

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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TWELFTH DAY — TUESDAY, JANUARY 30, 2007

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

The roll of the house was called and a quorum was announced present (Record 41).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Cook, B.; Cook, R.; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Christian; Oliveira; Truitt.

Absent — Corte; Hilderbran; Krusee.

The invocation was offered by Dr. Duane Srader, district superintendent, Church of Nazarene, Spring, as follows:

Our Heavenly Father, our God in whom we trust; we are reminded of the words of King Jehoshaphat:

"O Lord, God of our fathers, are you not the God who is in heaven? You rule over all the kingdoms of the nations. Power and might are in your hand, and no one can withstand you. O our God, did you not drive out the inhabitants of this land before your people Israel and give it forever to the descendants of Abraham your friend? They have lived in it and have built in it a sanctuary for your Name, saying, 'If calamity comes upon us, whether the sword of judgment,

or plague or famine, we will stand in your presence before this temple that bears your Name and will cry out to you in our distress, and you will hear us and save us.'" "

We humbly thank you for all your blessings. You have blessed us with a rich heritage. We recognize the sacrifice of those who have gone before us, those who have walked these halls and sat in this house. We thank you for the freedom we continue to enjoy because of wise decisions made on behalf of our children, grandchildren, and friends by those who have been elected to lead the State of Texas.

We implore your presence this morning as the men and women, those we have elected, seek to do what is right in your eyes during this session of the house on this day, the thirtieth of January 2007. May your wisdom govern the hearts and minds of each state representative during today's session.

We know there is no perfect government or state but after having lived outside of the states for 29 years we understand that you have provided the people of the United States and the State of Texas with a freedom which is worth more than money or power can buy. Freedom and hope have been provided through your presence. We pray that your presence would be our joy today.

We are reminded of the words of the apostle Paul, "Now may the Lord of peace himself give you peace at all times and in every way. The Lord be with all of you. The grace of our Lord Jesus Christ be with you all." In the name of Jesus I pray. Amen.

The speaker recognized Representative Flynn 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 and the remainder of the week because of surgery:

Truitt on motion of Burnam.

#### **CAPITOL PHYSICIAN**

The speaker recognized Representative F. Brown who presented Dr. Mary Helen Morrow of College Station as the "Doctor for the Day."

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

(Darby in the chair)

#### **HR 174 - ADOPTED (by Patrick)**

Representative Patrick moved to suspend all necessary rules to take up and consider at this time **HR 174**.

The motion prevailed.

The following resolution was laid before the house:

**HR 174**, Recognizing public school administrators for their service to the State of Texas.

**HR 174** was read and was adopted.

(Bolton in the chair)

### **MESSAGE FROM THE SENATE**

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

### **LEAVES OF ABSENCE GRANTED**

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

Menendez on motion of Raymond.

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

Gallego on motion of Dunnam.

(Corte and Krusee now present)

### **HR 125 - ADOPTED**

**(by Crabb)**

Representative Crabb moved to suspend all necessary rules to take up and consider at this time **HR 125**.

The motion prevailed.

The following resolution was laid before the house:

**HR 125**, In memory of U.S. Marine Lance Corporal Luke Carney Yepsen of Kingwood.

**HR 125** was read and was unanimously adopted by a rising vote.

On motion of Representatives Corte, Berman, Vaught, Anderson, McReynolds, Garcia, Eissler, Noriega, and Macias, the names of all the members of the house were added to **HR 125** as signers thereof.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Corte who introduced family members of U.S. Marine Lance Corporal Luke Carney Yepsen.

(Hilderbran now present)

(Branch in the chair)

### **HR 174 - MOTION TO ADD NAMES**

On motion of Representative Allen, the names of all the members of the house were added to **HR 174** as signers thereof.

(Cohen in the chair)

**SCR 13 - ADOPTED**  
**(Flynn - House Sponsor)**

Representative Flynn moved to suspend all necessary rules to take up and consider at this time **SCR 13**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 13**, Inviting the Chief Justice of the Supreme Court of Texas to address a Joint Session of the legislature on February 20, 2007.

**SCR 13** was adopted.

**HR 155 - ADOPTED**  
**(by Chisum)**

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **HR 155**.

The motion prevailed.

