

HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-FIRST DAY — SATURDAY, MAY 7, 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 834).

Present — Mr. Speaker; Aliseda; Allen; Alvarado; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Carter; Castro; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Frullo; Geren; Gonzales, L.; Gonzales, V.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hochberg; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; Martinez Fischer; McClendon; Miller, D.; Miller, S.; Morrison; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pitts; Price; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Torres; Truitt; Vo; Weber; White; Woolley; Workman; Zedler; Zerwas.

Absent, Excused — Anchia; Garza; Giddings; Gonzalez; Lozano; Marquez; Reynolds.

Absent — Alonzo; Bohac; Callegari; Coleman; Davis, Y.; Dukes; Flynn; Gallego; Guillen; Gutierrez; Hernandez Luna; Hilderbran; Hopson; Johnson; King, T.; Laubenberg; Mallory Caraway; Martinez; Menendez; Miles; Muñoz; Oliveira; Peña; Perry; Pickett; Thompson; Turner; Veasey; Villarreal; Walle.

STATEMENT OF VOTE

After roll call was taken, I had requested to be excused because of family illness, but the excuse failed to be read out. I was at MD Anderson Hospital with my wife who was recovering from major surgery.

Hopson

The invocation was offered by Mark Beck, First Baptist Church Mixon, Troup, as follows:

Heavenly Father, I thank you for your love, mercy, and forgiveness. I thank you for the many blessings and resources that you have bestowed on the people of Texas. I thank you most of all for Jesus Christ, our Savior, who died for our sins and rose again so that we who bear his name may live forever with you in glory.

I pray for your blessings over our economy and businesses, public and private, large and small, all across Texas. I pray for the poor and needy and for those who are out of work and pray that you will give those of us who have been blessed with employment in these difficult times a heart of compassion for those who are less fortunate.

I pray for those affected by the fires and the storms that recently plagued our state and other areas in our nation. I ask that you'll provide comfort and healing as they strive to recover their losses and get on with their lives.

Lord, I pray for the safety of our men and women, sons and daughters, moms and dads in our armed forces and law enforcement across our state. I also pray for the safety of all the representatives and their staff as they travel home to celebrate Mother's Day with their families.

I ask you, Lord, this day to impart wisdom to these legislators as they go about the business of making our state an even better place to live, work, raise families, and worship. I ask that you would give us all a spirit of unselfishness as our elected officials work on balancing the budget and making tough cuts. Help us, Lord, to learn to use what we have been blessed with wisely.

Father, your word says, "Blessed is the nation whose God is the Lord." I pray, O God, that every eye will turn to you and see that you are the one true Lord of this land. In the name of Jesus, I pray. Amen.

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

(Y. Davis, Gallego, Guillen, T. King, Laubenberg, Miles, and Turner now present)

LEAVES OF ABSENCE GRANTED

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

Anchia on motion of Lucio.

Callegari on motion of S. Miller.

Garza on motion of Phillips.

Hernandez Luna on motion of Lucio.

Lozano on motion of Gooden.

Reynolds on motion of White.

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

Gonzalez on motion of Patrick.

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

Marquez on motion of Raymond.

REGULAR ORDER OF BUSINESS SUSPENDED

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

HR 1768 - ADOPTED (by Callegari)

Representative S. Miller moved to suspend all necessary rules to take up and consider at this time **HR 1768**.

The motion prevailed.

The following resolution was laid before the house:

HR 1768, Congratulating William A. Callegari III on his graduation from The Citadel.

HR 1768 was adopted.

LEAVE OF ABSENCE GRANTED

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

Perry on motion of Landtroop.

UNFINISHED BUSINESS

The following bill was laid before the house as unfinished business:

CSHB 400 ON SECOND READING (by Eissler, Aycock, Crownover, Garza, et al.)

CSHB 400, A bill to be entitled An Act relating to flexibility for public schools to administer primary and secondary education efficiently.

CSHB 400 was read second time on May 6 and 26 amendments were offered and disposed of before that day's adjournment. A point of order was pending at the time of adjournment.

CSHB 400 - POINT OF ORDER DISPOSITION

The speaker sustained the point of order.

The ruling precluded further consideration of **CSHB 400**.

(Thompson now present)

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

(Alonzo now present)

HB 3473 ON THIRD READING
(by Gallego)

HB 3473, A bill to be entitled An Act relating to a defense to prosecution for a child younger than 14 years old for the offense of prostitution.

