

HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTIETH DAY (CONTINUED) — THURSDAY, APRIL 7, 2011

The house met at 10:15 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 291).

Present — Mr. Speaker; Aliseda; Alonzo; 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; 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; 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; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Absent, Excused — Allen; Johnson.

Absent, Excused, Committee Meeting — Alvarado; Keffer; Peña; Solomons; Veasey.

Absent — Farrar; Nash.

The invocation was offered by Dr. Michael Dean, senior pastor, Travis Avenue Baptist Church, Fort Worth, as follows:

Lord, we come before you today with hearts filled with gratitude and praise. You are great, and greatly to be praised. "Bless the Lord, O my soul, and forget none of his benefits." We are the recipients of your many gracious benefits in life, and we thank you for the gift of life, for our families, for our health, for our friends, for our work, and for the blessing of being citizens of the United States of America and residents of the great State of Texas. I thank you for this body of men and women who have been elected by the people of Texas to create an environment of safety, security, liberty, and stability.

We acknowledge that for all of our resources we still remain vitally dependent upon you. We depend upon you for wisdom. Your word tells us to trust in the Lord with all of our hearts and to not lean on our own understanding. We are to acknowledge you in all of our ways, and you promise to make our paths straight. We depend on you for that today. We depend upon your wisdom to discern, not just what is good, but what is best. We depend upon you to help us find the right blend of mercy and justice. We depend upon you to help us rise above selfish agendas to seek the highest and the best for those you have given us to lead. We need your wisdom for the faithful stewardship of abundant resources and treasures that have been given by your hand.

Father, your son, Jesus, said in the sermon on the mount that everyone who hears your words and puts them into practice is like a wise man who built his house on the rock. So help us build our lives, our homes, and our state on the solid rock of your truth. May the words of our mouth and the meditations of our heart be acceptable in your sight. We ask all these things in your name. Amen.

The speaker recognized Representative Shelton 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 Shelton and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Redistricting:

Alvarado on motion of Geren.

Keffer on motion of Geren.

Solomons on motion of Geren.

Veasey on motion of Geren.

The following member was granted leave of absence for today to attend a meeting of the Committee on Redistricting:

Peña on motion of Geren.

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

Johnson on motion of S. Davis.

HR 1138 - ADOPTED (by Shelton)

Representative Shelton moved to suspend all necessary rules to take up and consider at this time **HR 1138**.

The motion prevailed.

The following resolution was laid before the house:

HR 1138, Commemorating the 100th anniversary of the founding of Travis Avenue Baptist Church in Fort Worth and honoring Dr. Michael Dean for his service to the institution.

HR 1138 was read and was adopted.

INTRODUCTION OF GUESTS

The speaker recognized Representative Shelton who introduced Dr. Michael Dean and his wife, Nan.

(Harper-Brown in the chair)

LEAVES OF ABSENCE GRANTED

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

Nash on motion of Price.

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Redistricting:

Phillips on motion of Geren.

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. 15).

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Redistricting:

Madden on motion of Geren.

HR 1109 - ADOPTED (by Hancock)

Representative Hancock moved to suspend all necessary rules to take up and consider at this time **HR 1109**.

The motion prevailed.

The following resolution was laid before the house:

HR 1109, Congratulating Colby Bannister of North Richland Hills on being selected to compete in gymnastics at the 2011 Special Olympics World Summer Games in Athens.

HR 1109 was read and was adopted.

On motion of Representative Truitt, the names of all the members of the house were added to **HR 1109** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Hancock who introduced Colby Bannister and members of his family.

HR 1198 - ADOPTED
(by Lewis)

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

The motion prevailed.

The following resolution was laid before the house:

HR 1198, Recognizing April 7, 2011, as Winkler County Day at the State Capitol.

HR 1198 was adopted.

LEAVE OF ABSENCE GRANTED

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

Christian on motion of P. King.

HR 1132 - ADOPTED
(by Walle)

Representative Walle moved to suspend all necessary rules to take up and consider at this time **HR 1132**.

The motion prevailed.

The following resolution was laid before the house:

HR 1132, Honoring legislative employee and Texas Air National Guard Staff Sergeant Ryan Patrick Hogue as he prepares for deployment to Afghanistan.

HR 1132 was read and was adopted.

On motion of Representative Farias, the names of all the members of the house were added to **HR 1132** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Walle who introduced Texas Air National Guard Staff Sergeant Ryan Patrick Hogue and members of his family.

CAPITOL PHYSICIAN

The chair recognized Representative Truitt who presented Dr. Rick Edwards of Fort Worth as the "Doctor for the Day."

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

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2).

HR 1056 - ADOPTED
(by V. Gonzales)

Representative V. Gonzales moved to suspend all necessary rules to take up and consider at this time **HR 1056**.

The motion prevailed.

The following resolution was laid before the house:

HR 1056, In memory of Cristina "Crissy" Dalia Huff of Palmhurst.

HR 1056 was unanimously adopted by a rising vote.

HR 63 - ADOPTED
(by Hilderbran)

Representative Hilderbran moved to suspend all necessary rules to take up and consider at this time **HR 63**.

The motion prevailed.

The following resolution was laid before the house:

HR 63, Honoring Kerrville Folk Festival founder Rod Kennedy on his birthday.

HR 63 was read and was adopted.

INTRODUCTION OF GUEST

The chair recognized Representative Hilderbran who introduced Rod Kennedy.

HR 1167 - ADOPTED
(by C. Anderson, Keffer, Hughes, S. King, Lozano, et al.)

Representative C. Anderson moved to suspend all necessary rules to take up and consider at this time **HR 1167**.

The motion prevailed.

The following resolution was laid before the house:

HR 1167, Recognizing April 7, 2011, as Texas State Technical College Day at the State Capitol.

HR 1167 was adopted.

On motion of Representative Hughes, the names of all the members of the house were added to **HR 1167** as signers thereof.

(Farrar now present)

HR 1078 - ADOPTED
(by Torres)

Representative Torres moved to suspend all necessary rules to take up and consider at this time **HR 1078**.

The motion prevailed.

The following resolution was laid before the house:

HR 1078, Congratulating the boys' basketball team of West Oso High School in Corpus Christi on winning the 2011 UIL 3A state championship.

HR 1078 was read and was adopted.

On motion of Representative Scott, the names of all the members of the house were added to **HR 1078** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Torres who introduced members of the West Oso High School boys' basketball team.

HR 1176 - ADOPTED (by Flynn)

Representative Flynn moved to suspend all necessary rules to take up and consider at this time **HR 1176**.

The motion prevailed.

The following resolution was laid before the house:

HR 1176, Commemorating the 69th anniversary of the Bataan Death March.