The following resolution was laid before the house:

**HR 155**, In memory of Ralph Mack Wheat of New Braunfels.

**HR 155** was read and was unanimously adopted by a rising vote.

On motion of Representative Hopson, the names of all the members of the house were added to **HR 155** as signers thereof.

(Speaker in the chair)

**REGULAR ORDER OF BUSINESS SUSPENDED**

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

**HR 4 - MOTION TO ADOPT**  
**(by Chisum and Turner)**

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **HR 4**.

The motion prevailed.

The following resolution was laid before the house:

**HR 4**, Suspending the constitutional order of business.

**Amendment No. 1**

Representative Villarreal offered the following amendment to **HR 4**:

Amend **HR 4** as follows:

(1) On page 1, line 24, between "is hereby determined" and "to be otherwise", insert "for the following matters only".

(2) On page 2, line 3, strike "80th Legislature." and substitute the following:  
80th Legislature:

(1) legislation increasing the amount of the resident homestead exemption from taxes imposed for public school purposes;

(2) legislation fully or partially restoring funding for the Children's Health Insurance Program;

(3) legislation increasing the allocation of sporting goods sales and use tax revenue to fund state and local parks;

(4) legislation providing for ethics reform;

(5) legislation requiring increased disclosure and transparency in the calculation of property taxes and the appraisal of property for taxation; and

(6) legislation authorizing the reduction of ad valorem taxes that may be imposed for public school purposes on the residence homesteads of the elderly or disabled to reflect any reduction in the rate of those taxes.

## **Amendment No. 2**

Representative Puente offered the following amendment to Amendment No. 1:

Amend the Villarreal amendment to **HR 4** by adding the following appropriately numbered subdivision to the list in item (2) of the amendment:

( ) legislation relating to water conservation;

Amendment No. 2 was withdrawn.

Amendment No. 1 was withdrawn.

A record vote was requested.

**HR 4** failed of adoption (not receiving the necessary four-fifths vote) by (Record 42): 108 Yeas, 33 Nays, 2 Present, not voting.

Yeas — Anderson; Aycock; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dutton; Eissler; Elkins; England; Escobar; Farabee; Flores; Flynn; Frost; Garcia; Gattis; Geren; Giddings; Gonzales; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hilderbran; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Lucio; Macias; Madden; Martinez; McCall; McClendon; McReynolds; Merritt; Miller; Morrison; Mowery; Murphy; Naishtat; O'Day; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Turner; Van Arsdale; Vaught; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bolton; Castro; Cohen; Coleman; Davis, Y.; Dunnam; Eiland; Farias; Farrar; Gonzalez Toureilles; Hernandez; Herrero; Hochberg; Hodge; Leibowitz; Mallory Caraway; Martinez Fischer; Miles; Moreno; Noriega; Olivo; Ortiz; Pickett; Pierson; Rodriguez; Talton; Thompson; Veasey; Villarreal; Vo.

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

Absent, Excused — Christian; Gallego; Menendez; Oliveira; Truitt.

Absent — Hartnett; Hill.

### **PAIRED VOTES**

Burnam (present), who would vote no, with Truitt (absent), who would vote yes.

### **REASON FOR VOTE**

We, the undersigned, have sworn an oath to uphold the Constitution of Texas. We take this oath and our duties as State Representatives very seriously. In the past, many of us have voted to suspend Article III, Section 5 of the Texas Constitution that allows bills to be heard before the 60th day. Today is a different day. There is no commitment by the leadership of the Texas House of Representatives to create a bipartisan legislative process providing for the needs of all Texans. Evidence of this is that committee assignments do not reflect the actual membership of the Texas House of Representatives. There are more minority members in the Texas House of Representatives than in the 79th Session, yet there are two fewer minority chairs and four fewer female chairs. We are voting "no" because that is the only opportunity that we have been given to represent our constituents. Any member may still bring a bill to the floor. If the bill is good for the people of Texas and every member is allowed reasonable input, then we will vote to suspend on a per bill basis. Sound government requires inclusive deliberation and debate.

Martinez Fischer, Allen, Alonzo, Bolton,  
Burnam, Castro, Coleman, Y. Davis, Dunnam,  
Eiland, Farias, Farrar, Hernandez, Herrero,  
Hodge, Leibowitz, Miles, Moreno, Olivo, Ortiz,  
Rodriguez, Thompson, Veasey, and Villarreal

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 4).