Amendment No. 1

Representative Gallego offered the following amendment to **HB 3473**:

Amend **HB 3473** on third reading by amending Article 62.001(5), Code of Criminal Procedure, as amended by Floor Amendment No. 1 by Menendez to **HB 3473**, to read as follows:

(5) "Reportable conviction or adjudication" means a conviction or adjudication, including an adjudication of delinquent conduct or a deferred adjudication, that, regardless of the pendency of an appeal, is a conviction for or an adjudication for or based on:

(A) a violation of Section 21.02 (Continuous sexual abuse of young child or children), 21.11 (Indecency with a child), 22.011 (Sexual assault), 22.021 (Aggravated sexual assault), or 25.02 (Prohibited sexual conduct), Penal Code;

(B) a violation of Section 43.05 (Compelling prostitution), 43.25 (Sexual performance by a child), or 43.26 (Possession or promotion of child pornography), Penal Code;

(B-1) a violation of Section 43.02 (Prostitution), Penal Code, if the offense is punishable under Subsection (c)(3) of that section;

(B-2) a violation of Section 43.03 (Promotion of prostitution), Penal Code, if the offense is punishable under Subsection (b)(2) of that section;

(B-3) a violation of Section 43.04 (Aggravated promotion of prostitution), Penal Code, if the offense is punishable as a felony of the second degree;

(C) a violation of Section 20.04(a)(4) (Aggravated kidnapping), Penal Code, if the actor committed the offense or engaged in the conduct with intent to violate or abuse the victim sexually;

(D) a violation of Section 30.02 (Burglary), Penal Code, if the offense or conduct is punishable under Subsection (d) of that section and the actor committed the offense or engaged in the conduct with intent to commit a felony listed in Paragraph (A) or (C);

(E) a violation of Section 20.02 (Unlawful restraint), 20.03 (Kidnapping), or 20.04 (Aggravated kidnapping), Penal Code, if, as applicable:

(i) the judgment in the case contains an affirmative finding under Article 42.015; or

(ii) the order in the hearing or the papers in the case contain an affirmative finding that the victim or intended victim was younger than 17 years of age;

(F) the second violation of Section 21.08 (Indecent exposure), Penal Code, but not if the second violation results in a deferred adjudication;

(G) an attempt, conspiracy, or solicitation, as defined by Chapter 15, Penal Code, to commit an offense or engage in conduct listed in Paragraph (A), (B), (C), (D), or (E);

(H) a violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (B-1), (B-2), (B-3), (C), (D), (E), (G), or (J), but not if the violation results in a deferred adjudication;

(I) the second violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of the offense of indecent exposure, but not if the second violation results in a deferred adjudication; or

(J) a violation of Section 33.021 (Online solicitation of a minor), Penal Code.

(Gutierrez now present)

Amendment No. 1 was adopted.

(Peña now present)

HB 3473, as amended, was passed by (Record 835): 111 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dutton; Eissler; Elkins; Farrar; Frullo; Gallego; Geren; Gonzales, L.; Gonzales, V.; Gooden; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hochberg; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; McClendon; Miles; Miller, D.; Morrison; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Price; Quintanilla; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Vo; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Anderson, C.; Fletcher; Landtroop; Miller, S.; Sheffield.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Marquez; Perry; Reynolds.

Absent — Bohac; Castro; Coleman; Davis, Y.; Dukes; Eiland; Farias; Flynn; Guillen; Hilderbran; Hopson; Johnson; Mallory Caraway; Martinez; Martinez Fischer; Menendez; Muñoz; Oliveira; Pickett; Raymond; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 835 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

When Record No. 835 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 835 was taken, I was in the house but away from my desk. I would have voted yes.

Guillen

I was shown voting no on Record No. 835. I intended to vote yes.

Landtroop

When Record No. 835 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 835 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 835 was taken, I was in the house but away from my desk. I would have voted yes.

Raymond

HB 2197 ON THIRD READING
(by Rodriguez)

HB 2197, A bill to be entitled An Act relating to the purchase of property as part of a homestead land bank program.

(Hilderbran now present)

HB 2197 was passed by (Record 836): 72 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Burkett; Burnam; Button; Carter; Chisum; Cook; Craddick; Crownover; Davis, J.; Davis, S.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farrar; Gallego; Gonzales, L.; Gonzales, V.; Hamilton; Hancock; Hardcastle; Hartnett; Hochberg; Howard, D.; Huberty; Hunter; Isaac; Keffer; King, S.; King, T.; Kleinschmidt; Kuempel; Larson; Lewis; Lucio; Lyne; Madden; Margo; McClendon; Miles; Miller, D.; Murphy; Naishtat; Nash; Otto; Parker; Patrick; Peña; Phillips; Pitts; Quintanilla; Riddle; Rodriguez; Schwertner; Scott; Smith, W.; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Turner; Vo; Weber; Woolley; Workman; Zerwas.

