

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-NINTH DAY — THURSDAY, MARCH 26, 2015

The house met at 10:02 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 94).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; 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; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; 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 — Fallon.

Absent — Deshotel; McClendon.

The speaker recognized Representative Raney who introduced Reverend Rick Sitton, senior pastor, First United Methodist Church, Bryan, who offered the invocation as follows:

Sovereign God, who governs in the affairs of all humanity and who has granted us our inalienable rights of life, liberty, and the pursuit of happiness. With hearts filled with thanksgiving, we humbly acknowledge your countless blessings. Blessed be your glorious name in the land of liberty and the Lone Star State.

We thank you for blessing Texas with fruitful land and prosperous people—from Orange to El Paso, from Texarkana to Matagorda Island, from the plains of the Panhandle to the waters of the Gulf Coast, from Big Bend to the Brazos Valley, and from the big cities to the small towns in between. We thank

you for hardworking men and women that sustain the engine of this state's economy—for entrepreneurs, for small business owners, for big businesses, for those who serve in the professions of healing; for farmers, ranchers, and all workers who bring bountiful food to our table. We thank you for all of our schools—private, public, and home schools—and teachers entrusted to educate the next generation. We pray for our children and wise decisions made in this Capitol about their future.

We confess that we have fallen short in so many ways from our first civic duty to govern ourselves with righteousness. Lord, in your mercy, forgive our sins against you and our fellow citizens. We trust you will bless us if we acknowledge you in all our ways, and we acknowledge that you will be just in withholding blessings when we turn from following your ways revealed in your holy word.

We humbly ask your protection upon all Texans who put on a uniform of any kind to protect and serve. We humbly ask your blessing upon our governor, these elected leaders, their staffs, and all those who represent us in local government striving for the common good of our state. Since they have been called to serve, compel them to seek wisdom to conduct their affairs with the utmost honor.

Strengthen us in our actions to show a heart of compassion for those who suffer brokenness in their lives, broken homes, chronic disease, mental illness, and natural disasters. Encourage us to seek justice, to do mercy, and to have the courage of our convictions to stand against evil, to stand up for those who are oppressed and for those not yet born so that all you have created may have a future and a hope. Incite us to be good samaritans who show the amazing grace of God to every soul no matter the color of their skin or the differences in our creeds. Inspire us to love our neighbor as ourselves and to love you with all of our heart so that we may fulfill our purpose to glorify you by living honorably in this blessed State of Texas. In the name of Jesus Christ, the Lord, who is and who was and who is to come. Amen.

The speaker recognized Representative Stephenson 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:

Fallon on motion of Rinaldi.

CAPITOL PHYSICIAN

The speaker recognized Representative Cyrier who presented Dr. Rayford Mitchell of Karnes City as the "Doctor for the Day."

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

(Márquez in the chair)

LEAVES OF ABSENCE GRANTED

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

Laubenberg on motion of Sheets.

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

McClendon on motion of Allen.

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

Dukes on motion of Alvarado.

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).

LEAVE OF ABSENCE GRANTED

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

Hughes on motion of Frank.

**HR 1212 - ADOPTED
(by Fletcher)**

Representative Fletcher moved to suspend all necessary rules to take up and consider at this time **HR 1212**.

The motion prevailed.

The following resolution was laid before the house:

HR 1212, Recognizing March 26, 2015, as K9s4COPS Day at the State Capitol.

HR 1212 was adopted.

On motion of Representative Fletcher, the names of all the members of the house were added to **HR 1212** as signers thereof.

INTRODUCTION OF GUEST

The chair recognized Representative Fletcher who introduced Kristi Schiller, founder of K9s4COPS.

**HR 1291 - ADOPTED
(by Kacal)**

Representative Kacal moved to suspend all necessary rules to take up and consider at this time **HR 1291**.

The motion prevailed.

The following resolution was laid before the house:

HR 1291, Congratulating Stephanie Simpson on her selection as a 2015 Woman of the Year candidate by the South Central Texas Chapter of the Leukemia and Lymphoma Society.

