

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTY-THIRD DAY — THURSDAY, APRIL 26, 2007

The house met at 9 a.m. and, at the request of the speaker, was called to order by Representative Hamilton.

The roll of the house was called and a quorum was announced present (Record 716).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; 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; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Hilderbran; Moreno.

Absent — Bolton.

The invocation was offered by Reverend Andy Mangum, senior minister, First Christian Church (Disciples of Christ), Arlington, as follows:

Creator, redeemer, and sustainer of human life and human society, we marvel at the beautiful creation you have entrusted to us, your people, who call ourselves Texans. From the deep grandeur of Palo Duro Canyon, to the majestic shores of our Gulf Coast land, from the green forests in East Texas, to the rugged desert of Big Bend, we offer you praise and we marvel that such diversity belongs to this plot of land we have received from you. We marvel also in the people you have placed here—our friends, neighbors, and colleagues—they match the diversity and beauty of the state in which they live.

We ask your blessings on Speaker Craddick and on all of the representatives gathered in this place, their colleagues in the senate, and on our governor as they make the decision placed into their hands.

Remind us that we do not own this place, we are merely stewards of your treasure. Remind us that the people whose lives we encounter were forged in your image. Grant to us an awareness of our interdependence. Help us to see your reflection in the faces of those with whom we interact, even when we disagree. Help us to continue to strive for the best as those who have gone before us have so ably done. Amen.

The chair recognized Representative Pierson 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:

Hilderbran on motion of Corte.

### **CAPITOL PHYSICIAN**

The chair recognized Representative Talton who presented Dr. Joe Anzaldua of Sugar Land as the "Doctor for the Day."

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

### **HR 1656 - ADOPTED (by Pierson)**

Representative Pierson moved to suspend all necessary rules to take up and consider at this time **HR 1656**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1656**, Commemorating the 2007 General Assembly of the Christian Church (Disciples of Christ) in Fort Worth.

**HR 1656** was read and was adopted.

(Speaker in the chair)

### **HB 3928 - COMMITTEE ON CALENDARS RULE ADOPTED**

Pursuant to House Rule 3, Section 5(2), and House Rule 6, Section 16(f), Representative Woolley moved to adopt the following rule governing floor consideration of **HB 3928** (relating to technical changes to the revised franchise tax):

Section 1. All original amendments that will be offered during second reading consideration of the bill must be filed with the chief clerk by 5:00 p.m. on Sunday, April 29, 2007.

Section 2. (a) Any amendment is not in order if it causes the bill to have a net loss to any fund in any biennium.

(b) For purposes of this rule, the fiscal impact of an amendment will be determined based on estimates provided by the Legislative Budget Board with assistance from the Office of the Comptroller.

### REMARKS

REPRESENTATIVE SMITHEE: Mr. Keffer, during your discussion with Mr. Hill, you mentioned some substantive changes to the tax law that occurs in the bill. Could you tell the house what those substantive changes are?

REPRESENTATIVE KEFFER: Yes, in **HB 3928**?

SMITHEE: Yes.

KEFFER: Okay, we will go over that again, thank you, because it is important. We, on this floor, during the **HB 3** debate, we made two commitments and two amendments to **HB 3** that during the next interim, and working with the new comptroller and her staff, found out that there was some disagreement on what the amendment said and how they were interpreting the amendment. The first one was on the apportionment issue. The apportionment issue is businesses that do business country-wide, is that they will only be taxed on the revenue that they deal with in the State of Texas.

SMITHEE: Is that a substantive change or a nonsubstantive change?

KEFFER: That is, to me, nonsubstantive, because it is what we felt like from the very beginning, that we were not changing, and **HB 3**, it was my understanding that we were not changing the apportionment part of it.

SMITHEE: Okay. I just want to know what the substantive changes are.

KEFFER: The only substantive change we are making in **HB 3928** is that we are raising the small business exemption from \$300,000 of gross revenue to \$600,000 of gross revenue.

SMITHEE: And it's your intent that that be a substantive change to the tax law, is that correct?

KEFFER: Yes, sir, it is.

SMITHEE: Alright, now why does the caption of the bill say that it relates to procedural changes, I'm sorry, technical changes?

KEFFER: Because there are some changes in there, in this bill, as you will see, that in **HB 3**, during the debate, there were some gray areas left that we needed to help the comptroller define. There was one thing, there was a discussion whether limited partnerships were actually under this tax situation the way the bill was originally written. We have gone back to clarify that they are, and other technical to help the comptroller in this transition from the original franchise tax to this new margin tax, and helping them do their job.

SMITHEE: So, in your opinion, there are mainly technical changes, but there are substantive changes?

KEFFER: Yes, sir, there is.

SMITHEE: Okay, now the question is, do you think there is a distinction between a technical change and a substantive change to the tax law?

KEFFER: Well, I guess that boils down to when somebody thinks of what is costing someone, but there is no change in what **HB 3** originally came over, as far as how businesses are dealt with. In a lot of this, we are simply going through and clarifying what our—

SMITHEE: I understand that, but let me ask you the question one more time. Do you believe that a substantive change would fall within the category of being a technical change to the tax law? Is that your intent?

KEFFER: I don't know with your and my definition. Substantive to me is it's costing somebody more money, or is it making a big change in what the direction of the bill that we originally set out to do. In **HB 3928**, there is no change of direction, there is no change of intent, there is no change of what road we were on with **HB 3**. The only substantive, let me go back, the only thing we are adding to, and I define that as substantive, the only thing we are adding to our original **HB 3** is raising the small business exemption from \$300,000 gross receipt to \$600,000 gross receipt.

SMITHEE: Is it your intent then that that be considered a technical change to the tax law?

KEFFER: That change, I think that would be more substantive, because we are adding that change to the original **HB 3**. That is something that, on the apportionment and under the net laws carried forward, those are things that my intent that were already in **HB 3**, already covered in **HB 3** under the margin tax.

SMITHEE: Okay. So to summarize what you just said, the raising of the exemption would be something other than a technical change.

KEFFER: Yes.

SMITHEE: And that is your intent, correct?

KEFFER: Yes, that is my intent.

### REMARKS ORDERED PRINTED

Representative Smithee moved to print remarks between Representative Keffer and Representative Smithee.

The motion prevailed.

A record vote was requested.

The motion to adopt the Committee on Calendars rule prevailed by (Record 717): 109 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Cohen; Cook, B.; Cook, R.; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Dutton; Eissler; Elkins; England; Escobar; Farabee; Flores; Flynn; Frost; Gattis;

Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Heflin; Hill; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Lucio; Macias; Madden; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Miles; Miller; Morrison; Mowery; Murphy; Noriega; O'Day; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Solomons; Strama; Straus; Swinford; Taylor; Truitt; Turner; Van Arsdale; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Alonzo; Burnam; Castro; Chavez; Coleman; Davis, Y.; Dukes; Eiland; Farias; Farrar; Gallego; Garcia; Harper-Brown; Hernandez; Hochberg; Laubenberg; Mallory Caraway; McCall; Merritt; Naishtat; Olivo; Paxton; Smithee; Talton; Vaught; Veasey.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Moreno.

Absent — Bolton; Christian; Corte; Driver; Dunnam; Hartnett; Herrero; Krusee; Leibowitz; Oliveira; Pitts; Thompson.

#### **STATEMENTS OF VOTE**

When Record No. 717 was taken, I was temporarily out of the house chamber. I would have voted yes.

Hartnett

When Record No. 717 was taken, I was in the house but away from my desk. I would have voted no.

Herrero

When Record No. 717 was taken, I was temporarily out of the house chamber. I would have voted no.

Leibowitz

I was shown voting no on Record No. 717. I intended to vote yes.

Vaught

#### **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, House List No. 27).

#### **GENERAL STATE CALENDAR SENATE BILLS THIRD READING**

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

**SB 949 ON THIRD READING**  
**(Frost - House Sponsor)**

**SB 949**, A bill to be entitled An Act relating to the regulation of a private business providing security services by a political subdivision of this state.

A record vote was requested.

**SB 949** was passed by (Record 718): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; 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; Hill; Hochberg; Hodge; Homer; Hopson; Howard; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, W.; Smithee; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Moreno.

Absent — Bailey; Bolton; Corte; Herrero; Jones; Latham; Laubenberg; Martinez; Ritter; Smith, T.; Solomons; Villarreal.

**STATEMENTS OF VOTE**

When Record No. 718 was taken, I was in the house but away from my desk. I would have voted yes.

Bolton

I was shown voting yes on Record No. 718. I intended to vote no.

Harper-Brown

When Record No. 718 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 718 was taken, I was in the house but away from my desk. I would have voted yes.

Latham

**POSTPONED BUSINESS**

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

**CSSB 1106 ON SECOND READING  
(Farabee - House Sponsor)**

**CSSB 1106**, A bill to be entitled An Act relating to county accounting procedures regarding certain audits, debts, and records.

**CSSB 1106** was considered in lieu of **CSHB 2485**.

**CSSB 1106** was read second time and was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 2485 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Farabee moved to lay **CSHB 2485** on the table subject to call.

The motion prevailed.