### **LEAVE OF ABSENCE GRANTED**

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

Hartnett on motion of Woolley.

### **HCR 42 - ADOPTED (by Isett)**

Representative Isett moved to suspend all necessary rules to take up and consider at this time **HCR 42**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 42**, Recognizing the Lubbock ISD Partners in Education program and local winners of the Texas Association of Partners in Education awards.

**HCR 42** was read and was adopted.

On motion of Representative Krusee, the names of all the members of the house were added to **HCR 42** as signers thereof.

### **LEAVE OF ABSENCE GRANTED**

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

Hill on motion of Chisum.

### **FIVE DAY POSTING RULE SUSPENDED**

Representative Chisum moved to suspend the five day posting rule to allow the Committee on Appropriations to meet 30 minutes after adjournment today, 8 a.m. tomorrow, and 8 a.m. Thursday, February 1.

The motion prevailed.

### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Appropriations, 30 minutes upon adjournment today, E1.030, for a public hearing.

Appropriations, 8 a.m. tomorrow, E1.030, for a public hearing.

Appropriations, 8 a.m. Thursday, February 1, E1.030, for a public hearing.

### **RULES SUSPENDED**

Representative Krusee moved to suspend all necessary rules and Article III, Section 5 of the Texas Constitution to allow the Committee on Transportation to consider **HB 71**, **HB 90**, and **HB 118** at 8 a.m. Tuesday, February 6 in E2.012.

A record vote was requested.

The motion prevailed by (Record 43): 124 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Davis, J.; Davis, Y.; Delisi; Deshotel; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farias; Farrar; Flores; Flynn; Frost; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Harper-Brown; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Laubenberg;

Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; Olivo; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Turner; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Christian; Gallego; Hartnett; Hill; Menendez; Oliveira; Truitt.

Absent — Aycock; Darby; Driver; Escobar; Farabee; Hardcastle; Harless; Hilderbran; Homer; Jackson; Krusee; Macias; Moreno; Mowery; O'Day; Orr; Paxton; Van Arsdale.

### **STATEMENT OF VOTE**

When Record No. 43 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Business and Industry, 2:30 p.m. today, E2.026, for an organizational meeting.

Corrections, 2 p.m today, senate finance room, to consider invited testimony.

### **PROVIDING FOR ADJOURNMENT**

Representative Riddle 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 in memory of Alice Elizabeth Rucker Allen of Austin.

The motion prevailed.

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

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

(Gattis in the chair)

### **ADJOURNMENT**

In accordance with a previous motion, the house, at 12:40 p.m., adjourned until 10 a.m. tomorrow.



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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 119** (By F. Brown), Relating to the exemption from competitive bidding for certain purchases.

To Government Reform.

**HB 120** (By F. Brown), Relating to state funding and tuition charged for courses provided during off-peak hours at certain public institutions of higher education.

To Higher Education.

**HB 121** (By Dukes), Relating to public school policies designed to prevent dating violence.

To Public Education.

**HB 122** (By Dukes), Relating to promoting the importance of higher education in public schools.

To Public Education.

**HB 123** (By Peña), Relating to the use of direct recording electronic voting machines.

To Elections.

**HB 124** (By Peña), Relating to certain offenses that involve impersonating a peace officer or other public servant and misrepresenting the nature of certain property.

To Law Enforcement.

**HB 125** (By Delisi), Relating to tuition and fee exemptions for the children of certain military personnel.

To Defense Affairs and State-Federal Relations.

**HB 126** (By Delisi), Relating to the offense of engaging in organized criminal activity.

To Criminal Jurisprudence.

**HB 127** (By Delisi), Relating to the requirement that state agencies report the cost of services and benefits provided to unlawful immigrants.

To State Affairs.

**HB 128** (By Truitt), Relating to the punishment for the offense of burglary of a vehicle.

To Criminal Jurisprudence.

**HB 129** (By Truitt), Relating to defamatory statements posted on Internet websites.

To Civil Practices.

**HB 130** (By Truitt), Relating to a waiver for school districts from first day of instruction requirements.

To Public Education.

**HB 131** (By Truitt), Relating to the cost of education adjustment under the Foundation School Program.

To Public Education.