Nays — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Cain; Christian; Creighton; Darby; Fletcher; Frullo; Geren; Gooden; Gutierrez; Harless; Harper-Brown; Hilderbran; Howard, C.; Hughes; Jackson; King, P.; Kolkhorst; Landtroop; Laubenberg; Lavender; Legler; Miller, S.; Orr; Paxton; Price; Ritter; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smithee; Truitt; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Marquez; Perry; Reynolds.

Absent — Allen; Bohac; Castro; Coleman; Davis, Y.; Dukes; Farias; Flynn; Guillen; Hopson; Johnson; Mallory Caraway; Martinez; Martinez Fischer; Menendez; Morrison; Muñoz; Oliveira; Pickett; Raymond; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Guillen

I was shown voting no on Record No. 836. I intended to vote yes.

Gutierrez

I was shown voting yes on Record No. 836. I intended to vote no.

Isaac

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

I was shown voting yes on Record No. 836. I intended to vote no.

Patrick

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Raymond

I was shown voting yes on Record No. 836. I intended to vote no.

Weber

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1680 ON THIRD READING
(Murphy - House Sponsor)**

SB 1680, A bill to be entitled An Act relating to certain evidence in a prosecution of fraud or theft involving Medicaid or Medicare benefits and to certain criminal procedures involving offenses in general.

SB 1680 was passed by (Record 837): 116 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farrar; Fletcher; Frullo; Gallego; Geren; Gonzales, L.; Gonzales, V.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hochberg; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; McClendon; Miles; Miller, D.; Miller, S.; Morrison; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Price; Quintanilla; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Vo; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Marquez; Perry; Reynolds.

Absent — Bohac; Castro; Coleman; Davis, Y.; Dukes; Farias; Flynn; Guillen; Gutierrez; Hopson; Johnson; Mallory Caraway; Martinez; Martinez Fischer; Menendez; Muñoz; Oliveira; Pickett; Raymond; Turner; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 837 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

When Record No. 837 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 837 was taken, I was in the house but away from my desk. I would have voted yes.

Guillen

When Record No. 837 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 837 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 837 was taken, I was in the house but away from my desk. I would have voted yes.

Raymond

SB 1104 ON THIRD READING

(W. Smith and Legler - House Sponsors)

SB 1104, A bill to be entitled An Act relating to the operation, powers, and duties of ship channel districts.

SB 1104 was passed by (Record 838): 120 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Carter; Castro; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Dutton; Eiland; Eissler; Elkins; Farrar; Fletcher; Frullo; Gallego; Geren; Gonzales, L.; Gonzales, V.; Gooden; Guillen; Gutierrez; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hochberg; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, S.; Morrison; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Price; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Vo; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Marquez; Perry; Reynolds.

Absent — Bohac; Coleman; Davis, Y.; Deshotel; Dukes; Farias; Flynn; Hancock; Hopson; Johnson; Mallory Caraway; Martinez; Menendez; Muñoz; Oliveira; Pickett; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 838 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

When Record No. 838 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 838 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

SB 1341 ON THIRD READING (Elkins - House Sponsor)

SB 1341, A bill to be entitled An Act relating to the participation by a taxing unit in a suit to compel an appraisal review board to order a change in an appraisal roll.

SB 1341 was passed by (Record 839): 118 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Beck; Berman; Brown; Burkett; Burnam; Button; Cain; Carter; Castro; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farrar; Frullo; Gallego; Geren; Gonzales, L.; Gonzales, V.; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hochberg; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, S.; Morrison; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Price; Quintanilla; Raymond; Riddle; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Vo; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Marquez; Perry; Reynolds.

Absent — Aycock; Bohac; Bonnen; Branch; Coleman; Dukes; Farias; Fletcher; Flynn; Hopson; Johnson; Mallory Caraway; Martinez; Menendez; Muñoz; Oliveira; Pickett; Rodriguez; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 839 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 839 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

**CSHB 1629 ON SECOND READING
(by Anchia)**

CSHB 1629, A bill to be entitled An Act relating to energy efficiency goals and programs, public information regarding energy efficiency programs, and the participation of loads in certain energy markets.

CSHB 1629 was read second time on May 3, postponed until May 6, and was again postponed until 2:10 p.m. May 6.

Representative Strama moved to postpone consideration of **CSHB 1629** until 7 a.m. Tuesday, May 10.

The motion prevailed.