**CSHB 971 ON SECOND READING  
(by T. King)**

**CSHB 971**, A bill to be entitled An Act relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.

**CSHB 971** was read second time on April 25 and was postponed until 7 a.m. today.

**CSHB 971** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Miller recorded voting no.)

**LEAVE OF ABSENCE GRANTED**

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

Ritter on motion of Hopson.

**CSHB 197 ON SECOND READING  
(by Gonzalez Toureilles, Driver, Turner, Chavez, et al.)**

**CSHB 197**, A bill to be entitled An Act 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.

**CSHB 197** was read second time on April 12, postponed until April 19, and was again postponed until 8 a.m. today.

Representative Gonzalez Toureilles moved to postpone consideration of **CSHB 197** until 7 a.m. Monday, April 30.

The motion prevailed.

**HB 3249 ON THIRD READING**  
**(by Truitt, B. Cook, McClendon, Kolkhorst, and Flynn)**

**HB 3249**, A bill to be entitled An Act relating to the powers and duties of, and the entities reviewed by, the Sunset Advisory Commission.

**HB 3249** was read third time on April 25 and was postponed until 9 a.m. today.

**Amendment No. 1**

Representatives Kuempel and Hilderbran offered the following amendment to **HB 3249**:

Amend on third reading **HB 3249**, as it was amended on second reading, by striking the ARTICLE added to the bill by Amendment No. 1 by Rep. Truitt, and adding the following SECTION to ARTICLE 2, appropriately numbered, and renumbering the subsequent SECTIONS of the ARTICLE appropriately:

SECTION 2. \_\_\_\_\_. PARKS AND WILDLIFE DEPARTMENT. Section 11.0111, Parks and Wildlife Code, is amended to read as follows:

Sec. 11.0111. SUNSET PROVISION. The Parks and Wildlife Department is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2011 [~~2013~~].

Amendment No. 1 was adopted.

A record vote was requested.

**HB 3249**, as amended, was passed by (Record 719): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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 Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Moreno; Ritter.

Absent — Bailey; Bolton; Hardcastle; Herrero; Laubenberg; Macias; Talton.

### LEAVE OF ABSENCE GRANTED

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

Bailey on motion of Gonzalez Toureilles.

### CSHB 1351 ON SECOND READING (by T. King)

**CSHB 1351**, A bill to be entitled An Act relating to the operation of certain staff leasing services arrangements.

**CSHB 1351** was read second time on April 25 and was postponed until 9 a.m. today.

#### Amendment No. 1

Representative T. King offered the following amendment to **CSHB 1351**:

Amend **CSHB 1351**, committee printing, as follows:

(1) On page 1, line 9, strike "may give" and substitute "shall give".

(2) On page 1, strike line 18 and substitute the following:

"(c) A license holder, on behalf of its client companies, may establish and sponsor a".

(3) On page 1, lines 20 and 21, strike "for their assigned employees" and substitute "for the assigned employees of those client companies".

(4) On page 2, lines 1 and 2, strike "the client companies of".

(5) On page 2, strike line 3 and substitute the following:

"on behalf of its client companies, may establish and sponsor a multiple employer welfare arrangement under this chapter".

Amendment No. 1 was adopted.

**CSHB 1351**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

### MAJOR STATE CALENDAR HOUSE BILLS THIRD READING

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

### HB 1602 ON THIRD READING (by Van Arsdale, O'Day, Goolsby, B. Cook, Strama, et al.)

**HB 1602**, A bill to be entitled An Act relating to venue in civil actions under the Jones Act.

A record vote was requested.

**HB 1602** was passed by (Record 720): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycocock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Bolton; Herrero; Laubenberg.

#### STATEMENTS OF VOTE

When Record No. 720 was taken, I was in the house but away from my desk. I would have voted yes.

Bolton

When Record No. 720 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

#### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### **HB 3060 ON THIRD READING** (by Peña)

**HB 3060**, A bill to be entitled An Act relating to issuance by a court of a *capias* or a *capias pro fine*.

(Taylor in the chair)

A record vote was requested.

**HB 3060** was passed by (Record 721): 136 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Bolton; Creighton; Davis, Y.; Delisi; Herrero; Laubenberg; Merritt; Noriega.

### STATEMENT OF VOTE

When Record No. 721 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

### HB 2308 ON THIRD READING (by Rose)

**HB 2308**, A bill to be entitled An Act relating to the requirement that certain economic development corporations hold a hearing before spending funds to undertake a project.

A record vote was requested.

**HB 2308** was passed by (Record 722): 140 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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 Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock;

Hardcastle; Harless; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Harper-Brown.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Bolton; Laubenberg; McClendon.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 722. I intended to vote no.

Leibowitz

(Bolton now present)

### HB 3446 ON THIRD READING

(by Rose, Keffer, Deshotel, McCall, Gonzales, et al.)

**HB 3446**, A bill to be entitled An Act relating to the promotion by the comptroller of Texas manufactured products; providing civil and administrative penalties.

#### Amendment No. 1

Representative Rose offered the following amendment to **HB 3446**:

Amend **HB 3446** as follows:

(1) On page 2, line 15, strike "and".

(2) On page 2, line 18, strike the period and substitute "; and".

(3) On page 2, between lines 18 and 19, insert:

(6) cooperate with the Department of Agriculture to minimize duplication of programs.

Amendment No. 1 was adopted.

A record vote was requested.

**HB 3446**, as amended, was passed by (Record 723): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Harper-Brown; Hughes; Laubenberg; Otto; Talton.

### STATEMENT OF VOTE

When Record No. 723 was taken, I was in the house but away from my desk. I would have voted no.

Harper-Brown

### HB 551 ON THIRD READING

(by Turner, Bonnen, Giddings, Bohac, Homer, et al.)

**HB 551**, A bill to be entitled An Act relating to the system benefit fund and to eligibility for and enrollment for benefits provided under the system benefit fund programs.

A record vote was requested.

**HB 551** was passed by (Record 724): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente;

Quintanilla; Raymond; Riddle; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Goolsby; Laubenberg; Otto; Rose.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 724. I intended to vote no.

Talton

### HB 1268 ON THIRD READING

(by Van Arsdale)

**HB 1268**, A bill to be entitled An Act relating to the award of attorney's fees under the terms of certain contracts with a governmental entity.

A record vote was requested.

**HB 1268** was passed by (Record 725): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; 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; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Gallego; Murphy.

**HB 1579 ON THIRD READING****(by Guillen)**

**HB 1579**, A bill to be entitled An Act relating to reimbursement for health care services provided at certain times to persons enrolled in the Medicaid managed care program.

A record vote was requested.

**HB 1579** was passed by (Record 726): 138 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Harper-Brown.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Goolsby; Harless; Hughes; King, S.; Laubenberg.

**HB 2462 ON THIRD READING****(by Van Arsdale)**

**HB 2462**, A bill to be entitled An Act relating to providing for the sale of certain gambling equipment seized by a law enforcement agency.

A record vote was requested.

**HB 2462** was passed by (Record 727): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Geren; Giddings; Gonzales;

Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Gattis; Hopson; King, S.; Laubenberg; Zerwas.

### **HB 2439 ON THIRD READING**

**(by Truitt, J. Davis, Rose, Isett, McReynolds, et al.)**

**HB 2439**, A bill to be entitled An Act relating to the functions of local mental health and mental retardation authorities.

A record vote was requested.

**HB 2439** was passed by (Record 728): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — King, S.; Laubenberg.

**HB 317 ON THIRD READING**  
**(by Miller, Aycock, and Delisi)**

**HB 317**, A bill to be entitled An Act relating to the student enrollment required for the issuance of certain revenue bonds for facilities at Texas A&M University—Central Texas.

A record vote was requested.

**HB 317** was passed by (Record 729): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Davis, Y.; Dunnam; Hamilton; Laubenberg; Menendez; Rodriguez; Swinford.

**HB 3063 ON THIRD READING**  
**(by Peña)**

**HB 3063**, A bill to be entitled An Act relating to the filing of a foreign judgment in a Texas court.

A record vote was requested.

**HB 3063** was passed by (Record 730): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — King, S.; Laubenberg; Mallory Caraway.

(Speaker in the chair)

### HB 3011 ON THIRD READING

(by W. Smith, Noriega, Hernandez, et al.)

**HB 3011**, A bill to be entitled An Act relating to the creation of ship channel security districts by certain populous counties.

A record vote was requested.

**HB 3011** was passed by (Record 731): 133 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Castro.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Burnam; Chavez; Corte; Davis, Y.; Driver; Gonzalez Toureilles; Haggerty; Harless; King, S.; Smithee; Van Arsdale.

### STATEMENT OF VOTE

I was shown voting no on Record No. 731. I intended to vote yes.

Castro

### HB 1365 ON THIRD READING

(by Flores and Kuempel)

**HB 1365**, A bill to be entitled An Act relating to residency requirements for holders of a promotional alcoholic beverage permit.

A record vote was requested.

**HB 1365** was passed by (Record 732): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; 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; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Burnam; Elkins; Hochberg; Kuempel; Pierson; Talton.

### STATEMENT OF VOTE

When Record No. 732 was taken, my vote failed to register. I would have voted yes.

Kuempel

**HB 521 ON THIRD READING**  
(by Miller and Orr)

**HB 521**, A bill to be entitled An Act relating to notice of an application for a permit to dispose of oil and gas waste in a commercial disposal well; creating an offense.

