

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, FIRST CALLED SESSION

PROCEEDINGS

FOURTH DAY — MONDAY, JULY 24, 2017

The house met at 2 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 4).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Bell.

The speaker recognized Representative Moody who offered the invocation.

The speaker recognized Representative Metcalf 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:

Bell on motion of J. Johnson.

CAPITOL PHYSICIAN

The speaker recognized Representative Israel who presented Dr. Larry Kravitz of Austin as the "Doctor for the Day."

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

(Roberts in the chair)

REGULAR ORDER OF BUSINESS SUSPENDED

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

RESOLUTIONS ADOPTED

Representative Kacal moved to suspend all necessary rules to take up and consider at this time the following congratulatory resolutions.

The motion prevailed.

The following resolutions were laid before the house:

HR 38 (by Anchia), Recognizing June 29, 2018, as Basque American Day.

HR 39 (by Uresti), Honoring Matthew Anthony Rocha of San Antonio on his graduation from McCollum High School.

The resolutions were adopted.

On motion of Representative Kacal, the names of all the members of the house were added to the resolutions as signers thereof, with the understanding that a member may remove his or her name from any resolution.

HR 39 - INTRODUCTION OF GUESTS

The chair recognized Representative Uresti who introduced Matthew Anthony Rocha and members of his family.

(Speaker in the chair)

GENERAL STATE CALENDAR

HOUSE BILLS

SECOND READING

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

HB 1 ON SECOND READING

(by Gonzales, Burkett, Raymond, Flynn, and S. Thompson)

HB 1, A bill to be entitled An Act relating to avoiding the abolishment of certain agencies subject to the Texas Sunset Act on September 1, 2017.

HB 1 was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Anchia requested permission for the Committee on International Trade and Intergovernmental Affairs to meet while the house is in session, at 3 p.m. today, in 3W.9, to consider **HCR 19**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

International Trade and Intergovernmental Affairs, 3 p.m. today, 3W.9, for a formal meeting, to consider **HCR 19**.

PROVIDING FOR ADJOURNMENT

At 2:39 p.m., Representative Cook moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

(Anchia in the chair)

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Clardy in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 2:58 p.m., adjourned until 10 a.m. tomorrow.

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 5 (By D. Bonnen), Relating to a limitation on increases in the appraised value for ad valorem tax purposes of commercial or industrial real property.

To Ways and Means.

HB 10 (By Walle and S. Davis), Relating to maternal morbidity and pregnancy-related deaths.

To Public Health.

HB 28 (By Ortega), Relating to the membership of the Maternal Mortality and Morbidity Task Force.

To Public Health.

HB 126 (By S. Thompson), Relating to the requirement and study of insurance coverage for serious emotional disturbance of a child.

To Insurance.

HB 141 (By Paul), Relating to the governance and operation of municipal management districts.

To Urban Affairs.

HB 162 (By Springer), Relating to liability for the additional tax imposed on land appraised for ad valorem tax purposes as agricultural land if the use of the land changes as a result of a condemnation.

To Agriculture and Livestock.

HB 164 (By Workman), Relating to the issuance of a permit by a political subdivision.

To State Affairs.

HB 188 (By Bell), Relating to limiting the applicability of municipal and county regulations affecting real property.

To Land and Resource Management.

HB 214 (By Smithee, Phillips, G. Bonnen, and D. Bonnen), Relating to health plan and health benefit plan coverage for elective abortion.

To State Affairs.

HB 223 (By Springer), Relating to the eligibility of land used as an ecological laboratory for appraisal for ad valorem tax purposes as qualified open-space land.

To Agriculture and Livestock.

HB 238 (By Larson), Relating to restrictions on certain contributions by persons appointed to public office by the governor; creating a criminal offense.

To General Investigating and Ethics.

HB 249 (By Phillips), Relating to the additional tax imposed on land appraised for ad valorem tax purposes as qualified open-space land if a change in use of the land occurs.