HR 1291 was adopted.

HR 828 - PREVIOUSLY ADOPTED
(by Villalba)

The chair laid out the following previously adopted resolution:

HR 828, Recognizing March 26, 2015, as Texas Jewish Communities Advocacy Effort Day at the State Capitol.

On motion of Representative Koop, the names of all the members of the house were added to **HR 828** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Villalba who introduced participants in Texas Jewish Communities Advocacy Effort Day.

HR 1529 - ADOPTED
(by Paddie)

Representative Paddie moved to suspend all necessary rules to take up and consider at this time **HR 1529**.

The motion prevailed.

The following resolution was laid before the house:

HR 1529, Recognizing March 26, 2015, as Texas Mining and Reclamation Association Day at the Capitol.

HR 1529 was adopted.

HR 1439 - ADOPTED
(by Anchia)

Representative Anchia moved to suspend all necessary rules to take up and consider at this time **HR 1439**.

The motion prevailed.

The following resolution was laid before the house:

HR 1439, Expressing condemnation of all forms of anti-Semitism.

HR 1439 was adopted.

On motion of Representatives Koop, Villalba, and C. Anderson, the names of all the members of the house were added to **HR 1439** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Anchia who introduced representatives of the American Jewish Committee.

HR 343 - PREVIOUSLY ADOPTED
(by Craddick)

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

HR 343, In memory of former state representative Richard Floyd "Dick" Reynolds of Richardson.

On motion of Representative Smithee, the names of all the members of the house were added to **HR 343** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Craddick who introduced family members and friends of the Honorable Richard Floyd "Dick" Reynolds.

COMMITTEES GRANTED PERMISSION TO MEET

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

Permission to meet was granted.

HR 1489 - ADOPTED
(by D. Miller)

Representative D. Miller moved to suspend all necessary rules to take up and consider at this time **HR 1489**.

The motion prevailed.

The following resolution was laid before the house:

HR 1489, Commemorating the 170th anniversary of First Protestant Church of New Braunfels.

HR 1489 was adopted.

On motion of Representative D. Miller, the names of all the members of the house were added to **HR 1489** as signers thereof.

HR 1546 - ADOPTED
(by M. White)

Representative M. White moved to suspend all necessary rules to take up and consider at this time **HR 1546**.

The motion prevailed.

The following resolution was laid before the house:

HR 1546, Congratulating Ed Bandas on being named retail development coordinator of the City of Belton.

HR 1546 was adopted.

On motion of Representative Sheets, the names of all the members of the house were added to **HR 1546** as signers thereof.

HR 1547 - ADOPTED
(by M. White)

Representative M. White moved to suspend all necessary rules to take up and consider at this time **HR 1547**.

The motion prevailed.

The following resolution was laid before the house:

HR 1547, Recognizing the participants, volunteers, civic leaders, and public servants who helped make The Army Marathon III a success.

HR 1547 was adopted.

On motion of Representative Sheets, the names of all the members of the house were added to **HR 1547** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative M. White who introduced representatives of The Army Marathon III.

HR 1574 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 1574**.

The motion prevailed.

The following resolution was laid before the house:

HR 1574, In memory of Vernon Broadus, Jr., of Dallas.

HR 1574 was unanimously adopted by a rising vote.

On motion of Representative Rose, the names of all the members of the house were added to **HR 1574** as signers thereof.

(Deshotel now present)

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 80 ON THIRD READING
(by Craddick, Cook, Lucio, Harless, Wu, et al.)

HB 80, A bill to be entitled An Act relating to the use of a portable wireless communication device while operating a motor vehicle; creating a criminal offense; modifying existing criminal penalties.