A record vote was requested.

**HB 521** was passed by (Record 733): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; 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; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Elkins; Hochberg; O'Day; Swinford.

**HB 1526 ON THIRD READING**  
(by W. Smith)

**HB 1526**, A bill to be entitled An Act relating to incentives for and the use of alternative leak detection technologies for air contaminants.

A record vote was requested.

**HB 1526** was passed by (Record 734): 135 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; 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; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Allen; Herrero; Leibowitz.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Davis, Y.; Dutton; Hernandez; Laubenberg; O'Day; Smith, T.; Talton.

### STATEMENT OF VOTE

When Record No. 734 was taken, I was in the house but away from my desk. I would have voted yes.

T. Smith

### HB 2910 ON THIRD READING (by Gattis)

**HB 2910**, A bill to be entitled An Act relating to the authority of certain municipalities to regulate certain quarry activities.

A record vote was requested.

**HB 2910** was passed by (Record 735): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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 Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hill; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Puente;

Quintanilla; Raymond; Riddle; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Hochberg; Laubenberg; Pitts; Rose.

### STATEMENT OF VOTE

When Record No. 735 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

### HB 1460 ON THIRD READING (by Haggerty)

**HB 1460**, A bill to be entitled An Act relating to licensing, acquisition, and regulation of manufactured housing; providing penalties.

#### Amendment No. 1

Representative Otto offered the following amendment to **HB 1460**:

Amend **HB 1460**, on third reading, in SECTION 2 of the bill, in added Subsection (e), Section 1201.008, Occupations Code, by striking "Notwithstanding a zoning law or any other law," and substituting "Notwithstanding a zoning law or any other law, unless prohibited by an ordinance or charter of a home-rule municipality,".

#### Amendment No. 2

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

Amend the Otto amendment to **HB 1460**, on third reading, on page 1, at the end of line 5, by inserting "or general law".

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

### HB 1460 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE ORR: Representative, when we did these amendments what we want to be sure is, if there is a hurricane or a tornado, what would happen in those cases where we're overriding the zoning?

REPRESENTATIVE OTTO: Mr. Orr, what we are intending is that if you are replacing a manufactured home as a result of a disaster that that does not count. If you have an ordinance that allows for a certain number of replacements, as I do in my home rule city charter, in an ordinance there, that would not count as one of those replacements. If a hurricane or a tornado wiped out your manufactured house then you would be allowed to replace that residence.

**REMARKS ORDERED PRINTED**

Representative Orr moved to print remarks between Representative Otto and Representative Orr.

The motion prevailed.

A record vote was requested.

**HB 1460**, as amended, was passed by (Record 736): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Latham.

**HB 872 ON THIRD READING  
(by Otto and Garcia)**

**HB 872**, A bill to be entitled An Act relating to the prosecution of and punishment for the offense of tampering with or fabricating physical evidence.

A record vote was requested.

**HB 872** was passed by (Record 737): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anderson; Aycock; Berman; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Anchia; Bohac; Laubenberg; Strama.

### STATEMENT OF VOTE

When Record No. 737 was taken, I was in the house but away from my desk. I would have voted yes.

Strama

### HB 2770 ON THIRD READING (by Eiland)

**HB 2770**, A bill to be entitled An Act relating to adoption of the Uniform Child Abduction Prevention Act.

A record vote was requested.

**HB 2770** was passed by (Record 738): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; 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; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Eissler; Geren; Jones; Laubenberg; Paxton; Puente; Strama.

### STATEMENT OF VOTE

When Record No. 738 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

### HB 3694 ON THIRD READING (by Deshotel)

**HB 3694**, A bill to be entitled An Act relating to the enterprise zone program.

A record vote was requested.

**HB 3694** was passed by (Record 739): 137 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Miller.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Aycock; Bonnen; Burnam; Crownover; Darby; Laubenberg; Taylor.

### STATEMENTS OF VOTE

When Record No. 739 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 739 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

**HB 946 ON THIRD READING**  
(by Miller, et al.)

**HB 946**, A bill to be entitled An Act relating to conduct that constitutes the offense of endangering a child.

A record vote was requested.

**HB 946** was passed by (Record 740): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Castro; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Callegari; Coleman; England; Laubenberg; Smith, T.

**HB 2445 ON THIRD READING**  
(by Driver, et al.)

**HB 2445**, A bill to be entitled An Act relating to certain employment records maintained by the Commission on Law Enforcement Officer Standards and Education; providing an administrative penalty.

A record vote was requested.

**HB 2445** was passed by (Record 741): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb;

Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Eiland; Laubenberg.

### **HB 2823 ON THIRD READING**

**(by Bohac, et al.)**

**HB 2823**, A bill to be entitled An Act relating to provisional voting by a person who applied for an early voting ballot by mail.

#### **HB 2823 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE VEASEY: I just have a couple of clarifying questions for you. If a voter brings their mail ballot in to the polling place today and they say that they received a mail ballot at my house, but I'm here at the polling place, can I go ahead and vote? Is that—

REPRESENTATIVE BOHAC: You'd have to drive all the way to the county clerk's office, or the voting clerk's office, sign an affidavit, and then come all the way back. We're going to say that if you show up at the polling place, you can do that if you want to, or you can go ahead and vote provisionally. So this gives you another option so you don't have to drive all over the city at 7 o'clock in the afternoon when the polls are closing.

VEASEY: Right, but if you bring your ballot in, and say, I need to vote, and you send me a ballot to my house, but I've decided to—

BOHAC: Oh yeah, you can vote at that particular moment.

VEASEY: Okay, good, so that doesn't change. Currently if a voter does not have a mail ballot or never received the mail ballot, they must go to the county elections office and complete the process to cancel the ballot. Once they've done so they may go to their polling place with a copy of that cancellation and their vote will be accepted as a normal vote. That's the same?

BOHAC: I'm just adding a second way to do it, an easier way to do it.

VEASEY: Okay, in a situation stipulated by your bill cast a provisional ballot is it your intent that the clerk or the elections administrator will do everything in their power to check the list of mail ballots that were received, to verify that the person's ballot was not cast and then, subsequently, count the provisional ballot to insure their vote was counted?

BOHAC: I'm sorry, I didn't hear the question.

VEASEY: Let me read this one to you because this was a bit longer, that's why I wrote it down. Before a voter, in the situation stipulated by your bill, casts a provisional ballot before this bill was filed, is it your intent that the clerk or the elections administrator does everything in their power to check the lists of mail ballots that were received, verify this person's mail ballot was not cast, and then subsequently count the provisional ballot to insure that their vote is counted?

BOHAC: Whatever's current law is what the current law is. I'm not touching that aspect of the law.

VEASEY: Okay, good.

### REMARKS ORDERED PRINTED

Representative Veasey moved to print remarks between Representative Bohac and Representative Veasey.

The motion prevailed.

A record vote was requested.

**HB 2823** was passed by (Record 742): 125 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cohen; Coleman; Cook, R.; Crabb; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Dukes; 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; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Keffer; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Van Arsdale; Vaught; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Burnam; Castro; Chavez; Cook, B.; Corte; Crownover; Driver; Dunnam; Hardcastle; Jones; King, P.; Krusee; Laubenberg; Martinez Fischer; Morrison; Mowery; Rodriguez; Taylor; Turner; Veasey.

**STATEMENTS OF VOTE**

When Record No. 742 was taken, I was in the house but away from my desk. I would have voted yes.

Castro

When Record No. 742 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 742 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

When Record No. 742 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

**HB 2138 ON THIRD READING**

(by Paxton)

**HB 2138**, A bill to be entitled An Act relating to regulation of property tax lenders; providing a penalty.

A record vote was requested.

**HB 2138** was passed by (Record 743): 128 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Callegari; Chavez; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Dukes; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; 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, S.; King, T.; Kolkhorst; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Bonnen; Burnam; Castro; Chisum; Corte; Davis, Y.; Driver; Dunnam; Flores; Haggerty; King, P.; Krusee; Martinez Fischer; McCall; Morrison; Straus; Talton.

### STATEMENT OF VOTE

When Record No. 743 was taken, I was in the house but away from my desk. I would have voted yes.

Castro

### HB 782 ON THIRD READING

(by Dutton)

**HB 782**, A bill to be entitled An Act relating to genetic testing in the determination of parentage and to a proceeding to vacate an order of paternity or child support.

A record vote was requested.

**HB 782** was passed by (Record 744): 123 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Branch; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Rodriguez; Rose; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Nays — Bonnen; Brown, B.; Crabb; Creighton; Gallego; Hancock; Harless; Harper-Brown; Hartnett; Howard, C.; Hughes; Isett; Macias; O'Day; Patrick; Riddle; Smith, T.; Smith, W.; Smithee; Solomons.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Naishtat; Zedler.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 744. I intended to vote no.

Paxton

When Record No. 744 was taken, I was in the house but away from my desk. I would have voted no.

Zedler

**HR 1667 - ADOPTED**  
**(by Jones)**

Representative Jones moved to suspend all necessary rules to take up and consider at this time **HR 1667**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1667**, Honoring former State Representative Wesley B. Roberts for his professional achievements.

**HR 1667** was adopted.

On motion of Representative Miller, the names of all the members of the house were added to **HR 1667** as signers thereof.

