

# HOUSE JOURNAL

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EIGHTY-FIFTH LEGISLATURE, FIRST CALLED SESSION

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## PROCEEDINGS

THIRTEENTH DAY — FRIDAY, AUGUST 4, 2017

The house met at 10:04 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 57).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fairecloth; 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; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Anchia; Button; Sheffield.

Absent — Dukes; Swanson; Tinderholt.

The speaker recognized Representative Moody who offered the invocation.

The speaker recognized Representative White 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:

Button on motion of Gooden.

### 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.

**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.)

**LEAVES OF ABSENCE GRANTED**

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

Tinderholt on motion of Schaefer.

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

Leach on motion of Zedler.

(Swanson now present)

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 26 ON THIRD READING  
(by Larson)**

**HB 26**, A bill to be entitled An Act relating to the regulation of groundwater.

**HB 26** was passed by (Record 58): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; 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; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt.

Absent — Dukes.

### **HB 27 ON THIRD READING**

**(by Larson)**

**HB 27**, A bill to be entitled An Act relating to the development of brackish groundwater.

**HB 27** was passed by (Record 59): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; Kuempel; Lambert; Landgraf; Lang; Larson; 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; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt.

Absent — Dukes; Krause; Laubenberg.

### **HB 275 ON THIRD READING**

**(by Ashby)**

**HB 275**, A bill to be entitled An Act relating to extensions of an expired permit for the transfer of groundwater from a groundwater conservation district.

**HB 275** was passed by (Record 60): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman;

Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; 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; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt.

Absent — Dukes; Laubenberg.

### HB 25 ON THIRD READING

(by S. Davis, Price, Guerra, Darby, Krause, et al.)

**HB 25**, A bill to be entitled An Act relating to reimbursement rates for Medicaid acute care therapy services; making an appropriation.

### HB 25 - REMARKS

REPRESENTATIVE S. DAVIS: This is a bill that we passed yesterday that fully restores rates for pediatric therapy. On a personal note, I would just like to say I thought the regular session was a challenging one for me, but having received the unanimous vote on this bill yesterday from you, it was an amazing reminder of what an honor it is to serve in this body with each and every one of you, including you, Representative Stickland. Move passage.

### Amendment No. 1

Representative Cook offered the following amendment to **HB 25**:

Amend **HB 25** on third reading by striking the SECTION of the bill added by Floor Amendment No. 1 by Krause on second reading.

### AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE COOK: I don't normally offer third reading amendments, but I thought this was real important. I am offering a third reading amendment, and I have spoken to Representative Krause about it, because I spent a good part of yesterday evening and most of last night thinking about this bill. And the reality of the fact is, taking money from disaster relief is something that I can't go home in good conscience and be for. I cannot be for that. And I can't be for at a time when something bad happens, and it happens in all of our districts, folks are wondering if the disaster relief funds are going to come. But more important than

that, this is a very important bill. **HB 25** is extraordinarily important because we have identified that some of our most vulnerable citizens, young people with disabilities, are now having a hard time finding services for their lives.

Let me tell you a little bit about this group. I wish this would already have been in the session, on the call. This group does not have a lot of advocates here in Austin that are well paid to take care of them. As a matter of fact, most of these people live their lives day to day trying to just take care of their family and get through very difficult situations. So I believe that it is extremely important that we ask the governor to put this bill on the call. We've got 20 bills that are on the call, and quite honestly, taking care of kids with disability is much more important than worrying about trees.

The other thing is, by taking this amendment off, we're doing it in a positive way. We know this is something the governor has a problem with. So if we care about this bill, if we want to see it passed into law, if we want to see it put on the call, then it's extremely important that it passes out of here in a way that sends a positive message. So I would ask this body to vote with me on this amendment.

REPRESENTATIVE STICKLAND: Chairman Cook, I just want to be clear for the body. Your third reading amendment will undo the Krause amendment from yesterday, correct?

COOK: Correct.

STICKLAND: Is it not true that you voted for the Krause amendment yesterday?

COOK: You know, it is true that on an initial vote I did, but I went up and changed my vote. You know, the great thing about it is sometimes we reserve the right to change our mind. But what you need to understand, that was a motion to table. That was not a vote on the amendment itself.

STICKLAND: Essentially, it was. I don't—

COOK: But that's irrelevant. What is relevant is whether or not we're going to do the right thing for these kids. What's relevant is if we're going to actually move forward and do something that's really meaningful in this special session.

STICKLAND: Chairman Cook, there are a lot of us that agree with your sentiment, but we found a way yesterday that this body agreed upon after much deliberation and that you initially agreed with.

