

# HOUSE JOURNAL

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EIGHTY-SECOND LEGISLATURE, FIRST CALLED SESSION

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## PROCEEDINGS

SEVENTH DAY — FRIDAY, JUNE 10, 2011

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

The roll of the house was called and a quorum was announced present (Record 56).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Workman; Zedler; Zerwas.

Absent, Excused — Woolley.

Absent — Thompson.

### STATEMENT OF VOTE

After roll call was taken, I had requested to be excused because of important business in the district, but the excuse failed to be read out.

Harless

The invocation was offered by Representative White.

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

### REGULAR ORDER OF BUSINESS SUSPENDED

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

**HR 49 - ADOPTED**  
**(by Schwertner, Murphy, and Brown)**

Representative Schwertner moved to suspend all necessary rules to take up and consider at this time **HR 49**.

The motion prevailed.

The following resolution was laid before the house:

**HR 49**, In memory of Graham Charles Holloway of Cedar Park.

**HR 49** was read and was unanimously adopted by a rising vote.

On motion of Representatives Murphy and Brown, the names of all the members of the house were added to **HR 49** as signers thereof.

(Thompson now present)

**SB 4 - COMMITTEE ON CALENDARS RULE ADOPTED**

Pursuant to Rule 3, Section 5(2) and Rule 6, Section 16(f) of the House Rules, Representative Hunter moved to adopt the following rule governing floor consideration for **SB 4**:

SECTION 1. During second reading and third reading consideration of the bill:

(a) No proposed amendment, amendment to the amendment, or substitute amendment changing any district is eligible for consideration unless five copies of an amendment packet prepared by the Texas Legislative Council (TLC) has been submitted to the chief clerk. The amendment packet is not required to contain a textual description of the amendment but must include:

(1) maps as prepared by TLC indicating the changes made by the amendment; and

(2) standard reports for the amendment prepared by TLC that indicate population, voter data, and incumbent locations for the districts affected by the amendment.

(b) No proposed amendment, amendment to the amendment, or substitute amendment is eligible for consideration if:

(1) any district in the amendment contains parts that are not contiguous;

or

(2) adoption of the amendment would result in any unassigned or overlapping geography in the overall redistricting plan under consideration.

SECTION 2. An amendment packet for each original amendment that will be offered during second reading consideration of the bill must be filed with the chief clerk by 5 p.m. on Monday, June 13.

The Committee on Calendars rule was adopted by (Record 57): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver;

Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Woolley.

Absent — Anderson, C.; Menendez.

#### **LEAVES OF ABSENCE GRANTED**

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

Bohac on motion of C. Howard.

The following member was granted leave of absence for the remainder of today because of a death in the family:

Burnam on motion of Gooden.

#### **MAJOR STATE CALENDAR SENATE BILLS THIRD READING**

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

#### **SB 2 ON THIRD READING (Pitts - House Sponsor)**

**SB 2**, A bill to be entitled An Act appropriating money for the support of state government for the period beginning September 1, 2011 and ending August 31, 2013; and authorizing and prescribing conditions, limitations, rules, and procedures for allocating and expending the appropriated funds; and declaring an emergency.

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

Representative Isaac offered the following amendment to **SB 2**:

Amend **SB 2** on third reading at the end of the subsection entitled "Contingency for **SB 1**: Foundation School Program Deferral" (house committee printing, page 5, line 15) by adding the following new paragraph:

Contingent on enactment of **SB 1**, Acts of the 82nd Legislature, 1st Called Session, 2011, or similar legislation providing for a partial deferral of the August 2013 Foundation School Program payment to school districts, and notwithstanding any other provision of this Act, the reduction in Foundation School Program appropriations referenced by this subsection shall be adjusted by an amount identified by the Legislative Budget Board in determining the percentage of the deferred August payment that can be paid in August 2013, in accordance with the provisions of the legislation. The sum-certain appropriation for the Foundation School Program as identified in Subsection (b) above shall be adjusted commensurately.

Amendment No. 1 was adopted. (Berman and Flynn recorded voting no.)

### **Amendment No. 2**

Representative Morrison offered the following amendment to **SB 2**:

Amend **SB 2** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. If Section 13.07, Article IX, **HB 1**, 82nd Legislature, Regular Session, 2011, becomes law, Section 13.07(a) of that Article is amended to read as follows:

(a) Except as provided by Subsection (c) of this Section, for the fiscal biennium beginning September 1, 2011, the amounts appropriated to an agency under Articles I-VIII of this Act include, regardless of whether or not the amounts may be shown under or limited by the bill pattern or riders of the agency or the special provisions applicable to the Article of this Act under which the agency's appropriation might be located, [~~fifty percent of~~] all revenue collected by an agency on or after September 1, 2011, that are associated with the sale of a Texas specialty license plate, as authorized by Subchapter G, Chapter 504, Transportation Code, or other applicable statute, during the 2012-13 biennium, including any new license plates that may be authorized or issued after September 1, 2011.

