

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

ELEVENTH DAY — WEDNESDAY, FEBRUARY 4, 2015

The house met at 10:09 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 26).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Menéndez; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Coleman; Martinez Fischer.

Absent — Anderson, R.; Fallon; Oliveira.

The speaker recognized Representative McClendon who introduced Reverend Kenneth R. Kemp, pastor, Antioch Missionary Baptist Church, San Antonio, who offered the invocation as follows:

Dear Lord, we come before your presence in humble adoration, thanking you for the blessed privilege to gather in this hallowed hall as these men and women, elected as our representatives, consider the business of the great State of Texas. Ever mindful of the heavy weight of responsibility that is upon us, we do not take the favor you have given us for granted. So before we do anything else, we say thank you. Lord, we also ask for your forgiveness for those things which we have done that are inconsistent with your precepts and out of step with your will. Bless us now with grace and mercy and strengthen us for the work that lies ahead.

Now, Lord, direct the thoughts of these elected officials who represent each citizen of this state. Guide their hands. Speak to their hearts. Endow them with wisdom from on high to govern their decisions. Whisper your instructions in their ears before they introduce any legislation, address any issue, or cast any vote. And then, kind master, in this month of February as we recognize the contributions of African Americans across the length and breadth of this land, please order their steps toward freedom and justice for all.

As we come to the close of this prayer, we assertively confirm that we trust you and we depend on you to reduce every mountain, elevate every valley, repair every breach, and strengthen every weakness until this state we call Texas will be numbered among the beloved community where opportunity, freedom, justice, and dignity reign forever. It is in your name that we pray. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Martinez Fischer on motion of Nevárez.

CAPITOL PHYSICIAN

The speaker recognized Representative J. White who presented Dr. Ron McMurry of Jasper as the "Doctor for the Day."

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

(Landgraf in the chair)

LEAVE OF ABSENCE GRANTED

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

Huberty on motion of Kuempel.

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. 3).

HR 335 - ADOPTED (by Zerwas)

Representative Zerwas moved to suspend all necessary rules to take up and consider at this time **HR 335**.

The motion prevailed.

The following resolution was laid before the house:

HR 335, Recognizing February 4, 2015, as Dyslexia Awareness Day and honoring the Academic Language Therapy Association and Texas ALTA.

HR 335 was adopted.

**HR 171 - ADOPTED
(by Raney and Kacal)**

Representative Raney moved to suspend all necessary rules to take up and consider at this time **HR 171**.

The motion prevailed.

The following resolution was laid before the house:

HR 171, Recognizing February 4, 2015, as Bryan-College Station Day at the State Capitol.

HR 171 was adopted.

On motion of Representatives Kacal and C. Anderson, the names of all the members of the house were added to **HR 171** as signers thereof.

**HR 276 - ADOPTED
(by Raney, Kacal, Naishtat, Howard, and Wray)**

Representative Raney moved to suspend all necessary rules to take up and consider at this time **HR 276**.

The motion prevailed.

The following resolution was laid before the house:

HR 276, Recognizing February 4, 2015, as Orange and Maroon Legislative Day at the State Capitol.

HR 276 was read and was adopted.

On motion of Representative Bohac, the names of all the members of the house were added to **HR 276** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Raney who introduced representatives of The University of Texas and Texas A&M University.

(R. Anderson now present)

**HR 163 - ADOPTED
(by Harless, Howard, Crownover, Laubenberg, et al.)**

Representative Harless moved to suspend all necessary rules to take up and consider at this time **HR 163**.

The motion prevailed.

The following resolution was laid before the house:

HR 163, Recognizing February 6, 2015, as National Wear Red Day.

HR 163 was adopted.

On motion of Representatives McClendon, Laubenberg, Y. Davis, and Rose, the names of all the members of the house were added to **HR 163** as signers thereof.

HR 232 - ADOPTED
(by Raymond)

Representative Raymond moved to suspend all necessary rules to take up and consider at this time **HR 232**.

The motion prevailed.

