

HOUSE JOURNAL

EIGHTIETH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TWENTY-SEVENTH DAY — MONDAY, FEBRUARY 26, 2007

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

The roll of the house was called and a quorum was announced present (Record 68).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Chavez; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, Y.; Delisi; Deshotel; Driver; Dukes; 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; Heflin; Hernandez; Herrero; Hilderbran; 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; McCall; McClendon; McReynolds; Menendez; Miles; Miller; Moreno; Morrison; Murphy; O'Day; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Dunnam; Pitts.

Absent — Bohac; Castro; Chisum; Davis, J.; Elkins; Hartnett; Hill; Martinez Fischer; Merritt; Mowery; Naishtat; Noriega; Oliveira; Olivo; Rose; Smith, T.; Straus; Talton; Veasey.

The invocation was offered by Frank Briggs, pastor, Lighthouse Fellowship United Methodist Church, Fort Worth.

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

(Mowery and Talton now present)

CAPITOL PHYSICIAN

The speaker recognized Representative D. Howard who presented Dr. Julie Graves-Moy of Austin as the "Doctor for the Day."

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

LEAVES OF ABSENCE GRANTED

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

Pitts on motion of West.

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

Dunnam on motion of Gallego.

Olivo on motion of Hodge.

REGULAR ORDER OF BUSINESS SUSPENDED

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

HR 543 - ADOPTED

(by Zerwas)

Representative Zerwas moved to suspend all necessary rules to take up and consider at this time **HR 543**.

The motion prevailed.

The following resolution was laid before the house:

HR 543, Recognizing February 26, 2007, as Waller County Day at the State Capitol.

(Hill and Straus now present)

HR 543 was read and was adopted.

(Castro, Naishtat, Rose, and T. Smith now present)

INTRODUCTION OF GUESTS

The speaker recognized Representative Zerwas who introduced a delegation from Waller County.

LEAVE OF ABSENCE GRANTED

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

Veasey on motion of Allen.

HR 433 - READ

(by Delisi)

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

HR 433, Commending the Brazos Bottom Cowographers entertainment troupe for its efforts to honor and immortalize the history of the Old West.

LEAVE OF ABSENCE GRANTED

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

Elkins on motion of Kuempel.

(Noriega now present)

HR 514 - ADOPTED
(by Kuempel)

Representative Kuempel moved to suspend all necessary rules to take up and consider at this time **HR 514**.

The motion prevailed.

The following resolution was laid before the house:

HR 514, Congratulating Sheena Monnin on her service as Miss Austin USA for 2006.

HR 514 was read and was adopted.

INTRODUCTION OF GUESTS

The speaker recognized Representative Kuempel who introduced Miss Austin USA Sheena Monnin, her mother Shari Monnin, and representatives of Miss Austin USA.

(J. Davis now present)

HB 542 - RULES SUSPENDED

Representative Bonnen moved to suspend all necessary rules and Article III, Section 5, of the Texas Constitution to allow the Committee on Calendars to consider and set **HB 542** on the calendar.

A record vote was requested.

The motion prevailed by (Record 69): 130 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dutton; 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; Heflin; Hernandez; Herrero; Hilderbran; 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; McCall; McClendon; McReynolds; Menendez; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; 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; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Villarreal; Vo; West; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dunnam; Elkins; Olivo; Pitts; Veasey.

Absent — Bohac; Chisum; Delisi; Deshotel; Eiland; Hartnett; King, S.; Martinez Fischer; Merritt; Oliveira; Paxton; Smithee; Vaught; Woolley.

STATEMENTS OF VOTE

When Record No. 69 was taken, I was in the house but away from my desk. I would have voted yes.

Delisi

When Record No. 69 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 69 was taken, my vote failed to register. I would have voted yes.

S. King

When Record No. 69 was taken, my vote failed to register. I would have voted no.

Merritt

When Record No. 69 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

When Record No. 69 was taken, I was in the house but away from my desk. I would have voted yes.

Woolley

(Chisum now present)

HR 424 - READ (by Kuempel)

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

HR 424, Recognizing February 26, 2007, as Relay For Life-Light Up the Dome Day at the State Capitol.