Amendment No. 2 was adopted. (Crownover and L. Taylor recorded voting no.)

### **Amendment No. 3**

Representatives P. King, Hancock, Sheets, Landtroop, Aliseda, Chisum, Jackson, Isaac, Sheffield, Cain, Cook, Laubenberg, Callegari, Zedler, Geren, Fletcher, Berman, Orr, Schwertner, W. Smith, Carter, Legler, and White offered the following amendment to **SB 2**:

Amend **SB 2** on third reading by striking the SECTION of the bill that appropriates the increased money in the economic stabilization fund to the Texas Education Agency for the Foundation School Program, as added by Amendment No. 24 on second reading.

Amendment No. 3 failed of adoption by (Record 58): 79 Yeas, 65 Nays, 1 Present, not voting.

Yeas — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Burkett; Button; Cain; Callegari; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, S.; Driver; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gooden; Hancock; Harper-Brown; Hilderbran; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; Kleinschmidt; Kolkhorst; Landtroop; Larson; Laubenberg; Legler; Lewis; Madden; Miller, D.; Miller, S.; Morrison; Murphy; Nash; Orr; Otto; Parker; Paxton; Perry; Phillips; Pitts; Price; Riddle; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, W.; Smithee; Taylor, L.; Taylor, V.; Truitt; Weber; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Brown; Castro; Coleman; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Eissler; Farias; Farrar; Gallego; Giddings; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hamilton; Hardcastle; Hartnett; Hernandez Luna; Hochberg; Hopson; Howard, D.; Johnson; King, S.; King, T.; Kuempel; Lavender; Lozano; Lucio; Lyne; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Patrick; Pickett; Quintanilla; Raymond; Reynolds; Ritter; Rodriguez; Smith, T.; Solomons; Strama; Thompson; Torres; Turner; Veasey; Villarreal; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Harless; Peña.

#### STATEMENTS OF VOTE

I was shown voting no on Record No. 58. I intended to vote yes.

Eissler

I was shown voting yes on Record No. 58. I intended to vote no.

L. Gonzales

When Record No. 58 was taken, I was absent because of important business in the district. I had requested to be excused, but the excuse failed to be read out. Had I been present I would have voted no.

Harless

I was shown voting no on Record No. 58. I intended to vote yes.

Lavender

I was shown voting yes on Record No. 58. I intended to vote no.

Truitt

#### Amendment No. 4

Representatives Truitt, Otto, Patrick, Price, Deshotel, Zedler, Brown, Scott, Chisum, Workman, Frullo, Burkett, Shelton, Schwertner, Fletcher, Button, Harper-Brown, Allen, Gonzalez, Margo, Callegari, Mallory Caraway, Ritter, Hilderbran, Alvarado, Riddle, Solomons, Hamilton, Quintanilla, Larson,

Kuempel, Marquez, Aycock, Morrison, Kolkhorst, J. Davis, S. Miller, and Smithee offered the following amendment to **SB 2**:

Amend **SB 2** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Contingent on legislation of the 82nd Legislature, 1st Called Session, 2011, becoming law that is substantively similar to provisions of **HB 2403**, Acts of the 82nd Legislature, Regular Session, 2011, relating to retailers engaged in business in this state for purposes of sales and use taxes, in addition to the amounts appropriated by **HB 1**, Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), there is appropriated to the Higher Education Coordinating Board, the amount of \$2,685,000 in general revenue funds for each year of the state fiscal biennium ending August 31, 2013, for the purpose of providing additional funding for the biennium in the amount of \$5,370,000 for Strategy B.1.13, TX Armed Services Scholarship Pgm, as designated by **HB 1** in the appropriations to the coordination board.

Amendment No. 4 was adopted. (Carter recorded voting no.)

#### **Amendment No. 5**

Representative Larson offered the following amendment to **SB 2**:

Amend **SB 2** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Appropriation for the Designated Trauma Facility and EMS Account 5111. Contingent on **HB 4**, Acts of the 82nd Legislature, Regular Session, 2011, as enrolled, not taking effect, in addition to amounts appropriated to the Department of State Health Services by **HB 1**, Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), the amount of \$25,499,190 (\$12,749,595 in fiscal year 2012 and \$12,749,595 in fiscal year 2013) is appropriated out of Account 5111-the Designated Trauma Facility and EMS Account for the state fiscal biennium ending August 31, 2013.