The following resolution was laid before the house:

HR 232, Congratulating Ninfa Uribe Ramirez of Laredo on her 100th birthday.

HR 232 was adopted.

HR 129 - ADOPTED
(by Lozano and Hunter)

Representative Lozano moved to suspend all necessary rules to take up and consider at this time **HR 129**.

The motion prevailed.

The following resolution was laid before the house:

HR 129, Recognizing February 12, 2015, as San Patricio County Day.

HR 129 was adopted.

On motion of Representative Hunter, the names of all the members of the house were added to **HR 129** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Lozano who introduced the Honorable Terry Simpson and members of his family.

HCR 55 - ADOPTED
(by Simpson)

Representative Simpson moved to suspend all necessary rules to take up and consider at this time **HCR 55**.

The motion prevailed.

The following resolution was laid before the house:

HCR 55, Granting the legislature permission to adjourn for more than three days during the period beginning on Thursday, February 5, 2015, and ending on Monday, February 9, 2015.

HCR 55 was adopted by (Record 27): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Menéndez; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Coleman; Huberty; Martinez Fischer.

Absent — Bell; Fallon; Oliveira.

HR 198 - ADOPTED
(by C. Anderson and Kacal)

Representative C. Anderson moved to suspend all necessary rules to take up and consider at this time **HR 198**.

The motion prevailed.

The following resolution was laid before the house:

HR 198, Recognizing February 4, 2015, as Waco Day at the State Capitol.

HR 198 was read and was adopted.

On motion of Representative Kacal, the names of all the members of the house were added to **HR 198** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative C. Anderson who introduced a delegation from Waco.

HR 328 - ADOPTED
(by Spitzer)

Representative Spitzer moved to suspend all necessary rules to take up and consider at this time **HR 328**.

The motion prevailed.

The following resolution was laid before the house:

HR 328, In memory of Dallas firefighter William Scott Tanksley.

HR 328 was read and was unanimously adopted by a rising vote.

On motion of the Dallas delegation, the names of all the members of the house were added to **HR 328** as signers thereof.

(Speaker in the chair)

PROVIDING FOR ADJOURNMENT

At 11:18 a.m., Representatives K. King, Price, and Morrison moved that, at the conclusion of the receipt of messages from the senate and administrative duties, the house adjourn until 2 p.m. Monday, February 9 in memory of Roy Don Creacy of Borger and the Honorable Lawrence Dean Cobb of Austin.

The motion prevailed.

(Murphy in the chair)

MESSAGE FROM THE SENATE

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

(Blanco in the chair)

SPEAKER PRO TEMPORE APPOINTED

The speaker appointed Representative D. Bonnen as speaker pro tempore.

STANDING COMMITTEES APPOINTED

Speaker Straus appointed the following standing committees of the house:

COMMITTEE ON AGRICULTURE AND LIVESTOCK

T. King, chair; C. Anderson, vice-chair.

Seniority appointments: González and Springer.

Speaker appointments: District 17, Rinaldi, and Simpson.

COMMITTEE ON APPROPRIATIONS

Otto, chair; S. Turner, vice-chair.

Seniority appointments: Burkett, S. Davis, Dukes, Giddings, Gonzales, Howard, Hughes, Márquez, McClendon, Miles, Price, and Walle.

Speaker appointments: Ashby, Bell, G. Bonnen, Capriglione, Koop, Longoria, R. Miller, Muñoz, Phelan, Raney, J. Rodriguez, Sheffield, and VanDeaver.

COMMITTEE ON BUSINESS AND INDUSTRY

Oliveira, chair; Simmons, vice-chair.

Seniority appointments: Collier.

Speaker appointments: Fletcher, Rinaldi, Romero, and Villalba.

COMMITTEE ON CALENDARS

Hunter, chair; Lucio, vice-chair.

Speaker appointments: Alonzo, Cook, S. Davis, Geren, Giddings, Harless, Huberty, Johnson, K. King, Larson, Price, Riddle, and E. Rodriguez.

