

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, FIRST CALLED SESSION

PROCEEDINGS

EIGHTH DAY — FRIDAY, JULY 28, 2017

The house met at 10:01 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 16).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospes; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Faircloth; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; 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; White; Wilson; Workman; Wray; Zedler; Zerwas.

Absent, Excused — Elkins; Fallon; Frank; Herrero; Hinojosa; Moody; Oliveira; Walle; Wu.

Absent — Krause.

The speaker recognized Representative Leach who offered the invocation.

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

LEAVES OF ABSENCE GRANTED

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

Fallon on motion of Leach.

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

Elkins on motion of Hefner.

Frank on motion of Gonzales.

Herrero on motion of Coleman.

Moody on motion of Turner.

Walle on motion of Capriglione.

Wu on motion of Turner.

The following member was granted leave of absence for today because of a doctor's appointment:

Hinojosa on motion of Howard.

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

Oliveira on motion of Thierry.

(Krause now present)

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.

CAPITOL PHYSICIAN

The speaker recognized Representative Zerwas who presented Dr. Mark Chassay of Houston as the "Doctor for the Day."

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

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 121 (by Geren), Congratulating Anne Cozart on her retirement as district director for State Representative Charlie Geren.

HR 128 (by Martinez), Congratulating Hugo De La Cruz on his 50th anniversary in radio.

HR 152 (by Giddings), Commemorating the 2017 Juneteenth celebration at Lifeway Church in Dallas.

The resolutions were adopted.

(White in the chair)

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 128 - PREVIOUSLY ADOPTED
(by Martinez)

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

HR 128, Congratulating Hugo De La Cruz on his 50th anniversary in radio.

INTRODUCTION OF GUESTS

The chair recognized Representative Martinez who introduced Hugo De La Cruz and members of his family.

LEAVE OF ABSENCE GRANTED

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

J. Johnson on motion of Martinez.

(Speaker in the chair)

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to Rule 4, Section 9 of the House Rules, Representative Phelan 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.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 2 ON THIRD READING
(by Gonzales)

HB 2, A bill to be entitled An Act relating to the repeal of certain riders for the Texas Medical Board and the Texas State Board of Examiners of Psychologists from the General Appropriations Act that are contingent upon the approval of certain Acts continuing those agencies during the 85th Regular Session.

HB 2 was passed by (Record 17): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; 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; Dutton; Faircloth; Farrar; Flynn; Frullo;

Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; 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; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; 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; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Elkins; Fallon; Frank; Herrero; Hinojosa; Johnson, J.; Moody; Oliveira; Walle; Wu.

Absent — Dukes; Kacal.

STATEMENT OF VOTE

When Record No. 17 was taken, my vote failed to register. I would have voted yes.

Kacal

HB 7 ON THIRD READING (by Phelan, Geren, Darby, and Larson)

HB 7, A bill to be entitled An Act relating to a tree planting credit to offset tree mitigation fees imposed by a municipality.

HB 7 was passed by (Record 18): 130 Yeas, 9 Nays, 1 Present, not voting.

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

Nays — Biedermann; Cain; Hefner; Lang; Rinaldi; Stickland; Swanson; Tinderholt; Workman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Elkins; Fallon; Frank; Herrero; Hinojosa; Johnson, J.; Moody; Oliveira; Walle; Wu.

HB 13 ON THIRD READING

(by Capriglione, Sheffield, Burkett, Springer, Laubenberg, et al.)

HB 13, A bill to be entitled An Act relating to reporting requirements by certain physicians and health care facilities for abortion complications; authorizing a civil penalty.

HB 13 was passed by (Record 19): 94 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Faircloth; Flynn; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Nevárez; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Uresti; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson, E.; King, T.; Longoria; Lucio; Martinez; Minjarez; Muñoz; Neave; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Elkins; Fallon; Frank; Herrero; Hinojosa; Johnson, J.; Moody; Oliveira; Walle; Wu.

PROVIDING FOR ADJOURNMENT

At 10:16 a.m., Representative Geren 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, July 31 in memory of Ignacio "Nacho" Loredó of Austin.

The motion prevailed.

(Laubenberg 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.)

ADJOURNMENT

In accordance with a previous motion, the house, at 12:33 p.m., adjourned until 2 p.m. Monday, July 31.

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 335 (By Collier), Relating to testing for lead contamination in public school drinking water.

To Public Education.

HB 336 (By Swanson), Relating to authorizing the provision of temporary secure storage for weapons at certain public buildings; authorizing fees.

To Homeland Security and Public Safety.

HB 337 (By Burrows), Relating to the burden of proof in certain ad valorem tax appeals.

To Ways and Means.

HB 338 (By Ortega), Relating to informational materials for pregnant women enrolled in Medicaid and CHIP perinatal programs.

To Public Health.

HB 339 (By Sanford), Relating to the authority of an appraisal review board to direct changes in the appraisal roll for a prior year.

To Ways and Means.

HB 340 (By Nevárez), Relating to a salary bonus for a public school teacher who completes certain autism training.

To Public Education.

HB 341 (By Israel), Relating to voting by mail and assistance provided to a voter.

To Elections.

HB 342 (By Reynolds), Relating to cybersecurity for voting systems.
To Elections.

HB 343 (By Larson), Relating to the use of emergency engine cutoff switches on motorboats.
To Culture, Recreation, and Tourism.

HB 344 (By S. Thompson), Relating to the practice of cosmetology by a person who holds an esthetician specialty license.
To Licensing and Administrative Procedures.

HCR 22 (By Reynolds), Urging the U.S. Congress to impeach President Donald John Trump.
To Select State and Federal Power and Responsibility.

HCR 23 (By Reynolds), Urging Congress to restore and strengthen the Voting Rights Act of 1965.
To Select State and Federal Power and Responsibility.

HCR 24 (By Anchia), Urging Congress to enact and fund comprehensive immigration reform that creates a road map to citizenship for undocumented immigrants, promotes economic growth, and strengthens national security.
To Select State and Federal Power and Responsibility.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

July 27

State and Federal Power and Responsibility, Select - **HCR 16, HCR 18**