Amendment No. 5 was withdrawn.

**SB 2**, as amended, was passed by (Record 59): 101 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alvarado; Anderson, C.; Aycock; Beck; Berman; Branch; Brown; Burkett; Button; Callegari; Castro; Chisum; Christian; Coleman; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Driver; Dutton; Eissler; Farrar; Fletcher; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gooden; Hamilton; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Lewis; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Miles; Miller, D.; Morrison; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Perry; Pitts; Price; Quintanilla; Riddle; Ritter; Schwertner;

Scott; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Thompson; Torres; Truitt; Turner; Vo; Weber; White; Workman; Zedler; Zerwas.

Nays — Alonzo; Anchia; Anderson, R.; Bonnen; Cain; Carter; Creighton; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Flynn; Gonzalez; Gutierrez; Hancock; Hernandez Luna; Hughes; Landtroop; Laubenberg; Legler; Lozano; Lucio; Martinez Fischer; McClendon; Menendez; Miller, S.; Muñoz; Paxton; Peña; Phillips; Pickett; Raymond; Reynolds; Rodriguez; Sheets; Simpson; Taylor, V.; Veasey; Villarreal; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Guillen; Harless; Oliveira.

The speaker stated that **SB 2** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 59. I intended to vote no.

Christian

I was shown voting no on Record No. 59. I intended to vote yes.

Gonzalez

When Record No. 59 was taken, I was absent because of important business in the district. I had requested to be excused, but the excuse failed to be read out. Had I been present I would have voted no.

Harless

I was shown voting yes on Record No. 59. I intended to vote no.

T. King

I was shown voting no on Record No. 59. I intended to vote yes.

Legler

When Record No. 59 was taken, I was in the house but away from my desk. I would have voted no.

Oliveira

#### REASONS FOR VOTE

I voted against **SB 2** on third reading because it included Representative D. Howard's amendment, which sought to spend additional money from the economic stabilization fund. The conference committee struck the amendment so I was able to vote in support of the final version of **SB 2**.

Carter

I voted for **SB 2** on third reading because it included Representative D. Howard's amendment to include funding to our public schools for enrollment growth. I do not support other measures in the bill, including the deferral of payments to the Foundation School Program.

Castro

**SB 2**, although good in intention, includes provisions to spend additional money from the rainy day fund, and, therefore, I can no longer support **SB 2** and will be casting a no vote.

Landtroop

The reason I voted no was due to the fact that this legislation created a misconception of the issues. Although I supported the D. Howard/Farrar amendment regarding the rainy day fund, **SB 2** still drastically reduces funding to education and health and human services. Also, there were many amendments added on **SB 2** which deepened the cuts and were detrimental to the district I represent.

Muñoz

### **SB 1 ON THIRD READING (Pitts - House Sponsor)**

**SB 1**, A bill to be entitled An Act relating to certain state fiscal matters; providing penalties.

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

Representative Chisum offered the following amendment to **SB 1**:

Amend **SB 1** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 2171, Government Code, is amended by adding Section 2171.1011 to read as follows:

Sec. 2171.1011. **FLEET PLANNING AND OPTIMIZATION PROGRAM.**

(a) This section does not apply to a state agency that utilizes fleet vehicles for law enforcement, safety, or emergency response purposes.

(b) The comptroller may enter into a contract with a vendor to provide fleet planning, routing, scheduling, and dispatch services for a state agency that utilizes fleet vehicles that average more than three stops per day.

(c) A contract entered into under this section must:

(1) specify the state agency for which the vendor is to provide the services described by Subsection (b);

(2) require the vendor to have:

(A) at least five years of experience providing the services described by Subsection (b); and

(B) the ability to utilize a model-based artificial intelligence program to provide fleet planning services; and

(3) provide that:



(A) the comptroller may not make a payment to the vendor under the contract until the vendor has achieved a five percent reduction in the total cost of that state agency's vehicle fleet services described by Subsection (b); and

(B) the total compensation payable to the vendor under the contract may not exceed the amount of total cost savings attributable to the vendor's vehicle fleet services described by Subsection (b).

(d) In accordance with an agreement between the comptroller and a state agency, the comptroller may use funds appropriated to the state agency for the purposes of fleet management for the purpose of contracting with a vendor to provide vehicle fleet services described by Subsection (b).