HR 206 - ADOPTED (by Farabee)

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 206**.

The motion prevailed.

The following resolution was laid before the house:

HR 206, In memory of U.S. Marine Sergeant Gary S. Johnston of Windthorst.

HR 206 was read and was unanimously adopted by a rising vote.

On motion of Representative Berman, the names of all the members of the house were added to **HR 206** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Farabee who introduced the family of U.S. Marine Sergeant Gary S. Johnston.

HCR 78 - ADOPTED (by Ritter)

Representative Ritter moved to suspend all necessary rules to take up and consider at this time **HCR 78**.

The motion prevailed.

The following resolution was laid before the house:

HCR 78, In memory of U.S. Army Specialist Ryan Berg of Sabine Pass.

HCR 78 was read and was unanimously adopted by a rising vote.

On motion of Representative Berman, the names of all the members of the house were added to **HCR 78** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Ritter who introduced the family of U.S. Army Specialist Ryan Berg.

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. 8).

(Orr in the chair)

HR 375 - ADOPTED (by Swinford)

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 375**.

The motion prevailed.

The following resolution was laid before the house:

HR 375, In honor of the celebration of Dr. Seuss's birthday at Hillcrest Elementary School in Dumas.

HR 375 was adopted.

(Speaker in the chair)

**HCR 124 - ADOPTED
(by Homer)**

Representative Homer moved to suspend all necessary rules to take up and consider at this time **HCR 124**.

The motion prevailed.

The following resolution was laid before the house:

HCR 124, In memory of George Oscar Fisher, Jr., of Paris.

HCR 124 was unanimously adopted by a rising vote.

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).

COMMITTEES GRANTED PERMISSION TO MEET

Representative Swinford requested permission for the Committee on State Affairs to meet while the house is in session, during bill referral today, in E2.010, for a public hearing, to consider posted bills for today's hearing.

Permission to meet was granted.

Representative Hill requested permission for the Committee on Local Government Ways and Means to meet while the house is in session, during bill referral today, in E2.026, for a public hearing, to consider the posted calendar.

Permission to meet was granted.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, March 1.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative McClendon requested permission for the Committee on Rules and Resolutions to meet while the house is in session, during bill referral today, in 3N.3, for a formal meeting, to consider a congratulatory and memorial calendar.

Permission to meet was granted.

LEAVE OF ABSENCE GRANTED

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

Bohac on motion of Zedler.

(Hartnett now present)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Woolley requested permission for the Committee on Calendars to meet while the house is in session, during bill referral today, in 3W.9, for a formal meeting, to consider bills.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, during bill referral today, 3W.9, for a formal meeting, to consider bills.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Driver requested permission for the Committee on Law Enforcement to meet while the house is in session, during bill referral today, in E1.014, for a public hearing.

Permission to meet was granted.

Representative T. King requested permission for the Committee on Border and International Affairs to meet while the house is in session, during bill referral today, in E1.010, for a public hearing, to consider items from today's previously posted notice.

Permission to meet was granted.

Representative Smithee requested permission for the Committee on Insurance to meet while the house is in session, during bill referral today, in E1.026, for a public hearing to consider windstorm insurance.

Permission to meet was granted.

Representative Hartnett requested permission for the Committee on Judiciary to meet while the house is in session, during bill referral today, in E2.028, for a formal meeting, to consider posted business.

Permission to meet was granted.

PROVIDING FOR ADJOURNMENT

Representatives Swinford and Chisum moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of the Honorable Dick Waterfield of Canadian.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Delisi in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 3:30 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 1604 (By Zedler), Relating to the identification information required of applicants for a driver's license or for certain public benefits, public services, or governmental employment.

To State Affairs.

HB 1613 (By Gattis), Relating to the delivery of prescription drugs for certain state health plans by mail order; providing an administrative penalty.

To Government Reform.

HB 1644 (By Dutton), Relating to a requirement that an applicant for an original driver's license complete a course on the laws relating to driving while intoxicated.

To Law Enforcement.

HB 1645 (By Dutton), Relating to campus expenditures by public school districts.

To Public Education.

HB 1646 (By Dutton), Relating to property interests of spouses in connection with certain separate and community property.

To Juvenile Justice and Family Issues.

