

# HOUSE JOURNAL

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EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTH DAY — THURSDAY, JANUARY 20, 2011

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 11).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycoc; 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; Geren; Giddings; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; 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; Madden; 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; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Taylor, L.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Workman; Zedler; Zerwas.

Absent, Excused — Hilderbran; Lucio; Mallory Caraway; Pitts; Smithee; Solomons; Strama; Taylor, V.; Woolley.

Absent — Garza; Gonzales, L.; Lyne.

The invocation was offered by Jeff Young, minister of spiritual development, Prestonwood Baptist Church, Plano, as follows:

Loving Heavenly Father, near the beginning of our day we come to you in a spirit of humility and seeking mercy. In agreement with your word, we readily admit that our ways are not your ways and our thoughts are not your thoughts.

Father, we are thankful that your word is true. You really are our rock, our shelter, our ever-present help in time of need. You really have provided a lamp for our path in your word. You really are faithful and for that we say thanks.

Almighty God, I ask that you would grant wisdom to these men and women, your wisdom. The issues that they are wrestling with today affect people that you intimately care about. More than anything else, you tell us that you care about people just like me and everyone who can hear my voice. Your word promises

that when we ask for wisdom that you will provide it. So I am asking for wisdom beyond what education, intellect, and common sense could ever provide. I'm asking for your wisdom.

Sheltering God, I ask that you protect these leaders from others who are pessimistic and seeking personal gain. Give these leaders discernment. Give these leaders creativity and a passionate drive to solve the issues they are presented with in ways where you are honored, where people are valued, and where the values of cooperation, integrity, and trust are soaring more and more. This is a big request. And thankfully you are a big God. So big that you forgive people like me and give us a second chance simply by transferring faith in ourselves to faith in your Son, Jesus, in whose name we pray. Amen.

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

### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence for today because of important business in the district:

Lucio on motion of Raymond.

Mallory Caraway on motion of Raymond.

Pitts on motion of Lewis.

Smithee on motion of Chisum.

V. Taylor on motion of Chisum.

The following members were granted leaves of absence for today because of important business:

Hilderbran on motion of Hopson.

Solomons on motion of Hopson.

Strama on motion of Raymond.

The following member was granted leave of absence for the remainder of today because of important business in the district:

Phillips on motion of Darby.

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Workman who presented Dr. Dan Freeland of Austin as the "Doctor for the Day."

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

### **MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

**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. 1).

**HR 141 - ADOPTED  
(by Lavender)**

The following resolution was laid before the house:

**HR 141**, Welcoming students from the National Junior Honor Society at Morris Upchurch Middle School to the State Capitol.

**HR 141** was read and was adopted.

**HR 51 - ADOPTED  
(by V. Gonzales)**

The following resolution was laid before the house:

**HR 51**, Commemorating the presentation of the Golden Eagle Award to the late Michael A. Allen of McAllen.

**HR 51** was unanimously adopted by a rising vote.

(Harper-Brown in the chair)

**HR 148 - ADOPTED  
(by Y. Davis)**

The following resolution was laid before the house:

**HR 148**, Honoring Willie Nelson for his career in music and his contributions to the Lone Star State.

**HR 148** was adopted.

**SCR 7 - ADOPTED  
(L. Taylor - House Sponsor)**

The following resolution was laid before the house:

**SCR 7**, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 19, 2011, and ending on Monday, January 24, 2011.

**SCR 7** was adopted by (Record 12): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; Geren; Giddings; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown (C); Hartnett; Hernandez Luna; 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; Madden; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Peña; Perry; Pickett; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Taylor, L.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Lucio; Mallory Caraway; Phillips; Pitts; Smithee; Solomons; Strama; Taylor, V.; Woolley.

Absent — Garza; Gonzales, L.; Gonzales, V.; Lyne; Paxton.

(Garza and L. Gonzales now present)

### STATEMENTS OF VOTE

When Record No. 12 was taken, my vote failed to register. I would have voted yes.

Garza

When Record No. 12 was taken, my vote failed to register. I would have voted yes.

L. Gonzales

(Speaker in the chair)

### ADJOURNMENT

Representative Chisum moved that the house adjourn until 1:30 p.m. Monday, January 24.

The motion prevailed.

The house accordingly, at 10:38 a.m., adjourned until 1:30 p.m. Monday, January 24.

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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:

**Senate List No. 1**

**SCR 3**

**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

Thursday, January 20, 2011

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:

**SCR 7** Whitmire SPONSOR: Taylor, Larry  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 19, 2011, and ending on Monday, January 24, 2011.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**SENT TO THE GOVERNOR**

**January 19 - HCR 26**