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative S. Davis offered the following amendment to **SB 1**:

Amend **SB 1** on third reading by adding a new article to the bill to read as follows:

ARTICLE \_\_\_\_ . AD VALOREM TAXATION OF CERTAIN LAND  
OF CERTAIN PUBLIC UTILITIES

SECTION \_\_\_\_ .01. Chapter 31, Tax Code, is amended by adding Section 31.039 to read as follows:

Sec. 31.039. PROVISION OF RECREATIONAL OR EDUCATIONAL AREA BY CERTAIN PUBLIC UTILITIES IN LIEU OF PAYMENT OF TAXES ON PUBLIC UTILITY PROPERTY. (a) The governing body of a taxing unit may authorize any of the following public utilities to provide for public use of public utility property for recreation, education, exercise, relaxation, travel, or pleasure.

(b) The governing body shall require that each public utility providing an area described by Subsection (a) execute a contract with the taxing unit. The contract must be approved by the Public Utility Commission of Texas as a matter that does not negatively affect the rates of the utility. The contract must be executed before any tax delinquency date and must specify:

(1) the area to be provided for public use;

(2) the intended public uses of the area;

(3) the amount of the tax credit that the public utility will receive while the public is given access to the area; and

(4) set out or describe the provisions of Subsections (c) and (d).

(c) For each area provided for public use by a public utility, a taxing unit may provide to the utility a credit not to exceed one-half of one percent of the property taxes owed to the taxing unit.

(d) The taxing unit shall terminate the contract if the public utility violates the terms of the contract, including by restricting public access to or use of the area that is the subject of the contract.

(e) A public utility is eligible for a tax credit under this section only if the utility is a public utility to which Section 75.0021, Civil Practice and Remedies Code, applies.

SECTION \_\_\_\_\_.02. Section 75.0021, Civil Practice and Remedies Code, as effective September 1, 2011, is amended to read as follows:

Sec. 75.0021. LIMITED LIABILITY OF CERTAIN PUBLIC UTILITIES.

(a) In this section:

(1) "Person" includes an individual as defined by Section 71.001.

(2) "Public utility" means:

(A) an electric utility as defined by Section 31.002, Utilities Code;

(B) a telecommunications provider as defined by Section 51.002,

Utilities Code;

(C) an electric cooperative as defined by Section 11.003, Utilities

Code;

(D) a gas utility as defined by Section 101.003 or 121.001, Utilities

Code; or

(E) a water and sewer utility as defined by Section 13.002, Water

Code.

(b) A public utility that, as the owner, easement holder, occupant, or lessee of land, ~~gives permission to a person to enter [signs an agreement with a municipality, county, or political subdivision to allow public access to or use of] the premises for recreation, exercise, education, relaxation, travel, or pleasure [by allowing the public access or use]~~ does not by giving that permission:

(1) ensure that the premises are safe for recreation, exercise, education, relaxation, travel, or pleasure; or

(2) assume responsibility or incur any liability for:

(A) damages arising from or related to any bodily or other personal injury to or death of any person [beyond that provided by Chapter 75 of the Civil Practice and Remedies Code to a third party] who enters the premises for recreation, exercise, education, relaxation, travel, or pleasure or accompanies another person entering the premises for recreation, exercise, education, relaxation, travel, or pleasure;

(B) property damage sustained by any person who enters the premises for recreation, exercise, education, relaxation, travel, or pleasure or accompanies another person entering the premises for recreation, exercise, education, relaxation, travel, or pleasure; or

(C) an act of a third party that occurs on the premises, regardless of whether the act is intentional.

(c) Subsection (b) applies to any claim for damages, including a claim:

(1) alleging gross negligence;

(2) asserting the doctrine of attractive nuisance; or

(3) arising from contact of a person or property with power lines or exposure of a person or property to electric and magnetic fields [to the extent the municipality, county, or political subdivision purchases a general liability insurance policy in amounts required by Chapter 75 of the Civil Practice and Remedies Code insuring the public utility for liability arising from the condition of the premises for such recreational use].

(d) A public utility that, as the owner, easement holder, occupant, or lessee of land, allows the use of the premises for recreation, exercise, education, relaxation, travel, or pleasure shall post and maintain a clearly readable sign in a clearly visible location on or near the premises. The sign must contain the following warning language:

WARNING

TEXAS LAW (CHAPTER 75, CIVIL PRACTICE AND REMEDIES CODE)  
LIMITS THE LIABILITY OF A PUBLIC UTILITY FOR DAMAGES  
ARISING FROM THE USE OF THIS PROPERTY FOR RECREATION,  
EXERCISE, EDUCATION, RELAXATION, TRAVEL, OR PLEASURE.