**SB 132 ON THIRD READING
(Flynn - House Sponsor)**

SB 132, A bill to be entitled An Act relating to registration with the Selective Service System of certain applicants for a driver's license or personal identification certificate.

SB 132 was read third time on May 6 and was postponed until 2:30 p.m. May 6.

Amendment No. 1

Representative Alonzo offered the following amendment to **SB 132**:

Amend **SB 132** (house committee report) in SECTION 1 of the bill, in proposed Section 521.147(a), Transportation Code (page 1, line 11), between "certificate" and "is submitted", by inserting "is made available to all persons who are subject to this section and".

(Muñoz now present)

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Burnam offered the following amendment to **SB 132**:

Amend **SB 132** (second reading engrossment) as follows:

(1) On page 2, line 1, between "(c)" and "The", insert "An application under this section must give written notice to an applicant that information regarding alternative service options for applicants who object to conventional military".

service for religious or other conscientious reasons is available from the department upon request. The department shall make information regarding alternative service options available to an applicant upon request.

(d)".

(2) On page 2, line 17, strike "(d)" and substitute "(e)".

(3) On page 2, line 17, strike "notification" and substitute "notifications".

(4) On page 2, line 18, strike "Subsection (b) [(a)]" and substitute "Subsections (b) and (c) [Subsection (a)]".

(5) On page 2, line 22, strike "notification" and substitute "notifications".

(6) On page 2, line 23, strike "(e)" and substitute "(f)".

(7) On page 2, line 23, strike "(c)" and substitute "(d)".

Amendment No. 3

Representative Burnam offered the following amendment to Amendment No. 2:

Amend **SB 132** (second reading engrossment) as follows:

(1) On page 2, line 1, between "(c)" and "The", insert "An application under this section must give written notice to an applicant that information regarding alternative service options for applicants who object to conventional military service for religious or other conscientious reasons is available from the department upon request.

(d)".

(2) On page 2, line 17, strike "(d)" and substitute "(e)".

(3) On page 2, line 17, strike "notification" and substitute "notifications".

(4) On page 2, line 18, strike "Subsection (b) [(a)]" and substitute "Subsections (b) and (c) [Subsection (a)]".

(5) On page 2, line 22, strike "notification" and substitute "notifications".

(6) On page 2, line 23, strike "(e)" and substitute "(f)".

(7) On page 2, line 23, strike "(c)" and substitute "(d)".

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

SB 132, as amended, was passed by (Record 840): 120 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Button; Cain; Carter; Castro; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farrar; Fletcher; Frullo; Gallego; Geren; Gonzales, L.; Gonzales, V.; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hochberg; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Price; Quintanilla; Raymond; Riddle; Ritter; Rodriguez;

Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Vo; Weber; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Marquez; Perry; Reynolds.

Absent — Aliseda; Alvarado; Bohac; Burnam; Coleman; Dukes; Farias; Flynn; Hopson; Johnson; Mallory Caraway; Martinez; Menendez; Oliveira; Pickett; Veasey; Villarreal; Walle; White.

STATEMENTS OF VOTE

When Record No. 840 was taken, I was in the house but away from my desk. I would have voted yes.

Alvarado

When Record No. 840 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 840 was taken, I was in the house but away from my desk. I would have voted yes.

White

SB 887 ON SECOND READING (Riddle, V. Taylor, and Carter - House Sponsors)

SB 887, A bill to be entitled An Act relating to the penalty for theft of an automated teller machine or the contents or components of an automated teller machine.

SB 887 was considered in lieu of **CSHB 922**.

SB 887 was read second time and was passed to third reading.

CSHB 922 - LAID ON THE TABLE SUBJECT TO CALL

Representative Riddle moved to lay **CSHB 922** on the table subject to call.

The motion prevailed.

CSHB 3308 ON SECOND READING (by Rodriguez)

CSHB 3308, A bill to be entitled An Act relating to the operation of plug-in electric motor vehicles.

CSHB 3308 was read second time on May 5, postponed until May 6, and was again postponed until 7 a.m. today.

Representative Rodriguez moved to postpone consideration of **CSHB 3308** until 7 a.m. Monday, May 9.

The motion prevailed.

(Martinez now present)

MOTION TO SUSPEND RULES

Representative Hunter moved to suspend all necessary rules to set **HB 274**, **HB 12**, **HB 272**, and **HB 400** at the beginning of Monday's calendar.

The motion was withdrawn.

MOTION TO ADJOURN

Representative Y. Davis moved that the house adjourn until 10 a.m. Monday, May 9.