HR 1176 was adopted.

HR 1104 - ADOPTED (by Rodriguez)

Representative Rodriguez moved to suspend all necessary rules to take up and consider at this time **HR 1104**.

The motion prevailed.

The following resolution was laid before the house:

HR 1104, Recognizing April 6, 2011, as Tejano Independence Day.

HR 1104 was read and was adopted.

HR 1130 - ADOPTED (by Kolkhorst)

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 1130**.

The motion prevailed.

The following resolution was laid before the house:

HR 1130, In memory of Bill E. Herod of Navasota.

HR 1130 was unanimously adopted by a rising vote.

HR 1174 - ADOPTED
(by Kolkhorst)

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 1174**.

The motion prevailed.

The following resolution was laid before the house:

HR 1174, Honoring the Reverend Darrell Dever on his installation as pastor of First Missionary Baptist Church in Huntsville.

HR 1174 was adopted.

(McClendon in the chair)

CONGRATULATORY AND MEMORIAL CALENDAR

The following congratulatory resolutions were laid before the house:

HR 886 (by W. Smith), Commemorating the dedication of a Texas Historical Marker honoring George Washington Carver High School in Baytown.

HR 887 (by W. Smith), Congratulating Deysi Martinez of Channelview on quickly mastering English as her second language and winning third-place honors in the Crenshaw Elementary School spelling bee.

HR 889 (by Craddick), Congratulating Charles and Sylvia Hale of Stanton on their 50th wedding anniversary.

HR 895 (by Frullo), Honoring Tony and Margaret Balios of Lubbock on their 50th wedding anniversary.

HR 896 (by C. Anderson), Congratulating Carrol and Blanch Ward of McGregor on their 60th wedding anniversary.

HR 897 (by C. Anderson), Congratulating Sam and Emily Skrhak of McGregor on their 50th wedding anniversary.

HR 898 (by C. Anderson), Congratulating Ed and Merle Wittner of Woodway on their 60th wedding anniversary.

HR 899 (by C. Anderson), Congratulating Boots and Dorothy Baker on their 50th wedding anniversary.

HR 900 (by C. Anderson), Congratulating Ray and Joan Anderson on their 50th wedding anniversary.

HR 901 (by C. Anderson), Congratulating Charles and Ruby Jo Crelia of Waco on their 50th wedding anniversary.

HR 902 (by C. Anderson), Congratulating Fred and Martha Vinson of Waco on their 70th wedding anniversary.

HR 903 (by C. Anderson), Congratulating Jack and Faye Dell Clements of West on their 60th wedding anniversary.

HR 904 (by C. Anderson), Congratulating Ervin and Mary Kaddatz of West on their 70th wedding anniversary.

HR 905 (by C. Anderson), Congratulating Steve and Karen Briggs of Robinson on their 25th wedding anniversary.

HR 906 (by Marquez), Congratulating Jim Phillips on being named the 2010 El Pasoan of the Year by El Paso Inc.

HR 907 (by Marquez), Congratulating Casa Ford Lincoln Mercury for its service to the residents of El Paso.

HR 908 (by Marquez), Honoring Dr. Diana Natalicio for her service as president of The University of Texas at El Paso.

HR 909 (by Marquez), Honoring Dr. Richard Rhodes for his service as president of El Paso Community College.

HR 911 (by Marquez), Honoring Woody and Gayle Hunt of El Paso for their philanthropic work.

HR 915 was withdrawn.

HR 916 (by Burkett), Congratulating Captain David Shedd on being named the 2011 Mesquite Fire Department Officer of the Year.

HR 917 (by Burkett), Congratulating Jason Sutcliffe on being named the 2011 Paramedic of the Year by the Mesquite Fire Department.

HR 919 (by Veasey), Commemorating the 128th Session of the Texas Annual Conference of the African Methodist Episcopal Zion Church.

HR 921 (by Marquez), Commemorating the 50th anniversary of the El Paso Museum of Art.

HR 923 (by Aliseda), Commending Arthur McCall of Pleasanton for his achievements as an artist and game warden.

HR 927 (by Gallego), Congratulating Casie De Luna on being named Firefighter of the Year by the Val Verde County Volunteer Fire Rescue Department.

HR 933 (by Hartnett), Congratulating Webelos Scouts of Cub Scout Pack No. 710 in Dallas on attaining the Arrow of Light Award.

HR 944 (by Hilderbran), Congratulating Robert M. Terrill on his retirement as constable for Precinct 4 of Kerr County.

HR 952 (by S. Davis), Congratulating Van Van Osdall of Houston on her 100th birthday.

HR 954 (by Dukes), Commemorating the induction of Willie Wells into the Texas Sports Hall of Fame.

HR 955 (by Flynn), Congratulating Glen and Sherry Northcutt of Ben Wheeler on their 50th wedding anniversary.

HR 956 (by Strama), Honoring Victor Gonzales, mayor pro tem of Pflugerville, on becoming a Certified Municipal Official.

HR 960 (by Sheffield), Congratulating Ernest and Lillian Winkler of Temple on their 65th wedding anniversary.

HR 961 (by Sheffield), Congratulating Willie and Eula Bennett of Rockdale on their 65th wedding anniversary.

HR 962 (by Sheffield), Congratulating Rufus and Betty Ruth Hurley of Temple on their 60th wedding anniversary.

HR 963 was previously adopted.

HR 972 (by Eiland), Honoring Marian Thomas for her work as executive director and CEO of Communities in Schools of Galveston County.

HR 973 (by Flynn), Congratulating the Canton High School archery team on winning its second consecutive state championship.

HR 974 (by P. King), Congratulating the Brock High School girls' basketball team on winning the 2011 UIL 2A state championship.

HR 976 (by Parker), Congratulating Elizabeth Lester on being named the 2010 Student Ambassador of the Year by People to People Ambassador Programs.

HR 978 (by Cain), Honoring Dr. M. LaVelle Hendricks on his 20th pastoral anniversary with East Caney Missionary Baptist Church in Sulphur Springs.

HR 981 (by Sheffield), Congratulating Jesse and Minnie Garcia of Temple on their 60th wedding anniversary.

HR 982 (by Sheffield), Congratulating Melvin and Alice Gerngross of Temple on their 70th wedding anniversary.

HR 984 (by Hardcastle), Commemorating the 50th anniversary of Fred's Corner Grille in Vernon.

HR 986 (by Bonnen), Congratulating Theodore and Dorothy Kaspar of Brazoria on their 50th wedding anniversary.

HR 991 (by Zedler), Congratulating Casey and Kyle Shufelt of Fort Worth on the birth of their son, Jude Anthony Shufelt.