(e) [(e)] This section applies only to a public utility located in[±

[(±)] a county:

(1) with a population of 800,000 or more and located on the international border; [e±]

(2) with a population of four million or more; or

(3) adjacent to a county with a population of four million or more [e municipal management district located in a municipality with a population of more than 1.9 million].

SECTION \_\_\_\_ .03. Section 75.003(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) Except as provided by Sections 75.0021(b) and (c), this [This] chapter does not affect the doctrine of attractive nuisance, except that the doctrine may not be the basis for liability of an owner, lessee, or occupant of agricultural land for any injury to a trespasser over the age of 16 years.

SECTION \_\_\_\_ .04. Sections 75.0021 and 75.003(b), Civil Practice and Remedies Code, as amended by this article, apply only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

Amendment No. 2 failed of adoption by (Record 60): 89 Yeas, 51 Nays, 1 Present, not voting.

Yeas — Aliseda; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Bonnen; Branch; Brown; Burkett; Button; Callegari; Chisum; Coleman; Cook; Craddick; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Eissler; Elkins; Farrar; Frullo; Gallego; Garza; Geren; Giddings; Gooden; Hamilton; Hardcastle; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Hunter; Isaac; Jackson; Johnson; Keffer; King, T.; Kleinschmidt; Kuempel; Larson; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; McClendon; Miles; Miller, D.; Miller, S.; Murphy; Nash; Orr; Otto; Parker; Patrick; Peña; Perry; Pickett; Pitts; Price; Quintanilla; Ritter; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, W.; Strama; Torres; Turner; Veasey; Vo; Weber; White; Workman; Zerwas.

Nays — Berman; Carter; Castro; Christian; Creighton; Davis, Y.; Dutton; Eiland; Farias; Fletcher; Flynn; Gonzales, L.; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hancock; Howard, D.; Huberty; Hughes; King, P.; King, S.;

Kolkhorst; Landtroop; Laubenberg; Lozano; Mallory Caraway; Marquez; Martinez; Martinez Fischer; Menendez; Morrison; Muñoz; Naishtat; Oliveira; Paxton; Phillips; Raymond; Reynolds; Riddle; Rodriguez; Schwertner; Smith, T.; Smithee; Solomons; Taylor, V.; Thompson; Truitt; Villarreal; Walle; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Allen; Cain; Crownover; Harless; Harper-Brown; Taylor, L.

### STATEMENT OF VOTE

When Record No. 60 was taken, I was absent because of important business in the district. I had requested to be excused, but the excuse failed to be read out. Had I been present I would have voted no.

Harless

### Amendment No. 3

Representative V. Taylor offered the following amendment to **SB 1**:

Amend Amendment No. 25 by V. Taylor to **SB 1** on page 2, line 3 of the amendment, by striking "requirements of Subsection (b) are otherwise met" and substituting "person does not provide a form of identification described by Subsection (b)".

Amendment No. 3 failed of adoption by (Record 61): 95 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Burkett; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Dukes; Dutton; Eissler; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Hopson; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Madden; Margo; Miller, D.; Morrison; Murphy; Nash; Orr; Otto; Parker; Paxton; Perry; Phillips; Pitts; Price; Raymond; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Vo; Weber; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Brown; Coleman; Davis, Y.; Deshotel; Eiland; Farias; Farrar; Gallego; Giddings; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hernandez Luna; Hochberg; Howard, D.; Johnson; King, T.; Lozano; Lucio; Lyne; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Patrick; Peña; Pickett; Quintanilla; Reynolds; Riddle; Rodriguez; Simpson; Strama; Thompson; Turner; Veasey; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Harless; Miller, S.; Villarreal.

### STATEMENT OF VOTE

When Record No. 61 was taken, I was absent because of important business in the district. I had requested to be excused, but the excuse failed to be read out. Had I been present I would have voted yes.

Harless

### Amendment No. 4

Representative Alonzo offered the following amendment to **SB 1**:

Amend **SB 1** on third reading by adding the following appropriately numbered SECTION to ARTICLE \_\_\_ of the bill, as added on second reading by Amendment No. 132 by Pitts, and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION \_\_\_\_\_. Subchapter G, Chapter 521, Transportation Code, is amended by adding Section 521.1471 to read as follows:

Sec. 521.1471. REGISTRATION WITH SELECTIVE SERVICE. A person who provides proof of compliance with registration requirements of the United States Selective Service System under the Military Selective Service Act (50 U.S.C. App. Section 451 et seq.) is eligible to apply for a driver's license under this chapter.