COOK: Actually, we didn't. That was on a motion to table. You understand how this works. The bill author had—

STICKLAND: I understand that motion to table, but sir, you didn't object when she accepted the amendment once the motion to table was denied. So essentially, you did go along with the amendment because you did not object or force a record vote. Is that not true?

COOK: Do you have another question?

STICKLAND: Is that not true, Chairman Cook?

COOK: Do you have another question?

STICKLAND: You said that this did not vote on the amendment. After the motion to table failed, Representative Cook—

COOK: Do me a favor and don't trivialize a very important issue.

STICKLAND: I believe that's what you're trying to do, Chairman Cook.

COOK: I think that's what you're doing.

STICKLAND: Chairman Cook, did we not have a motion to table that failed, and then the amendment stood before the body, and there was asked, is there any objection, the chair heard none, and it was accepted onto the bill? Is that not correct?

COOK: Correct.

STICKLAND: So that was essentially everyone going along with the amendment. Is that not true?

COOK: And that's why we're here today.

STICKLAND: Okay, so yesterday you did go along with the amendment.

COOK: Yesterday, the amendment went on. That's correct.

STICKLAND: And you voted for it.

COOK: And I also told you—

STICKLAND: And today you changed your mind. I just want to be clear.

COOK: I changed my mind shortly after that, but go ahead.

STICKLAND: Parliamentary inquiry, Mr. Speaker. On a third reading amendment—

COOK: We voted to table the amendment.

STICKLAND: Is he tabling his own amendment?

COOK: No. I said yesterday we voted to table the amendment.

STICKLAND: How many votes does it take on a third reading amendment to be accepted onto the bill?

SPEAKER STRAUS: Two-thirds present.

STICKLAND: Two-thirds, thank you.

REPRESENTATIVE SIMMONS: Chairman Cook, you said something in your layout of your amendment that intrigued me. When you talked about these children, these special needs children that have acute therapy needs—which I agree with; I voted for this bill in regular session, voted for it yesterday—but there are more needs that our special needs children have. Would you agree with that?

COOK: No question.

SIMMONS: And that we should look at all options in our special needs community to help them be successful. Do you agree with that?

COOK: No question.

SIMMONS: And that a lot of the failure comes not only in the lack, sometimes, of therapy, but sometimes it's because they're not getting the right amount of therapy within the public school system. Would you agree with that? In some cases, not all cases.

COOK: Mr. Simmons, what I'm trying to do is address the bill at hand, which is **HB 25**. That's all I can affect right now today.

SIMMONS: I understand that, but you also brought up the fact that this is a community and a grouping that there's not very much advocacy for here sometimes in Austin, and it needs to be something that we support. Is that right?

COOK: Once again, you know, this bill addresses therapeutic treatment. I think it's extraordinarily important that we actually are able to do something meaningful in this area. I think you would agree with me on that.

SIMMONS: Absolutely. No question about it.

COOK: And the only way we can do this is if the governor puts this on the call. So truthfully, the advocate that counts right now is going to be the governor.

SIMMONS: And the governor did not put this on the call yet, but he does have some other issues on the call that would help special needs children.

COOK: Once again, what I'm trying to do is address this issue.

SIMMONS: And do you think we should continue to have a robust discussion on how we could help our special needs community in any way that we can as we go forth—not necessarily on this amendment but as we go forward?

COOK: Once again, that why I'm here advocating for **HB 25**.

REPRESENTATIVE RINALDI: Parliamentary inquiry, please. You had mentioned the vote it takes to pass this third reading amendment. Is it two-thirds of those present, as you had stated, or two-thirds of those voting?

SPEAKER: Two-thirds of the members present.

REPRESENTATIVE ZEDLER: Yesterday we passed this bill out with a unanimous, as it was, with the Krause amendment. Why do you want to step in the way of that when there's plenty of ways to fund a disaster? It can be done by the LBB. It can be done with a special called session coming out. But we won't send the same strong message if there's not a unanimous agreement on this bill. Why do you want to change it?

COOK: Mr. Zedler, you can vote against this if you want to, okay?

ZEDLER: But could you tell me why you want to change it in view of the fact there's lots of ways to fund disasters?

#### **Amendment No. 1 - Point of Order**

Representative Stickland raised a point of order against further consideration of Amendment No. 1 on the grounds that the third reading amendment was not permissible under the House Rules and was not germane to the bill.

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

As it came to the floor on second reading, **HB 25** would restore funding and reverse rate reductions to certain therapy services administered through Medicaid for delivery of acute care therapy services for Texas children with disabilities by making a supplemental appropriation from the economic stabilization fund. Representative Krause offered an amendment to the bill to change the source of the funding: instead of appropriating new money to pay acute care therapy services for children, the money would be taken from money that the legislature had, during the regular session, appropriated from the economic stabilization fund to the governor's fund for relief of statewide disasters. The bill's author moved to table the amendment, the motion failed, and the amendment was subsequently adopted without objection.