The motion was lost by (Record 841): 6 Yeas, 96 Nays, 1 Present, not voting.

Yeas — Burnam; Davis, Y.; Gallego; Gutierrez; Hochberg; Martinez Fischer.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Marquez; Perry; Reynolds.

Absent — Allen; Alonzo; Alvarado; Bohac; Coleman; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Flynn; Gonzales, V.; Guillen; Hopson; Howard, D.; Johnson; Laubenberg; Mallory Caraway; Martinez; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Paxton; Pickett; Quintanilla; Raymond; Rodriguez; Thompson; Turner; Veasey; Villarreal; Vo; Walle.

STATEMENTS OF VOTE

When Record No. 841 was taken, I was temporarily out of the house chamber. I would have voted no.

Alvarado

When Record No. 841 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 841 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

(Marquez now present)

SB 977 ON SECOND READING
(Torres - House Sponsor)

SB 977, A bill to be entitled An Act relating to the imposition and use of the municipal hotel occupancy tax by certain eligible central municipalities.

SB 977 was considered in lieu of **HB 1316**.

SB 977 was read second time.

Amendment No. 1

Representative Murphy offered the following amendment to **SB 977**:

Amend **SB 977** (senate engrossment) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Section 2303.5055, Government Code, is amended by adding Subsection (f) to read as follows:

(f) Notwithstanding any other law, the comptroller shall deposit eligible taxable proceeds that were collected by or forwarded to the comptroller, and to which the qualified hotel project is entitled according to an agreement under this section, in trust in a separate suspense account of the project. A suspense account is outside the state treasury, and the comptroller may make a rebate, refund, or payment authorized by this section without the necessity of an appropriation. The comptroller shall rebate, refund, or pay to each qualified hotel project eligible taxable proceeds to which the project is entitled under this section at least quarterly.

SECTION _____. Section 151.429(h), Tax Code, is amended to read as follows:

(h) Notwithstanding the other provisions of this section, the owner of a qualified hotel project shall receive a rebate, refund, or payment of 100 percent of the sales and use taxes paid or collected by the qualified hotel project or businesses located in the qualified hotel project pursuant to this chapter and 100 percent of the hotel occupancy taxes paid by persons for the use or possession of or for the right to the use or possession of a room or space at the qualified hotel project pursuant to the provisions of Chapter 156 during the first 10 years after such qualified hotel project is open for initial occupancy. The comptroller shall deposit the taxes in trust in a separate suspense account of the qualified hotel project. A suspense account is outside the state treasury, and the comptroller may make a rebate, refund, or payment authorized by this section without the necessity of an appropriation. The comptroller shall rebate, refund, or pay to each qualified hotel project eligible taxable proceeds to which the project is entitled under this section at least monthly.

SECTION _____.

Amendment No. 1 was adopted.

SB 977, as amended, was passed to third reading by (Record 842): 91 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Aliseda; Alvarado; Anderson, C.; Anderson, R.; Beck; Bonnen; Branch; Brown; Burkett; Button; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Frullo; Gonzales, L.; Gonzales, V.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hochberg; Howard, C.; Huberty; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lucio; Lyne; Madden; Margo; Martinez; Miller, D.; Morrison; Murphy; Nash; Orr; Otto; Patrick; Paxton; Peña; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheets; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Weber; White; Woolley; Workman; Zerwas.

Nays — Aycock; Berman; Cain; Geren; Hilderbran; Hughes; Miller, S.; Sheffield; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Perry; Reynolds.

Absent — Allen; Alonzo; Bohac; Burnam; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Flynn; Gallego; Guillen; Gutierrez; Hopson; Howard, D.; Johnson; King, T.; Mallory Caraway; Marquez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Oliveira; Parker; Pickett; Quintanilla; Raymond; Rodriguez; Turner; Veasey; Villarreal; Vo; Walle.

A verification of the vote was requested and was not granted.

STATEMENTS OF VOTE

I was shown voting no on Record No. 842. I intended to vote yes.

Cain

When Record No. 842 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

I was shown voting no on Record No. 842. I intended to vote yes.

Hughes

When Record No. 842 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 842 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

I was shown voting yes on Record No. 842. I intended to vote no.

White

I was shown voting no on Record No. 842. I intended to vote yes.

Zedler

LEAVES OF ABSENCE GRANTED

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

Y. Davis on motion of Turner.

Martinez on motion of Castro.

Muñoz on motion of Castro.

Vo on motion of D. Howard.

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

Walle on motion of Castro.

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

McClendon on motion of Turner.

Oliveira on motion of Raymond.

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

Menendez on motion of Guillen.