**SCR 59 - ADOPTED**  
**(Chisum - House Sponsor)**

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **SCR 59**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 59**, In memory of the Honorable Billy Wayne Clayton.

**SCR 59** was read and was unanimously adopted by a rising vote.

On motion of the speaker, the names of all the members of the house were added to **SCR 59** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Chisum who introduced family members of the Honorable Bill Clayton and former speakers, Pete Laney, Gib Lewis, and Rayford Price.

**SPEAKER'S REUNION DAY**

In recognition of past service, former members were introduced at the podium. The speaker announced that the Speaker's Reunion Day luncheon would be held during recess.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Licensing and Administrative Procedures, upon lunch recess today, Desk 99, for a formal meeting, to consider **SB 1340**.

Financial Institutions, upon lunch recess today, Desk 7, for a formal meeting.

Business and Industry, upon lunch recess today, Desk 103, for a formal meeting, to consider pending business.

Public Health, upon lunch recess today, Desk 58, for a formal meeting, to consider pending business.

Land and Resource Management, upon lunch recess today, Desk 74, for a formal meeting, to consider **HB 2091**, **HB 2798**, **HB 3232**, and pending business.

Public Education, upon adjournment, Desk 31, for a formal meeting, to consider pending business.

### RECESS

At 11:59 a.m., the speaker announced that the house would stand recessed until 2 p.m. today.

### AFTERNOON SESSION

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

#### HB 647 ON THIRD READING

(by McCall, Strama, Gonzalez Toureilles, Berman, Bohac, et al.)

**HB 647**, A bill to be entitled An Act relating to the making of political contributions to and acceptance of political contributions by statewide officers and members of the legislature before and during a special session of the legislature; providing a criminal penalty.

A record vote was requested.

**HB 647** was passed by (Record 745): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rose; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Escobar; Hardcastle; Laubenberg; Rodriguez; Smith, T.; Thompson; Woolley.

### STATEMENTS OF VOTE

When Record No. 745 was taken, I was in the house but away from my desk. I would have voted yes.

T. Smith

When Record No. 745 was taken, I was in the house but away from my desk. I would have voted yes.

Woolley

### HB 3350 ON THIRD READING (by Geren)

**HB 3350**, A bill to be entitled An Act relating to payment of costs incurred in the operation and administration of the Texas Lottery Commission.

(Farabee in the chair)

A record vote was requested.

**HB 3350** was passed by (Record 746): 139 Yeas, 0 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Present, not voting — Mr. Speaker; Farabee(C); Talton; Zedler.

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Brown, F.; Laubenberg; Pierson.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 746. I intended to vote no.

Flynn

I was shown voting yes on Record No. 746. I intended to vote no.

Harper-Brown

(Speaker in the chair)

**HB 3322 ON THIRD READING**  
(by Truitt)

**HB 3322**, A bill to be entitled An Act relating to a plan-to-plan transfer of certain assets from the TexaSaver 457 plan administered by the Employees Retirement System of Texas to a 457 plan created by an institution of higher education.

A record vote was requested.

**HB 3322** was passed by (Record 747): 132 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; 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; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Jones; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Brown, F.; Chisum; Dunnam; Farrar; Homer; Isett; Keffer; Latham; Laubenberg; Martinez Fischer; O'Day; Olivo; Rodriguez.

**STATEMENT OF VOTE**

When Record No. 747 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

**HB 814 ON THIRD READING**  
(by Dutton, et al.)

**HB 814**, A bill to be entitled An Act relating to the payment of child support obligations on behalf of persons wrongfully imprisoned.

A record vote was requested.

**HB 814** was passed by (Record 748): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; 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, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Chisum; Creighton; Farrar; Howard, C.; King, S.; Laubenberg; Morrison; Pierson; Pitts.

### STATEMENTS OF VOTE

When Record No. 748 was taken, I was in the house but away from my desk. I would have voted yes.

Creighton

When Record No. 748 was taken, I was temporarily out of the house chamber. I would have voted yes.

Morrison

### HB 2265 ON THIRD READING (by Haggerty)

**HB 2265**, A bill to be entitled An Act relating to the prizes awarded in a progressive bingo game.

#### Amendment No. 1

Representative Haggerty offered the following amendment to **HB 2265**:

Amend **HB 2265** on page 2 by adding a new subsection (f) to Section 2001.420, Occupations Code, to read as follows:

(f) A consolation prize in a progressive bingo game described by subsection (b):

- (1) may not exceed \$250; and  
(2) may be offered only once during each bingo occasion.

Amendment No. 1 was adopted.

A record vote was requested.

**HB 2265**, as amended, was passed by (Record 749): 105 Yeas, 31 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bolton; Bonnen; Branch; Brown, F.; Burnam; Castro; Chavez; Chisum; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Howard, C.; Howard, D.; Isett; Jones; Keffer; King, S.; Kolkhorst; Krusee; Kuempel; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Otto; Paxton; Peña; Pickett; Pitts; Puente; Quintanilla; Raymond; Rodriguez; Rose; Smith, W.; Smithee; Strama; Straus; Swinford; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Zerwas.

Nays — Aycock; Berman; Bohac; Brown, B.; Callegari; Christian; Crabb; Crownover; Eissler; Flynn; Hancock; Harper-Brown; Hartnett; Hopson; Hughes; Jackson; King, P.; Latham; Macias; Miller; Morrison; O'Day; Orr; Parker; Phillips; Riddle; Smith, T.; Talton; Taylor; Truitt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Anderson; Harless; King, T.; Laubenberg; Patrick; Pierson; Solomons; Thompson; Woolley.

#### STATEMENTS OF VOTE

When Record No. 749 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

I was shown voting yes on Record No. 749. I intended to vote no.

Creighton

When Record No. 749 was taken, I was in the house but away from my desk. I would have voted no.

Harless

I was shown voting no on Record No. 749. I intended to vote yes.

Morrison

When Record No. 749 was taken, I was in the house but away from my desk. I would have voted no.

Patrick

I was shown voting yes on Record No. 749. I intended to vote no.

Paxton

**HB 1386 ON THIRD READING**  
(by P. King)

**HB 1386**, A bill to be entitled An Act relating to regulation of the decommissioning costs of certain nuclear-powered commercial electric generating units.

A record vote was requested.

**HB 1386** was passed by (Record 750): 136 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; 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; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Lucio; Macias; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Castro; Davis, Y.; Herrero; Leibowitz; Mallory Caraway; Vaught.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Laubenberg; Pierson; Pitts.

**HB 1297 ON THIRD READING**  
(by Delisi)

**HB 1297**, A bill to be entitled An Act relating to the creation of the state employee wellness program.

A record vote was requested.

**HB 1297** was passed by (Record 751): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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 Tourelles; 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; Krusee; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Anchia; Laubenberg; Pierson.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 751. I intended to vote no.

Harper-Brown

### HB 3732 ON THIRD READING

(by **Hardcastle, Deshotel, Darby, Solomons, R. Cook, et al.**)

**HB 3732**, A bill to be entitled An Act relating to the implementation of ultraclean energy projects in this state.

#### Amendment No. 1

Representative Strama offered the following amendment to **HB 3732**:

Amend **HB 3732** (2nd Reading Engrossment) by striking page 15, line 6, through page 16, line 1, and substituting the following:

(d) To qualify for the tax rate reduction under this section, the operator must apply for a certification from:

(1) the Railroad Commission of Texas, if carbon dioxide used in the project is to be sequestered in a reservoir productive of oil or natural gas;

(2) the Texas Commission on Environmental Quality, if carbon dioxide used in the project is to be sequestered in a geological formation other than a reservoir productive of oil or natural gas; or

(3) both the Railroad Commission of Texas and the Texas Commission on Environmental Quality if both Subdivisions (1) and (2) apply.

(e) An agency to which an operator applies for a certification under Subsection (d) may issue the certification only if the agency finds that, based on substantial evidence, there is a reasonable expectation that:

(1) the operator's planned sequestration program will ensure that at least 99 percent of the carbon dioxide sequestered as required by Subsection (a)(4) will remain sequestered for at least 1,000 years; and

(2) the operator's planned sequestration program will include appropriately designed monitoring and verification measures that will be employed for a period sufficient to demonstrate whether the sequestration program is performing as expected.

(e-1) The tax rate reduction does not apply if the operator's sequestration program or the operator's monitoring and verification measures differ substantially from the planned program described by Subsection (e), and the operator shall refund the difference between the amount of the tax paid under this section and the amount that would have been imposed in the absence of this section.

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative Hardcastle offered the following amendment to **HB 3732**:

Amend on third reading **HB 3732** as it was amended on second reading by Floor Amendment No. 4 by Hardcastle in SECTION 11(a) of the bill by striking "382.003(1-a)(B), Health and Safety Code, as amended" and substituting "382.003(12-a)(B), Health and Safety Code, as added".

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Hardcastle offered the following amendment to **HB 3732**:

Amend on third reading **HB 3732** as follows:

(1) In SECTION 1 of the bill, proposed Section 447.013(b), Government Code, strike "that produce reliable and affordable electric power".

(2) In SECTION 3 of the bill, proposed Section 382.0566(a), Health and Safety Code, strike "September 1, 2008, and before September" and substitute "January 1, 2008, and before January".