On third reading, Representative Cook offered Amendment No. 1, which sought to strike the section of the bill added by the Krause amendment on second reading. Representative Stickland objects that striking a second reading amendment is impermissible and that such an amendment violates "germaneness."

Representative Stickland raises two specific objections. First, he argues that this situation is analogous to a situation that occurred when **CSSB 1**, the General Appropriations Act, was debated during the regular session. In that instance, the house adopted an amendment that zeroed out the enterprise fund by spending 100 percent of the \$43 million in that fund on services for children in need. After that amendment was adopted, the chair declined to lay before the house several other amendments seeking to use the money from the enterprise fund because a calendar rule had been adopted that would require any amendment seeking to spend money to use money from somewhere else in the existing budget. Once the enterprise fund was empty, these amendments were attempting to draw from nonexistent funds, thereby violating the take-and-put provision of the calendar rule. Unlike the situation with the enterprise fund, the Cook amendment, like the original bill, sought to spend roughly \$70 million from the economic stabilization fund, which contains around \$10 billion, and which would still contain around \$10 billion even if 70 million were spent from it. Spending less than one percent of the balance of an account would not result in a negative account balance, so the precedent of refusing to lay out an amendment that violates a calendar rule would not apply here even if there had been a calendar rule on **HB 25** similar to the take-and-put rule adopted for the regular session's general appropriations bill.

Second, Representative Stickland argues that amending a bill on third reading to strike an amendment added on second reading is not germane, and although he could not direct the chair to a specific rule or precedent disallowing this somewhat common practice, he urged that a point of order should nonetheless be sustained. It was suggested by Representative Cain and other supporters of the point of order that striking the amendment was the equivalent of impermissibly voting on a measure identical to one that had already been voted on by the body. As far as the chair can tell, these members may be referring to Rule 8, Section 20 of the House Rules: "Bills Containing Same Substance as

Defeated Bill — After a bill or resolution has been considered and defeated by either house of the legislature, no bill or resolution containing the same substance shall be passed into law during the same session." A substantially similar provision exists in Article III, Section 34 of the Texas Constitution. Both the house rule and the constitutional provision speak expressly to bills and resolutions, not amendments. To apply the defeated-measures concept to this scenario, the chair would have to assume that (1) a similar prohibition applies to amendments and (2) that the Cook amendment contains the same substance as a measure the body already defeated. The bar for what is considered the "same substance" is high—a measure that is similar, even containing apparently the same substance, may be so different as to not come within the rule. When the Cook amendment was offered, the body had not previously considered and defeated a measure, in any form, that would have drawn money from the economic stabilization fund without taking away from the disaster relief fund; the body instead amended that portion of the bill before passing **HB 25**, as amended, by a record vote of 138 Yeas, 0 Nays. Thus, the Cook amendment's substance was not previously defeated, and there was no violation of the House Rules or Texas Constitution on this basis.

For these reasons, the points of order are respectfully overruled.

(Dukes now present)

#### **AMENDMENT NO. 1 - REMARKS**

REPRESENTATIVE P. KING: Can I get your attention for just a minute on this amendment? Members, please, I kind of want to tell you a little bit of a personal story if I could. I think it's very important that this bill ultimately pass and actually become law, which means it's got to get put on the call, which means that we've got to send it, if it can get there, to the governor in a form that he'll accept. I've got a constituent who's very dear to me that has a three-year-old Down syndrome child. And that little girl who's been on this house floor is—their speech therapy, their insurance will not cover it because they say that this Down syndrome child has no chance of going to college. Now, forget the fact that she has a wonderful chance of having a wonderful life and frankly, is one of the happiest little children I've ever met. To privately pay for those speech therapy costs are \$400 to \$500 a week for a young family, which they can't afford that. A bill like this offers the opportunity to fund speech therapy services for children, and this was one of the ones that someone talked about yesterday that had to be taught how to swallow before they could even try to speak. And a bill like this has the opportunity to provide some funding relief and some opportunities for a child like that.

Now, we get into arguments over Medicaid and how we should do that and all of that, and I am on the same side for tremendous reform. But today, this is where we're at. Today, we've got an opportunity to fund a bill that needs to be funded. We've got an opportunity to move it forward in a way that it might actually have a chance of getting all the way through the process. And I would rather the money not come out of the rainy day fund. I kind of always try to vote against taking money out of the rainy day fund, but I don't know where else to

take it from at this point. So I'm speaking for Chairman Cook's amendment and asking that we put it on so that this bill can proceed forward and hopefully get to the governor's desk in a manner that is acceptable to him. So with that, I would strongly encourage you to vote for this amendment.