HR 992 (by C. Anderson), Congratulating the members of the West High School Lady Trojan powerlifting team on their performance at the Texas High School Powerlifting Association Region II Championship.

HR 993 (by C. Anderson), Congratulating the Crawford High School Lady Pirates basketball team on winning the 2010-2011 District 16-2A championship.

HR 994 (by C. Anderson), Congratulating the Robinson High School tennis team for qualifying for the 2011 state tournament.

HR 999 (by C. Anderson), Commending Alexis Rodriguez of Waco for rescuing her two cousins from a house fire.

HR 1000 (by C. Anderson), Congratulating Ella Whitley on her selection as a finalist for the 2011 H-E-B Excellence in Education Award.

HR 1002 (by C. Anderson), Congratulating the Midway High School softball team on winning the First Annual Midway Varsity Tournament.

HR 1004 (by C. Anderson), Congratulating the Midway High School 2011 Spirit of Midway Award winners.

HR 1005 (by Cook), Congratulating Joe B. Cannon on his receipt of the 2010 Outstanding 50-Year Lawyer Award from the Texas Bar Foundation.

HR 1006 (by McClendon), Commending the San Antonio Youth Council of the NAACP on its 12th annual Youth Image Awards Banquet.

HR 1014 (by Lozano), Commending the Honorable Juan Manuel Escobar of Kingsville for his public service.

HR 1015 (by Margo), Congratulating Jaime Barceleau of El Paso on receiving the 2011 Lifetime Achievement Award from the Rio Grande Branch of the National Association of Social Workers.

HR 1017 (by Burkett), Congratulating Gary Cooper on being named the 2010 Civilian of the Year by the Mesquite Police Department.

HR 1018 (by Burkett), Congratulating Officer Stephen Killingsworth on being named the 2010 Mesquite Police Department Officer of the Year.

HR 1024 (by Veasey), Honoring Pastor Emeritus Hoise Bell of Berea Baptist Church on the dedication of a chapel in his name.

HR 1025 (by D. Miller), Honoring Gene Carnes for his contributions to Freemasonry.

HR 1027 (by Cain), Congratulating Georgia Weddle on her receipt of the Lifetime Achievement Award from the Girl Scouts of Northeast Texas.

HR 1029 (by L. Gonzales), Congratulating McNeil High School basketball coach Darrell Hagemann on winning his 400th game.

HR 1032 (by Brown), Congratulating the George Bush Presidential Library and Museum at Texas A&M University in College Station on receiving its two-millionth visitor.

HR 1033 was previously adopted.

HR 1034 (by Hilderbran), Congratulating Paul and Monica Minzenmayer of Rowena on earning the 2011 Achievement Award from the American Farm Bureau Federation.

HR 1036 (by Bonnen), Congratulating J. Michael and Leslie A. Lowrey of Lake Jackson on their receipt of the 2011 Philanthropist of the Year award from the Community Foundation of Brazoria County.

HR 1037 (by Bonnen), Congratulating Jimmy Miller on his receipt of the 2009 Peace Officer of the Year award from the 100 Club of Brazoria County.

HR 1043 was withdrawn.

HR 1044 (by Y. Davis), Congratulating the boys' basketball team of Kimball High School in Dallas on winning the UIL 4A state championship.

HR 1052 (by Frullo), Commending Roger Haldenby on his career with Plains Cotton Growers, Inc.

HR 1057 (by V. Gonzales), Congratulating Dr. Stephanie Alvarez on her receipt of the Outstanding Latino/a Faculty in Higher Education (Teaching Institutions) Award from the American Association of Hispanics in Higher Education.

HR 1058 (by V. Gonzales), Honoring Edinburg Children's Hospital on five years of service to the Rio Grande Valley.

HR 1061 (by Burkett), Congratulating Captain Terry Ratliff on his retirement from the Mesquite Fire Department.

HR 1063 (by Schwertner), Honoring T. J. "Hap" Rosson of Georgetown on his 100th birthday.

HR 1066 was withdrawn.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

HR 809 was withdrawn.

HR 884 (by Pitts), In memory of longtime Ennis volunteer firefighter Jodie Harbert, Jr.

HR 885 (by W. Smith), In memory of George Calvin Love of Houston.

HR 890 (by Gallego), In memory of Juan S. Olivares, Jr., of Del Rio.

HR 910 (by Marquez), In memory of Frank Alarcon of El Paso.

HR 914 (by W. Smith), In memory of Charles Garrison of Deer Park.

HR 918 (by Veasey), In memory of Steave Randolph Powell, Jr., of Forest Hill.

HR 920 (by Morrison), In memory of Leonard H. Von Dohlen III of Goliad.

HR 922 (by T. King), In memory of Carolyn Louise Baker of Hondo.

HR 924 (by Button), In memory of Leona "DeRue" Fischer of Sunnyvale.

HR 925 (by Margo, Marquez, and Gonzalez), In memory of Sondra Dailey of El Paso.

HR 943 (by Hilderbran), In memory of Richard Y. Thorpe of Ballinger.

HR 945 (by Hilderbran), In memory of Danny Duggan of Cherokee.

HR 953 (by Veasey), In memory of Paula Dare Roberts Baker.

HR 964 (by Coleman), In memory of Ernest Zachary Clouser of Houston.

HR 965 (by Hardcastle), In memory of Henry Leland Snow of Wichita Falls.

HR 968 (by Crownover), Honoring the life of S. J. "Sweet" Estes on the occasion of her posthumous nomination to the National Cowgirl Museum and Hall of Fame.

HR 970 (by Pitts), In memory of Chuck Demoney of Waxahachie.

HR 971 was previously adopted.

HR 977 (by Zerwas), In memory of Captain Thomas Araguz III of the Wharton Volunteer Fire Department.

HR 983 (by Hilderbran), In memory of Harold Dean Martin of Junction.

HR 985 (by Hardcastle), In memory of Edward L. Lehman, Jr., of Vernon.

HR 987 (by Bonnen), In memory of Harry Edward Wille, Jr., of Clute.

HR 988 (by Bonnen), In memory of Robert Raye Dixon of Brazoria County.

HR 990 (by D. Howard), In memory of George Quentin Breazeale of Austin.

HR 995 (by C. Anderson), In memory of Deryl W. Abbe, Sr., of Waco.

HR 996 (by C. Anderson), In memory of V. Irene Clifton of Hewitt.

HR 997 (by C. Anderson), In memory of Lucia Alderete Anaya of McGregor.

HR 998 (by C. Anderson), In memory of Montie Belle Seals of Waco.

HR 1001 (by C. Anderson), In memory of Gean Bartoli of Waco.

HR 1003 (by C. Anderson), In memory of Mary Sykora of West.