Amendment No. 3 was adopted.

A record vote was requested.

**HB 3732**, as amended, was passed by (Record 752): 141 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Krusee; Kuempel; Latham; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Callegari; Leibowitz.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Moreno; Ritter.

Absent — Laubenberg; Pierson.

**SCR 66 - ADOPTED**  
**(West - House Sponsor)**

Representative West moved to suspend all necessary rules to take up and consider at this time **SCR 66**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 66**, In memory of Corporal Ray Michael Bevel of Andrews.

**SCR 66** was read and was unanimously adopted by a rising vote.

On motion of Representative Escobar, the names of all the members of the house were added to **SCR 66** as signers thereof.

**REMARKS ORDERED PRINTED**

Representative Vaught moved to print yesterday's remarks on **CSHB 3732** between Representative Phillips and Representative Vaught.

The motion prevailed.

**LEAVE OF ABSENCE GRANTED**

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

Krusee on motion of Driver.

**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. 28).

**HB 1470 ON THIRD READING**  
**(by Eissler and Swinford)**

**HB 1470**, A bill to be entitled An Act relating to the continuation of the Texas Economic Development Act and to the duties of the comptroller of public accounts and the Texas Education Agency under that Act.

(Farabee in the chair)

A record vote was requested.

**HB 1470** was passed by (Record 753): 138 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; 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; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Bolton; Herrero; Leibowitz.

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

Absent, Excused — Bailey; Hilderbran; Krusee; Moreno; Ritter.

Absent — Laubenberg; Pierson.

**HB 3765 ON THIRD READING**  
**(by O'Day and Garcia)**

**HB 3765**, A bill to be entitled An Act relating to the taking or unloading of fish in this state.

A record vote was requested.

**HB 3765** was passed by (Record 754): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Corte; Crabb; Creighton; Crownover; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam;

Dutton; Eiland; Eissler; Elkins; England; Escobar; Farias; Farrar; Flores; Flynn; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Krusee; Moreno; Ritter.

Absent — Cook, R.; Darby; Frost; Hodge; Laubenberg; Morrison.

#### STATEMENTS OF VOTE

When Record No. 754 was taken, I was in the house but away from my desk. I would have voted yes.

R. Cook

When Record No. 754 was taken, I was temporarily out of the house chamber. I would have voted yes.

Morrison

#### HB 913 ON THIRD READING (by P. King, Veasey, and Truitt)

**HB 913**, A bill to be entitled An Act relating to the ad valorem tax situs of certain portable drilling rigs.

A record vote was requested.

**HB 913** was passed by (Record 755): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; 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; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles;

Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Krusee; Moreno; Ritter.

Absent — Bonnen; Laubenberg.

### **HB 2482 ON THIRD READING**

**(by R. Cook)**

**HB 2482**, A bill to be entitled An Act relating to the requirements for certification to provide training to an owner of an on-site sewage disposal system using aerobic treatment in maintaining the system.

#### **Amendment No. 1**

Representative R. Cook offered the following amendment to **HB 2482**:

Amend on third reading **HB 2482** by striking SECTION 3 of the bill and substituting the following:

SECTION 3. Section 366.071, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) The commission may implement a program under Chapter 37, Water Code, to register persons who service or maintain on-site sewage disposal systems for compensation.

Amendment No. 1 was adopted.

A record vote was requested.

**HB 2482**, as amended, was passed by (Record 756): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; 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, T.; Kolkhorst; Kuempel; Latham; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente;

Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Krusee; Moreno; Ritter.

Absent — King, S.; Laubenberg.

**HB 2534 ON THIRD READING**  
**(by Solomons and Pickett)**

**HB 2534**, A bill to be entitled An Act relating to the transfer of a motor vehicle retail installment contract to a holder.

A record vote was requested.

**HB 2534** was passed by (Record 757): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; 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; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kolkhorst; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Bailey; Hilderbran; Krusee; Moreno; Ritter.

Absent — Bolton; Chavez; Hochberg; King, S.; Pierson.

**HB 2713 ON THIRD READING**  
**(by Bonnen, Hancock, Branch, P. King, England, et al.)**

**HB 2713**, A bill to be entitled An Act relating to an interim study concerning the state's demand for electric generation capacity, the development of a long-term energy plan, and the effects on the environment of electric generating facilities.

(Speaker in the chair)

**Amendment No. 1**

Representative Talton offered the following amendment to **HB 2713**:

Amend **HB 2713**, second reading engrossment, as follows:

(1) On page 3, line 7, strike "and".

(2) On page 3, line 9, after "technology;" insert:

and

(vi) hydrogen gas;

Amendment No. 1 was adopted.

A record vote was requested.

**HB 2713**, as amended, was passed by (Record 758): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; 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; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Hilderbran; Krusee; Moreno; Ritter.

Absent — Burnam; Laubenberg; Morrison; Rodriguez; Rose.

**STATEMENT OF VOTE**

When Record No. 758 was taken, I was temporarily out of the house chamber. I would have voted yes.

Morrison

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**HB 321 ON SECOND READING**  
**(by Dukes)**

**HB 321**, A bill to be entitled An Act relating to the establishment of a pilot program by the Health and Human Services Commission to accept importation of electronic eligibility information from a regional indigent care provider.

**HB 321** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2618 ON SECOND READING**  
**(by Guillen)**

**HB 2618**, A bill to be entitled An Act relating to authorizing political subdivisions to lease property owned by the political subdivision to other governmental entities without following competitive purchasing procedures.

**HB 2618** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1391 ON SECOND READING**  
**(by Turner)**

**CSHB 1391**, A bill to be entitled An Act relating to the authority to regulate certain water and sewage utilities to ensure public safety in residential areas.

**Amendment No. 1**

Representative Phillips offered the following amendment to **CSHB 1391**:

Amend **CSHB 1391** (House Committee Printing) by adding the following SECTION, appropriately numbered, and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 13, Water Code, is amended by adding Section 13.046 to read as follows:

Sec. 13.046. TEMPORARY RATES FOR SERVICES PROVIDED FOR NONFUNCTIONING SYSTEM; SANCTIONS FOR NONCOMPLIANCE. (a) The commission by rule shall establish a procedure that allows a retail public utility that takes over the provision of services for a nonfunctioning retail water or sewer utility service provider to charge a reasonable rate for the services provided to the customers of the nonfunctioning system and to bill the customers for the services at that rate immediately to recover service costs.

(b) The rules must provide a streamlined process that the retail public utility that takes over the nonfunctioning system may use to apply to the commission for a ruling on the reasonableness of the rates the utility is charging under Subsection (a). The process must allow for adequate consideration of costs for interconnection or other costs incurred in making services available and of the costs that may necessarily be incurred to bring the nonfunctioning system into compliance with commission rules.

(c) The commission shall provide a reasonable period for the retail public utility that takes over the nonfunctioning system to bring the nonfunctioning system into compliance with commission rules during which the commission may not impose a penalty for any deficiency in the system that is present at the time the utility takes over the nonfunctioning system. The commission must consult with the utility before determining the period and may grant an extension of the period for good cause.

(Taylor in the chair)

Amendment No. 1 was adopted.

**CSHB 1391**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 2391 ON SECOND READING  
(by Madden)**

**CSHB 2391**, A bill to be entitled An Act relating to the appearance of certain misdemeanor offenders before a magistrate.

**CSHB 2391** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Phillips recorded voting no.)

**CSHB 157 ON SECOND READING  
(by Pickett, Driver, Giddings, Guillen, et al.)**

**CSHB 157**, A bill to be entitled An Act relating to a silver alert for missing senior citizens.

Representative Pickett moved to postpone consideration of **CSHB 157** until 7 a.m. Monday, April 30.

The motion prevailed.

**CSHB 3585 ON SECOND READING  
(by Peña)**

**CSHB 3585**, A bill to be entitled An Act relating to the provision of a computerized victim notification system to certain state agencies and to counties.

**CSHB 3585** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 654 ON SECOND READING  
(by Hilderbran, J. Davis, Gallego, Macias, and Rose)**

**CSHB 654**, A bill to be entitled An Act relating to a pilot project to develop and operate a crisis stabilization unit on Kerrville State Hospital grounds.

**CSHB 654** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 620 ON SECOND READING**  
**(by Puente)**

**HB 620**, A bill to be entitled An Act relating to retroactive child support and notification in cases involving an anticipated adoption that is not completed.

Representative Puente moved to postpone consideration of **HB 620** until 10 a.m. Tuesday, May 1.

The motion prevailed.

**CSHB 3110 ON SECOND READING**  
**(by B. Cook, West, and Dunnam)**

**CSHB 3110**, A bill to be entitled An Act relating to indemnification requirements relating to a clean coal project.

Representative B. Cook moved to postpone consideration of **CSHB 3110** until 10 a.m. Tuesday, May 1.

The motion prevailed.

**CSHB 3112 ON SECOND READING**  
**(by B. Cook, West, and Dunnam)**

**CSHB 3112**, A bill to be entitled An Act relating to certain matters regarding a clean coal project, including contracting authority and indemnification requirements, liability, representation of a state agency by the attorney general, and monitoring of sequestered carbon dioxide.

Representative B. Cook moved to postpone consideration of **CSHB 3112** until 10 a.m. Tuesday, May 1.