REPRESENTATIVE PHILLIPS: Representative King, I'm trying to work through this, because we've got ultimate goals to get this bill passed. And I think the goal yesterday was to make sure that we didn't take money out of the rainy day fund so the senate would have the greatest chance to pass it. And so now we're sitting here debating on which is the greater chance to pass it. I don't know. I just wondered maybe you could talk with the bill's author and the other people that are so concerned now about this to maybe postpone this until later in the calendar after second reading and maybe go see if we can try to find out and work with those that seem to be controlling this to find out is that an issue with what we're talking about with the fund through the governor's office. Are there other opportunities to deal with that? Because what you're saying is—I mean, the ultimate goal here it sounds like, based upon the vote yesterday, is that we want to help those young people that you're talking about. And I think it was unanimous yesterday.

P. KING: It was.

PHILLIPS: And I think Chair Davis said that that was a great thing. It was a unanimous position from the house. And so my concern here if we take this vote and we do this now without trying to work this out, that this is going to be a fool's errand either way. What you're saying is you feel like maybe the governor will veto it or not take care of it if we pass it like we passed it unanimously yesterday.

P. KING: Anytime we ask the governor to put more things on the call that puts any governor in a very difficult position, because they have to control that call. But I just believe if we do this coming out of the rainy day fund for now, I think we've got a much better chance of it getting to the governor's desk in a form that he will ultimately allow to pass.

PHILLIPS: That's a question I have with it and want to ask you. Is that the better chance for it to be—so it came out unanimous. If we all vote today for the bill unanimously, it goes to the senate. And they vote unanimously for the bill because they like the funding; they like that. Don't you think that that's a great signal to the governor? And again, this is not against the governor because—

P. KING: No, no, no. I know the governor wants to work with us all through this legislative process, and I think doing this Cook amendment is a way to keep the bill moving forward in the most positive manner with the best chance of it actually becoming law.

PHILLIPS: So what I'm saying is there's a disagreement now about what's the best way to move it forward. Yesterday, it seemed to be the best chance if we can get it to the senate and the senate will approve it unanimously, that we do it. So I

would just humbly ask that since you're involved with the amendment, and I don't know where the author is, that maybe we take a few minutes. I mean, we're going to be here until later this afternoon—

P. KING: That would be up to Chairman Cook to delay it for a while, but—

PHILLIPS: And see if we can find out how we can get this worked out, if there's a better approach as it relates to the mixture we had yesterday and come with another unanimous vote leaving this house that we think has the best chance, because I'm hearing two different voices. One saying if we do what you're asking, it's not going to do anything in the senate. If we do what we did yesterday, it sounds like you're saying that it's not going to go beyond that. So I'd rather, since we have some time, not have to go forward with that, and I would ask you to express your heartfelt request to those that do that.

REPRESENTATIVE FAIRCLOTH: Representative King, I realize that you're speaking in support of the amendment. And I just wanted to clarify a couple of things that were said here. Are you aware that this is the most vulnerable population in the State of Texas?

P. KING: Yes. Kids always are, the little ones.

FAIRCLOTH: Yes. No, these kids—many of them are trached. They're on an NG tube. They fight for every breath.

P. KING: Absolutely.

FAIRCLOTH: And are you aware that the parents and the caretakers of these, our most vulnerable, literally have to wear a monitor—

P. KING: It's always the family with the least ability to cover the cost.

FAIRCLOTH: Yes, absolutely. Recently, I had two of these mothers meet with HHS and talk about this, and the depth of commitment is just incredible. So my point is this. Regardless of how we do this, we need to do it. We need to do this. We need to help the most vulnerable of our population, and we need to send help to the parents and the caretakers of these children. It's absolutely—I don't know of anything that we're going to do more important during this session than that, by the way. We need to make this happen.

P. KING: That's the way I look at it. We are where we are, and I don't really care how we pay for it. I mean, there's all different kinds of ways. But to move this bill forward today with the best chance of it having to pass and ultimately become law, I think we've got to remove the amendment we put on yesterday, which was a heartfelt and well-intended amendment. And I don't like taking money out of the rainy day fund either. But to move the bill forward, I think the best chance we've got is to remove that amendment, go back to the original funding, and then let's keep this thing moving forward and see if we can't find some way to get this passed.

REPRESENTATIVE GIDDINGS: Representative King, I keep hearing that the action that we took yesterday was unanimous. And the truth of the matter is it was unanimous on the bill, but it was not unanimous on the Krause amendment. Am I correct on that?