Amendment No. 4 failed of adoption by (Record 62): 46 Yeas, 90 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Castro; Coleman; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Gallego; Giddings; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hernandez Luna; Hochberg; Howard, D.; Johnson; King, T.; Lozano; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Miles; Muñoz; Naishtat; Oliveira; Peña; Pickett; Quintanilla; Reynolds; Rodriguez; Strama; Thompson; Turner; Veasey; Vo; Walle.

Nays — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Button; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, S.; Eissler; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Hopson; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lyne; Margo; Miller, D.; Morrison; Murphy; Nash; Orr; Otto; Parker; Patrick; Paxton; Perry; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Weber; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Cain; Callegari; Driver; Eiland; Harless; Madden; Menendez; Miller, S.; Raymond; Villarreal.

### STATEMENTS OF VOTE

When Record No. 62 was taken, I was in the house but away from my desk. I would have voted no.

Callegari

When Record No. 62 was taken, I was absent because of important business in the district. I had requested to be excused, but the excuse failed to be read out. Had I been present I would have voted no.

Harless

### Amendment No. 5

Representative Hilderbran offered the following amendment to **SB 1**:

Amend **SB 1** on third reading by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE \_\_\_\_ . CERTAIN FORFEITED PROPERTY PROCEEDS

SECTION \_\_\_\_ .01. (a) If **SB 316**, Acts of the 82nd Legislature, Regular Session, 2011, becomes law, Section 24.377(c), Government Code, as effective September 1, 2011, is repealed.

(b) If **SB 316**, Acts of the 82nd Legislature, Regular Session, 2011, does not become law, this article has no effect.

SECTION \_\_\_\_ .02. This article takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this article does not receive the vote necessary for immediate effect, this article takes effect on the 91st day after the last day of the legislative session.

### Amendment No. 5 - Point of Order

Representative Marquez raised a point of order against further consideration of Amendment No. 5 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of Amendment No. 5.

### Amendment No. 6

Representative Madden offered the following amendment to **SB 1**:

Amend **SB 1** on third reading by striking SECTIONS 40.01, 40.03, and 40.06 as amended on second reading by Amendment No. 1 by Pitts and substitute the following SECTIONS:

SECTION 40.01. Subsection (a), Section 501.133, Government Code, is amended to read as follows:

(a) The committee consists of five voting [~~nine~~] members and one nonvoting member [~~appointed~~] as follows:

- (1) one member ~~[two members]~~ employed full-time by the department, ~~[at least one of whom is a physician,]~~ appointed by the executive director;
- (2) one member who is a physician and ~~[two members]~~ employed full-time by The University of Texas Medical Branch at Galveston, ~~[at least one of whom is a physician,]~~ appointed by the president of the medical branch;
- (3) one member who is a physician and ~~[two members]~~ employed full-time by the Texas Tech University Health Sciences Center, ~~[at least one of whom is a physician,]~~ appointed by the president of the university; ~~[and]~~
- (4) two ~~[three]~~ public members appointed by the governor who are not affiliated with the department or with any entity with which the committee has contracted to provide health care services under this chapter, at least one ~~[two]~~ of whom is [are] licensed to practice medicine in this state; and
- (5) the state Medicaid director, to serve ex officio as a nonvoting member.

SECTION 40.03. Section 501.136, Government Code, is amended to read as follows:

Sec. 501.136. TERMS OF OFFICE FOR PUBLIC MEMBERS. Committee members appointed by the governor serve staggered four-year ~~[six-year]~~ terms, with the term of one of those members expiring on February 1 of each odd-numbered year. Other committee members serve at the will of the appointing official or until termination of the member's employment with the entity the member represents.

SECTION 40.06. (a) The Correctional Managed Health Care Committee established under Section 501.133, Government Code, as that section existed before amendment by this article, is abolished effective November 30, 2011.

(b) An appointing official under Section 501.133, Government Code, shall appoint the members of the Correctional Managed Health Care Committee under Section 501.133, Government Code, as amended by this Act, not later than November 30, 2011. The governor shall appoint one public member to serve a term that expires February 1, 2013, and one public member to serve a term that expires February 1, 2015.

(c) The term of a person who is serving as a member of the Correctional Managed Health Care Committee immediately before the abolition of that committee under Subsection (a) of this section expires on November 30, 2011. Such a person is eligible for appointment by an appointing official to the new committee under Section 501.133, Government Code, as amended by this article.

Amendment No. 6 was adopted.