HR 1007 (by McClendon), Commemorating the centennial of the death of frontier hero U.S. Army Brigadier General John Lapham Bullis.

HR 1019 (by Orr), In memory of former Texas state representative Charles D. Kirkham, Jr., of Cleburne.

HR 1041 (by Castro), In memory of U.S. Air Force Airman First Class Corey C. Owens of San Antonio.

HR 1047 was withdrawn.

HR 1053 (by Guillen), Commemorating the dedication of Bravo Park in Zapata County and the unveiling of a marker honoring the park's namesake, Judge Manuel B. Bravo.

HR 1055 (by Margo), In memory of Frank Feuille IV of El Paso.

HR 1056 was previously adopted.

HR 1059 (by V. Gonzales), In memory of Blanca Ramirez Shawn of San Juan.

HR 1064 (by Hilderbran), In memory of retired U.S. Army colonel and university professor Dr. Charles T. McDowell.

HR 1065 (by Gutierrez), In memory of Rafael Hernandez of San Antonio.

HR 1067 (by Raymond), In memory of Fernando A. Salinas of Laredo.

HR 1068 (by Raymond), In memory of Barbara Kazen of Laredo.

The resolutions were unanimously adopted by a rising vote.

HR 1251 - ADOPTED
(by Harper-Brown)

Representative Harper-Brown moved to suspend all necessary rules to take up and consider at this time **HR 1251**.

The motion prevailed.

The following resolution was laid before the house:

HR 1251, Commemorating the grand opening of the West Irving Library on April 9, 2011.

HR 1251 was adopted.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Redistricting:

Hunter on motion of Otto.

(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):

SB 24 (Thompson, Jackson, Madden, Harless, Menendez, et al. - House Sponsors), in lieu of **HB 7**, A bill to be entitled An Act relating to the prosecution, punishment, and certain criminal and civil consequences of offenses involving or related to the trafficking of persons and to certain protections for victims of those offenses.

Representative Thompson moved to lay **HB 7** on the table subject to call, and the motion prevailed.

HB 42 (by Menendez), A bill to be entitled An Act relating to the duty imposed on the operator of a motor vehicle that strikes a structure adjacent to a highway. (Berman recorded voting no.)

HB 46 was withdrawn.

HB 118 (by McClendon), A bill to be entitled An Act relating to requiring the provision of notice by certain hospitals regarding patients' medical records.

(Phillips now present)

HB 191 (by Walle), A bill to be entitled An Act relating to the regulation of automobile wrecking and salvage yards in certain counties. (Harless, Legler, Parker, Simpson, and White recorded voting no.)

HB 205 (by Pickett), A bill to be entitled An Act relating to the imposition by certain municipalities and municipal transit departments of the local sales and use tax in certain federal military installations. (Simpson recorded voting no.)

Amendment No. 1

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

Amend **HB 205** as follows:

(1) On page 1, between lines 17 and 18, insert the following:

(c) This section does not affect:

(1) the boundaries of an emergency services district that contains territory within the boundaries of a federal military installation on the effective date of this section;

(2) the authority of that emergency services district to continue to impose a sales and use tax in the entire territory of the district; or

(3) the duty of that emergency services district to provide services in the entire territory of the district.

(2) Strike SECTIONS 2 and 3 of the bill (page 1, line 18, through page 2, line 4) and substitute the following:

SECTION 2. Section 453.051, Transportation Code, is amended by adding Subsection (c) to read as follows:

(c) The jurisdiction of a transit department created by a municipality with a population of more than 500,000 that borders the United Mexican States does not include any territory within the boundaries of a federal military installation that is located in that municipality's extraterritorial jurisdiction.

SECTION 3. This Act takes effect July 1, 2011, 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 effect on that date, this Act takes effect October 1, 2011.

Amendment No. 1 was adopted.

HB 266 (by Hilderbran), A bill to be entitled An Act relating to the use of address-matching software by certain state agencies.

HB 282 (by Flynn and Guillen), A bill to be entitled An Act relating to an analysis by the adjutant general of facility needs of state military forces before grants or conveyances of real property.

HB 289 (by Jackson, Anchia, Weber, and Thompson), A bill to be entitled An Act relating to activity that constitutes maintaining a common nuisance.

HB 308 (by Menendez), A bill to be entitled An Act relating to life preserving devices on recreational vessels. (Harless, Phillips, Simpson, and Solomons recorded voting no.)

HB 328 (by Guillen), A bill to be entitled An Act relating to information provided to a person applying for a state tax permit or license.

HB 399 (by Castro, et al.), A bill to be entitled An Act relating to requiring general academic teaching institutions to offer personal financial literacy training. (Landtroop, Perry, and White recorded voting no.)

HB 407 was withdrawn.

HB 412 (by Aycock), A bill to be entitled An Act relating to the requirement that certain impaired veterinarians participate in a peer assistance program.

CSHB 413 (by Aycock), A bill to be entitled An Act relating to the confidentiality of certain information held by a veterinarian.

CSHB 414 (by Aycock), A bill to be entitled An Act relating to the conducting of licensing examinations by the State Board of Veterinary Medical Examiners.

HB 441 (by Guillen), A bill to be entitled An Act relating to the fees for certain commercial vehicles. (Landtroop, Perry, Solomons, and White recorded voting no.)

HB 460 (by White), A bill to be entitled An Act relating to the board of directors of the Trinity Memorial Hospital District.

CSHB 468 (by Burnam and Veasey), A bill to be entitled An Act relating to the designation of a portion of Interstate Highway 35W as the Cesar Chavez Memorial Freeway. (Beck, Berman, Cain, Flynn, Lavender, Paxton, and Zedler recorded voting no.)

HB 479 (by Orr), A bill to be entitled An Act relating to the location of board meetings of certain economic development corporations.

HB 530 (by Shelton), A bill to be entitled An Act relating to the definition of local law enforcement authority for purposes of the sex offender registration program.

HB 534 (by Phillips), A bill to be entitled An Act relating to the powers and duties of the Gunter Municipal Utility Districts Nos. 1 and 2.

HB 555 (by D. Howard), A bill to be entitled An Act relating to reportable boating accidents and the penalties for certain boating accidents.

HB 650 (by Castro), A bill to be entitled An Act relating to property held by certain junior colleges and presumed abandoned.

HB 679 (by Button), A bill to be entitled An Act relating to change order approval requirements for certain political subdivisions of the state.

HB 682 was deferred until the end of today's local, consent, and resolutions calendar.

HB 709 (by Fletcher), A bill to be entitled An Act relating to the creation of the Harris County Municipal Utility District No. 524; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 723 was withdrawn.

HB 729 was withdrawn.