HB 80 was passed by (Record 95): 104 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Canales; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Darby; Davis, Y.; Farias; Farney; Farrar; Fletcher; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; King, K.; King, P.; King, S.; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez(C); Martinez; Martinez Fischer; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheets; Sheffield; Simmons; Smith; Smithee; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bell; Burns; Burrows; Capriglione; Dale; Davis, S.; Deshotel; Dutton; Elkins; Faircloth; Flynn; Frank; Guillen; Keffer; Keough; King, T.; Klick; Krause; Leach; Metcalf; Miles; Murphy; Paul; Phelan; Rinaldi; Schaefer; Schofield; Shaheen; Simpson; Spitzer; Springer; Stickland; Tindholt; Turner, E.S.; White, J.; White, M.; Wray; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused — Dukes; Fallon; Hughes; Laubenberg; McClendon.

POSTPONED BUSINESS

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

SB 293 ON SECOND READING (Isaac - House Sponsor)

SB 293, A bill to be entitled An Act relating to a clarification of the law governing eligibility of certain events for funding under the Major Events trust fund.

SB 293 was considered in lieu of **HB 900**.

SB 293 was read second time.

Amendment No. 1

Representatives Isaac, Parker, Button, Lucio, E. Rodriguez, and Villalba offered the following amendment to **SB 293**:

Amend **SB 293** (house committee report) as follows:

(1) On page 2, line 2, strike "5A(a)(5)" and substitute "5A(a)".
 (2) On page 2, line 4, between "law" and "on the", insert ", as amended by Chapter 1371 (**SB 1678**), Acts of the 83rd Legislature, Regular Session, 2013,".

(3) On page 2, line 7, strike "that Act" and substitute "**SB 1678**, 83rd Legislature, Regular Session, 2013,".

(4) On page 2, line 8, between "fund" and "are", insert a comma.

(Speaker in the chair)

SB 293 - POINT OF ORDER

Representative Simpson, pursuant to Rule 14, Section 1 of the House Rules, raised a point of order against further consideration of **SB 293** under Section 741.2 of Mason's Manual of Legislative Procedure and under Article I, Section 16 of the Texas Constitution on the grounds that the bill unconstitutionally creates an ex post facto or a retroactive law.

Representative Isaac moved to postpone consideration of **SB 293** until the end of today's calendar.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, 2:30 p.m. or upon final adjournment/recess Monday, March 30, E2.012, for a public hearing, to consider **HB 492**, **HB 1588**, **HB 2261**, **HB 2430**, and the previously posted agenda.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**SB 219 ON SECOND READING
(Price and Raymond - House Sponsors)**

SB 219, A bill to be entitled An Act relating to the provision of health and human services in this state, including the powers and duties of the Health and Human Services Commission and other state agencies, and the licensing of certain health professionals; clarifying certain statutory provisions; authorizing the imposition of fees.

SB 219 was considered in lieu of **HB 550**.

SB 219 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MARTINEZ FISCHER: Representative Price, is it the intent of the legislature that the changes in law made by this Act: clarify and update the Health and Human Services statutes to make the law more understandable and accessible, do not expand the authority of Health and Human Services agencies beyond the authority currently granted to those agencies in law, and do not constitute a change in policy relating to the provision of health and human services in this state. Is that your intent?

PRICE: I agree with that.

REMARKS ORDERED PRINTED

Representative Martinez Fischer moved to print remarks between Representative Price and Representative Martinez Fischer.

The motion prevailed.

SB 219 was passed to third reading.

HB 550 - LAID ON THE TABLE SUBJECT TO CALL

Representative Price moved to lay **HB 550** on the table subject to call.

The motion prevailed.

FIVE-DAY POSTING RULE SUSPENDED

Representative Raymond moved to suspend the five-day posting rule to allow the Committee on Human Services to consider **HB 873** at 2 p.m. or upon final adjournment/recess Monday, March 30 in E2.030.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 2 p.m. or upon final adjournment/recess Monday, March 30, E2.030, for a public hearing, to consider **HB 873** and the previously posted agenda.