COMMITTEE ON CORRECTIONS

Murphy, chair; J. White, vice-chair.

Speaker appointments: Allen, District 13, Keough, Krause, and Tinderholt.

COMMITTEE ON COUNTY AFFAIRS

Coleman, chair; Farias, vice-chair.

Seniority appointments: Farias, Romero, and Spitzer.

Speaker appointments: Burrows, District 13, Stickland, Tinderholt, and Wu.

COMMITTEE ON CRIMINAL JURISPRUDENCE

Herrero, chair; Moody, vice-chair.

Seniority appointments: Moody and Simpson.

Speaker appointments: Canales, Hunter, Leach, and Shaheen.

COMMITTEE ON CULTURE, RECREATION, AND TOURISM

Guillen, chair; Dukes, vice-chair.

Seniority appointments: Larson and Smith.

Speaker appointments: Frullo, Márquez, and Murr.

COMMITTEE ON DEFENSE AND VETERANS' AFFAIRS

S. King, chair; Frank, vice-chair.

Seniority appointments: Schaefer.

Speaker appointments: Aycock, Blanco, Farias, and Shaheen.

**COMMITTEE ON ECONOMIC
AND SMALL BUSINESS DEVELOPMENT**

Button, chair; Johnson, vice-chair.

Seniority appointments: C. Anderson, E. Rodriguez, and Vo.

Speaker appointments: Faircloth, Isaac, Metcalf, and Villalba.

COMMITTEE ON ELECTIONS

Laubenberg, chair; Goldman, vice-chair.

Seniority appointments: Fallon and Israel.

Speaker appointments: Phelan, Reynolds, and Schofield.

COMMITTEE ON ENERGY RESOURCES

Darby, chair; Paddie, vice-chair.

Seniority appointments: Anchia, Craddick, Herrero, P. King, and Riddle.

Speaker appointments: Canales, Dale, Keffer, Landgraf, Meyer, and Wu.

COMMITTEE ON ENVIRONMENTAL REGULATION

Morrison, chair; E. Rodriguez, vice-chair.

Seniority appointments: Kacal, Reynolds, and E. Thompson.

Speaker appointments: Isaac, K. King, P. King, and Lozano.

COMMITTEE ON GENERAL INVESTIGATING AND ETHICS

Kuempel, chair; Collier, vice-chair.

Speaker appointments: S. Davis, Hunter, Larson, Moody, and C. Turner.

**COMMITTEE ON GOVERNMENT
TRANSPARENCY AND OPERATION**

Elkins, chair; Walle, vice-chair.

Seniority appointments: Leach and E. S. Turner.

Speaker appointments: Galindo, Gonzales, and Gutierrez.

COMMITTEE ON HIGHER EDUCATION

Zerwas, chair; Howard, vice-chair.

Seniority appointments: Crownover, Morrison, and Zerwas.

Speaker appointments: Alonzo, Clardy, Martinez, Raney, and C. Turner.

**COMMITTEE ON HOMELAND SECURITY
AND PUBLIC SAFETY**

Phillips, chair; Nevárez, vice-chair.

Seniority appointments: Metcalf and M. White.

Speaker appointments: Burns, Dale, Johnson, Moody, and Wray.

COMMITTEE ON HOUSE ADMINISTRATION

Geren, chair; Márquez, vice-chair.

Speaker appointments: Allen, Alonzo, Ashby, Farney, Howard, K. King, Paddie, Raney, and Vo.

COMMITTEE ON HUMAN SERVICES

Raymond, chair; Rose, vice-chair.

Seniority appointments: Klick, Naishtat, and Peña.

Speaker appointments: Keough, S. King, Price, and Spitzer.

COMMITTEE ON INSURANCE

Fruzzo, chair; Muñoz, vice-chair.

Seniority appointments: Muñoz, Sheets, and Workman.

Speaker appointments: G. Bonnen, Guerra, Meyer, Paul, and Vo.

**COMMITTEE ON INTERNATIONAL TRADE
AND INTERGOVERNMENTAL AFFAIRS**

Anchia, chair; Lozano, vice-chair.