HB 734 (by Patrick, et al.), A bill to be entitled An Act relating to the jurisdiction of constitutional county courts over truancy cases and the appointment of magistrates to hear truancy cases in certain counties.

Amendment No. 1

Representative Patrick offered the following amendment to **HB 734**:

Amend **HB 734** (house committee report) as follows:

- (1) On page 1, line 12, strike "1.4" and substitute "1.75".
- (2) On page 1, line 22, strike "1.4" and substitute "1.75".
- (3) On page 2, line 7, strike "1.4" and substitute "1.75".
- (4) On page 2, line 21, strike "1.4" and substitute "1.75".
- (5) On page 3, line 1, strike "1.4" and substitute "1.75".

Amendment No. 1 was adopted.

CSHB 811 (by Darby), A bill to be entitled An Act relating to the powers and duties of the Scurry County Hospital District. (Berman, S. King, Schwertner, Shelton, and Zerwas recorded voting no.)

HB 840 was deferred until the end of today's local, consent, and resolutions calendar.

HB 841 (by Gonzalez), A bill to be entitled An Act relating to certain statutory references to the Department of Family and Protective Services. (Berman recorded voting no.)

CSHB 871 (by Y. Davis), A bill to be entitled An Act relating to indigent health care services that may be provided by a county. (Beck, S. Davis, Isaac, Kleinschmidt, Landtroop, Lavender, Parker, Paxton, Perry, Simpson, and Weber recorded voting no.)

HB 886 (by W. Smith), A bill to be entitled An Act relating to the creation of the Harris County Municipal Utility District No. 528; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 935 was withdrawn.

HB 943 (by Dukes), A bill to be entitled An Act relating to reporting requirements concerning missing persons, including missing children in the managing conservatorship of the Department of Family and Protective Services.

HB 965 (by Callegari and Creighton), A bill to be entitled An Act relating to continuing education requirements for persons holding licenses issued by the Texas Commission on Environmental Quality.

CSHB 994 (by Castro), A bill to be entitled An Act relating to proceedings that may be referred to and the powers of a criminal law magistrate in Bexar County.

CSHB 1010 (by Bonnen), A bill to be entitled An Act relating to enforcement of commercial motor vehicle safety standards in certain municipalities.

HB 1028 (by Phillips and Carter), A bill to be entitled An Act relating to certain contact between a criminal defendant and the victim of the offense of which the defendant is convicted or a member of the victim's family.

HB 1032 (by Smithee), A bill to be entitled An Act relating to a rescission period for annuity contracts.

HB 1060 (by Kleinschmidt), A bill to be entitled An Act relating to the de-annexation of land in Bastrop County by the Barton Springs-Edwards Aquifer Conservation District.

HB 1091 (by J. Davis), A bill to be entitled An Act relating to the authority of certain hospital districts to contract for the performance of administrative functions and services.

HB 1116 (by Harper-Brown, R. Anderson, Fletcher, and Driver), A bill to be entitled An Act relating to prohibiting the sale and use of certain radar interference devices; creating an offense. (White recorded voting no.)

HB 1157 was withdrawn.

HB 1173 (by Riddle), A bill to be entitled An Act relating to the release on bond of certain persons arrested for a misdemeanor without a warrant in certain counties. (Simpson recorded voting no.)

HB 1245 (by Callegari), A bill to be entitled An Act relating to the repeal of the authorization to establish a super collider facility research authority.

HB 1247 (by Callegari), A bill to be entitled An Act relating to the repeal of certain prohibitions on purchases of paper supplies and cabinets by state agencies.

HB 1293 (by Price), A bill to be entitled An Act relating to the Moore County Hospital District.

CSHB 1305 (by Bonnen), A bill to be entitled An Act relating to the issuance of oversize or overweight vehicle permits by certain port authorities.

HB 1334 (by Allen), A bill to be entitled An Act relating to the effect of a delay by the State Board for Educator Certification in renewing an educator's certification. (Flynn and Zedler recorded voting no.)

HB 1341 (by Walle), A bill to be entitled An Act relating to the manner of payment of tuition and mandatory fees at public institutions of higher education.

HB 1343 (by Carter, Solomons, Laubenberg, Gallego, et al.), A bill to be entitled An Act relating to proper venue for certain criminal prosecutions of mortgage fraud.

HB 1344 (by Burkett), A bill to be entitled An Act relating to certain defenses to prosecution for the offense of sale, distribution, or display of harmful material to a minor.

HB 1376 (by Bohac), A bill to be entitled An Act relating to the definition of a junked vehicle for purposes of abatement of a public nuisance. (Cain, Flynn, and Legler recorded voting no.)

HB 1417 (by Chisum), A bill to be entitled An Act relating to the Swisher Memorial Hospital District.

SB 582 (Lewis - House Sponsor), in lieu of **HB 1438**, A bill to be entitled An Act relating to service of process on certain domestic and foreign entities for the collection of delinquent property taxes.

Representative Lewis moved to lay **HB 1438** on the table subject to call, and the motion prevailed.

HB 1473 (by Scott), A bill to be entitled An Act relating to creating the offense of altering a disabled parking placard.

HB 1482 was withdrawn.

SB 37 (Naishtat - House Sponsor), in lieu of **HB 1493**, A bill to be entitled An Act relating to the duration of the interagency task force on ensuring appropriate care settings for persons with disabilities.

Representative Naishtat moved to lay **HB 1493** on the table subject to call, and the motion prevailed.

HB 1495 (by Muñoz), A bill to be entitled An Act relating to the application of the Information Resources Management Act to public junior colleges and public junior college districts.

HB 1496 (by Gallego), A bill to be entitled An Act relating to the contracting authority of the Val Verde County Hospital District. (Beck, Kleinschmidt, Lavender, and Weber recorded voting no.)

HB 1499 (by Larson and Anchia), A bill to be entitled An Act relating to the designation of the Scenic Loop Road–Boerne Stage Road–Toutant Beauregard Road Historic Corridor.

HB 1504 (by Muñoz and Peña), A bill to be entitled An Act relating to statutory references to the common electronic infrastructure project formerly known as TexasOnline.

HB 1524 (by Phillips), A bill to be entitled An Act relating to the creation of the Case Creek Municipal Utility District No. 1 of Grayson County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 1555 (by Thompson and Miles), A bill to be entitled An Act relating to the first day of instruction in certain school districts that provide additional days of instruction financed with local funds. (Beck, Isaac, and Lavender recorded voting no.)

HB 1560 (by Scott), A bill to be entitled An Act relating to the authority of counties to nominate projects in the extraterritorial jurisdictions of certain municipalities for designation as enterprise projects. (White recorded voting no.)

