

HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-SECOND DAY — WEDNESDAY, MARCH 9, 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 94).

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; 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; 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; Woolley; Workman; Zedler; Zerwas.

Absent, Excused — Craddick; Scott.

The invocation was offered by James Walker, pastor, The Gulf Coast Christian Center, West Columbia, as follows:

Dear Jesus, I come to you today and thank you for the opportunity to stand in this place and honor your name. Your name is great and we praise you for your grace and your mercy. I thank you for your forgiveness and strength. We call on you today for your comfort, your direction, and your blessing.

We pray for you to lead, guide, bless, and speak to our leaders in this house. We pray for your divine instruction and wisdom as decisions are made here that will affect us, our children, and our children's children. Your word tells us that wisdom is available from you to anyone who asks, and today, Lord, I ask for that wisdom to be poured out in this place.

I thank you for our leaders and representatives. We know that all authority is set in place by God. Your word tells us that the heart of the king is in the hand of the Lord. Your word also tells us that all things work together for good to those who are called according to your plan, and we know that what you say is true. We pray blessings over these leaders and their families. We pray for health and strength to be multiplied to them as they serve us here.

Today, I speak blessing and favor over our great state and its wonderful people. I call our businesses, our industry, our state and local governments, and our economy blessed in the mighty name of Jesus. I thank you, Jesus, for Texas and her history of greatness, leadership, fearlessness, and favor and ask that you continue to bless her in influence, wealth, and honor.

I pray and give thanks for protection and provision for each Texas family. I lift up our hurting and those in need to you and ask for your mercy and love to shine on them. Thank you for our educators and organizations that minister to, protect, and grow our children and families. Thank you for our servicemen and first responders who tirelessly protect and serve us.

We ask for strength for our churches and pastors as they lead and reach out to the people that God has charged them to be in relationship with. Your word tells us if we will humble ourselves and ask, that you will heal our land; today, I ask humbly that you heal our land. Draw us to you and your love. Thank you for your blessings and strength. In the mighty name of Jesus. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Scott on motion of Burkett.

REGULAR ORDER OF BUSINESS SUSPENDED

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

CAPITOL PHYSICIAN

The speaker recognized Representative Gooden who presented Dr. Thomas Cherry of Chandler as the "Doctor for the Day."

The house welcomed Dr. Cherry 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 member was granted leave of absence for today because of important business:

Craddick on motion of Geren.

(Truitt in the chair)

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

Harless on motion of Harper-Brown.

(Speaker in the chair)

**HR 681 - ADOPTED
(by Landtroop)**

Representative Landtroop moved to suspend all necessary rules to take up and consider at this time **HR 681**.

The motion prevailed.

The following resolution was laid before the house:

HR 681, Honoring Johnny Mac and Jeanne Brown of Wellman for the establishment of the Remember Alex Brown Foundation.

HR 681 was read and was adopted.

On motion of Representative Perry, the names of all the members of the house were added to **HR 681** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Landtroop who introduced Johnny Mac, Jeanne, and Katrina Brown.

(Lyne in the chair)

FIVE-DAY POSTING RULE SUSPENDED

Representative Phillips moved to suspend the five-day posting rule to allow the Committee on Transportation to consider pending business and posted items during bill referral today in E2.028.

The motion prevailed.

Representative Zerwas moved to suspend the five-day posting rule to allow the Committee on Appropriations to consider **HB 4** at 7 a.m. tomorrow in E1.030.

The motion prevailed.

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to Rule 4, Section 9 of the House Rules, Representative L. Taylor requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings. For purposes of this motion, those house committees and subcommittees that are scheduled to meet upon adjournment or final recess today shall be considered to be scheduled to meet during bill referral today.

Permission to meet was granted.

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, during bill referral today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Agriculture and Livestock, 6:30 p.m. today, 1205 N. Lamar Blvd., for a work session.

State Affairs, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

Appropriations, 7 a.m. tomorrow, E1.030, for a public hearing, to consider **HB 4**.

HR 685 - ADOPTED

(by Madden, Button, and Carter)

Representative Madden moved to suspend all necessary rules to take up and consider at this time **HR 685**.

The motion prevailed.

The following resolution was laid before the house:

HR 685, Honoring city council member Bob Macy for his service to the residents of Richardson.

HR 685 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Madden who introduced Bob Macy and a delegation from Richardson.

HR 301 - ADOPTED

(by Button, Madden, and Carter)

Representative Button moved to suspend all necessary rules to take up and consider at this time **HR 301**.

The motion prevailed.

The following resolution was laid before the house:

HR 301, Recognizing March 9, 2011, as Richardson's Telecom Corridor Legislative Day.

HR 301 was adopted.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Urban Affairs, 2 p.m. today.

Transportation, during bill referral today, E2.028, for a public hearing, to consider previously posted items.

Select Committee on State Sovereignty, during bill referral today, 1W.14, for a formal meeting, to consider **HCR 18** and **HCR 50**.

HR 561 - PREVIOUSLY ADOPTED
(by Martinez, V. Gonzales, Muñoz, Peña, and Lucio)

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

HR 561, Recognizing March 9, 2011, as Mid-Valley Day at the State Capitol.

INTRODUCTION OF GUESTS

The chair recognized Representative Martinez who introduced a delegation from the Mid-Valley area.

HR 747 - ADOPTED
(by Dukes)

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 747**.

The motion prevailed.

The following resolution was laid before the house:

HR 747, Recognizing March 9, 2011, as Texas Moving Image Industry Day at the State Capitol.

HR 747 was read and was adopted.

On motion of Representative Naishtat, the names of all the members of the house were added to **HR 747** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Dukes who introduced participants in Texas Moving Image Industry Day.

HR 165 - PREVIOUSLY ADOPTED
(by Callegari, Bohac, Murphy, Woolley, and Vo)

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

HR 165, In memory of Dr. Susan Diane Jackson.

On motion of Representative Woolley, the names of all the members of the house were added to **HR 165** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Callegari who introduced family members and friends of Dr. Susan Diane Jackson.

HR 777 - ADOPTED
(by Carter)

Representative Carter moved to suspend all necessary rules to take up and consider at this time **HR 777**.

The motion prevailed.

The following resolution was laid before the house:

HR 777, Commending Dr. Kay Eggleston for her continuing service to Richland College.

HR 777 was adopted.

HR 751 - ADOPTED
(by Hancock)

Representative Hancock moved to suspend all necessary rules to take up and consider at this time **HR 751**.

The motion prevailed.

The following resolution was laid before the house:

HR 751, Recognizing March 9, 2011, as Texas Chemicals Day at the State Capitol.

HR 751 was adopted.

HR 695 - ADOPTED
(by Y. Davis)

Representative Isaac moved to suspend all necessary rules to take up and consider at this time **HR 695**.

The motion prevailed.

The following resolution was laid before the house:

HR 695, Welcoming the Dallas chapter of the Conference of Minority Transportation Officials to the State Capitol on Minority Business Enterprise Public Policy Day.

HR 695 was adopted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Pitts moved to suspend the five-day posting rule to allow the Committee on Appropriations to consider **HB 275** at 7 a.m. tomorrow in E1.030.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Appropriations, 7 a.m. tomorrow, E1.030, for a public hearing, to consider **HB 275**.

PROVIDING FOR ADJOURNMENT

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

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:31 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 5 (By Kolkhorst), Relating to the Interstate Health Care Compact.
To Select State Sovereignty.

HB 500 (By Eissler), Relating to end-of-course assessment instruments administered to public high school students.
To Public Education.