**HB 132** (By McCall), Relating to requiring a record vote by each house or committee of the legislature on bills, proposed constitutional amendments, amendments to bills and proposed constitutional amendments, and certain other actions and to public notice of the record vote.

To State Affairs.

**HB 133** (By Villarreal), Relating to disclosure and use of sales price information for ad valorem tax purposes.

To Ways and Means.

**HB 134** (By Villarreal), Relating to teacher certification in early childhood education.

To Public Education.

**HB 135** (By Villarreal), Relating to limits on the size of prekindergarten classes in public schools.

To Public Education.

**HB 136** (By Olivo), Relating to promotion of students to certain grade levels in public school.

To Public Education.

**HB 137** (By Olivo), Relating to the requirements for a high school diploma.

To Public Education.

**HB 138** (By Strama), Relating to registered sex offenders and alternative education placement.

To Public Education.

**HB 139** (By Jackson), Relating to health services provided to health benefit plan enrollees by certain out-of-network health care providers.

To Insurance.

**HB 140** (By Jackson), Relating to regulating the operation of a day-care center; providing criminal penalties.

To Human Services.

**HB 141** (By Jackson), Relating to the determination of resident status of students by public institutions of higher education.

To Higher Education.

**HB 142** (By Jackson), Relating to imposition of local sales and use taxes on items shipped or delivered from one transit authority to another transit authority by certain retailers.

To Ways and Means.

**HB 143** (By Deshotel), Relating to application of the Texas no-call list to certain transmissions to a mobile telephone number.

To Business and Industry.

**HB 144** (By Deshotel), Relating to a preference in state purchasing for products from disaster areas.

To Government Reform.

**HB 145** (By Deshotel), Relating to exempting certain individuals from general fishing license fees.

To Culture, Recreation, and Tourism.

**HB 146** (By Deshotel), Relating to human papilloma virus education and immunization.

To Public Health.

**HB 147** (By Phillips), Relating to the use of an administrative penalty imposed by the Texas Commission on Environmental Quality against a municipally owned utility to ameliorate the violation for which the penalty was imposed.

To Natural Resources.

**HB 148** (By Phillips), Relating to the eligibility of certain repeat sex offenders for release on parole.

To Criminal Jurisprudence.

**HB 149** (By Phillips), Relating to rates charged for water or sewer services by an entity that takes over a nonfunctioning water or sewer system.

To Natural Resources.

**HB 150** (By Phillips), Relating to the punishment for a person with multiple convictions for identical misdemeanor offenses.

To Criminal Jurisprudence.

**HB 151** (By Phillips), Relating to consideration by the Texas Commission on Environmental Quality of a landfill's impact on the transportation systems and economic development of the area in which the landfill is located or proposed to be located.

To Environmental Regulation.

**HB 152** (By Phillips), Relating to exempting certain military personnel from the hunter education program.

To Culture, Recreation, and Tourism.

**HB 153** (By Phillips), Relating to disclosure by an appraisal district to a property owner of information regarding the appraisal of the person's property, including comparable sales information.

To Local Government Ways and Means.

**HB 154** (By Pickett), Relating to the abolition of the Texas Transportation Commission and the creation of a commissioner of transportation as an elected statutory state officer.

To Transportation.

**HB 155** (By Pickett), Relating to correcting errors in the distribution of benefits by a public retirement system.

To Pensions and Investments.

**HB 156** (By Pickett), Relating to the determination of a taxable entity's total revenue for purposes of the revised franchise tax.

To Ways and Means.

**HB 157** (By Pickett), Relating to an endangered person advisory.

To Law Enforcement.

**HB 158** (By Naishtat), Relating to reporting of the fair market value of certain gifts made to public officials.

To Elections.

**HB 159** (By Zedler), Relating to the determination of resident status of students by public institutions of higher education.

To Higher Education.

**HB 160** (By Menendez), Relating to a study on the relocation of freight trains away from residential areas of the state.

To Transportation.

**HB 161** (By Gonzales), Relating to providing language interpreter services to certain health care providers.

To Public Health.

**HB 162** (By Raymond), Relating to access to certain information contained in a decree of dissolution of a marriage or in an order in a suit affecting the parent-child relationship.

To Juvenile Justice and Family Issues.

**HB 163** (By Raymond), Relating to bullying as a ground for removing a public school student from class and placing the student in a disciplinary alternative education program.