Seniority appointments: Koop and Lozano.

Speaker appointments: R. Anderson, Burrows, District 123, and E. S. Turner.

COMMITTEE ON INVESTMENTS AND FINANCIAL SERVICES

Parker, chair; Longoria, vice-chair.

Seniority appointments: Flynn and Parker.

Speaker appointments: Capriglione, Landgraf, Pickett, and Stephenson.

COMMITTEE ON JUDICIARY AND CIVIL JURISPRUDENCE

Smithee, chair; Farrar, vice-chair.

Seniority appointments: Hernandez, Laubenberg, and Raymond.

Speaker appointments: Clardy, Schofield, Sheets, and S. Thompson.

COMMITTEE ON JUVENILE JUSTICE AND FAMILY ISSUES

Dutton, chair; Riddle, vice-chair.

Seniority appointments: Rose and J. White.

Speaker appointments: Hughes, Peña, and Sanford.

COMMITTEE ON LAND AND RESOURCE MANAGEMENT

Deshotel, chair; E. Thompson, vice-chair.

Speaker appointments: Bell, District 17, Krause, Lucio, and Sanford.

**COMMITTEE ON LICENSING
AND ADMINISTRATIVE PROCEDURES**

Smith, chair; Gutierrez, vice-chair.

Seniority appointments: Guillen, Gutierrez, and S. Thompson.

Speaker appointments: Geren, Goldman, Kuempel, Miles, and D. Miller.

COMMITTEE ON LOCAL AND CONSENT CALENDARS

S. Thompson, chair; Clardy, vice-chair.

Speaker appointments: Burkett, Capriglione, Dale, Gonzales, Guerra, Gutierrez, Isaac, Muñoz, Nevárez, Sheets, and Springer.

COMMITTEE ON NATURAL RESOURCES

Keffer, chair; Ashby, vice-chair.

Seniority appointments: D. Bonnen, Keffer, T. King, and Lucio.

Speaker appointments: Burns, Frank, Kacal, Larson, Nevárez, and Workman.

COMMITTEE ON PENSIONS

Flynn, chair; Alonzo, vice-chair.

Seniority appointments: Alonzo and Stephenson.

Speaker appointments: Hernandez, Klick, Paul, and J. Rodriguez.

COMMITTEE ON PUBLIC EDUCATION

Aycock, chair; Allen, vice-chair.

Seniority appointments: Allen, Deshotel, Dutton, and Farney.

Speaker appointments: Bohac, Galindo, González, Huberty, K. King, and VanDeaver.

COMMITTEE ON PUBLIC HEALTH

Crownover, chair; Naishtat, vice-chair.

Seniority appointments: Coleman, Guerra, Sheffield, and Zedler.

Speaker appointments: Blanco, Collier, S. Davis, R. Miller, and Zerwas.

COMMITTEE ON REDISTRICTING

Lozano, chair; Y. Davis, vice-chair.

Speaker appointments: Gonzales, Hunter, Keffer, Oliveira, Parker, Pickett, and S. Thompson.

COMMITTEE ON RULES AND RESOLUTIONS

McClendon, chair; Kacal, vice-chair.

Speaker appointments: Alvarado, Bell, Blanco, Button, Faircloth, Murr, J. Rodriguez, Rose, and Sheffield.

COMMITTEE ON SPECIAL PURPOSE DISTRICTS

D. Miller, chair; Alvarado, vice-chair.

Seniority appointments: D. Miller and Stickland.

Speaker appointments: Faircloth, Fallon, Martinez Fischer, and Zedler.

COMMITTEE ON STATE AFFAIRS

Cook, chair; Giddings, vice-chair.

Seniority appointments: Farrar, Menéndez, Oliveira, Smithee, and S. Turner.

Speaker appointments: Craddick, Farney, Geren, Harless, Huberty, and Kuempel.

COMMITTEE ON TRANSPORTATION

Pickett, chair; Martinez, vice-chair.