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

Farias on motion of Castro.

PARLIAMENTARY INQUIRY

REPRESENTATIVE L. TAYLOR: With that last list of excused absences, do we still have a quorum?

SPEAKER STRAUS: Mr. Taylor, it appears that we would not.

L. TAYLOR: Mr. Speaker, is the body aware that we tried to work with the democrats on how to handle some bills today, and they refused that? And that we've also tried to work with them on how to deal with bills on Monday, and they refused that? I just think that folks need to be aware that we are here, we're ready to work, and we're not being offered that opportunity to work with our colleagues from the democrats' side.

And also, a number of members, who I believe are actually here and didn't vote on that last—so, how does that work on the quorum, and those types of things? I have a list of two, four, six, eight, probably 12, 13 names that are here that didn't vote. How does that work? In violation of the rules—machine malfunctions, I'm hearing. Can we get the machines corrected so we can carry on and get some business done?

Under Rule 5, Section 44, failure and refusal of vote, any member who is present and fails or refuses to vote after being requested by the speaker shall be recorded as present, but not voting, and should be counted for the purpose of making a quorum. Can we have a reconsideration of vote, or verify the vote?

REMARKS ORDERED PRINTED

Representative Sheffield moved to print remarks between Representative L. Taylor and the speaker.

The motion prevailed.

(Pickett now present)

MOTION TO GRANT LEAVES OF ABSENCE

Representative Lucio moved to grant Representative Johnson leave of absence for the remainder of today because of important business.

Representative Castro moved to grant Representatives Quintanilla and Veasey leaves of absence for the remainder of today because of important business in the district.

The motion to grant leaves of absence was lost by (Record 843): 18 Yeas, 89 Nays, 2 Present, not voting.

Yeas — Alvarado; Bonnen; Deshotel; Eiland; Gonzales, V.; Guillen; Hochberg; Howard, D.; King, T.; Laubenberg; Lucio; Martinez Fischer; Peña; Pickett; Rodriguez; Strama; Thompson; Turner.

Nays — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Branch; Brown; Burkett; Button; Cain; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Frullo; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lyne; Madden; Margo; Miller, D.; Miller, S.; Morrison; Murphy; Nash; Orr; Otto; Patrick; Paxton; 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; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C); Castro.

Absent, Excused — Anchia; Callegari; Davis, Y.; Farias; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Martinez; McClendon; Menendez; Muñoz; Oliveira; Perry; Reynolds; Vo; Walle.

Absent — Allen; Alonzo; Bohac; Burnam; Coleman; Dukes; Dutton; Farrar; Flynn; Gallego; Gutierrez; Hilderbran; Hopson; Johnson; Mallory Caraway; Marquez; Miles; Naishtat; Parker; Quintanilla; Raymond; Veasey; Villarreal.

STATEMENTS OF VOTE

When Record No. 843 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 843 was taken, my vote failed to register. I would have voted no.

Hilderbran

EMERGENCY CALENDAR HOUSE BILLS SECOND READING

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

CSHB 274 ON SECOND READING

(by Creighton, Aliseda, Kleinschmidt, Jackson, Sheets, et al.)

CSHB 274, A bill to be entitled An Act relating to the reform of certain remedies and procedures in civil actions.

CSHB 274 - POINT OF ORDER

Representative Castro raised a point of order against further consideration of **CSHB 274** under Rule 6, Section 6 and Rule 13, Section 1 of the House Rules.

(Menendez and Walle now present)

The speaker overruled the point of order.

CSHB 274 - MOTION TO SUSPEND RULES

Representative Hartnett moved to suspend all necessary rules for second reading consideration of **CSHB 274**.

The outcome of the motion to suspend all necessary rules could not be determined (a quorum not being present) by (Record 844): 82 Yeas, 15 Nays, 1 Present, not voting.

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

Nays — Eiland; Hamilton; Hochberg; Howard, D.; King, T.; Lucio; Martinez Fischer; Menendez; Peña; Pickett; Raymond; Riddle; Simpson; Strama; Thompson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Davis, Y.; Farias; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Martinez; McClendon; Muñoz; Oliveira; Perry; Reynolds; Vo.

Absent — Allen; Alonzo; Alvarado; Bohac; Burnam; Castro; Coleman; Deshotel; Dukes; Dutton; Eissler; Farrar; Flynn; Gallego; Gonzales, V.; Guillen; Gutierrez; Hopson; Johnson; Keffer; Laubenberg; Legler; Mallory Caraway; Marquez; Miles; Miller, S.; Naishtat; Nash; Parker; Paxton; Quintanilla; Rodriguez; Turner; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 844 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 844 was taken, my vote failed to register. I would have voted yes.