P. KING: I think that's correct. I think you're right.

GIDDINGS: I think the unanimous vote showed that we wanted to go forward—everybody in this house—and do whatever we could do for these kids.

P. KING: And I voted for the Krause amendment yesterday. It was only after later realizing that that was going to make it more difficult for the bill to go forward that I would support this amendment today.

GIDDINGS: Well, I didn't join you in voting for that because I had heard rumors, and maybe you have heard them, too. I haven't spoken with the governor directly, but the rumor that I have heard very strongly from a number of members is that the governor is not in favor of these funds coming out of the disaster relief fund. Have you heard that?

P. KING: You'd need to ask the governor about that. It's just my understanding is that the bill is going to have a much better chance proceeding forward if the money is not taken out of the emergency response fund.

GIDDINGS: And that's exactly what we all want it to do. And at the end of the day, the person with the veto pen is not you, and it's not me.

P. KING: That is for sure.

RINALDI: As we've said multiple times, the bill passed unanimously yesterday, correct, in its current form?

P. KING: It did. In its current form.

RINALDI: And are you aware of the importance of that?

P. KING: Yes.

RINALDI: And the importance is that this bill is not on the governor's call, correct?

P. KING: That is correct.

RINALDI: So we do need a unanimous vote since it is very susceptible to a point of order, correct?

P. KING: It's got to get on the call, or it's not going to get there.

RINALDI: It does. And the problem with stripping the Krause amendment is the Krause amendment got us to a unanimous vote. Without this amendment on the bill, the vote won't be unanimous and will be susceptible to a point of order and likely won't advance at all. Are you aware of that?

P. KING: I hope it would get a unanimous vote because it's so important, but I know that's always a risk.

RINALDI: I understand, and I understand you're passionate about this issue, and I hope we can get this bill passed. I just think that it's impossible to do that if we strip this amendment from the bill.

P. KING: Point taken. I understand. Thank you.

REPRESENTATIVE D. BONNEN: I'm speaking on this amendment. I want to be clear. I have no ability nor am I attempting to speak for the governor, but I think the governor in statements has been clear that he doesn't support funding from the rainy day fund, which is what this takes it back to. It pains me as a coastal member to support something that takes money from disaster relief, which I am pretty darn confident the governor doesn't support that either. But I also know that we have only those options available and that the one thing we do agree on is that we want to fund these children. And so this is not an argument or a fight or a debate about whether we care about these children. It is an argument about how we fund the children we all together care about.

The bigger problem is we do need this put on the call. And both methods, I can almost tell you from just reading newspaper articles and listening to comments, are not acceptable to the governor. So if our goal is to get this on the call and worry about significantly what the governor specifically wants the funding mechanism to be, we are missing the mark on both accounts. The smartest thing for us to do is show what we agree on, which is taking care of these very needy children. Move it through the process that we as house members talk about all the time—the process. Believe me, many days I wish the house unilaterally controlled legislation in this state and it went straight to law, but this will go to the senate. And the senate will decide on their method of funding this, we certainly hope, because I believe the senators, as much as there's disagreement between us and them some of the time, agree with every member in the house that we must take care of these needy children.

So members, this isn't a discussion of do we care or do we not. We all care. And this isn't an argument about whether the governor, whether he will or he won't put it on the call, because neither funding mechanism before us today will get that done. I can almost assure that. I've had no conversations with them. I just listen to their comments and read the newspaper. So this isn't about whether you care about kids. We care about the kids. And this isn't about it's then magically going to fall onto the call, because if that was the case, and I'm not recommending this, we'd postpone this bill. We'd sit down with the governor, we'd sit down with the senate, and we'd say, what mechanism do you want that will get us to put this on the call and pass this bill and take care of the kids?

RINALDI: Just to summarize, is what you're saying, and I think I very much agree with you, is that this isn't going to get on the call by either taking money from disaster relief or taking money from the rainy day fund? Correct? It's got to come from somewhere else.

D. BONNEN: Out of pure limited intelligence I walk around this world in, I can assure you the governor does not support either one of those methods. But I can assure you, he supports what you and I and every member of this body supports, which is helping these kids.

RINALDI: Mr. Speaker, parliamentary inquiry. Were any amendments offered on second reading to take funding for these children from any place other than the rainy day fund?

SPEAKER: Mr. Rinaldi, all the amendments are posted online.

RINALDI: Would it be germane to offer a third reading amendment to this bill that takes funding from a place other than the rainy day fund?

SPEAKER: Mr. Rinaldi, we'd have to look at the language of the amendment.

RINALDI: Isn't it true that there were amendments actually offered on second reading that took money from places other than the rainy day fund, and they were ruled non-germane by the speaker?