HB 1567 (by Coleman), A bill to be entitled An Act relating to the authority of certain counties to appoint, contract for, or employ physicians, dentists, or other health care providers for county jails. (Berman, S. King, Schwertner, Shelton, and Zerwas recorded voting no.)

HB 1567 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE SCHWERTNER: Chairman Coleman, this bill, does this pertain to a specific county?

REPRESENTATIVE COLEMAN: Yes, it does—Harris County.

SCHWERTNER: Harris County. And this is an agreed-to bill amongst the various parties?

COLEMAN: Yes, it is, and I'll read the provisions that you might be concerned with. Let me make sure they're in the bill. "This section may not be construed as authorizing commissioners courts to supervise or control the practice of medicine as prohibited by Subtitle B, Title III of the Occupations Code, or to supervise the control of the practice of dentistry as provided by Subtitle D, Title III of the Occupations Code."

SCHWERTNER: So these provisions are for the protection of physician, patients, and clinical—

COLEMAN: Physician autonomy, in that the physician is working for the health of the patient, not working for the county and that, if there is ever any intervention in that, the physician has due process.

REMARKS ORDERED PRINTED

Representative Schwertner moved to print remarks between Representative Coleman and Representative Schwertner.

The motion prevailed.

HB 1570 (by Murphy and S. Davis), A bill to be entitled An Act relating to training for deputy voter registrars.

HB 1573 (by Gallego), A bill to be entitled An Act relating to certain pretrial and post-trial procedures in a criminal case.

CSHB 1638 (by Aliseda), A bill to be entitled An Act relating to the disqualification of a district or county attorney who is the subject of a criminal investigation.

HB 1753 (by Gallego, Hilderbran, Geren, and Turner), A bill to be entitled An Act relating to the threshold amount at which public utilities are required to report a transaction.

HB 1756 (by Rodriguez), A bill to be entitled An Act relating to the creation of the Pilot Knob Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 1757 (by Rodriguez), A bill to be entitled An Act relating to the creation of the Pilot Knob Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 1758 (by Rodriguez), A bill to be entitled An Act relating to the creation of the Pilot Knob Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

(Madden now present)

HB 1770 (by Madden), A bill to be entitled An Act relating to the payment of temporary housing costs for certain inmates released or eligible for release on parole or to mandatory supervision. (Phillips and Solomons recorded voting no.)

HB 1778 was withdrawn.

HB 1779 (by Naishtat), A bill to be entitled An Act relating to an exemption from private security regulation for social workers engaged in the practice of social work.

CSHB 1781 (by Price, Harper-Brown, Callegari, Frullo, and Thompson), A bill to be entitled An Act relating to obsolete or redundant reporting requirements applicable to state agencies.

(Hunter now present)

HB 1804 (by Hancock), A bill to be entitled An Act relating to certificates of insurance required for certain plumbing contractors.

HB 1869 (by Giddings), A bill to be entitled An Act relating to local governments that may consider a bidder's principal place of business when awarding a contract.

CSHB 1885 (by Hardcastle), A bill to be entitled An Act relating to the authority of the board of directors of the Knox County Hospital District to employ physicians and other health care providers. (Berman, S. King, Schwertner, Shelton, and Zerwas recorded voting no.)

HB 1889 (by Burkett), A bill to be entitled An Act relating to the creation of municipal courts of record in the city of Mesquite.

(Solomons now present)

HB 1891 (by S. Davis, et al.), A bill to be entitled An Act relating to the execution of a search warrant for data or information contained in or on certain devices.

HB 1904 (by Sheffield and Isaac), A bill to be entitled An Act relating to the deadlines for write-in candidates for the office of county or precinct chair of a political party.

HB 1932 (by Schwertner), A bill to be entitled An Act relating to the powers and duties of the Williamson-Liberty Hill Municipal Utility District.

CSHB 1952 (by Kuempel), A bill to be entitled An Act relating to alcoholic beverage seller-servers and to seller training programs.

HB 1956 (by Thompson), A bill to be entitled An Act relating to appeal of an order of the Texas Alcoholic Beverage Commission or the commission's administrator refusing, canceling, or suspending a private club registration permit.

Amendment No. 1

Representative Thompson offered the following amendment to **HB 1956**:

Amend **HB 1956** (house committee printing) as follows:

(1) On page 2, line 2, strike "Section 32.18" and substitute "Sections 11.67(b) and 32.18".

(2) On page 2, line 3, strike "applies" and substitute "apply".

(3) Insert the following appropriately numbered SECTION and renumber existing SECTIONS of the bill accordingly:

SECTION _____. Section 11.67(b), Alcoholic Beverage Code, is amended to read as follows:

(b) The appeal shall be under the substantial evidence rule and against the commission alone as defendant. The rules applicable to ordinary civil suits apply, with the following exceptions, which shall be construed literally:

(1) the appeal shall be perfected and filed within 30 days after the date the order, decision, or ruling of the commission or administrator becomes final and appealable;

(2) the case shall be tried before a judge within 60 [~~40~~] days from the date it is filed;

(3) neither party is entitled to a jury; and

(4) the order, decision, or ruling of the commission or administrator may be suspended or modified by the court pending a trial on the merits, but the final judgment of the district court may not be modified or suspended pending appeal.

Amendment No. 1 was adopted.

HB 1967 (by Chisum), A bill to be entitled An Act relating to the contracting authority of the Collingsworth County Hospital District. (Berman recorded voting no.)

HB 1981 (by W. Smith), A bill to be entitled An Act relating to measuring, monitoring, and reporting emissions. (White recorded voting no.)

HB 2007 (by Shelton), A bill to be entitled An Act relating to payment by the Benbrook Water Authority for certain damages caused by the authority's operation of a sanitary sewer system.

CSHB 2012 (by Thompson), A bill to be entitled An Act relating to certain prohibited dealings between a wholesaler and retailer of alcoholic beverages.

HB 2014 (by Thompson, Branch, Raymond, S. Davis, Bonnen, et al.), A bill to be entitled An Act relating to certain criminal and civil consequences of trafficking of persons, compelling prostitution, and certain other related criminal offenses and to the prevention, prosecution, and punishment of those offenses.

Amendment No. 1

Representative Thompson offered the following amendment to **HB 2014**:

Amend **HB 2014** (house committee printing) in SECTION 3.01 of the bill, in proposed Section 71.0353, Government Code (page 11, lines 24-25), between "district court" and "shall", by inserting "or county court at law".

Amendment No. 1 was adopted.

HB 2035 (by Hamilton), A bill to be entitled An Act relating to the temporary relocation of an alcoholic beverage distributor's or wholesaler's premises during a period of emergency and delivery of alcoholic beverages to a distributor's or wholesaler's premises.

HB 2039 was withdrawn.