To Public Education.

**HB 164** (By Raymond), Relating to a grant program for after-school child-care programs provided by school districts.

To Public Education.

**HB 165** (By Raymond), Relating to certain requirements imposed on a sex offender who enters the premises of a public park.

To Criminal Jurisprudence.

**HB 166** (By Raymond), Relating to a pilot program establishing a safe schools unit in the Department of Public Safety.

To Law Enforcement.

**HB 167** (By Raymond), Relating to exempting a religious bible from attachment, execution, or other seizure for the satisfaction of debts.

To State Affairs.

**HB 168** (By Raymond), Relating to the efficient use by the Texas Department of Criminal Justice of county jail beds provided by contract between the department and counties.

To Corrections.

**HB 169** (By Raymond), Relating to mandatory kindergarten attendance in public schools.

To Public Education.

**HB 170** (By Raymond), Relating to limits on the size of prekindergarten classes in public schools.

To Public Education.

**HB 171** (By Raymond), Relating to the coverage period for eligibility under the child health plan.

To Human Services.

**HB 172** (By Raymond), Relating to the confidentiality of a family violence victim's identifying information; providing a penalty.

To Criminal Jurisprudence.

**HB 173** (By Raymond), Relating to a physical and mental examination of a child subject to the juvenile justice system.

To Juvenile Justice and Family Issues.

**HB 174** (By Truitt), Relating to the regulation of laser hair removal facilities; providing penalties.

To Government Reform.

**HB 175** (By Chisum), Relating to the protection of life, including unborn life, from the point of fertilization; providing penalties.

To State Affairs.

**HB 176** (By Bailey), Relating to the authority of certain counties to enact noise regulations; providing a criminal penalty.

To County Affairs.

**HB 177** (By Bailey), Relating to provision of hot water service to residential rental units.

To Business and Industry.

**HB 178** (By Bailey), Relating to the issuance and renewal of certain licenses for junkyards and automotive wrecking and salvage yards.

To Transportation.

**HB 179** (By Bailey), Relating to the authority of the boards of trustees of certain school districts to close low-performing high school campuses.

To Public Education.

**HB 180** (By Zedler), Relating to the creation and dissolution of a covenant marriage.

To State Affairs.

**HB 181** (By B. Brown), Relating to the scope of a county program to improve the collection of court costs, fees, and fines imposed in criminal cases.

To Criminal Jurisprudence.

**HB 182** (By B. Brown), Relating to the authority of certain counties to enact noise regulations; providing a criminal penalty.

To County Affairs.

**HB 183** (By B. Brown), Relating to release by the Texas Education Agency of questions and answer keys to assessment instruments.

To Public Education.

**HB 184** (By Hochberg), Relating to an exception to consent as a defense to assaultive conduct.

To Criminal Jurisprudence.

**HB 185** (By Hochberg), Relating to gang-related activity in and around public schools; providing a criminal penalty.

To Criminal Jurisprudence.

**HB 186** (By Hochberg), Relating to the regular procedure for not accepting voters.

To Elections.

**HB 187** (By Hochberg), Relating to prohibiting jury-recommended or deferred adjudication community supervision for a defendant convicted of murder.

To Criminal Jurisprudence.

**HB 188** (By Hochberg), Relating to the use of credits for textbooks or other instructional materials in a school district or open-enrollment charter school.

To Public Education.

**HB 189** (By Hochberg), Relating to outside employment by school district superintendents.

To Public Education.

**HB 190** (By Callegari), Relating to the limitation on the maximum average annual percentage increase in the appraised value of a residence homestead for ad valorem tax purposes.

To Ways and Means.

**HB 191** (By Miller), Relating to the fee for issuance of specialty license plates to members of the United States armed forces.

To Transportation.

**HB 192** (By Miller), Relating to the punishment prescribed for certain attempts to commit an offense on school premises or on the premises of a school-sponsored activity.

To Criminal Jurisprudence.

**HB 193** (By Guillen), Relating to the minimum wage.  
To Economic Development.

**HB 194** (By Gonzalez Toureilles), Relating to the dismissal of a charge for failure to carry and exhibit a driver's license.  
To Transportation.

**HB 195** (By Gonzalez Toureilles), Relating to the transfer of certain abandoned or forfeited property to county or municipal agencies.  
To Urban Affairs.