S. Miller

When Record No. 844 was taken, my vote failed to register. I would have voted yes.

Nash

MOTION TO ADJOURN

Representative Martinez Fischer moved that the house adjourn until 10 a.m. Monday, May 9.

The motion was lost by (Record 845): 10 Yeas, 93 Nays, 1 Present, not voting.

Yeas — Hochberg; Howard, D.; King, T.; Lucio; Martinez Fischer; Menendez; Pickett; Raymond; Strama; Thompson.

Nays — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Button; Cain; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eiland; Eissler; Elkins; Fletcher; Frullo; Geren; Gonzales, L.; Gooden; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; 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; Murphy; Nash; Orr; Otto; Patrick; Peña; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Callegari; Davis, Y.; Farias; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Martinez; McClendon; Muñoz; Oliveira; Perry; Reynolds; Vo.

Absent — Allen; Alonzo; Alvarado; Bohac; Burnam; Castro; Coleman; Deshotel; Dukes; Dutton; Farrar; Flynn; Gallego; Gonzales, V.; Gutierrez; Hopson; Johnson; Mallory Caraway; Marquez; Miles; Naishtat; Parker; Paxton; Quintanilla; Rodriguez; Smith, T.; Turner; Veasey; Villarreal; Walle.

CSHB 274 - (consideration continued)

CSHB 274 - MOTION FOR PREVIOUS QUESTION

Representative Creighton moved the previous question on **CSHB 274**.

The motion was seconded.

The motion for the previous question prevailed by (Record 846): 86 Yeas, 11 Nays, 3 Present, not voting.

Yeas — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Button; Cain; Carter; Chisum; Christian; Cook; Craddock; Creighton; Crownover; Darby; Davis, J.; Driver; Eissler; Elkins; Fletcher; Frullo; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hilderbran; Huberty; 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; Murphy; Nash; Orr; Otto; Patrick; Paxton; Peña; Phillips; Pitts; Price; Riddle; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Weber; White; Workman; Zedler; Zerwas.

Nays — Eiland; Hartnett; Hochberg; Hughes; King, T.; Martinez Fischer; Pickett; Ritter; Simpson; Strama; Thompson.

Present, not voting — Mr. Speaker(C); Davis, S.; Woolley.

Absent, Excused — Anchia; Callegari; Davis, Y.; Farias; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Martinez; McClendon; Muñoz; Oliveira; Perry; Reynolds; Vo.

Absent — Allen; Alonzo; Alvarado; Bohac; Burnam; Castro; Coleman; Deshotel; Dukes; Dutton; Farrar; Flynn; Gallego; Gonzales, V.; Guillen; Gutierrez; Hopson; Howard, C.; Howard, D.; Johnson; Lucio; Mallory Caraway; Marquez; Menendez; Miles; Naishtat; Parker; Quintanilla; Raymond; Rodriguez; Turner; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 846 was taken, I was absent because of illness in the family. I was at MD Anderson Hospital with my wife who was recovering from major surgery. I would have voted yes.

Hopson

When Record No. 846 was taken, I was in the house but away from my desk. I would have voted no.

Menendez

When Record No. 846 was taken, I was in the house but away from my desk. I would have voted no.

Raymond

CSHB 274 was passed to engrossment by (Record 847): 89 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Aliseda; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Button; Cain; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Frullo; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hilderbran; Howard, C.; Huberty; 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; Murphy; Nash; Orr; Otto; Patrick; Paxton; Peña; Phillips; Pitts; Price; Riddle; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Eiland; Gallego; Guillen; Hochberg; Hughes; King, T.; Martinez Fischer; Pickett; Ritter; Simpson; Strama; Thompson.

Present, not voting — Mr. Speaker(C); Hartnett.

Absent, Excused — Anchia; Callegari; Davis, Y.; Farias; Garza; Giddings; Gonzalez; Hernandez Luna; Lozano; Martinez; McClendon; Muñoz; Oliveira; Perry; Reynolds; Vo.

Absent — Allen; Alonzo; Alvarado; Bohac; Burnam; Castro; Coleman; Deshotel; Dukes; Dutton; Farrar; Flynn; Gonzales, V.; Gutierrez; Hopson; Howard, D.; Johnson; Lucio; Mallory Caraway; Marquez; Menendez; Miles; Naishtat; Parker; Quintanilla; Raymond; Rodriguez; Turner; Veasey; Villarreal; Walle.

STATEMENTS OF VOTE

When Record No. 847 was taken, I was absent because of illness in the family. I was at MD Anderson Hospital with my wife who was recovering from major surgery. I would have voted yes.

Hopson

When Record No. 847 was taken, I was in the house but away from my desk. I would have voted no.

Menendez

When Record No. 847 was taken, I was temporarily out of the house chamber. I would have voted yes.

Parker

When Record No. 847 was taken, I was in the house but away from my desk. I would have voted no.

Raymond

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 272 ON SECOND READING
(by Smithee, Chisum, Hancock, Margo, Sheets, et al.)**

CSHB 272, A bill to be entitled An Act relating to the operation of the Texas Windstorm Insurance Association and to the resolution of certain disputes concerning claims made to that association; providing penalties.

CSHB 272 - POINT OF ORDER

Representative Gallego raised a point of order against further consideration of **CSHB 272** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

ADJOURNMENT

Representatives Gallego and S. Miller moved that the house adjourn until 10 a.m. Monday, May 9.

The motion prevailed.

The house accordingly, at 2:28 p.m., adjourned until 10 a.m. Monday, May 9.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 6

Corrections - **HB 3764**

County Affairs - **HB 1878**

Culture, Recreation, and Tourism - **HCR 84, HCR 130, SB 258, SB 932, SB 1518, SCR 10**

Energy Resources - **HB 3328, HB 3595**

Environmental Regulation - **HB 405, HB 695, SB 329**

Government Efficiency and Reform - HB 3166

Homeland Security and Public Safety - **HB 19, HB 584, HB 647, HB 1377, HB 1391, HB 1457, HB 1583, HB 1743, HB 2178, HB 2613, HB 2756, HB 3107**

Human Services - **HB 1709, HB 1784, HB 2299**

Insurance - **HB 2093, HB 2102, HB 3150**

Land and Resource Management - **HB 214, HB 524, SB 402**

Licensing and Administrative Procedures - **HB 1692, HB 3079**

Natural Resources - **SB 332, SB 430, SB 1140**

Pensions, Investments, and Financial Services - **HB 237, HB 1592, HB 2982, HB 3139, HB 3373**

Public Education - **HB 1114, HB 1336**

Public Health - **HB 2414, HB 2546, HB 3369, HB 3387, HB 3611**

State Affairs - **HB 1656, SB 1693**

Transportation - **HR 680, SB 743, SB 816, SB 1311**

Urban Affairs - **HB 1372, HB 3388**

Ways and Means - **HB 1234, SB 349**

ENGROSSED

May 6 - HB 122, HB 577, HB 595, HB 654, HB 673, HB 753, HB 762, HB 777, HB 783, HB 807, HB 818, HB 826, HB 872, HB 970, HB 971, HB 1033, HB 1071, HB 1080, HB 1090, HB 1111, HB 1135, HB 1178, HB 1226, HB 1315, HB 1335, HB 1354, HB 1456, HB 1500, HB 1502, HB 1517, HB 1604, HB 1610, HB 1616, HB 1619, HB 1649, HB 1678, HB 1749, HB 1772, HB 1821, HB 1834, HB 1839, HB 1840, HB 1930, HB 1931, HB 1960, HB 1983, HB 1985, HB 1988, HB 2038, HB 2042, HB 2048, HB 2052, HB 2061, HB 2100, HB 2109, HB 2127, HB 2136, HB 2160, HB 2172, HB 2173, HB 2195, HB 2205, HB 2220, HB 2284, HB 2285, HB 2295, HB 2367, HB 2374, HB 2396, HB 2477, HB 2549, HB 2576, HB 2577, HB 2584, HB 2604, HB 2636, HB 2651, HB 2655, HB 2699, HB 2703, HB 2723, HB 2742, HB 2784, HB 2810, HB 2872, HB 2882, HB 2899, HB 2903, HB 2947, HB 2972, HB 2993, HB 3002, HB 3071, HB 3078, HB 3085, HB 3090, HB 3109, HB 3116, HB 3117, HB 3134, HB 3135, HB 3145, HB 3161, HB 3197, HB 3269, HB 3278, HB 3298, HB 3329, HB 3337, HB 3391, HB 3396, HB 3457, HB 3582, HB 3689, HB 3722, HB 3724, HB 3771, HB 3796, HB 3807, HB 3808, HB 3811, HB 3846, HJR 63

ENROLLED

May 6 - HB 558, HB 600, HB 801, HB 1551, HB 1944, HCR 148

SENT TO THE GOVERNOR

May 6 - HB 558, HB 600, HB 801, HB 1551, HB 1944, HCR 148