CSHB 2207 (by Oliveira), A bill to be entitled An Act relating to the authority of the board of trustees to set rates for certain municipal utility systems. (Cain, Flynn, Legler, Parker, and Weber recorded voting no.)

HB 2258 (by Deshotel), A bill to be entitled An Act relating to the use and transferability of certain state property transferred from the state to Spindletop MHMR Services. (Cain, Flynn, and Zedler recorded voting no.)

HB 2340 was withdrawn.

HB 2351 (by McClendon), A bill to be entitled An Act relating to the authority of the Bexar County Hospital District to employ physicians. (Berman, S. King, Schwertner, Shelton, and Zerwas recorded voting no.)

CSHB 2360 (by Schwertner), A bill to be entitled An Act relating to the creation of the Corn Hill Regional Water Authority; providing authority to issue bonds.

HB 2376 (by Hamilton), A bill to be entitled An Act relating to the regulation of plumbing.

HB 2418 (by Callegari), A bill to be entitled An Act relating to the territory, board of directors, and powers of the North Harris County Regional Water Authority.

HB 2503 (by Thompson), A bill to be entitled An Act relating to insurance agent licenses issued to certain foreign corporations and partnerships.

CSHB 2521 (by Sheffield), A bill to be entitled An Act relating to the creation of the Bell County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 2609 (by Guillen), A bill to be entitled An Act relating to employment at or by certain facilities serving the elderly or persons with disabilities.

HB 2616 was withdrawn.

HB 2631 (by Branch), A bill to be entitled An Act relating to the advanced research program.

HB 2633 (by Madden), A bill to be entitled An Act relating to the office of inspector general of the Texas Youth Commission.

HB 2690 (by Deshotel), A bill to be entitled An Act relating to authorizing local governments to convey real property interests to other local governments for less than fair market value. (S. Davis, Landtroop, and Perry recorded voting no.)

CSHB 2785 (by J. Davis, Reynolds, and Murphy), A bill to be entitled An Act relating to the creation of the Select Committee on Economic Development. (White recorded voting no.)

HB 2909 (by Branch), A bill to be entitled An Act relating to increasing awareness in this state of the importance of higher education.

CSHB 840 (by Gonzalez, Marquez, Margo, Pickett, and Quintanilla), A bill to be entitled An Act relating to the authority of the El Paso County Hospital District to appoint, contract for, or employ physicians, dentists, and other health care providers. (Berman, S. King, Schwertner, Shelton, and Zerwas recorded voting no.)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Culture, Recreation, and Tourism, upon first adjournment today, Desk 16, for a formal meeting, to consider pending business.

Human Services, upon first adjournment today, Desk 12, for a formal meeting, to consider pending business.

Criminal Jurisprudence, upon first adjournment today, Desk 92, for a formal meeting, to consider pending business.

Public Education, upon first adjournment today, Desk 56, for a formal meeting, to consider pending business.

Ways and Means, upon first adjournment today, Desk 9, for a formal meeting, to consider pending business.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR (consideration continued)

CSHB 682 (by Brown, Zedler, and Garza), A bill to be entitled An Act relating to leasing advertising space on state agency Internet websites.

CSHB 682 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE FARRAR: Mr. Brown, we spoke about this earlier, just for purposes of legislative intent, as we discussed, my concern was that government may be perceived as being for sale. So I just wanted to make sure that an agency that was regulating a business entity—say Exxon/Mobile—had a permit pending, or an enforcement action pending, and then their advertisement would be on the TCEQ website. So I just wanted to make sure, because your bill has rulemaking authority, that it was not your intent to have those sorts of situations occur, correct?

REPRESENTATIVE BROWN: That is correct.

FARRAR: And also, perhaps, other objectionable matter, adult matter, and so on, that we sometimes get—things that sometimes might be on a Yahoo account and things come across that might not be appropriate to general audiences—is it your intent that sort of subject matter not be advertised?

BROWN: That is correct, and that will be adopted in the rules either by DIR or its successor agency.

REMARKS ORDERED PRINTED

Representative Farrar moved to print remarks between Representative Brown and Representative Farrar.

The motion prevailed.

NAMES ADDED

On motion of Representative Gallego, the names of all the members of the house were added to **HR 890** and **HR 927** as signers thereof.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Elections, upon first adjournment today, Desk 81, for a formal meeting, to consider pending business.

(Nash now present)

ADJOURNMENT

Representative Harper-Brown moved that the house adjourn until 2:45 p.m. today.

The motion prevailed.

The house accordingly, at 1:53 p.m., adjourned until 2:45 p.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 15

HCR 64, HCR 65, HCR 150

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, April 7, 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:

HCR 128 Aliseda SPONSOR: Zaffirini
In memory of U.S. Marine Corps Sergeant Jose Luis Saenz III of Pleasanton.

SB 28 Zaffirini
Relating to eligibility for a TEXAS grant and to administration of the TEXAS grant program.

SB 122 Ellis
Relating to postconviction forensic DNA analysis.

SB 324 Jackson
Relating to the course levels offered by the University of Houston-Clear Lake.

SB 701 Watson
Relating to high-value data sets of state agencies posted on the Internet.

SB 1087 Carona
Relating to state-issued certificates of franchise authority to provide cable service and video service.

SB 1094 Rodriguez
Relating to the availability of online testing for high school equivalency examinations.

SB 1098 Huffman
Relating to certain offenses involving unauthorized recordings.

SB 1501 Watson
Relating to energy and efficiency conservation programs administered by the Public Utility Commission of Texas.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, April 7, 2011 - 2

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:
LOCAL AND UNCONTESTED CALENDAR

SB 71 Nelson
Relating to certain reports submitted and analyses conducted by health and human services agencies.

SB 82 Nelson
Relating to the prosecution of the offense of stalking.

SB 182 Wentworth
Relating to the penalty for the offense of reckless driving.

SB 217 Huffman
Relating to expulsion of a public school student who commits certain criminal acts involving a computer, computer network, or computer system owned by or operated on behalf of a school district.

SB 222 Nelson
Relating to access to certain long-term care services and supports under the medical assistance program.

SB 227 Nelson
Relating to the nondisciplinary resolution of certain complaints filed against physicians.

SB 229 Nelson
Relating to newborn hearing screenings and hearing services for certain children.

SB 249 Estes
Relating to the composition of the Finance Commission of Texas.

SB 258 Hegar
Relating to the pledge of allegiance to the state flag during a state flag retirement ceremony.

SB 327 Van de Putte
Relating to including certain veterans service organizations as small businesses for the purpose of state contracting.

SB 372 Seliger
Relating to certain reports, communications, publications, and other documents involving the attorney general.