#### **Amendment No. 7**

Representative Garza offered the following amendment to **SB 1**:

Amend **SB 1** (third reading) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill:

SECTION \_\_\_\_\_. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.0833 to read as follows:

Sec. 33.0833. LIMITATION ON RECEIPTS FROM PLAYOFF GAMES. For the 2011-2012 and 2012-2013 school year, the University Interscholastic League may not collect more than:

(a) 12% of the gross gate receipts for football playoff games, bi-district through regional, or;

(b) 12% of the gross gate receipts for basketball playoff games, bi-district through regional, or;

(c) 13% of the gross income from the state volleyball, basketball, soccer, softball and baseball tournaments.

SECTION \_\_\_\_\_. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.0832 to read as follows:

Sec. 33.0832. EQUAL OPPORTUNITY FOR ACCESS TO UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) In this section, "private school" has the meaning assigned by Section 39.033(d).

(b) The University Interscholastic League shall provide private and parochial schools with equal opportunity to become members of the league for the purpose of providing their students with access to league activities.

(c) This section does not exempt a private or parochial school or its students from satisfying each rule or eligibility requirement imposed by this subchapter or the league for participating in an activity or league district sponsored by the league.

(d) A private or parochial school seeking to participate in a league activity or to become a member of a league district shall apply to the league on a signed form prescribed by the league. The school must certify its eligibility under this subchapter and league rules in the application and must attach proof of accreditation. The league may not impose eligibility requirements for private or parochial schools that exceed the requirements of this subchapter or league rules for public schools or require proof of eligibility that exceeds the proof required of public schools. On approval of an application, the league shall issue a certificate of approval to the applicant school. The application and certificate of approval are governmental records for purposes of Section 37.10, Penal Code.

(e) The league shall determine the appropriate league district in which an eligible private or parochial school will participate using the same standard the league applies to public schools, provided that the private or parochial school may not be placed in a league district lower than the 1A level.

(f) The league may adopt rules designed to discourage an eligible private or parochial school from recruiting any student to attend the school for the purpose of participating in a league activity. A rule adopted under this subsection may not be designed to discriminate against an eligible private or parochial school.

(g) To be eligible under this section, a private or parochial school must:

(1) be accredited by an accrediting organization recognized by the agency;

(2) not have had its ability or eligibility to participate in an association similar to the league compromised, revoked, or suspended for violating the rules or codes of that association within the five-year period preceding the date of application to participate in the league;



(3) offer a four-year high school curriculum;

(4) offer interscholastic competition; and

(5) require daily student attendance at a specific location.

(h) Notwithstanding any other provision of this section, the league shall implement this section by providing private and parochial schools with equal opportunity to participate in:

(1) league academic activities beginning with the 2011-2012 school year;

(2) league athletic activities at the 1A and 2A league district levels beginning with the spring semester of the 2011-2012 school year;

(3) league athletic activities at the 3A league district level beginning with the 2012-2013 school year;

(4) league athletic activities at the 4A league district level beginning with the 2013-2014 school year; and

(5) league athletic activities at the 5A league district level beginning with the 2014-2015 school year.

(i) Subsection (h) and this subsection expire September 1, 2015.

(j) Notwithstanding any other law, a child who resides within the attendance area of a public school and who is instructed at home shall be allowed to try out for interscholastic activities on behalf of the public school in the same manner as a pupil who is enrolled in that public school. Registration, age eligibility requirements, fees, insurance, transportation, physical condition, qualifications, responsibilities, event schedules, standards of behavior and performance policies for home schooled students shall be consistent with those policies established for students enrolled in that public school. The individual providing the primary instruction of a child who is instructed at home shall submit written verification that provides:

(1) Whether the student is receiving a passing grade in each course or subject being taught.

(2) Whether the student is maintaining satisfactory progress towards advancement or promotion.

(k) A child who is instructed at home and who was previously enrolled in a school shall be ineligible to participate in interscholastic activities for the remainder of the school year during which the child was enrolled in a school.

#### **Amendment No. 7 - Point of Order**

Representative Thompson raised a point of order against further consideration of Amendment No. 7.

The speaker sustained the point of order.

The ruling precluded further consideration of Amendment No. 7.