FIVE-DAY POSTING RULE SUSPENDED

Representative Simmons moved to suspend the five-day posting rule to allow the Committee on Business and Industry to consider **HB 492**, **HB 1588**, **HB 2261**, and **HB 2430** at 2:30 p.m. or upon final adjournment/recess Monday, March 30 in E2.012.

The motion prevailed.

POSTPONED BUSINESS

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

SB 293 ON SECOND READING

(Isaac - House Sponsor)

SB 293, A bill to be entitled An Act relating to a clarification of the law governing eligibility of certain events for funding under the Major Events trust fund.

SB 293 was read second time earlier today, an amendment was offered, and **SB 293** was postponed until this time. A point of order was pending at the time of postponement.

SB 293 - POINT OF ORDER DISPOSITION

The speaker overruled the point of order and submitted the following statement:

Representative Simpson raised a point of order against further consideration of **SB 293** under Rule 14, Section 1 of the House Rules, Section 741.2 of Mason's Manual of Legislative Procedure (Mason's), and Article I, Section 16 of the Texas Constitution on the grounds that the bill unconstitutionally creates an ex post facto or a retroactive law. The point of order is respectfully overruled.

Representative Simpson argues that under Rule 14, Section 1, "If the rules are silent or inexplicit on any question of order or parliamentary practice, the Rules of the House of Representatives of the United States Congress, and its practice as reflected in published precedents, and Mason's Manual of Legislative Procedure shall be considered as authority." See Rule 14, Section 1 of the House Rules. Representative Simpson argues that the House Rules are silent in resolving issues related to bills with a retroactive effect and that no published precedent cited "in the distributed copy of the Texas House Rules. . .speaks to the subject. . ." Representative Simpson further argues that because no authority exists from the Rules of the House of Representatives of the United States Congress or related published precedent, Mason's governs with respect to retroactive legislation. Specifically, Representative Simpson argues Mason's indicates that "Different parts of the same statute may go into effect at different times unless prohibited by constitutional provisions." MASON'S MANUAL OF LEGISLATIVE PROCEDURE § 741.2 (2000). Finally, Representative Simpson argues that Article I, Section 16 of the Texas Constitution states that "no bill of. . .retroactive law. . .shall be made." TEX. CONST. art. I, § 16. Representative Simpson asserts that Section 2 of **SB 293**—providing that the amendment at issue would apply to events dating back to legislation enacted during the 76th Legislative Session—creates an ex post facto or retroactive law and that the presiding officer should rule the provision in violation of the Texas Constitution.

The chair has reviewed the three sections of the bill, the authority cited by Representative Simpson, and other precedents of the House Rules. The House Rules are not silent on the issues raised by Representative Simpson. House Rules and practice are set out in the first explanatory note to Rule 1, Section 9, which states: "Through many sessions, the speakers have followed the plan of refusing to rule on constitutional points not related to legislative procedure, of ruling on constitutional procedural points where no doubt exists, or, where doubt exists, either submitting the points to the house for determination or overruling the points directly then passing them on to the house for determination, in effect, on the vote involved." See Rule 1, Section 9 of the House Rules; e.g., 83 H.J. Reg. 1093 (2013) (Isaac point of order on **CSHB 5**) ("The point of order is overruled because this assertion constitutes a substantive constitutional challenge. . .rather than a challenge to the house's procedures allowed by the House Rules or the Constitution by which a bill. . .is being considered. The chair continues its longstanding practice of respectfully declining to rule on this point."); 62 H.J. Reg. 2845 (1971) (Hale point of order on **HB 556**). Because the point of order against further consideration of **SB 293** raised a substantive constitutional challenge, it is outside the scope of the points of order upon which the speaker must rule. In conformity with the long tradition of the house, and pursuant to Rule 1, Section 9 of the House Rules and its related precedent, the point of order was respectfully overruled.

Amendment No. 1 was adopted.