To Agriculture and Livestock.

HB 251 (By Phillips), Relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land on the basis of its use for wildlife management.

To Agriculture and Livestock.

HB 253 (By Simmons), Relating to public school finance, including the establishment of a tax credit scholarship and educational expense assistance program.

To Public Education.

HB 260 (By Martinez), Relating to a cost-of-living increase applicable to benefits paid by the Teacher Retirement System of Texas.

To Pensions.

HB 263 (By Collier), Relating to the composition of the student body of an open-enrollment charter school.

To Public Education.

HB 264 (By Hinojosa), Relating to the admission policy of an open-enrollment charter school.

To Public Education.

HB 265 (By Turner), Relating to the prosecution of the offenses of sexual assault and aggravated sexual assault.

To Criminal Jurisprudence.

HB 266 (By Muñoz), Relating to the selection of the board of directors of an appraisal district; authorizing the imposition of a fee.

To Ways and Means.

HB 267 (By Fallon), Relating to the days and hours early voting is conducted at a temporary branch early voting polling place.

To Elections.

HB 268 (By Fallon), Relating to the making and acceptance of political contributions during a special legislative session; creating a criminal offense.

To General Investigating and Ethics.

HB 269 (By Fallon), Relating to the use of a mobile phone by a person near a polling place.

To Elections.

HB 270 (By Hinojosa), Relating to the salary paid to classroom teachers and other professional employees employed by public schools; making an appropriation.

To Appropriations.

HB 271 (By Fallon), Relating to restrictions on employment of former members of the state legislature.

To General Investigating and Ethics.

HB 272 (By Koop), Relating to the creation of a state financing program administered by the Texas Public Finance Authority to assist school districts with certain expenses; granting authority to issue bonds or other obligations.

To Public Education.

HB 273 (By Schubert), Relating to the small-sized district adjustment under the Foundation School Program.

To Public Education.

HB 274 (By Schubert), Relating to the extension of additional state aid for tax reduction provided to certain school districts.

To Public Education.

HB 275 (By Ashby), Relating to extensions of an expired permit for the transfer of groundwater from a groundwater conservation district.

To Natural Resources.

HB 276 (By E. Thompson), Relating to an assessment of the safety and regulation of municipal solid waste facilities.

To Environmental Regulation.

HB 277 (By Larson), Relating to the duty of the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery.

To Natural Resources.

HB 278 (By Reynolds), Relating to the preference given by state agencies for certain goods and services produced or offered by small businesses.

To Economic and Small Business Development.

HB 279 (By Reynolds), Relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

To Elections.

HB 280 (By Fallon), Relating to the proof of citizenship or lawful presence in the United States required for the issuance of a driver's license.

To State Affairs.

HJR 2 (By D. Bonnen), Proposing a constitutional amendment to authorize the legislature to limit increases in the appraised value of commercial or industrial real property for ad valorem tax purposes.

To Ways and Means.

HJR 21 (By Darby), Proposing a constitutional amendment abolishing school district maintenance and operations ad valorem taxes.

To Ways and Means.

HJR 31 (By Shine), Proposing a constitutional amendment to restrict the power of the legislature to mandate requirements on a municipality or county.

To State Affairs.

HCR 16 (By Raymond), Urging the U.S. Congress to propose and submit to the states for ratification a federal balanced budget amendment to the U.S. Constitution.

To Select State and Federal Power and Responsibility.

HCR 17 (By Reynolds), Urging Congress to preserve the Patient Protection and Affordable Care Act.

To Select State and Federal Power and Responsibility.

HCR 18 (By Herrero), Urging Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.

To Select State and Federal Power and Responsibility.

HCR 20 (By Darby), Taking notice that Gulf Energy Exploration Corp. has been fully compensated for the wrongful plugging of State Tract 708-S No. 5.

To Energy Resources.