**HB 196** (By Gonzalez Toureilles), Relating to appeals from small claims courts.  
To Civil Practices.

**HB 197** (By Gonzalez Toureilles), Relating to the provision of intervention or counseling services to certain persons who have committed family violence and to a process for accrediting those services.  
To Juvenile Justice and Family Issues.

**HB 198** (By Madden), Relating to the capacity of certain correctional facilities operated under contracts between the Texas Board of Criminal Justice and a private vendor or county commissioners court.  
To Corrections.

**HB 199** (By Madden), Relating to a residential infant care program for mothers confined in Texas Department of Criminal Justice facilities.  
To Corrections.

**HB 200** (By Menendez), Relating to an offense of using a wireless communication device while operating a motor vehicle in a school crossing zone.  
To Transportation.

**HB 201** (By Menendez), Relating to an offense of using a wireless communication device while operating a motor vehicle.  
To Transportation.

**HB 202** (By Menendez), Relating to the punishment for and certain civil consequences of committing the offense of prostitution.  
To Criminal Jurisprudence.

**HB 203** (By Menendez), Relating to prohibiting certain sex offenders from residing within a child safety zone.  
To Corrections.

**HB 204** (By Menendez), Relating to the elimination of the statute of limitations for certain sexual offenses committed against children.  
To Criminal Jurisprudence.

**HB 205** (By Anderson), Relating to the punishment for certain sex offenses committed against a child.  
To Criminal Jurisprudence.

**HB 206** (By Flores), Relating to state funding for school districts for transportation of students who would be subject to hazardous traffic conditions while walking.

To Appropriations.

**HB 207** (By Flores), Relating to the transportation allotment provided under the public school finance system.

To Appropriations.

**HB 208** (By Flores), Relating to the eligibility of students enrolled in joint credit or concurrent enrollment programs for extracurricular activities and University Interscholastic League competitions.

To Public Education.

**HB 209** (By Flores), Relating to eligibility for an award through the Early High School Graduation Scholarship program.

To Public Education.

**HB 210** (By Flynn), Relating to the designation of a portion of Interstate Highway 20 as the Ronald Reagan Memorial Highway.

To Transportation.

**HB 211** (By Peña), Relating to privacy of wireless telecommunications customer information; providing a civil penalty.

To Regulated Industries.

**HB 212** (By Woolley), Relating to eliminating automatic admission to certain public institutions of higher education based on high school grade point average.

To Higher Education.

**HB 213** (By Isett), Relating to the constitutional limitation on the rate of growth of state appropriations and the constitutional creation of three special funds to replace the economic stabilization fund.

To Appropriations.

**HB 214** (By Vo), Relating to the availability of automated external defibrillators at certain public school campuses and events.

To Public Education.

**HB 215** (By Farrar), Relating to immunization against human papilloma virus.

To Public Health.

**HB 216** (By Otto), Relating to the margin of error the comptroller of public accounts must use to determine whether the local value for a school district is valid after conducting the annual property value study.

To Local Government Ways and Means.

**HB 217** (By Jackson), Relating to a landowner's repurchase of real property previously acquired by a governmental entity through eminent domain.

To Land and Resource Management.



**HB 218** (By B. Brown), Relating to requiring a voter to present proof of identification.

To Elections.

**HB 219** (By Miller), Relating to the margin of error the comptroller of public accounts must use to determine whether the local value for a school district is valid after conducting the annual property value study.

To Local Government Ways and Means.

**HJR 27** (By Callegari), Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum average annual percentage increase in the appraised value of a residence homestead for ad valorem tax purposes.

To Ways and Means.

**HJR 29** (By Isett), Proposing a constitutional amendment concerning the restriction on the rate of growth of state appropriations and establishing three special funds to replace the economic stabilization fund.

To Appropriations.

### **SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

#### **Senate List No. 4**

**SCR 8, SCR 11, SCR 12**

### **MESSAGES FROM THE SENATE**

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

#### **Message No. 1**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, January 30, 2007

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SCR 13**

Wentworth

SPONSOR: Flynn

Inviting the Chief Justice of the Supreme Court of Texas to address a Joint Session of the legislature on February 20, 2007.

Respectfully,

Patsy Spaw

Secretary of the Senate