**SB 1**, as amended, was passed by (Record 63): 83 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Aliseda; Anderson, C.; Aycock; Beck; Berman; Branch; Brown; Burkett; Button; Cain; Callegari; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Flynn;

Frullo; Garza; Geren; Gonzales, L.; Gooden; Hancock; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Legler; Lewis; Lyne; Madden; Margo; Miller, D.; Murphy; Nash; Orr; Otto; Parker; Patrick; Paxton; Perry; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Torres; Weber; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Bonnen; Carter; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Gallego; Giddings; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hamilton; Hernandez Luna; Hochberg; Hopson; Howard, D.; Johnson; King, S.; King, T.; Landtroop; Lozano; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, S.; Morrison; Muñoz; Naishtat; Oliveira; Peña; Pickett; Quintanilla; Raymond; Reynolds; Rodriguez; Simpson; Strama; Taylor, V.; Thompson; Truitt; Turner; Veasey; Villarreal; Vo; Walle; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Harless.

The speaker stated that **SB 1** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

#### STATEMENT OF VOTE

When Record No. 63 was taken, I was absent because of important business in the district. I had requested to be excused, but the excuse failed to be read out. Had I been present I would have voted no.

Harless

#### REASON FOR VOTE

I believe that **SB 1**, although good in intention, does not properly prioritize the states spending needs. Due to the bill containing earmarks and funding for non-priority items (such as arts and film industry) while not properly funding mental health, care for the elderly, etc., I cannot support this bill and will cast a no vote.

Landtroop

#### HB 19 - RECOMMENDED

Representative Eissler moved to recommit **HB 19** to the Committee on Public Education.

The motion prevailed.

#### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, upon adjournment today, Desk 56, for a formal meeting, to consider **HB 19**.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**HB 13 ON SECOND READING  
(by Kolkhorst)**

**HB 13**, A bill to be entitled An Act relating to the Medicaid program and alternate methods of providing health services to low-income persons in this state.

**HB 13** was passed to engrossment by (Record 64): 97 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eiland; Eissler; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hopson; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lyne; Madden; Margo; Miller, D.; Miller, S.; Morrison; Nash; Orr; Otto; Parker; Patrick; Paxton; Perry; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Weber; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gallego; Giddings; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hernandez Luna; Hochberg; Howard, D.; Johnson; King, T.; Lozano; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Peña; Pickett; Quintanilla; Raymond; Reynolds; Rodriguez; Strama; Thompson; Turner; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Farias; Murphy; Veasey; Walle.

**HB 18 ON SECOND READING  
(by Eissler)**

**HB 18**, A bill to be entitled An Act relating to elementary class size limits in public schools.

**Amendment No. 1**

Representative Eissler offered the following amendment to **HB 18**:

Amend **HB 18** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 25.112, Education Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) On application of a school district, the commissioner may except the district from the limit in Subsection (a) if the commissioner:

(1) finds the limit works an undue hardship on the district; or

(2) determines that as a result of a reduction in state funding levels, the amount of state and local funds per weighted student available to the district is less than the amount of state and local funds per weighted student available to the district in the preceding school year.

(d-1) An exception under Subsection (d) expires at the end of the school year for which it is granted.

SECTION 2. This Act applies beginning with the 2011-2012 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

Amendment No. 1 was adopted.

**HB 18**, as amended, was passed to engrossment by (Record 65): 94 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Branch; Brown; Burkett; Button; Cain; Callegari; Castro; Chisum; Christian; Cook; Creighton; Crownover; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gooden; Hancock; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Hochberg; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Legler; Lewis; Lyne; Madden; Margo; Miller, D.; Miller, S.; Morrison; Murphy; Nash; Orr; Otto; Parker; Patrick; Paxton; Perry; Pitts; Price; Riddle; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Truitt; Turner; Vo; Weber; Workman; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Bonnen; Carter; Craddick; Darby; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Gallego; Gonzalez; Guillen; Gutierrez; Hamilton; Hernandez Luna; Hopson; Johnson; King, T.; Landtroop; Lozano; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Peña; Phillips; Pickett; Quintanilla; Raymond; Reynolds; Ritter; Rodriguez; Thompson; Torres; Villarreal; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bohac; Burnam; Woolley.

Absent — Coleman; Harless; Veasey; Walle.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 65. I intended to vote no.

Brown

When Record No. 65 was taken, I was absent because of important business in the district. I had requested to be excused, but the excuse failed to be read out. Had I been present I would have voted yes.

Harless

I was shown voting yes on Record No. 65. I intended to vote no.

S. King

I was shown voting yes on Record No. 65. I intended to vote no.

Kolkhorst

**ADJOURNMENT**

Representative Hamilton moved that the house adjourn until 10 a.m. Tuesday, June 14.

The motion prevailed.

The house accordingly, at 2:28 p.m., adjourned until 10 a.m. Tuesday, June 14.

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**June 9**

Insurance - **HB 3**

Public Education - **SB 6**

Redistricting - **SB 4**