HR 59 (By Cain), Commemorating the Cody Stephens "Go Big or Go Home" Memorial Foundation fund-raiser.

To Rules and Resolutions.

HR 60 (By Cain), In memory of John Anthony Crianza II of Baytown.

To Rules and Resolutions.

HR 61 (By Morrison), Commemorating the 35th anniversary of KAVU-TV in Victoria.

To Rules and Resolutions.

HR 62 (By Burrows), In memory of Dwayne Clanton of Lubbock.

To Rules and Resolutions.

HR 63 (By Huberty), In memory of Linda Adkins Ramsey of Baytown.

To Rules and Resolutions.

HR 64 (By Lucio), Honoring Officer Gerry Lopez of the Port Isabel Police Department for saving the life of an infant.

To Rules and Resolutions.

HR 65 (By Wray), In memory of Symon Castillo of Ennis.

To Rules and Resolutions.

HR 66 (By Lucio), Commending the City of Harlingen and Harlingen CISD for funding all-inclusive playgrounds at Pendleton and Victor Parks.

To Rules and Resolutions.

HR 67 (By Price), Congratulating Nan Porter on her graduation from the U.S. Military Academy at West Point.

To Rules and Resolutions.

HR 68 (By Price), In memory of Pamela Kaye Washington of Austin.

To Rules and Resolutions.

HR 69 (By Price), Congratulating Charity Perry and Cutter Babcock of Groom High School on earning Honorable Mention All-Star Cast recognition at the 2016-2017 UIL One-Act Play State Meet.

To Rules and Resolutions.

HR 70 (By Gooden), Commemorating the 100th homecoming of the Ables Springs Cemetery.

To Rules and Resolutions.

HR 71 (By Price), Congratulating Hadley Freeman of White Deer High School on winning a bronze medal in the Class 1A boys' pole vault at the 2017 UIL Track & Field State Meet.

To Rules and Resolutions.

HR 72 (By Muñoz), Congratulating Robert J. Gonzalez of Mission on his retirement as a supervisor from U.S. Customs and Border Protection.

To Rules and Resolutions.

HR 73 (By Price), Congratulating Holden Archer, valedictorian of the Amarillo High School Class of 2017.

To Rules and Resolutions.

HR 74 (By Price), Congratulating Murfi Pergrem, salutatorian of the Amarillo High School Class of 2017.

To Rules and Resolutions.

HR 75 (By Price), Congratulating Ethan Mickna, valedictorian of the Ascension Academy Class of 2017.

To Rules and Resolutions.

HR 76 (By Price), Congratulating William Aiden Skidmore-Farren, salutatorian of the Ascension Academy Class of 2017.

To Rules and Resolutions.

HR 77 (By Price), Congratulating Kylee Lynn Ramsay, valedictorian of the Borger High School Class of 2017.

To Rules and Resolutions.

HR 78 (By Price), Congratulating Victoria Michelle Nunez, salutatorian of the Borger High School Class of 2017.

To Rules and Resolutions.

HR 79 (By Price), Congratulating Lillian Rose Cogburn, valedictorian of the Bushland High School Class of 2017.

To Rules and Resolutions.

HR 80 (By Price), Congratulating Morgan Hooker, salutatorian of the Bushland High School Class of 2017.

To Rules and Resolutions.

HR 81 (By Price), Congratulating Andrea Aguirre, valedictorian of the Caprock High School Class of 2017.

To Rules and Resolutions.

HR 82 (By Price), Congratulating Brianna Mendoza, valedictorian of the Dumas High School Class of 2017.

To Rules and Resolutions.

HR 83 (By Price), Congratulating Jayden P. Medrano, salutatorian of the Dumas High School Class of 2017.

To Rules and Resolutions.

HR 84 (By Price), Congratulating Carson Ritter, valedictorian of the Groom High School Class of 2017.

To Rules and Resolutions.