SB 293, as amended, was passed to third reading by (Record 96): 112 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Button; Canales; Capriglione; Coleman; Collier; Cook; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Larson; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; Metcalf; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheets; Sheffield; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wu; Zedler.

Nays — Ashby; Bonnen, G.; Burrows; Clardy; Craddick; Elkins; Faircloth; Geren; Goldman; Kacal; Klick; Krause; Landgraf; Murr; Phillips; Rinaldi; Sanford; Schaefer; Shaheen; Simpson; Spitzer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; White, J.; White, M.; Wray.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Fallon; Hughes; Laubenberg; McClendon.

Absent — Gutierrez; Meyer; Zerwas.

STATEMENTS OF VOTE

When Record No. 96 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 96 was taken, I was shown voting no. I intended to vote yes.

Faircloth

When Record No. 96 was taken, I was shown voting no. I intended to vote yes.

Kacal

When Record No. 96 was taken, I was shown voting yes. I intended to vote no.

S. King

When Record No. 96 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

HB 900 - LAID ON THE TABLE SUBJECT TO CALL

Representative Isaac moved to lay **HB 900** on the table subject to call.

The motion prevailed.

(Kacal in the chair)

SB 219 ON THIRD READING
(Price and Raymond - House Sponsors)
CONSTITUTIONAL RULE SUSPENDED

Representative Price moved to suspend the constitutional rule requiring bills to be read on three several days and to place **SB 219** on its third reading and final passage.

The motion prevailed by (Record 97): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycocock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal(C); Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martínez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; 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.

Absent, Excused — Dukes; Fallon; Hughes; Laubenberg; McClendon.

Absent — Stickland; Tinderholt.

The chair laid **SB 219** before the house on its third reading and final passage.

SB 219 was read third time and was passed by (Record 98): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycocock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal(C); Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martínez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller,

R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; 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.

Absent, Excused — Dukes; Fallon; Hughes; Laubenberg; McClendon.

CONGRATULATORY AND MEMORIAL CALENDAR

On motion of Representative Alvarado and by unanimous consent, the house agreed to dispense with the reading of the resolutions on the congratulatory calendar, with the understanding that the resolutions will be recorded in the journal.

HR 1171 (by Smith and M. White), Congratulating Eloise Smith Wilson of Bell County on her 90th birthday.

HR 1173 (by Flynn), Recognizing the 26th annual Conference of the Texas Association of Public Employee Retirement Systems taking place March 29 through April 1, 2015.

HR 1175 (by C. Turner), Congratulating Dr. Marva T. Dixon of Grand Prairie on her induction into the African American Education Archives and History Program Hall of Fame.

HR 1176 (by Riddle), Congratulating Alex Elliott of Plano on his Bar Mitzvah.

HR 1177 (by Farney), Congratulating Ward Roddam on being named Rockdale Volunteer Fire Department Firefighter of the Year.

HR 1178 (by Farney), Congratulating Jody Tillery on being named Rockdale Police Department Officer of the Year.

HR 1179 (by Farney), Congratulating Jason Edmondson on being named the 2015 Outstanding Youth of the Year by the Burnet Chamber of Commerce.

HR 1180 (by Farney), Congratulating Darrell Debo for receiving the 2014 Distinguished Service Award from the Burnet County Historical Commission.

HR 1181 (by Farney), Congratulating Liberty Hill High School head football coach Jerry Vance on being named the Class 4A Coach of the Year by Dave Campbell's Texas Football magazine.

HR 1182 (by Farney), Congratulating Leona Williams on being named the 2015 Senior Citizen of the Year by the Burnet Chamber of Commerce.

HR 1183 (by Farney), Congratulating the State Farm office of Gary Wideman on being named the Small Business of the Year by the Burnet Chamber of Commerce.

HR 1184 (by Farney), Congratulating Darlene Denton on being named the 2015 Citizen of the Year by the Burnet Chamber of Commerce.

HR 1185 (by C. Anderson), Congratulating Frank and Juanita Brown of Waco on their 75th wedding anniversary.

