwater Conservation District.

#### **Amendment No. 1**

On behalf of Representative Dunnam, Representative Anderson offered the following amendment to **SB 2513**:

Amend **SB 2513** on page 2, line 19 by striking "10 cents per thousand gallons" and inserting "\$1 per acre-foot".

Amendment No. 1 was adopted.

#### **CSHCR 22 - NOTICE OF MOTION TO SUSPEND RULES**

Pursuant to the provisions of Rule 14, Section 4 of the House Rules, at 11:39 a.m., the chair announced that Representative Burnam would, in at least one hour, be recognized for the purpose of suspending the regular order of business to take up **CSHCR 22** out of its regular order.

#### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Agriculture and Livestock, upon first adjournment today, Desk 83, for a formal meeting, to consider pending business.

Public Education, upon first adjournment today, 3W.9, for a formal meeting, to consider pending business.

State Affairs, upon first adjournment today, Desk 7, for a formal meeting, to consider **SB 96**, **SB 182**, **SB 1228**, **SB 1703**, **SB 1732**, **SB 1772**, **SB 1913**, and **SB 2292**.

Public Safety, upon first adjournment today, Desk 17, for a formal meeting, to consider pending business.

#### **ADJOURNMENT**

At 11:44 a.m., the chair announced that the house would stand adjourned until 1 p.m. today.

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#### **ADDENDUM**

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

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

**House List No. 33**

**HB 375, HB 472, HB 567, HB 590, HB 772, HB 867, HB 1240, HB 1300, HB 1411, HB 1492, HB 1493, HB 1505, HB 1574, HB 1580, HB 1672, HB 1736, HB 1758, HB 1804, HB 1830, HB 1908, HB 1998, HB 2027, HB 2062, HB 2249, HB 2386, HB 2509, HB 2512, HB 3031, HB 3032, HB 3061, HB 3062, HB 3413, HB 3519, HB 4006, HB 4314, HB 4476**