SPEAKER: Several of the amendments were withdrawn after Mr. Krause's amendment succeeded.

RINALDI: And that includes amendments that took funding from places other than the rainy day fund, correct?

SPEAKER: That's correct.

RINALDI: And those amendments were not allowed to be laid out because the speaker ruled them non-germane. Is that correct?

SPEAKER: That's not correct. Those amendments were withdrawn after Mr. Krause's amendment went on.

S. DAVIS: I know we've spent a lot of time on this bill, and it's important. I can see how much everyone cares about this issue. But we can't say we want to help these children, but we don't want to decide how we're going to fund it. I can assure you that by taking \$70 million out of the governor's disaster relief fund is a nonstarter. Those were negotiations that took place over weeks, and those were promises that we made in the budget with the governor and with the senate. So taking that money from the disaster relief fund is just sudden death for any possibility that this gets put on the call. We've heard a lot about perhaps there are alternate methods of finance that we could explore. Well that's true, and we could do that in conference if we were able to move this bill forward and the senate was able to do so as well.

I also agree with the chairman that I'm not comfortable taking \$70 million out of disaster relief when I know in my district we've had major flooding and major disasters. And I know that many members in your districts, you've had those types of disasters. I don't think that it's realistic to think that a disaster could hit your house district and somehow, within hours, we could all assemble here in Austin to be able to take a vote to take money out of the rainy day fund—which, by the way, is the economic stabilization fund—to help with that disaster. So I am actually going to accept this amendment.

REPRESENTATIVE KRAUSE: My questions are just more informational so the body understands what we're dealing with here. Are you familiar with how much disaster fund money was in the governor's account in 2016?

S. DAVIS: I don't have the number in front of me.

KRAUSE: It was \$2.4 million, and in 2017 it was \$12.4 million. So under this new scenario, we would still leave the governor \$20 million for each year of the biennium, which is drastically more than they were getting before.

S. DAVIS: But the governor was very clear in the budget negotiations that that was not enough. And in fact, in the Houston area in 2016, I believe, we were hit with some major flooding, and I sent a letter to the governor requesting financial assistance for Harris County. And the correspondence I received back from the governor was that there was no money available because the legislature had not properly funded the disaster relief fund.

KRAUSE: Okay. Are we aware how much of that percentage comes from FEMA and not the state?

S. DAVIS: I don't have that information. I'm sorry.

KRAUSE: Okay, thank you. I was just asking for information. Thank you.

S. DAVIS: So I'm going to accept the amendment.

COOK: I close.

Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by (Record 61): 67 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Arévalo; Bernal; Blanco; Burkett; Coleman; Collier; Cook; Cortez; Davis, S.; Deshotel; Dukes; Dutton; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Koop; Kuempel; Lozano; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shine; Stephenson; Thierry; Turner; Uresti; VanDeaver; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Capriglione; Clardy; Cospers; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Huberty; Isaac; Kacal; Keough; Klick; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Metcalf; Meyer; Miller; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Wilson; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt.

Absent — Canales; Davis, Y.; Gooden; Hernandez; Longoria; Lucio; Oliveira; Sanford; Thompson, S.; Villalba.

### STATEMENT OF VOTE

When Record No. 61 was taken, my vote failed to register. I would have voted no.

Gooden

### REASON FOR VOTE

While I supported tabling the Krause amendment on second reading that the Cook amendment on third reading sought to undo, I feel this was a settled issue, and the Cook amendment was not helpful to moving the bill forward. The house unanimously supported this bill on second reading, in part because of the Krause amendment getting onto the bill. It is important we show unanimous support for this matter in moving the bill forward.

Gooden

**HB 25** was passed by (Record 62): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; 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; 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; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt.

Absent — Sanford; Thompson, S.; Villalba.

### STATEMENT OF VOTE

When Record No. 62 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

**HB 108 ON THIRD READING****(by Murphy, Capriglione, D. Bonnen, Darby, Turner, et al.)**

**HB 108**, A bill to be entitled An Act relating to the rate at which interest accrues in connection with the deferral or abatement of the collection of ad valorem taxes on certain residence homesteads.

**HB 108** was passed by (Record 63): 138 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; 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; Holland; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; 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; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Hinojosa; Howard; Israel; Rose.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt.

Absent — Blanco; Villalba.

**STATEMENTS OF VOTE**

When Record No. 63 was taken, I was in the house but away from my desk. I would have voted yes.

Blanco

When Record No. 63 was taken, I was shown voting yes. I intended to vote no.

Keough

**REMARKS ORDERED PRINTED**

Representative Cain moved to print all remarks on **HB 25**.