The motion prevailed.

**HB 1801 ON SECOND READING**  
**(by Zerwas)**

**HB 1801**, A bill to be entitled An Act relating to the date by which a prosecuting attorney may appeal certain orders, rulings, or sentences in a criminal case.

Representative Zerwas moved to postpone consideration of **HB 1801** until the end of today's calendar.

The motion prevailed.

**CSHB 3225 ON SECOND READING**  
**(by Murphy)**

**CSHB 3225**, A bill to be entitled An Act relating to the scope of authority of the Automobile Theft Prevention Authority.

**CSHB 3225** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Speaker in the chair)

**CSHB 2239 ON SECOND READING**  
**(by Deshotel)**

**CSHB 2239**, A bill to be entitled An Act relating to the adoption of a state scenic byways program.

**CSHB 2239** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 724 ON SECOND READING**  
**(by Solomons)**

**CSHB 724**, A bill to be entitled An Act relating to resolution of certain disputes regarding workers' compensation claims for medical benefits.

**Amendment No. 1**

Representative Solomons offered the following amendment to **CSHB 724**:

Amend **CSHB 724** on page 2, by striking lines 11-15 and replacing with the following:

"(1) a medical fee dispute in which the amount of reimbursement sought by the requestor in its request for medical dispute resolution does not exceed \$2,000;

(2) an appeal of an independent review organization decision regarding determination of the retrospective medical necessity for a health care service for which the amount billed does not exceed \$3,000; and

(3) an appeal of an independent review organization decision regarding determination of the concurrent or prospective medical necessity for a health care service."

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Solomons offered the following amendment to **CSHB 724**:

Amend **CSHB 724** by inserting a new SECTION 3 of the bill to read as follows and renumbering the remaining SECTIONS accordingly:

"SECTION 3. Amend Section 402.073(b), Labor Code as follows: (b) In a case in which a hearing is conducted by the State Office of Administrative Hearings under Section 413.031, 413.055 or 415.034 the administrative law judge who conducts the hearing for the State Office of Administrative Hearings shall enter the final decision in the case after completion of the hearing."

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Solomons offered the following amendment to **CSHB 724**:

Amend **CSHB 724** by deleting Section 3 and substituting the following:

"SECTION 3. The change in law made by this Act applies to workers' compensation medical disputes described by Section 413.031, as amended, and Section 413.0311, as added, by this Act: (1) that are pending for adjudication by the division of workers' compensation of the Texas Department of Insurance on or after the effective date of this Act, (2) that may be remanded to the division of workers' compensation of the Texas Department of Insurance on or after the effective date of this Act, or (3) that may arise on or after the effective date of this Act."

Amendment No. 3 was adopted.

**CSHB 724**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 2378 ON SECOND READING**  
**(by Naishtat, Rodriguez, Dukes, et al.)**

**CSHB 2378**, A bill to be entitled An Act relating to the powers and duties of the Travis County Healthcare District.

Representative Naishtat moved to postpone consideration of **CSHB 2378** until 10 a.m. Tuesday, May 1.

The motion prevailed.

**POSTPONED BUSINESS**

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

**HB 1801 ON SECOND READING**  
**(by Zerwas)**

**HB 1801**, A bill to be entitled An Act relating to the date by which a prosecuting attorney may appeal certain orders, rulings, or sentences in a criminal case.

**HB 1801** was read second time earlier today and was postponed until this time.

**HB 1801 - POINT OF ORDER**

Representative Dunnam raised a point of order against further consideration of **HB 1801** under Rule 4, Section 18(a) of the House Rules on the grounds that the committee minutes are incomplete and submitted the following statement:

House Rule 4, Section 18(a) states, "For each committee, including a Calendars Committee, the chair, or the member acting as chair, shall keep complete minutes of the proceedings in committee, which shall include. . .the

time and place of each meeting of the committee," House Rule 4, § 18(a)(1) (80th Leg. 2007). Subcommittees are governed by the same rules of procedure as are committees, House Rule 4, § 45 (80th Leg. 2007).

The minutes for the April 2, 2007, meeting contain the following sentence: "On March 29, 2007, pursuant to a suspension of the 5-day posting rule and permission to meet while the house is in session, during reading and referral of bills, the House Committee on Criminal Jurisprudence, Subcommittee on Criminal Procedure, met in a public hearing and was called to order by the chair." The subcommittee actually met on April 2, 2007. As a result of this factual error, the minutes are inaccurate. Inaccuracy in the minutes of a public hearing are especially harmful to this body because they constitute the only written record of house committee proceedings. As such, they should be corrected and held to the highest standards of accuracy.

For the foregoing reasons, the point of order should be sustained.

The speaker sustained the point of order.

**HB 1801** was returned to the Committee on Criminal Jurisprudence.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Pensions and Investments, during bill referral today, E2.030.

Local Government Ways and Means, upon final recess today, 3W.9, for a formal meeting, to consider **SB 765**, **SB 1405**, and **SB 1752**.

Border and International Affairs, upon final recess today, Desk 30, for a formal meeting, to consider pending business.

County Affairs, upon final recess today, Desk 105, for a formal meeting, to consider pending business.

Local and Consent Calendars, upon final recess today, 4S.4, for a formal meeting, to consider a calendar for May 2.

Select Committee on Higher and Public Education Finance, upon final recess today, E2.036, for a public hearing, to consider invited testimony.

### HR 1691 - ADOPTED (by Herrero)

Representative Herrero moved to suspend all necessary rules to take up and consider at this time **HR 1691**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1691**, Welcoming Imelda "Mellie" Valencia, the reigning Queen of Feria de las Flores, and the 2007 pageant contestants to the State Capitol.

**HR 1691** was adopted.

**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. 2).

**RESOLUTIONS ADOPTED**

Representative Hamilton moved to suspend all necessary rules in order to take up and consider at this time **HR 1547** and **HR 1549 - HR 1570**.

The motion prevailed.

The following resolutions were laid before the house:

**HR 1547** (by Allen), Honoring Clarence Bradford for serving as Democratic precinct chair of Precinct 652 in Harris County.

**HR 1549** (by Allen), Honoring Patricia A. Govan for serving as Democratic precinct chair of Precinct 722 in Harris County.

**HR 1550** (by Allen), Honoring John L. Guess for serving as Democratic precinct chair of Precinct 693 in Harris County.

**HR 1551** (by Allen), Honoring King Malaki Sims for serving as Democratic precinct chair of Precinct 638 in Harris County.

**HR 1552** (by Allen), Honoring Coretta Mallet Fontenot for serving as Democratic precinct chair of Precinct 630 in Harris County.

**HR 1553** (by Allen), Honoring David H. Melasky for serving as Democratic precinct chair of Precinct 554 in Harris County.

**HR 1554** (by Allen), Honoring Vincent Sanders for serving as Democratic precinct chair of Precinct 525 in Harris County.

**HR 1555** (by Allen), Honoring Kevin Pever for serving as Democratic precinct chair of Precinct 506 in Harris County.

**HR 1556** (by Allen), Honoring Francene Shapiro for serving as Democratic precinct chair of Precinct 489 in Harris County.

**HR 1557** (by Allen), Honoring Curtis W. McDonald for serving as Democratic precinct chair of Precinct 458 in Harris County.

**HR 1558** (by Allen), Honoring Priscilla T. Bloomquist for serving as Democratic precinct chair of Precinct 453 in Harris County.

**HR 1559** (by Allen), Honoring Raka B. Ghosh for serving as Democratic precinct chair of Precinct 293 in Harris County.

**HR 1560** (by Allen), Honoring Harry "Skip" Connor for serving as Democratic precinct chair of Precinct 292 in Harris County.

**HR 1561** (by Allen), Honoring Curtis Thompson for serving as Democratic precinct chair of Precinct 286 in Harris County.

**HR 1562** (by Allen), Honoring Deidre Rasheed for serving as Democratic precinct chair of Precinct 216 in Harris County.

**HR 1563** (by Allen), Honoring Anna M. Giese for serving as Democratic precinct chair of Precinct 131 in Harris County.

**HR 1564** (by Allen), Honoring Grace Rodriguez Pendland for serving as Democratic precinct chair of Precinct 22 in Harris County.

**HR 1565** (by Allen), Honoring Ann Edwards for serving as Democratic precinct chair of Precinct 384 in Harris County.

**HR 1566** (by Allen), Honoring Nedzra J. Ward for serving as Democratic precinct chair of Precinct 402 in Harris County.

**HR 1567** (by Allen), Honoring Betty Jean Keller for serving as Democratic precinct chair of Precinct 372 in Harris County.

**HR 1568** (by Allen), Honoring John Martin for serving as Democratic precinct chair of Precinct 336 in Harris County.

**HR 1569** (by Allen), Honoring Annie Mitchell for serving as Democratic precinct chair of Precinct 319 in Harris County.

**HR 1570** (by Allen), Honoring Mary M. Clemons for serving as Democratic precinct chair of Precinct 318 in Harris County.

The resolutions were adopted.

(Hardcastle 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).

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Public Education, upon final recess today, Desk 31, for a formal meeting, to consider **SB 530** and **SB 1031**.

#### **HB 10 - RECOMMITTED**

Representative Peña moved to recommit **HB 10** to the Committee on Criminal Jurisprudence.