Seniority appointments: Y. Davis, Fletcher, Martinez, Phillips, and Pickett.

Speaker appointments: Burkett, Harless, Israel, McClendon, Menéndez, Murr, Paddie, and Simmons.

COMMITTEE ON URBAN AFFAIRS

Alvarado, chair; Hunter, vice-chair.

Speaker appointments: R. Anderson, District 123, Elkins, Schaefer, and M. White.

COMMITTEE ON WAYS AND MEANS

D. Bonnen, chair; Y. Davis, vice-chair.

Seniority appointments: Bohac, Button, Murphy, and C. Turner.

Speaker appointments: Darby, Martinez Fischer, Parker, Springer, and Wray.

**PROCLAMATION BY THE SPEAKER
SELECT COMMITTEE ON
EMERGING ISSUES IN TEXAS LAW ENFORCEMENT**

The speaker submitted the following proclamation:

Pursuant to Rule 1, Section 16 of the House Rules, I, Joe Straus, speaker of the Texas House of Representatives, create the Select Committee on Emerging Issues in Texas Law Enforcement.

Since the Republic, Texas law enforcement officers have provided for the safety and security of the citizens of this state in difficult and challenging times. Texas peace officers face the challenging task of protecting Texas citizens from rapidly changing and emerging threats while remaining faithful to the federal and state constitutions. It is not just enough for the legislature to appreciate the work of Texas law enforcement; the legislature must also ensure that the training and professional needs of law enforcement are understood and met, that the legislature addresses emerging issues and threats that law enforcement faces, and that the public safety of Texas citizens is always protected and properly constitutionally safeguarded.

The committee shall investigate and review the training and professional needs of law enforcement in the State of Texas, including the award and sufficiency of law enforcement training grants, methods of training, and types of training—including training in emerging or changing threats such as human trafficking, mental health crisis and confrontation, organized crime, and critical incident shooting.

Further, the committee shall also examine and address emerging use of new technologies by law enforcement in policing and community interaction, including the use of body cameras, drones, and the rise of various information technology collection and sorting systems.

Finally, the committee shall examine any changes necessary to assure that each Texas law enforcement officer is provided with the necessary and appropriate tools and protocols to increase public safety of all Texans, including the safety of Texas peace officers.

The committee shall have seven members. The following members are hereby appointed to the Select Committee on Emerging Issues in Texas Law Enforcement: Fletcher, chair; Dukes, vice-chair; Flynn, Koop, Márquez, Martínez, and J. White.

February 4, 2015

Joe Straus
Speaker of the House

**PROCLAMATION BY THE SPEAKER
SELECT COMMITTEE ON
STATE AND FEDERAL POWER AND RESPONSIBILITY**

The speaker submitted the following proclamation:

Pursuant to Rule 1, Section 16 of the House Rules, I, Joe Straus, speaker of the Texas House of Representatives, create the Select Committee on State and Federal Power and Responsibility.

This committee shall monitor actions of the federal government, including federal legislation and regulations that require or advise that states take certain actions or pass legislation or the actions of the federal government in providing or failing to provide services to this state. The committee may assess the economic impact on the state of the federal government's actions or inactions. The committee shall also consider issues related to the federal budget and its impact on Texas. The committee shall examine unfunded federal mandates and their impact on the state. The committee shall also consider proposals to amend the United States Constitution.

The committee shall have seven members. The following members are hereby appointed to the Select Committee on State and Federal Power and Responsibility: P. King, chair; Workman, vice-chair; C. Anderson, Clardy, Miles, Parker, and Walle.

February 4, 2015

Joe Straus
Speaker of the House

ADJOURNMENT

In accordance with a previous motion, the house, at 3:53 p.m., adjourned until 2 p.m. Monday, February 9.

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. 3

HCR 50

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
Wednesday, February 4, 2015 - 1

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SCR 7 Whitmire

Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 4, 2015, and ending on Monday, February 9, 2015.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

ENROLLED

February 3 - HCR 50

SENT TO THE GOVERNOR

February 3 - HCR 44, HCR 48