HR 85 (By Price), Congratulating Caroline Britten, salutatorian of the Groom High School Class of 2017.

To Rules and Resolutions.

HR 86 (By Price), Congratulating Merry Nguyen, valedictorian of the Highland Park High School Class of 2017.

To Rules and Resolutions.

HR 87 (By Price), Congratulating Makenzie Nicholas, salutatorian of the Highland Park High School Class of 2017.

To Rules and Resolutions.

HR 88 (By Price), Congratulating Kayla Wilhelm, valedictorian of the Holy Cross Catholic Academy Class of 2017.

To Rules and Resolutions.

HR 89 (By Price), Congratulating Andrea Wallace, salutatorian of the Holy Cross Catholic Academy Class of 2017.

To Rules and Resolutions.

HR 90 (By Price), Congratulating John Nguyen, valedictorian of the Palo Duro High School Class of 2017.

To Rules and Resolutions.

HR 91 (By Price), Congratulating Kityana Ogoke Diaz, salutatorian of the Palo Duro High School Class of 2017.

To Rules and Resolutions.

HR 92 (By Price), Congratulating Hunter René Heck, valedictorian of the Panhandle High School Class of 2017.

To Rules and Resolutions.

HR 93 (By Price), Congratulating Kendra Dawn Brown, salutatorian of the Panhandle High School Class of 2017.

To Rules and Resolutions.

HR 94 (By Price), Congratulating Autumn Graf, valedictorian of the River Road High School Class of 2017.

To Rules and Resolutions.

HR 95 (By Price), Congratulating Ryan Clark, salutatorian of the River Road High School Class of 2017.

To Rules and Resolutions.

HR 96 (By Dale), Commemorating the 150th anniversary of the Republican Party of Texas.

To Rules and Resolutions.

HR 97 (By Price), Congratulating Katharine Tyson, valedictorian of the San Jacinto Christian Academy Class of 2017.

To Rules and Resolutions.

HR 98 (By Price), Congratulating Delaney Needham, salutatorian of the San Jacinto Christian Academy Class of 2017.

To Rules and Resolutions.

HR 99 (By Price), Congratulating Morgan Unwin, valedictorian of the Sanford-Fritch High School Class of 2017.

To Rules and Resolutions.

HR 100 (By Price), Congratulating Austin Whatley, salutatorian of the Sanford-Fritch High School Class of 2017.

To Rules and Resolutions.

HR 101 (By Price), Congratulating Fernando Jacquez, valedictorian of the Stratford High School Class of 2017.

To Rules and Resolutions.

HR 102 (By Price), Congratulating Bret Barnard, salutatorian of the Stratford High School Class of 2017.

To Rules and Resolutions.

HR 103 (By Price), Congratulating Madison Hatfield, valedictorian of the Class of 2017 at Sunray High School.

To Rules and Resolutions.

HR 104 (By Price), Congratulating Hannah Cherise Morris, salutatorian of the Sunray High School Class of 2017.

To Rules and Resolutions.

HR 105 (By Price), Congratulating Megan Wilson, valedictorian of the Tascosa High School Class of 2017.

To Rules and Resolutions.

HR 106 (By Price), Congratulating Evelyn Bruton, salutatorian of the Tascosa High School Class of 2017.

To Rules and Resolutions.

HR 107 (By Price), Congratulating Larissa Nicole Neely, valedictorian of the West Texas High School Class of 2017.

To Rules and Resolutions.

HR 108 (By Price), Congratulating Joy Belle Giesecking, salutatorian of the West Texas High School Class of 2017.

To Rules and Resolutions.

HR 109 (By Price), Congratulating Merrit Jo Mitchell, valedictorian of the White Deer High School Class of 2017.

To Rules and Resolutions.

HR 110 (By Price), Congratulating Mindy Fulton, salutatorian for the Class of 2017 at White Deer High School.

To Rules and Resolutions.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

July 20

State Affairs - **HB 1**