HR 1186 (by C. Anderson), Commending Keric Donahue-Perez of Alta Vista Elementary School on his honesty and integrity.

HR 1188 (by Herrero), Commemorating the 80th anniversary of the CITGO Corpus Christi Refinery.

HR 1190 (by R. Anderson), Congratulating Cullen Corr of Irving on his selection as one of the top two youth volunteers in the state by the 2015 Prudential Spirit of Community Awards program.

HR 1192 (by Muñoz), Honoring the members of the Hidalgo Independent School District Board of Trustees on the occasion of School Board Recognition Month.

HR 1193 (by Muñoz), Honoring the members of the Sharyland Independent School District Board of Trustees on the occasion of School Board Recognition Month.

HR 1199 (by Moody), Honoring the Woodworkers Club of El Paso for its contributions to the community.

HR 1200 (by Moody), Commemorating the birth of Amina Shyree Bosworth of El Paso.

HR 1201 (by C. Anderson), Congratulating Miranda Torres on her scholarly accomplishments.

HR 1202 (by Craddick), Congratulating Carroll and Wanda Straley of Welch on their 50th wedding anniversary.

HR 1203 (by C. Anderson), Congratulating Darrell and Janie Allen on their 50th wedding anniversary.

HR 1204 (by C. Anderson), Commemorating the grand opening of the new public safety facility in Hewitt.

HR 1206 (by Muñoz), Congratulating the Mission Nursing and Rehabilitation Center on earning recognition as part of the American Health Care Association/National Center for Assisted Living Quality Initiative.

HR 1211 (by Metcalf), Commending the 100 Club, headquartered in Houston, for its support of law enforcement officers and firefighters and their families.

HR 1216 (by Lucio), Commending Travis Arroyo of Hendrickson High School in Pflugerville for his academic and extracurricular achievements.

HR 1217 (by Harless), Recognizing April 16, 2015, as Texas Federation of Republican Women Day at the State Capitol.

HR 1219 (by Harless), Congratulating the Cypress Ranch High School football team on its successful 2014 season.

HR 1222 (by Herrero), Congratulating Libby Averyt of the Corpus Christi Caller-Times for being promoted to vice president regional publisher of the Journal Media Group.

HR 1223 (by Guillen), Paying tribute to the lives and achievements of Maria Elena and Arnoldo Alaniz of Benavides.

HR 1224 (by Farney), Congratulating Robert Stoss on his retirement as assistant principal at Liberty Hill High School.

HR 1225 (by Villalba), Congratulating the Lake Highlands Wildcat Wranglers on their participation in the 2015 London New Year's Day Parade.

HR 1226 (by Farney), Congratulating Daniel E. Garcia on his appointment as auxiliary bishop for the Catholic Diocese of Austin.

HR 1227 (by Herrero), Congratulating Sheila Nellis of the Corpus Christi Caller-Times on winning an American Advertising Federation Corpus Christi Chapter's Big Wigs Award.

HR 1228 (by Herrero), Congratulating Benjamin Blackwell of the Corpus Christi Caller-Times on winning an American Advertising Federation Corpus Christi Chapter's Big Wigs Award.

HR 1229 (by Herrero), Honoring the Food Bank of Corpus Christi for its service.

HR 1231 (by Herrero), Congratulating students at Calallen Middle School on their performance in regional science fair competition.

HR 1232 (by Herrero), Commemorating the 16th annual César Chávez Marcha in Corpus Christi.

HR 1233 (by Herrero), Congratulating the Class of 2015 at West Oso High School in Corpus Christi on their graduation.

HR 1234 (by Herrero), Congratulating the Class of 2015 at Banquete High School on their graduation.

HR 1235 (by Herrero), Congratulating the Class of 2015 at Agua Dulce High School on their graduation.

HR 1236 (by Herrero), Congratulating the Class of 2015 at Tuloso-Midway High School in Corpus Christi on their graduation.