SB 403 Eltife
Relating to the consideration of pension and other postemployment benefits in establishing the rates of a gas utility.

SB 419 West
Relating to prohibiting state funding to public junior colleges for physical education courses offered for joint high school and junior college credit.

SB 420 Deuell
Relating to determining eligibility for indigent health care.

- SB 423** Lucio
Relating to health insurance coverage for eligible survivors of certain public servants killed in the line of duty.
- SB 432** Jackson
Relating to the penalty for failure to make a timely installment payment of ad valorem taxes on property in a disaster area.
- SB 460** Seliger
Relating to regulation of the import, export, and management of mule deer; providing penalties.
- SB 498** Jackson
Relating to the trapping and transport of surplus white-tailed deer.
- SB 499** Jackson
Relating to the identification of breeder deer by microchips.
- SB 551** Williams
Relating to liability for interest on ad valorem taxes on improvements that escaped taxation in a previous year.
- SB 596** Shapiro
Relating to transition planning for a public school student receiving special education services.
- SB 628** Duncan
Relating to the authority of the Childress County Hospital District to provide facilities and services for persons who are elderly or disabled; providing authority to issue bonds and notes.
- SB 630** Hegar
Relating to the Ranch at Clear Fork Creek Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.
- SB 639** Van de Putte
Relating to tuition and fee exemptions at public institutions of higher education for certain military personnel, veterans, and dependents residing in this state.
- SB 680** Gallegos
Relating to a fee collected by a district clerk for certain certified copies.
- SB 692** Estes
Relating to exemptions from groundwater conservation district permit requirements.
- SB 715** Harris
Relating to access to a child's medical records by the child's attorney ad litem, guardian ad litem, or amicus attorney.
- SB 729** Seliger
Relating to a joint election for trustees of an independent school district.
- SB 743** Hegar

Relating to the designation of a segment of State Highway 71 as the 95th Division Memorial Highway.

SB 759 West

Relating to the state low income housing plan and report developed by the Texas Department of Housing and Community Affairs.

SB 778 Williams

Relating to the inclusion of professional staff who educate students with disabilities on district-level and campus-level planning and decision-making committees.

SB 779 Whitmire

Relating to a central database containing information about certain persons who have been convicted of or received a grant of deferred adjudication for certain offenses involving animal cruelty; providing a criminal penalty.

SB 782 Carona

Relating to uniform law on secured transactions.

SB 789 Harris

Relating to the duration of a protective order against family violence.

SB 794 Nelson

Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.

SB 795 Nelson

Relating to regulation of nurse aides.

SB 800 Duncan

Relating to the qualifications and operations of workers' compensation data collection agents.

SB 803 Hegar

Relating to venue projects in certain counties.

SB 804 Hegar

Relating to the use of revenue from the hotel occupancy tax by certain counties.

SB 816 Lucio

Relating to the appointment and recommendations of the Border Trade Advisory Committee.

SB 867 Deuell

Relating to testing accommodations for a person with dyslexia taking a licensing examination administered by a state agency.

SB 873 Duncan

Relating to rate and damage schedules governing certain easements or other interests in land of The University of Texas System.

SB 874 Fraser

Relating to establishing a separate provider type for prosthetic and orthotic providers under the medical assistance program.

SB 882 Whitmire

Relating to the filing of a copy of certain records related to the release of accused persons on personal bond.

SB 893 Whitmire

Relating to motor fuel quality and testing.

SB 894 Duncan

Relating to employment of physicians by certain hospitals.

SB 900 Gallegos

Relating to the Aldine Improvement District; providing authority to impose a tax.

SB 901 Hegar

Relating to approval from the Department of State Health Services for disposal of ambulances purchased with certain grant funds.

SB 914 Wentworth

Relating to the applicability to certain regional water districts of provisions concerning bond approval by the Texas Commission on Environmental Quality.

SB 959 Wentworth

Relating to toll collection and enforcement.

SB 969 Nelson

Relating to the establishment of the Public Health Funding and Policy Committee within the Department of State Health Services.

SB 978 Hinojosa

Relating to procedures for the dissolution of the Hidalgo County Water Improvement District No. 3.

SB 981 Carona

Relating to the regulation of distributed renewable generation of electricity.

SB 992 Lucio

Relating to the allocation of loans made under the owner-builder loan program.

SB 997 Shapiro

Relating to the public inspection of an application for a ballot to be voted early by mail.

SB 1009 Huffman

Relating to requiring public institutions of higher education to notify the federal Student and Exchange Visitor Information System (SEVIS) regarding the withdrawal or nonattendance of certain foreign students.

SB 1017 Davis

Relating to certain comprehensive development agreements of the Texas Department of Transportation.

SB 1025 Harris

Relating to service of citation and appointment of an attorney ad litem for an indigent parent in certain suits affecting the parent-child relationship.

SB 1069 Jackson

Relating to the Texas emerging technology fund reporting requirement.

SB 1121 Estes

Relating to the student fees for the university center at Midwestern State University.

SB 1144 Shapiro

Relating to certain comprehensive development agreements of the Texas Department of Transportation.

SB 1145 Shapiro

Relating to certain comprehensive development agreements of the Texas Department of Transportation.

SB 1151 Jackson

Relating to notice of utility rate increases.

SB 1167 Carona

Relating to cemeteries and perpetual care cemetery corporations; providing a penalty.

SB 1176 Jackson

Relating to the definition of a postsecondary program in regard to non-baccalaureate career schools and colleges.

SB 1185 Nichols

Relating to the authority of certain counties to impose a hotel occupancy tax for the operation and maintenance of a fairground in the county.

SB 1226 Hegar

Relating to the ballot language for junior college district annexation elections.

SB 1228 Hegar

Relating to the duties of district clerks regarding certain electronic filing systems.

SB 1241 West

Relating to authorizing certain courts to access information in the juvenile justice information system.

SB 1242 West

Relating to the judicial immunity and powers of certain magistrates.

SB 1322 Fraser

Relating to the operation of the Kimble County, McCulloch County, Mason County, and Menard County Juvenile Boards.

SB 1343 Eltife

Relating to archeological cemeteries.

SB 1518 Eltife

Relating to the powers and duties of the Texas Historical Commission; imposing a penalty.

SB 1714 Duncan

Relating to certain actions against an employer by an employee who is not covered by workers' compensation insurance.

SB 1716 Duncan

Relating to voidability of contracts procured through and liability arising from conduct constituting barratry; providing a civil penalty.

SCR 2

Uresti

Urging Congress to reauthorize the Water Resources Development Act of 2007, Section 5056, and to appropriate sufficient funds so that efforts to solve the salt problem in the Amistad International Reservoir can continue.

Respectfully,

Patsy Spaw

Secretary of the Senate