The motion prevailed.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Criminal Jurisprudence, upon final recess today, Desk 37, for a formal meeting, to consider **HB 10** and pending business.

#### **RECESS**

Representative Branch moved that the house recess until 9 a.m. tomorrow in memory of Judge Karen Jane Greene of Dallas.

The motion prevailed.

The house accordingly, at 3:15 p.m., recessed until 9 a.m. tomorrow.

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**ADDENDUM**


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**SIGNED BY THE SPEAKER**

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

**House List No. 27****HB 84, HB 1098, HB 1518, HCR 158, HCR 170****Senate List No. 28****SB 213, SB 339, SB 362, SB 1665****MESSAGES FROM THE SENATE**

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

**Message No. 1**

MESSAGE FROM THE SENATE  
 SENATE CHAMBER  
 Austin, Texas  
 Thursday, April 26, 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:

**LOCAL AND UNCONTESTED CALENDAR**

**HB 76** Naishtat SPONSOR: Zaffirini  
 Relating to the collection and analysis of information relating to certain sexual offenses.

(Committee Substitute)

**HB 92** Branch SPONSOR: Nelson  
 Relating to the acquisition of certain automated external defibrillators.

**HB 314** Eissler SPONSOR: Van de Putte  
 Relating to the classroom placement of multiple birth siblings in public schools.

(Committee Substitute)

**HB 374** Pickett SPONSOR: Zaffirini  
 Relating to use of state buildings and grounds by a television or film production company.

(Committee Substitute)

**HB 385** Callegari SPONSOR: Hegar

Relating to condemnation of historical sites at the direction of the Commission of Control for Texas Centennial Celebrations.

**HB 566** Hamilton SPONSOR: Williams  
Relating to compulsory school attendance for students who are at least 18 years of age.

**HB 708** Puente SPONSOR: Uresti  
Relating to Celebrate Freedom Week in public schools.

**HB 978** Smith, Wayne SPONSOR: Jackson,  
Mike

Relating to publication of the annual financial statement by a school district.

**HB 1064** Laubenberg SPONSOR: Hegar  
Relating to the term of a food manager certificate.

**HB 1379** Deshotel SPONSOR: Nelson  
Relating to human papillomavirus education programs.  
(Committee Substitute)

**HB 1676** Delisi SPONSOR: Van de Putte  
Relating to a public awareness campaign concerning certain solicitations for the purchase of prescription drugs.  
(Committee Substitute)

**HCR 6** Kolkhorst SPONSOR: Hegar  
Designating Industry, Texas, as the Oldest German Settlement in the Lone Star State.

**SB 21** Nelson  
Relating to the imposition of additional inspection and background and criminal history check requirements for day-care centers.

**SB 29** Nelson  
Relating to the creation of a minimum data set for the collection of information on health professionals by the statewide health coordinating council.

**SB 53** Zaffirini  
Relating to the civil liability of an employer or former employer of a mental health services provider who engages in sexual exploitation of a patient or former patient.

**SB 201** Nelson  
Relating to tuition exemptions at public institutions of higher education for certain professional nursing program preceptors and their children.

**SB 246** Brimer  
Relating to the management and maintenance of certain land located south of the Sam Houston Building by the State Preservation Board.

**SB 289** Nelson  
Relating to the use of professional nursing shortage reduction program grants to encourage clinical nursing instruction by part-time faculty at public or private institutions of higher education.

**SB 395** Harris

Relating to dismissal of the charge in certain traffic offense cases.

**SB 397** Harris

Relating to the administration of an oath in this state.

**SB 516** Van de Putte

Relating to allowing certain military personnel to receive certain federal and state higher education benefits concurrently.

**SB 556** Lucio

Relating to the creation of an interagency obesity council.

**SB 596** Wentworth

Relating to the confidentiality of certain information involving real estate transactions of the School Land Board, Veterans' Land Board, General Land Office, or Commissioner of the General Land Office.

**SB 603** Van de Putte

Relating to staff development requirements in public schools.

**SB 617** Wentworth

Relating to the payment of the child support obligation of a deceased child support obligor.

**SB 634** Hegar

Relating to the sealing of and discovery procedures relating to evidence that constitutes child pornography in a criminal hearing or proceeding.

**SB 685** Van de Putte

Relating to an exemption from tuition and mandatory fees for certain members of the Texas National Guard.

**SB 692** Uresti

Relating to the authority of a dental assistant to perform coronal polishing and apply a pit and fissure sealant.

**SB 697** Shapleigh

Relating to the issuance of high school diplomas to certain crime victims.

**SB 749** Janek

Relating to the authority and salary of a district judge presiding over multidistrict litigation proceedings in cases involving claims for asbestos-related or silica-related injuries.

**SB 786** Wentworth

Relating to the mitigation of the impact of residential development in public school districts.

**SB 825** Nichols

Relating to a program to control or eradicate nuisance aquatic vegetation.

**SB 833** Lucio

Relating to limitations on the compensation of county auditors for certain counties.

**SB 838** Whitmire

Relating to the revocation or modification of a person's parole.

**SB 839** Duncan

Relating to the exchange of information among agencies related to the Texas Correctional Office on Offenders with Medical or Mental Impairments and the agencies responsible for continuity of care for offenders in the criminal justice system who are physically disabled, terminally ill, or significantly ill; providing a criminal penalty.

**SB 853** Nichols

Relating to the creation, administration, powers, duties, functions, operations, and financing of the San Jacinto Special Utility District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 903** Brimer

Relating to the abolishment of the Office of State-Federal Relations as an independent agency and the transfer of the duties and functions of that agency to the office of the governor.

**SB 909** Whitmire

Relating to the continuation and functions of the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and the Correctional Managed Health Care Committee and to the functions of the Board of Pardons and Paroles.

**SB 984** Whitmire

Relating to the regulation of barbers and cosmetologists at mobile locations.

**SB 999** Eltife

Relating to possession of or access to a child in a suit affecting the parent-child relationship during military deployment of the child's parent.

**SB 1007** West, Royce

Relating to student representation on the Texas Higher Education Coordinating Board and certain coordinating board advisory committees.

**SB 1033** Uresti

Relating to emergency medical services.

**SB 1037** Duncan

Relating to the prevention of surface water or groundwater pollution from certain evaporation pits.

**SB 1041** Lucio

Relating to the creation of the Los Fresnos Municipal Utility District No. 2 of Cameron County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 1069** Janek

Relating to the creation of the Fort Bend County Municipal Utility District No. 183; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 1091** Nichols

Relating to the creation of the Somerset Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 1092** Nichols

Relating to the creation of the Somerset Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 1123** Ellis

Relating to the creation of the Harris County Improvement District No. 8; providing authority to impose a tax and issue bonds.

**SB 1128** Hegar

Relating to the Texas Rural Foundation.

**SB 1146** Shapiro

Relating to online performance reports for public institutions of higher education.

**SB 1167** Duncan

Relating to appeals in cases arising under the Federal Arbitration Act.

**SB 1186** Nelson

Relating to inclusion in the immunization registry of immunization records of first responders and their immediate family members and of immunization records obtained during certain declared disasters.

**SB 1196** Whitmire

Relating to access to criminal history record information by certain county attorneys.

**SB 1198** Shapiro

Relating to the civil commitment of sexually violent predators.

**SB 1205** Deuell

Relating to the powers and duties of the Kaufman County Municipal Utility District Nos. 2, 3, 4, 5, 6, and 7; providing authority to impose a tax and issue bonds.

**SB 1237** Uresti

Relating to the powers and duties of defense base development authorities; modifying the power of eminent domain.

**SB 1244** Whitmire

Relating to the authority of an investigator employed by a prosecuting attorney.

**SB 1254** Averitt

Relating to the Texas Health Insurance Risk Pool.

**SB 1269** West, Royce

Relating to the performance of certain civil duties by officers in this state.

**SB 1311** Wentworth

Relating to the exchange of information among certain governmental entities concerning at-risk youth.

**SB 1312** Whitmire

Relating to providing a civil penalty for a violation of the Antiquities Code of Texas.

**SB 1318** Janek

Relating to the regulation of adult day-care facilities and certain long-term care facilities, including the establishment of late fees and changes to administrative penalties, and relating to the office of the state long-term care ombudsman.

**SB 1343** Duncan

Relating to the regulation of the use of an injection well to inject nonhazardous brine from a desalination operation or to inject nonhazardous drinking water treatment residuals.

**SB 1383** Seliger

Relating to district hearings and citizen suits for illegally drilling or operating a water well.

**SB 1396** Williams

Relating to the filing of a conflicts disclosure statement by a vendor or member of a governing body of a port authority or navigation district.

**SB 1404** Whitmire

Relating to criminal law hearing officers in certain counties.

**SB 1406** Wentworth

Relating to the authorization of airport authorities and the issuance of bonds and the exercise of eminent domain by the authorities.

**SB 1407** Wentworth

Relating to the powers and duties of the Sunfield Municipal Utility District No. 1 regarding elections and road projects; providing authority to impose a tax and issue bonds.

**SB 1408** Wentworth

Relating to the powers and duties of the Sunfield Municipal Utility District No. 3 regarding elections and road projects; providing authority to impose a tax and issue bonds.