HR 1237 (by Herrero), Congratulating the Class of 2015 at Robstown High School on their graduation.

HR 1238 (by Herrero), Congratulating the Class of 2015 at Bishop High School on their graduation.

HR 1239 (by Herrero), Congratulating the Class of 2015 at Foy H. Moody High School in Corpus Christi on their graduation.

HR 1240 (by Herrero), Congratulating the Class of 2015 at W. B. Ray High School in Corpus Christi on their graduation.

HR 1241 (by Herrero), Congratulating the Class of 2015 at Richard King High School in Corpus Christi on their graduation.

HR 1242 (by Herrero), Congratulating the Class of 2015 at Roy Miller High School and Metro School of Design in Corpus Christi on their graduation.

HR 1243 (by Herrero), Congratulating the Class of 2015 at Mary Carroll High School in Corpus Christi on their graduation.

HR 1244 (by Herrero), Congratulating the Class of 2015 at Calallen High School in Corpus Christi on their graduation.

HR 1248 (by J. White), Congratulating Tandy Boyd of Buna High School on receiving the Golden Apple Educator Award presented by Education First Federal Credit Union.

HR 1249 (by J. White), Congratulating Dorcas T. Bullock of the Alabama-Coushatta Indian Reservation on her 95th birthday.

HR 1251 (by Craddick), Recognizing Mount Zion Baptist Church in Crane on its 70th anniversary.

HR 1253 (by Hunter), Congratulating Captain Dana Lechner on being named the Corpus Christi Fire Department 2015 Firefighter of the Year.

HR 1255 was previously adopted.

HR 1257 (by Israel), Congratulating the Pflugerville Chamber of Commerce on its 30th anniversary.

HR 1259 (by Herrero), Commemorating the 40th anniversary of the Texas State Museum of Asian Cultures and Education Center in Corpus Christi.

HR 1262 (by Herrero), Commemorating the 50th anniversary of Charlie's Place Recovery Center in Corpus Christi.

HR 1272 (by Anchia), Commemorating the eighth annual Pink Soles in Motion BBQ Cook-off for the Cure.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

HCR 86 (by Smithee), In memory of Amarillo City Council member James Harold Simms.

HCR 87 (by Smithee), In memory of Gene Earl Parker of Amarillo.

HCR 88 (by Moody), In memory of El Paso Constable Robert Parker White.

HR 1172 (by Smith), In memory of Jones Odell Smith of Midland.

HR 1174 (by Huberty), In memory of Barbara Jordan of Kingwood.

HR 1189 (by R. Anderson), In memory of Dr. John F. Townley, former superintendent of the Irving Independent School District.

HR 1195 (by Wray), In memory of Don F. Essary of Ennis.

HR 1196 (by S. King), In memory of James Henderson Strain of Abilene.

HR 1197 (by S. King), In memory of Violet E. Hames Law of Tye.

HR 1198 (by Flynn), In memory of Mike Higgins of Austin, chief of staff of the Texas State Association of Fire Fighters.

HR 1208 (by Guillen), In memory of former Raymondville mayor and Willacy County judge Eustolio "Tolo" Gonzales.

HR 1213 (by Farney), In memory of Denise Rosalyn Davis Hopkins of Liberty Hill.

HR 1214 (by Farney), In memory of Mason Carter Davidson.

HR 1218 (by Harless), In memory of Roy Dowell Hailey of Houston.

HR 1230 (by Herrero), In memory of Jimmy Wayne Granderson of Robstown.

HR 1246 (by Oliveira), In memory of Elvis Hernandez of Brownsville.

HR 1258 (by Y. Davis), In memory of Cecil Earnestine Anderson of Dallas.

HR 1260 (by Riddle), In memory of former Ponderosa Fire Department fire chief John Peter O'Gorman.

HR 1261 (by Guillen), In memory of Horacio Paul Guerra III of Rio Grande City.

The resolutions were unanimously adopted by a rising vote.