HB 1647 (By Dutton), Relating to the computation of average daily attendance under the Foundation School Program and to participation by charter schools in the Public Education Information Management System for additional purposes, including computation of average daily attendance.

To Public Education.

HB 1650 (By Leibowitz), Relating to a fixed tuition rate provided by general academic teaching institutions and public lower-division institutions of higher education to certain undergraduate students.

To Higher Education.

HB 1651 (By Leibowitz), Relating to the regulation of solar energy panels by a property owners' association.

To Business and Industry.

HB 1652 (By Macias), Relating to the provision of forms for personal financial statements filed with the Texas Ethics Commission.

To Elections.

HB 1655 (By Y. Davis), Relating to prohibiting the posting of certain tax appraisal record information on the Internet.

To Local Government Ways and Means.

HB 1656 (By Puente), Relating to the regulation by municipalities of irrigation systems and irrigators.

To Natural Resources.

HB 1657 (By Puente), Relating to the protection and use of intellectual property by the executive administrator of the Texas Water Development Board.

To Natural Resources.

HB 1658 (By Hochberg), Relating to the criminal combination and criminal street gang intelligence database.

To Criminal Jurisprudence.

HB 1659 (By P. King), Relating to procedures in an eminent domain proceeding initiated by certain common carriers.

To Regulated Industries.

HB 1660 (By P. King), Relating to the amount of sick leave for police officers employed by certain municipalities.

To Urban Affairs.

HB 1661 (By P. King), Relating to the qualifications necessary for a political party to have the names of its nominees placed on the ballot.

To Elections.

HB 1662 (By Eiland), Relating to the authority of the attorney general to bring suit on behalf of individuals injured by unlawful practices in restraint of trade.

To Business and Industry.

HB 1663 (By Eiland), Relating to classifying oysters as an inherently unsafe product for personal consumption.

To Civil Practices.

HB 1664 (By Zedler), Relating to the designated doctor's examination under the workers' compensation system.

To Business and Industry.

HB 1665 (By C. Howard), Relating to certain requirements relating to public school reading instruction and textbooks.

To Public Education.

HB 1666 (By F. Brown), Relating to the number of license plates to be issued for and displayed on a motor vehicle.

To Transportation.

HB 1667 (By Geren), Relating to the amount of the fee for issuing certain alcoholic beverage permits.

To Licensing and Administrative Procedures.

HB 1668 (By Aycock), Relating to the issuance of revenue bonds to fund facilities at Texas A&M University–Central Texas.

To Higher Education.

HB 1669 (By R. Cook), Relating to the authority of certain counties to impose a county hotel occupancy tax and to the rate of the tax.

To Local Government Ways and Means.

HB 1670 (By Geren), Relating to the payment of a lottery prize awarded to a minor.

To Licensing and Administrative Procedures.

HB 1671 (By Homer), Relating to limiting the authority of a property owner to erect a gate on certain third-class and neighborhood roads.

To County Affairs.

HB 1672 (By Swinford), Relating to eligibility for the small and mid-sized adjustment under the public school finance system.

To Public Education.

HB 1674 (By Swinford), Relating to the use of information obtained by the attorney general through a civil investigative demand under the Deceptive Trade Practices-Consumer Protection Act.

To Business and Industry.

HB 1675 (By Dutton), Relating to the applicability of provisions of the Education Code to certain disciplinary alternative education programs.

To Public Education.

HB 1678 (By Madden), Relating to the operation of a system of community supervision.

To Corrections.

HB 1679 (By Hughes), Relating to the General Land Office's determination as to the existence of vacant public school land.

To Land and Resource Management.

HB 1680 (By Swinford), Relating to the required payment of taxes by property owners who appeal certain ad valorem tax determinations.

To Local Government Ways and Means.

HB 1681 (By Geren), Relating to the preservation for development of sites of unique value for regional water supply reservoirs and the preservation of river and stream segments of unique ecological value.

To Natural Resources.

HB 1682 (By Bonnen), Relating to designating Farm-to-Market Road 2004 in Brazoria County the Jason Oliff Memorial Highway.

To Transportation.

HB 1684 (By McClendon), Relating to the participation of certain retirees under the proportionate retirement program in the Texas Public School Employees Group Benefits Program.