The motion prevailed.

**HB 239 ON THIRD READING**  
**(by Capriglione, Flynn, and Springer)**

**HB 239**, A bill to be entitled An Act relating to the exemption from ad valorem taxation of precious metal held in the Texas Bullion Depository.

**HB 239** was passed by (Record 64): 133 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Cyrier; Dale; Darby; Davis, S.; 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; Holland; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Craddick; Davis, Y.; Hinojosa; Howard; Israel; Neave; Reynolds; Rose; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt.

Absent — Villalba.

**HB 215 ON THIRD READING**  
**(by Murphy, Guillen, Klick, G. Bonnen, Laubenberg, et al.)**

**HB 215**, A bill to be entitled An Act relating to reporting and certification requirements by certain physicians regarding certain abortions.

**HB 215 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE MURPHY: This is the bill we passed with a lot of input, and I appreciate it. We had amendments from the right wing; we had amendments from the left wing. I think we crafted a very good piece of legislation. I was remiss yesterday in not recognizing and thanking my joint authors, Stephanie Klick, Jodie Laubenberg, Ryan Guillen, and Dr. Bonnen, and with that I move for passage.

REPRESENTATIVE MOODY: Representative Murphy, I understand the induced abortion form already requires any woman who has an abortion to disclose her county of residence and date of birth. Is that correct?

MURPHY: I'm really not sure about that, Representative Moody.

MOODY: Okay. Well, would your bill—as amended, as substituted—add to the list of data points the state requires abortion clinics to collect whether a minor obtained a bypass order?

MURPHY: I believe that is correct.

MOODY: Okay. Are you aware that 99.9 percent of bypass cases are filed in the county of residence?

MURPHY: I've heard data similar to that.

MOODY: So anyone who has access to this data will know the county where the minor obtained the bypass.

MURPHY: You could conclude that.

MOODY: Did you know that the bypass statute, Family Code, Chapter 33, only allows releasing data by a court of appeals district and not by the county?

MURPHY: I'm sorry. Could you repeat the question, Representative Moody?

MOODY: Are you aware that the Family Code bypass statute, Chapter 33, only allows releasing data by court of appeals district and not by county?

MURPHY: My understanding is that's how the bill is written.

MOODY: Okay, and these are intent questions, so I'm just making sure that we—

MURPHY: No, I understand, Representative Moody. I just want to be clear that I'm answering your question correctly.

MOODY: Okay, and so my question is actually geared off the unamended version of your bill, page 4, line 4, as it came to the floor yesterday.

MURPHY: Well, the unamended version?

MOODY: Yes. And this part was not amended by any of the amendments yesterday, so I have a quick question on it. This would be the house committee report version.

MURPHY: I'm with you.

MOODY: Okay. So on page 4, line 4, does "by any means" include prohibiting the department from releasing any data that connects the fact that the patient had a bypass order to that patient's county of residence so that they're not able to couple the data back together?

MURPHY: I would say so, yes.

### **REMARKS ORDERED PRINTED**

Representative Moody moved to print all remarks on **HB 215**.

The motion prevailed.

### **LEAVE OF ABSENCE GRANTED**

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

Villalba on motion of Gonzales.

**HB 215 - (consideration continued)**

**HB 215** was passed by (Record 65): 97 Yeas, 46 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt; Villalba.

**STATEMENTS OF VOTE**

When Record No. 65 was taken, I was shown voting yes. I intended to vote no.

Alonzo

When Record No. 65 was taken, I was shown voting yes. I intended to vote no.

Perez

When Record No. 65 was taken, I was excused because of a death in the family. I would have voted yes.

Sheffield

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**HB 30 ON SECOND READING**  
(by Zerwas, Huberty, Giddings, Guerra, et al.)

**HB 30**, A bill to be entitled An Act relating to making supplemental appropriations and giving direction and making adjustments regarding appropriations for public school finance.

**HB 30** was passed to engrossment by (Record 66): 131 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; 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; 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; Kuempel; Lambert; Landgraf; Larson; Laubenberg; 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; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Frank; Krause; Lang; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt; Villalba.

Absent — Zedler.

**STATEMENTS OF VOTE**

When Record No. 66 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 66 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 66 was taken, I was in the house but away from my desk. I would have voted no.

Zedler

**HB 23 ON SECOND READING**  
(by Huberty, et al.)

**HB 23**, A bill to be entitled An Act relating to a grant program to fund innovative programs for public school students with autism.

**HB 23** was passed to engrossment.

**CSHB 21 ON SECOND READING**  
(by Huberty, Zerwas, et al.)

**CSHB 21**, A bill to be entitled An Act relating to the public school finance system.

**CSHB 21** was passed to engrossment by (Record 67): 130 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; 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; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Krause; Lang; Meyer; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt; Villalba.