**SB 1409** Wentworth

Relating to the powers and duties of the Sunfield Municipal Utility District No. 4 regarding elections and road projects; providing authority to impose a tax and issue bonds.

**SB 1417** Hinojosa

Relating to the student endowment scholarship and internship program fund at Texas A&M University–Corpus Christi.

**SB 1420** Wentworth

Relating to the development by the Texas Education Agency of a list of resources concerning Internet safety for use by school districts.

**SB 1427** Averitt

Relating to participation by private or independent institutions of higher education in the tuition equalization grant program.

**SB 1430** Van de Putte

Relating to designation of certain customer bill payment assistance program costs as an expense of operation that is a first lien against revenue securing certain public securities or obligations.

**SB 1434** Estes

Relating to the selection of election officers for early voting for the general election for state and county officers.

**SB 1439** Hegar

Relating to the annexation powers of the West Fort Bend Management District.

**SB 1440** Hegar

Relating to certain duties of the Office of Rural Community Affairs relating to assisting volunteer fire departments and emergency services districts in rural areas.

**SB 1446** Duncan

Relating to the removal of indirect cost recovery fees from the list of items that must be accounted for as educational and general funds by institutions of higher education.

**SB 1449** Ellis

Relating to the human resources employee-to-staff ratio for state agencies.

**SB 1456** Uresti

Relating to information and training for public school educators in the prevention of child abuse.

**SB 1458** Seliger

Relating to the authority of the governor to contract in relation to a clean coal project.

**SB 1459** Seliger

Relating to indemnification requirements and other matters relating to a clean coal project.

**SB 1461** Seliger

Relating to certain matters regarding a clean coal project, including contracting authority and indemnification requirements, liability, representation of a state agency by the attorney general, and monitoring of sequestered carbon dioxide.

**SB 1475** Jackson, Mike

Relating to the powers and duties of the Texas Department of Licensing and Regulation.

**SB 1494** Ellis

Relating to a notification requirement if a nurse is not assigned to a public school campus.

**SB 1509** Lucio

Relating to the authority of the asset management division of the General Land Office to sell real property to an economic development corporation.

**SB 1517** Janek

Relating to an exemption for students enrolled in certain advanced courses from the requirement that a student be suspended from participation in extracurricular activities for receiving an unsatisfactory grade.

**SB 1557** Hinojosa

Relating to the appointment of an attorney to represent an indigent defendant who is in the custody of a correctional facility of the Texas Department of Criminal Justice or another related correctional facility.

- SB 1558** Hinojosa  
Relating to the punishment of certain persons who commit the offense of assault or aggravated assault.
- SB 1580** Van de Putte  
Relating to the provision of pay telephone service to inmates confined in facilities operated by the Texas Department of Criminal Justice.
- SB 1622** Watson  
Relating to fees for certain services performed by law enforcement agencies.
- SB 1630** Wentworth  
Relating to limitations on the compensation of county auditors for certain counties.
- SB 1634** Wentworth  
Relating to a court order for a land surveyor to cross land.
- SB 1659** Nichols  
Relating to the transfer of the Texas State Railroad to, and the creation of, the Texas State Railroad Authority.
- SB 1660** Wentworth  
Relating to the creation of the Travis-Creedmoor Municipal Utility District; providing authority to impose taxes and issue bonds; granting the power of eminent domain.
- SB 1661** Wentworth  
Relating to the creation, administration, powers, duties, functions, operations, and financing of the Goforth Special Utility District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1668** Averitt  
Relating to license, stamp, tag, and permit provisions administered by the Parks and Wildlife Department.
- SB 1669** Averitt  
Relating to revenue generated from and uses of public hunting lands and wildlife management areas.
- SB 1680** Averitt  
Relating to eligibility of certain dependents for group life insurance.
- SB 1682** Averitt  
Relating to the enrollment of certain children and recipients of medical assistance in group health benefit plans.
- SB 1705** Harris  
Relating to the requirements of a candidate for certain judicial offices to be placed on the ballot.
- SB 1732** Brimer  
Relating to fees for copies of certain records and research protected by copyright and owned by the State Preservation Board.
- SB 1743** Eltife  
Relating to the powers of the Red River Redevelopment Authority; providing authority to issue bonds.

- SB 1766** Watson  
Relating to expansion of the use of consumer direction for delivery of certain services to persons with disabilities and elderly persons.
- SB 1769** Watson  
Relating to conditions of employment for law enforcement officers and corrections officers employed by certain counties.
- SB 1776** Duncan  
Relating to the requirements for accessibility to voting equipment by persons with disabilities in certain elections.
- SB 1796** Estes  
Relating to the regulation of the sale of salvia divinorum; providing a criminal penalty.
- SB 1932** Uresti  
Relating to the assessment of charges by certain local governments to fund a stormwater permitting program under federal law.
- SB 1946** Nichols  
Relating to the creation of the Hardin Store Road Municipal Utility District No. 1 of Montgomery County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1954** Hegar  
Relating to the creation of the Waller County Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1955** Hegar  
Relating to the creation of the Waller County Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1961** Hegar  
Relating to the creation of the Willow Creek Farms Municipal Utility District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1963** Nichols  
Relating to the creation of the Montgomery County Municipal Utility District No. 113; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1964** Nichols  
Relating to the creation of the Montgomery County Municipal Utility District No. 114; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1965** Nichols  
Relating to the creation of the Montgomery County Municipal Utility District No. 121; providing authority to impose a tax and issue bonds; granting the power of eminent domain.
- SB 1966** Nichols

Relating to the creation of the Montgomery County Municipal Utility District No. 123; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 1967**

Nichols

Relating to the creation of the Montgomery County Municipal Utility District No. 124; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 1974**

Whitmire

Relating to the powers and duties of the Harris County Municipal Utility District No. 473; providing authority to impose a tax and issue bonds.

**SB 1984**

Ellis

Relating to the creation of the Spectrum Management District; providing authority to levy an assessment, impose a tax, and issue bonds.

**SB 1994**

Deuell

Relating to the authority of the Las Lomas Municipal Utility District No. 4 of Kaufman County to undertake road projects.

**SCR 37**

Van de Putte

Memorializing congress to support legislation assuring veterans health care funding and expressing gratitude for their service in the United States Armed Forces.

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 2**

## MESSAGE FROM THE SENATE

## SENATE CHAMBER

Austin, Texas

Thursday, April 26, 2007 - 2

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:

**HJR 36**

McReynolds

SPONSOR: Watson

Proposing a constitutional amendment to permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice's or judge's current term.

(Committee Substitute)

**SCR 59**

Duncan

In memory of the Honorable Billy Wayne Clayton.

**SCR 66** Seliger  
In memory of Ray Michael Bevel.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**April 25**

Business and Industry - **HB 3220**

Civil Practices - **HB 497, HB 3281, HB 3293, HB 3578**

Corrections - **HB 199, HB 432, HB 434, HB 926, HB 1111**

County Affairs - **HB 573, HB 1314, HB 1407, HB 1819, HB 2653, HB 3211, HB 3860, HB 3962**

Criminal Jurisprudence - **HB 800, SB 823, SB 1097**

Culture, Recreation, and Tourism - **HB 7**

Defense Affairs and State-Federal Relations - **HB 2895, HB 2896, HB 2897, HB 3426**

Elections - **HB 89, HB 928**

Environmental Regulation - **SB 1672, SB 1673**

Higher Education - **HB 1186, HB 1427, HB 2074, HB 3114, HB 3382, HB 3464, HB 3828, HB 3851**

Human Services - **HB 322, HB 1708, HB 3513, HB 3571**

Insurance - **HB 1438, HB 2014, HB 2467, HB 2548, HB 2549, HB 2551, HB 2569, HB 2762, SB 502, SB 1263**

Law Enforcement - **HB 2112**

Licensing and Administrative Procedures - **HB 3123, HB 3148**

Local Government Ways and Means - **HB 1458, HB 2472, HB 3170, HB 3660, HB 4077**

Public Health - **HB 289**

Regulated Industries - **SB 483**

State Affairs - **HB 3560**

Transportation - **HB 2093, HB 2268, HB 2368, HB 2622, HB 2828, HB 3208, SB 153, SB 255, SB 1074**

Urban Affairs - **HB 866, HB 4004**

**ENGROSSED**

**April 25 - HB 401, HB 522, HB 530, HB 610, HB 921, HB 957, HB 1005, HB 1170, HB 1196, HB 1248, HB 1250, HB 1355, HB 1472, HB 1519, HB 1678, HB 1767, HB 1804, HB 1871, HB 1921, HB 1928, HB 2010, HB 2144, HB 2338, HB 2341, HB 2559, HB 2605, HB 2641, HB 2735, HB 2738, HB 2814, HB 2818, HB 2983, HB 2984, HB 3074, HB 3132, HB 3140, HB 3158, HB 3226, HB 3352, HB 3410, HB 3517, HB 4062, HB 4094, HCR 97**

**SIGNED BY THE GOVERNOR**

**April 25 - HCR 17, HCR 57, HCR 59, HCR 60, HCR 74, HCR 83, HCR 98, HCR 101, HCR 110, HCR 118, HCR 122, HCR 127, HCR 129, HCR 130, HCR 145, HCR 146, HCR 166, HCR 180, HCR 184, HCR 189, HCR 190**