To Pensions and Investments.

HB 1685 (By McClendon), Relating to exemptions from employer contributions for certain employed retirees under the Teacher Retirement System of Texas.

To Pensions and Investments.

HB 1687 (By Farias), Relating to the information that must be included on the face of an appeal bond.

To Criminal Jurisprudence.

HB 1688 (By Farias), Relating to the intersection of certain roads with the Trans-Texas Corridor.

To Transportation.

HB 1689 (By Y. Davis), Relating to the selection of certain members of the board of trustees of the Teacher Retirement System of Texas.

To Pensions and Investments.

HB 1691 (By Bailey), Relating to business leave time accounts for peace officers in certain municipalities and counties.

To Urban Affairs.

HB 1692 (By Bailey), Relating to the appraisal for ad valorem tax purposes of certain property used to provide low-income or moderate-income housing.

To Local Government Ways and Means.

HB 1694 (By Bailey), Relating to the boundaries of the Airline Improvement District in Harris County.

To Urban Affairs.

HB 1695 (By Hilderbran), Relating to powers and duties of the Office of Public Utility Counsel to represent residential and small commercial consumers in certain water or sewer utility service matters before the Texas Commission on Environmental Quality.

To Environmental Regulation.

HB 1696 (By Hilderbran), Relating to the improper use of information contained in a report of political contributions and expenditures; creating an offense.

To Elections.

HB 1698 (By Hilderbran), Relating to the definition of "surface waters" for purposes of the prohibition on diverting or impounding the natural flow of surface waters in a manner that damages the property of another by the overflow of the water diverted or impounded.

To Natural Resources.

HB 1699 (By Hilderbran), Relating to the power of a groundwater conservation district to regulate the use of groundwater so as to prevent waste.

To Natural Resources.

HB 1700 (By Hilderbran), Relating to a project for the development and implementation of a nature science curriculum for public school students.

To Public Education.

HB 1701 (By Y. Davis), Relating to the application of the sunset review process to certain exemptions from property taxes and state taxes.

To Ways and Means.

HB 1702 (By C. Howard), Relating to restrictions on the automatic renewal of contracts.

To Business and Industry.

HB 1704 (By Zedler), Relating to the waiting period following the issuance of a marriage license.

To Juvenile Justice and Family Issues.

HB 1705 (By Zedler), Relating to the waiting period for issuing a decree in a suit for divorce.

To Juvenile Justice and Family Issues.

HB 1709 (By Naishtat), Relating to bonds required of guardians and other personal representatives.

To Judiciary.

HB 1710 (By Naishtat), Relating to the administration of community property.

To Judiciary.

HB 1711 (By Naishtat), Relating to the fees charged for certain filings in probate actions.

To Judiciary.

HB 1713 (By Allen), Relating to benefits paid by the Teacher Retirement System of Texas.

To Pensions and Investments.

HB 1714 (By Dutton), Relating to the hours of sale for liquor.

To Licensing and Administrative Procedures.

HB 1716 (By Solomons), Relating to the registration of a registered financial services company and the authority of its exclusive agents to act as mortgage brokers.

To Financial Institutions.

HB 1717 (By McReynolds), Relating to the identification requirements for any device with the appearance of a fire hydrant that is nonfunctioning or otherwise unavailable for use in a fire emergency.

To Urban Affairs.

HB 1718 (By McReynolds), Relating to motor vehicle inspection fee refunds for vehicles used by volunteer fire departments.

To Transportation.

HB 1719 (By McReynolds), Relating to requiring landowners to report the burial of certain animal carcasses.

To Agriculture and Livestock.

HB 1720 (By McReynolds), Relating to the counties eligible to create a county assistance district that may impose a sales and use tax.

To Local Government Ways and Means.

HB 1721 (By Gallego), Relating to the insanity defense in a criminal case.

To Criminal Jurisprudence.

HB 1722 (By Gallego), Relating to eligibility of elected officials convicted of a crime for certain retirement and related benefits.

To Pensions and Investments.

HB 1723 (By Gallego), Relating to the imposition and use of a fee on groundwater exported from public school land.

To Natural Resources.

HB 1724 (By Gallego), Relating to the insanity defense in a criminal case.

To Criminal Jurisprudence.

HB 1725 (By Goolsby), Relating to organ donation.

To Public Health.

HB 1726 (By Harper-Brown), Relating to requiring a voter to present proof of identification and to the information required on an application for an early ballot to be voted by mail.

To Elections.

HB 1727 (By Harper-Brown), Relating to the authority of certain local officials or a peace officer to inquire into the immigration status of certain persons.

To State Affairs.

HB 1729 (By Leibowitz), Relating to exempting textbooks for university and college courses from the sales tax.

To Ways and Means.

HB 1730 (By Leibowitz), Relating to the enforceability of certain contracts between an employer who does not have workers' compensation coverage and an employee of the employer.

To Business and Industry.

HB 1731 (By Leibowitz), Relating to reporting requirements for employers not covered by workers' compensation insurance.

To Business and Industry.

HB 1733 (By Goolsby), Relating to a structure that is considered a homestead exempt from seizure for certain claims.

To Business and Industry.

HB 1734 (By Goolsby), Relating to cancellation or suspension of an alcoholic beverage license or permit.

To Licensing and Administrative Procedures.

HB 1735 (By Truitt), Relating to ethics training for legislators.

To Elections.

HB 1736 (By Kuempel), Relating to the authority of municipalities to adopt zoning regulations for impervious cover and floor to area ratio on lots.
To Land and Resource Management.

HB 1737 (By Giddings), Relating to business entities and associations.
To Business and Industry.

HB 1739 (By Hartnett), Relating to electronic submission of certain information on a death certificate.
To Public Health.

HB 1740 (By Cohen), Relating to the requirements for preconstruction permit renewals.
To Environmental Regulation.

HB 1741 (By Flynn), Relating to certain investments by insurance companies and related organizations.
To Insurance.

HB 1742 (By Giddings), Relating to urban land bank demonstration programs.
To Environmental Regulation.

HB 1744 (By W. Smith), Relating to the powers and duties of the Texas Department of Transportation in an area under the jurisdiction of a local or regional toll authority.
To Transportation.

HB 1745 (By Turner), Relating to requirements related to excessive emissions events by certain regulated entities under the Clean Air Act.
To Environmental Regulation.

HB 1746 (By Giddings), Relating to the establishment of a school of pharmacy in the city of Dallas by the University of North Texas System.
To Higher Education.

HB 1747 (By Morrison), Relating to the termination of parental rights with regard to certain abandoned children.
To Juvenile Justice and Family Issues.

HB 1748 (By Morrison), Relating to the administration of Texas governor's schools.
To Higher Education.

HB 1750 (By Morrison), Relating to information related to the performance of an abortion; creating an offense.
To State Affairs.

HB 1751 (By Cohen), Relating to imposing a fee on admissions to certain sexually oriented businesses.
To Ways and Means.

HB 1753 (By Corte), Relating to the use by a political subdivision of public money for fees and dues of a state association or organization.
To State Affairs.

HB 1754 (By Taylor), Relating to a premium tax credit for assessments paid for the Texas Health Insurance Risk Pool.

To Insurance.

HB 1756 (By Madden), Relating to the grade of offense for which a person may be committed to the Texas Youth Commission and the termination of control of persons committed to the Texas Youth Commission.

To Juvenile Justice and Family Issues.

HB 1757 (By Hughes), Relating to the obstruction of emergency vehicles at railroad crossings.

To Transportation.

HCR 98 (By Noriega), In memory of James DeAnda of Houston, retired chief judge of the U.S. District Court for the Southern District of Texas.

To Rules and Resolutions.

HCR 110 (By Naishtat), Commemorating the 30th anniversary of the Assistance League of Austin.

To Rules and Resolutions.

HCR 114 (By Farabee), In memory of the Honorable John J. Gavin of Wichita Falls.

To Rules and Resolutions.

HCR 116 (By Hardcastle), Honoring the Northside Indians football team of Wilbarger County on winning the 2006 Class A Six-Man Division II State Championship.

To Rules and Resolutions.

HCR 118 (By Escobar), Welcoming Lieutenant General Ricardo S. Sanchez home to Texas following his retirement from the U.S. Army.

To Rules and Resolutions.

HCR 119 (By Berman), Honoring Kathryn Bailey Allen of Tyler on the occasion of her 90th birthday.

To Rules and Resolutions.

HR 468 (By Callegari), Honoring Dr. Thomas C. Harrison of Katy for his service to his profession and to the community.

To Rules and Resolutions.

HR 469 (By Anchia), In memory of John Burton Smith of San Antonio.

To Rules and Resolutions.

HR 472 (By B. Brown), Honoring Constable Joe Don Law for his accomplishments with the Kaufman County S.T.A.R. program for youth.

To Rules and Resolutions.

HR 473 (By Jones), Recognizing March 27, 2007, as Parent Association for the Retarded of Texas Day at the State Capitol.

To Rules and Resolutions.

HR 474 (By Peña), Commending Corporal Rey Leal for his heroic actions during combat in Iraq.

To Rules and Resolutions.

HR 477 (By Farabee), In honor of the centennial of Burkburnett.

To Rules and Resolutions.

HR 481 (By Menendez), Congratulating Armando J. Garza on his retirement as training specialist for the Child Support Division of the Office of the Attorney General.

To Rules and Resolutions.

HR 482 (By Gonzalez Tourelles), Honoring Ala Loretta Hicks of Three Rivers on her 100th birthday.

To Rules and Resolutions.

HR 483 (By Flores), Commending Sergeant Eleuterio Morales of La Joya for his brave and honorable service during the Vietnam War.

To Rules and Resolutions.

HR 485 (By Jackson), Congratulating Wanda Madge Jones and Angela Joan Ingels of Dallas for winning the titles of Ms. Classic American Queen and Ms. American Queen.

To Rules and Resolutions.

HR 488 (By Eiland), In memory of Joseph A. Raitano, Sr., of Santa Fe.

To Rules and Resolutions.

HR 489 (By Eiland), Honoring James P. Elbert on his retirement as president of the Texas Windstorm Insurance Association board of directors.

To Rules and Resolutions.

HR 490 (By Eiland), Recognizing March 31, 2007, as Jack Johnson Day at the State Capitol.

To Rules and Resolutions.

HR 492 (By Dutton), Honoring Frank W. Ward, Jr., of Houston on his receipt of a 2006 Milken Family Foundation National Educator Award.

To Rules and Resolutions.

HR 494 (By Hughes), Honoring Sumner and Betty Stacy of Mineola on their 60th wedding anniversary.

To Rules and Resolutions.

HR 495 (By McClendon), In memory of S. L. "Lee" Deckard of San Antonio.

To Rules and Resolutions.

HR 496 (By Farias), Honoring Megan Foster of San Antonio for being named a 2006-2007 State Farm Insurance Scholar-Athlete.

To Rules and Resolutions.

HR 497 (By Farias), Honoring Zachary Johnson of San Antonio for completing his Eagle Scout project.

To Rules and Resolutions.

HR 498 (By Dutton), Recognizing the A. Philip Randolph Institute on the occasion of its Texas state convention.

To Rules and Resolutions.

HR 499 (By Gallego), In memory of Richard A. Garcia of San Antonio.

To Rules and Resolutions.

HR 500 (By Gallego), Honoring Chris Potter on being named the Fireman of the Year by the Uvalde Volunteer Fire Department.

To Rules and Resolutions.

HR 501 (By Gallego), Commending Martha Mitchell on the occasion of her retirement as Val Verde County district clerk.

To Rules and Resolutions.

HR 503 (By Flynn), Recognizing March 13, 2007, as Van Zandt County Day at the State Capitol.

To Rules and Resolutions.

HR 504 (By Martinez Fischer), Honoring the Texas Association of Mexican-American Chambers of Commerce.

To Rules and Resolutions.

HR 506 (By C. Howard), In memory of Harry Lee Westmoreland, Jr., of Sugar Land.

To Rules and Resolutions.

HR 513 (By Christian), Congratulating the Nacogdoches High School Band on its selection to participate in the 119th Rose Parade at the Tournament of Roses on January 1, 2008.

To Rules and Resolutions.

HR 515 (By D. