

# HOUSE JOURNAL

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EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FORTY-EIGHTH DAY — THURSDAY, APRIL 11, 2013

The house met at 12:29 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 199).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Farrar; King, P.; Toth.

## LEAVES OF ABSENCE GRANTED

On motion of Representative S. Thompson and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

## RULES SUSPENDED

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

### MOTION FOR ONE RECORD VOTE

On motion of Representative S. Thompson and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

#### LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following bill number).

(Record 200): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Farrar; King, P.; Toth.

Absent — Keffer.

**HB 35** (128 - 16 - 2) (Capriglione, Fallon, Flynn, Goldman, Huberty, Krause, Leach, Perry, Phillips, Schaefer, Simmons, Simpson, Stickland, Taylor, E. S. Turner, and White - no) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 120**

**HB 150**

**HB 195** (142 - 2 - 2) (Flynn and White - no)

**HB 200**

**HB 232** (139 - 5 - 2) (Capriglione, S. Davis, Lavender, Leach, E. S. Turner - no) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 248** (138 - 6 - 2) (Krause, Perry, Schaefer, Simpson, Stickland, and Taylor - no) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 338**

**HB 377** (128 - 16 - 2) (Anderson, G. Bonnen, Capriglione, S. Davis, Fallon, Flynn, Krause, Laubenberg, Lavender, Orr, Otto, Schaefer, Simmons, Stickland, E. S. Turner, Zedler - no) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 389** (142 - 2 - 2) (Perry and Schaefer - no)

**HB 474** (142 - 2 - 2) (Flynn and Zedler - no)

**HB 525**

**HB 560**

**HB 567**

**HB 588**

**HB 610**

**HB 616**

**HB 633**

**HB 699**

**HB 701** (142 - 2 - 2) (Flynn and Zedler - no)

**HB 719**

**HB 748** (137 - 7 - 2) (Krause, Perry, Phillips, Schaefer, Simpson, Stickland, and Taylor - no) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 753** (138 - 6 - 2) (Perry, Phillips, Schaefer, Springer, Taylor, White - no) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 789**

**HB 807** (Hunter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 893**

**SB 157**

**HB 944**

**HB 1016**

**HB 1093**

**HB 1106** (142 - 2 - 2) (Phillips and White - no)

**HB 1158**

**HB 1222**

**HB 1238**

**HB 1248**

**HB 1268**

**HB 1271**

**HB 1272**

**HB 1296**

**HB 1297**

**HB 1334**

**HB 1521**

**HB 1550**

**HB 1711** (140 - 4 - 2) (Goldman, Perry, Schaefer, and Simpson - no)

**HB 1718** (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 1738**

**HB 1871**

**HB 1968**

**HB 2035** (135 - 9 - 2) (Huberty, Krause, Perry, Phillips, Schaefer, Simmons, Simpson, Stickland, and Taylor - no) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 2738**

**HB 752**

**HB 1347**

**HB 1589**

**HB 45**

**HB 869**

**HB 2034** (136 - 8- 2) (Capriglione, Huberty, Krause, Schaefer, Simmons, Simpson, Springer, Stickland - no)

**HB 2095** (137 - 7 - 2) (Leach, Murphy, Phillips, Simpson, Stickland, Taylor, and E. S. Turner - no)

The following resolutions which were laid out on the previous legislative day on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 200): 144 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

**HCR 31****HCR 36** (143 - 1 - 2) (Stickland - no)**HCR 43** (143 - 1 - 2) (Simpson - no)**HR 128**

(Branch in the chair)

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 1721 ON THIRD READING  
(by Villarreal)**

**HB 1721**, A bill to be entitled An Act relating to use of the Nationwide Mortgage Licensing System and Registry in connection with the regulatory authority of the consumer credit commissioner; affecting fees.

**HB 1721** was passed by (Record 201): 141 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Krause; Schaefer; Simpson; Stickland.

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

Absent, Excused — Farrar; King, P.; Toth.

**HB 326 ON THIRD READING**  
**(by Dutton)**

**HB 326**, A bill to be entitled An Act relating to eligibility to serve on the appraisal review board of an appraisal district.

**Amendment No. 1**

Representative Stephenson offered the following amendment to **HB 326**:

Amend **HB 326** (house committee printing), on page 1, line 9, by striking "100,000" if the person and substituting "40,000 if the person [~~100,000~~"]".

Amendment No. 1 was adopted.

**HB 326**, as amended, was passed by (Record 202): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Farrar; King, P.; Toth.

**HB 949 ON THIRD READING**  
**(by Smithee, S. Thompson, and Alonzo)**

**HB 949**, A bill to be entitled An Act relating to continuation of automobile insurance coverage for certain motor vehicles acquired during a personal automobile insurance policy term.

**HB 949** was passed by (Record 203): 144 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel;

Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Schaefer.

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

Absent, Excused — Farrar; King, P.; Toth.

### **HB 834 ON THIRD READING**

**(by J. Davis, E. Rodriguez, Deshotel, Howard, Anderson, et al.)**

**HB 834**, A bill to be entitled An Act relating to the establishment of the Texas Fast Start Program to promote rapid delivery of workforce education and development.

**HB 834** was passed by (Record 204): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch(C); Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Farrar; King, P.; Toth.

**POSTPONED BUSINESS**

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

**CSHB 1290 ON SECOND READING**  
(by Phillips)

**CSHB 1290**, A bill to be entitled An Act relating to the authority for local governments to jointly administer transportation reinvestment zones.

**CSHB 1290** was read second time on April 10 and was postponed until 8 a.m. today.

**Amendment No. 1**

Representative Phillips offered the following amendment to **CSHB 1290**:

Amend **CSHB 1290** (house committee printing) as follows:

(1) Strike page 1, line 14, through page 2, line 5, and substitute the following:

(1) the establishment of a joint tax increment account for the transportation reinvestment zones;

(2) separate accounts for the maintenance of funds from a zone created under Section 222.106 and funds from a zone created under Section 222.107;

(3) the commitment of each participating entity to transfer the tax increment or assessment, or the portion thereof dedicated to a transportation project, to an account subject to the joint administration; and

(4) to the extent legally permitted, the pledge or assignment of the tax increment or assessment to an entity developing a transportation project or providing funding for a transportation project.

(2) On page 2, strike lines 6-9.

(3) On page 2, line 10, strike "(c)" and substitute "(b)".

Amendment No. 1 was adopted.

**CSHB 1290**, as amended, was passed to engrossment.

**MAJOR STATE CALENDAR**  
**HOUSE BILLS**  
**SECOND READING**

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

**CSHB 1642 ON SECOND READING**  
(by D. Bonnen)

**CSHB 1642**, A bill to be entitled An Act relating to the Port of Houston Authority.

**LEAVE OF ABSENCE GRANTED**

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

Anchia on motion of Gonzales.



**CSHB 1642 - (consideration continued)****Amendment No. 1**

Representative D. Bonnen offered the following amendment to **CSHB 1642**:

Amend **CSHB 1642** (house committee report) as follows:

(1) On page 2, strike lines 15 through 23 and substitute the following: Chapter 9 of the Revised Statutes of 1925; and all orders of the Commissioners' Court of Harris County, Texas, and of the Navigation Commissioners, heretofore made in respect to the creation of such authority [~~District~~] and the authorization and issuance of the bonds of said authority [~~District and particularly an issue of One Million Five Hundred Thousand (\$1,500,000.00) Dollars of bonds voted at an election under date of December 4, 1926, be and the same~~] are hereby in all things ratified, confirmed, and validated.

(2) On page 44, line 5, between "commerce" and the semicolon, insert "the members of which are regulated by the authority".

(3) On page 44, line 8, between "commerce" and the period, insert "the members of which are regulated by the authority".

(4) On page 47, lines 21 and 22, strike "for a term not to exceed two years".

(5) On page 50, line 15, strike "timeliness" and substitute "timelines".

(6) On page 57, line 15, after the period, insert the following:

An audit performed under this subsection must be conducted in accordance with generally accepted auditing standards as prescribed by:

(1) the American Institute of Certified Public Accountants;

(2) the Governmental Accounting Standards Board;

(3) the United States General Accounting Office; or

(4) any other professionally recognized entity that prescribes auditing standards.

Amendment No. 1 was adopted.

(Speaker in the chair)

**Amendment No. 2**

Representatives Smith, S. Davis, Perez, Huberty, Miles, Hernandez Luna, Elkins, Vo, Walle, Riddle, Fletcher, Coleman, J. Davis, Reynolds, S. Turner, Murphy, Wu, and Harless offered the following amendment to **CSHB 1642**:

Amend **CSHB 1642** (house committee report) as follows:

(1) On page 40, line 11, between "commission" and the period, insert "in a position other than the chair's position".

(2) On page 43, between lines 12 and 13, insert the following:

(h) A person is not eligible for appointment as chair of the port commission if the person has previously served the equivalent of at least 12 years as the chair.

(3) Strike SECTION 7 (page 58, line 18, through page 59, line 19) and substitute the following:

SECTION 7. (a) A port commissioner of the Port of Houston Authority of Harris County, Texas, serving on the effective date of this Act shall serve until the expiration of the term to which the port commissioner was appointed.

(b) Following the expiration of a term described by Subsection (a) of this section:

(1) the entities described by Section 5007.204, Special District Local Laws Code, as added by this Act, shall make the appointments required by that section, notwithstanding the expiration date set by Subsection (c) of that section; and

(2) a person is not eligible for appointment as a port commissioner of the Port of Houston Authority of Harris County, Texas, or as the chair of the port commission if the person has previously served the equivalent of at least 12 full years on the port commission in a position other than the chair's position.

(c) Notwithstanding Section 5007.204(c), Special District Local Laws Code, as added by this Act, the terms of port commissioners appointed under Subsection (b)(1) of this section shall expire as follows:

(1) the port commissioner appointed by the city council of the City of Pasadena to replace a port commissioner whose term expires January 2, 2015, shall serve a term that expires February 1, 2017;

(2) the port commissioner appointed by the Harris County Commissioners Court to replace a port commissioner whose term expires June 26, 2014, shall serve a term that expires February 1, 2016;

(3) the port commissioner appointed by the Harris County Commissioners Court to replace a port commissioner whose term expires December 18, 2014, shall serve a term that expires February 1, 2017;

(4) the port commissioner appointed by the city council of the City of Houston to replace a port commissioner whose term expires September 14, 2013, shall serve a term that expires February 1, 2015;

(5) the port commissioner appointed by the city council of the City of Houston to replace a port commissioner whose term expires January 16, 2015, shall serve a term that expires February 1, 2016;

(6) the port commissioner appointed by the Harris County Mayors' and Councils' Association to replace a port commissioner whose term expires December 31, 2013, shall serve a term that expires February 1, 2016; and

(7) the chair of the port commission appointed to replace the chair whose term expires January 8, 2015, shall serve a term expiring February 1, 2017.

### **Amendment No. 3**

Representative S. Turner offered the following amendment to Amendment No. 2:

Amend Floor Amendment No. 2 by Smith to **CSHB 1642** on page 2 of the amendment, after line 27, by adding the following:

(d) Notwithstanding Section 5007.205(h), Special Districts Local Laws Code, as added by this Act, the person serving as chair on the effective date of this Act may not be reappointed as the chair after the sixth anniversary of the first date on which the person was appointed as chair.

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

**LEAVE OF ABSENCE GRANTED**

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

Villalba on motion of Dale.

**CSHB 1642 - (consideration continued)**

**Amendment No. 4**

Representative D. Bonnen offered the following amendment to **CSHB 1642**:

Amend **CSHB 1642** by adding the following appropriately numbered item and renumbering subsequent items accordingly:

( ) On page 44, line 16, strike "the person's spouse" and substitute "an individual related to the person in the first degree of consanguinity or affinity, as determined under Chapter 573, Government Code".

Amendment No. 4 was adopted.

**CSHB 1642**, as amended, was passed to engrossment.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**HB 455 ON SECOND READING  
(by Dukes and Collier)**

**HB 455**, A bill to be entitled An Act relating to excused absences from public school for certain students.

(Anchia now present)

**HB 455** was passed to engrossment.

**SB 398 ON SECOND READING  
(Patrick - House Sponsor)**

**SB 398**, A bill to be entitled An Act relating to conforming the eligibility under a major events trust fund of a National Collegiate Athletic Association Division I Football Bowl Subdivision postseason event with the changes to the Bowl Championship Series system.