Absent — Wilson.

**STATEMENTS OF VOTE**

When Record No. 67 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 67 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 67 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 67 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

### REASON FOR VOTE

While I am in favor of education funding, the funding mechanism for this bill pushes a deficit into the 86th Legislature which is not necessary. It's "kicking the can down the road."

Keough

### HB 22 ON SECOND READING

(by K. King, Price, Guillen, Hunter, Nevárez, et al.)

**HB 22**, A bill to be entitled An Act relating to the extension of additional state aid for tax reduction provided to certain school districts.

The vote of the house was taken on passage to engrossment of **HB 22** and the vote was announced yeas 73, nays 70.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 68): 61 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Alonzo; Ashby; Bailes; Burkett; Burns; Burrows; Capriglione; Clardy; Coleman; Cook; Craddick; Cyrier; Darby; Deshotel; Dukes; Dutton; Faircloth; Fallon; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Meyer; Morrison; Murr; Nevárez; Paddie; Parker; Perez; Phelan; Price; Raney; Rodriguez, E.; Rose; Schubert; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; VanDeaver; White; Workman; Wray; Wu.

Nays — Anderson, C.; Anderson, R.; Arévalo; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Cain; Collier; Cortez; Cospere; Dale; Davis, S.; Elkins; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gutierrez; Hefner; Holland; Isaac; Johnson, J.; Keough; Klick; Lang; Lozano; Martinez; Metcalf; Miller; Minjarez; Moody; Muñoz; Murphy; Neave; Oliveira; Oliverson; Ortega; Paul; Phillips; Pickett; Reynolds; Rinaldi; Roberts; Rodriguez, J.; Romero; Schaefer; Schofield; Shaheen; Shine; Simmons; Stickland; Swanson; Thompson, E.; Turner; Uresti; Vo; Walle; Wilson; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Button; Leach; Sheffield; Tinderholt; Villalba.

Absent — Allen; Alvarado; Canales; Davis, Y.; Dean; Farrar; Flynn; Giddings; Gooden; Guerra; Johnson, E.; Longoria; Lucio; Raymond; Sanford.

The speaker stated that **HB 22** failed to pass to engrossment by the above vote.

#### STATEMENTS OF VOTE

When Record No. 68 was taken, my vote failed to register. I would have voted no.

Alvarado

When Record No. 68 was taken, I was temporarily out of the house chamber. I would have voted no.

Flynn

When Record No. 68 was taken, I was shown voting yes. I intended to vote no.

Koop

#### LEAVES OF ABSENCE GRANTED

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

Allen on motion of Deshotel.

Canales on motion of Nevárez.

Y. Davis on motion of S. Thompson.

Farrar on motion of Deshotel.

Giddings on motion of Deshotel.

Guerra on motion of Muñoz.

Gutierrez on motion of J. Rodriguez.

E. Johnson on motion of Muñoz.

Longoria on motion of Rose.

Lucio on motion of Hernandez.

Moody on motion of Martinez.

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

Raymond on motion of Guillen.

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

Dean on motion of Paddie.

Flynn on motion of Smithee.

Gooden on motion of Smithee.

(T. King in the chair)

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Agriculture and Livestock, upon adjournment today, Desk 28, for a formal meeting, to consider pending business.

Public Education, upon adjournment today, 1W.14, for a formal meeting, to consider pending business.

Land and Resource Management, upon adjournment today, 3W.9, for a formal meeting, to consider **SB 6** and pending business.

### ADJOURNMENT

Representative Kuempel moved that the house adjourn until 2 p.m. Monday, August 7.

The motion prevailed.

The house accordingly, at 12:31 p.m., adjourned until 2 p.m. Monday, August 7.

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### ADDENDUM

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### REFERRED TO COMMITTEES

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

#### List No. 1

**HB 377** (By Alonzo), Relating to the release of certain voter registration information.

To Elections.

**HCR 32** (By Nevárez), Urging Congress to pass the Steve Gleason Enduring Voices Act of 2017.

To Select State and Federal Power and Responsibility.

**HJR 53** (By Huberty), Proposing a constitutional amendment transferring certain surplus state revenue in the economic stabilization fund and dedicating that revenue to public education.

To Appropriations.

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**August 3**

Agriculture and Livestock - **HB 103**

Elections - **HB 47, HB 110**

Environmental Regulation - **HCR 28, HCR 29, HCR 30**

Ways and Means - **HB 168, HB 331**

**ENGROSSED**

**August 3 - HB 74, HB 155, HB 165, HB 192, HJR 38**