PROVIDING FOR ADJOURNMENT

At 12:23 p.m., Representative Craddick moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 2 p.m. Monday, March 30 in memory of the Honorable Richard Floyd "Dick" Reynolds of Richardson.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES CORRECTIONS IN REFERRAL

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. 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.)

(Naishtat in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 4:07 p.m. Friday, March 27, adjourned until 2 p.m. Monday, March 30.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 1748 (By Riddle), Relating to the use of public locker rooms, shower facilities, and toilet facilities; creating a criminal offense.

To State Affairs.

HB 1838 (By Sanford), Relating to the provision of a plan regarding the elimination of toll roads.

To Transportation.

HB 2062 (By Raymond), Relating to false claims against the state and actions by the state and private persons to prosecute those claims; providing a civil penalty.

To Judiciary and Civil Jurisprudence.

HB 3010 (By Simmons), Relating to the consideration of ownership interests of certain persons with disabilities in determining whether a business is a historically underutilized business for purposes of state contracting.

To State Affairs.

HB 3301 (By E. Rodriguez), Relating to the recognition of state citizenship and the issuance of state identification cards, driver's licenses, and occupational licenses to state residents regardless of their immigration status.

To State Affairs.

HB 3448 (By S. Davis), Relating to the powers and duties of the Texas Ethics Commission; creating a criminal offense.

To State Affairs.

HB 3646 (By Smithee), Relating to insurance claims and certain prohibited acts and practices in or in relation to the business of insurance; amending provisions that are or may be subject to a criminal penalty.

To Insurance.

HB 3784 (By Parker), Relating to prohibited practices regarding unauthorized recordings.

To Business and Industry.

HB 3864 (By Sanford, Krause, R. Miller, and Keough), Relating to protection of the rights of conscience for child welfare services providers.

To Juvenile Justice and Family Issues.

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

HB 618 (By J. White), Relating to eligibility for course credit and high school diplomas of students enrolled in educational programs provided by the Windham School District in the Texas Department of Criminal Justice.

To Corrections.

HB 1006 (By Y. Davis), Relating to the preference given by state agencies to goods offered by bidders in this state or manufactured, produced, or grown in this state or in the United States.

To State Affairs.

HB 1007 (By Y. Davis), Relating to the purchase of iron, steel, and manufactured goods made in the United States for certain state, state-aided, and governmental entity construction projects.

To State Affairs.

HB 3409 (By Huberty), Relating to eligibility for course credit and high school diplomas of students enrolled in educational programs provided by the Windham School District in the Texas Department of Criminal Justice.

To Corrections.

HB 3823 (By Price), Relating to rate-setting and data collection processes under the program of all-inclusive care for the elderly.

To Human Services.

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, March 26, 2015

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:

SB 7 Nelson
Relating to the computation of and to decreasing the rates of the franchise tax.

SJR 1 Nelson
Proposing a constitutional amendment providing for an exemption from ad valorem taxation for public school purposes of a portion of the market value of a residence homestead based on the median market value of all residence

homesteads in the state, providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for those purposes on the homestead of an elderly or disabled person to reflect the increased exemption amount, providing that an appropriation of state tax revenues to protect school districts against the resulting revenue loss is not an appropriation of state tax revenues dedicated by the constitution for purposes of the restriction on the rate of growth of appropriations from undedicated state tax revenues, authorizing the legislature to prohibit a political subdivision that has adopted an optional residence homestead exemption from reducing the amount of or repealing the exemption, and prohibiting the imposition or collection of a tax on the conveyance of an interest in real property.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 25

Culture, Recreation, and Tourism - **HB 801, HB 988, HB 1579, HCR 52, HR 937**

Homeland Security and Public Safety - **HB 554**

Judiciary and Civil Jurisprudence - **HB 968, HB 1122**

Pensions - **HB 442, HB 1278**

Urban Affairs - **HB 217, HB 897, HB 1186**

ENGROSSED

March 25 - HB 441