**SB 398** was considered in lieu of **HB 1019**.

**SB 398** was passed to third reading. (Perry, Schaefer, Simpson, and White recorded voting no.)

**HB 1019 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Patrick moved to lay **HB 1019** on the table subject to call.

The motion prevailed.

**HB 1513 ON SECOND READING****(by Lewis)**

**HB 1513**, A bill to be entitled An Act relating to increases in the records archive fees and the records management and preservation fees charged by district and county clerks.

**HB 1513** was passed to engrossment. (Laubenberg and E. S. Turner recorded voting no.)

**HB 1905 ON SECOND READING****(by Eiland and Sheets)**

**HB 1905**, A bill to be entitled An Act relating to certain promotional practices not considered to be prohibited discrimination, rebates, or inducements in insurance.

Representative Eiland moved to postpone consideration of **HB 1905** until 10 a.m. Wednesday, April 17.

The motion prevailed.

**RESOLUTIONS CALENDAR**

The chair laid before the house the following resolutions on committee report:

**HCR 55****(by Lucio, Guerra, Oliveira, Longoria, Guillen, et al.)**

**HCR 55**, Urging the U.S. Department of State to take appropriate action to ensure that Mexico complies with the 1944 Treaty regarding shared water resources and that it make required water deliveries to the United States a priority.

**HCR 55** was adopted by (Record 205): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith;

Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Farrar; King, P.; Toth; Villalba.

Absent — Laubenberg; Martinez.

### STATEMENT OF VOTE

When Record No. 205 was taken, my vote failed to register. I would have voted yes.

Laubenberg

### FIVE-DAY POSTING RULE SUSPENDED

Representative Hilderbran moved to suspend the five-day posting rule to allow the Committee on Ways and Means to consider **HB 3169** and the previously posted agenda at 2 p.m. or upon final adjournment Monday, April 15 in E2.014.

The motion prevailed.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

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

Criminal Jurisprudence, upon final adjournment today, Desk 25, for a formal meeting, to consider pending business.

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

Elections, upon final adjournment today, Desk 86, for a formal meeting, to consider pending bills.

Transportation, upon final adjournment today, Desk 26, for a formal meeting, to consider pending business.

Higher Education, upon final adjournment today, Desk 94, for a formal meeting, to consider pending business.

Insurance, upon final adjournment today, Desk 13, for a formal meeting, to consider pending business.

Public Health, 9 a.m. tomorrow, 3N.3, for a formal meeting, to consider pending business.

Ways and Means, 2 p.m. or upon final adjournment Monday, April 15, E2.014, for a public hearing, to consider **HB 3169** and the previously posted agenda.

**PRINTING RULE SUSPENDED**

Representative Harper-Brown moved to suspend Rule 12, Section 1(a)(1)(A) of the House Rules to enable the committee reports for **HB 3862** and **SB 1093** to be printed and distributed without the text of the introduced bills.

The motion prevailed.

**CORRECTIONS IN REFERRAL**

Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

**ADJOURNMENT**

Representative Morrison moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

The house accordingly, at 1:51 p.m., adjourned until 10 a.m. tomorrow.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

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

**List No. 1**

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**HB 2267** (By Larson), Relating to the confidentiality of certain home address information in ad valorem tax appraisal records.

To Government Efficiency and Reform.

**HB 2963** (By Alonzo), Relating to identification documents for title and vehicle registration applications.

To State Affairs.

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 10**

Defense and Veterans' Affairs - **HB 1427, HB 1514, HB 1767, HB 2392, HB 2466, HB 3064, HB 3543**

Elections - **HB 148, HB 1099, HB 1303, HB 1422, HB 2465, HB 2475**

Federalism and Fiscal Responsibility, Select - **HB 1076, HB 1314, HCR 50, HCR 63**

Homeland Security and Public Safety - **HB 801**

Human Services - **HB 376**

Licensing and Administrative Procedures - **HB 1685**

Technology - **HB 882**

**ENGROSSED**

**April 10 - HB 38, HB 86, HB 468, HB 829, HB 838**

**ENROLLED**

**April 10 - HCR 78**

**SIGNED BY THE GOVERNOR**

**April 10 - HB 1263, HCR 81**

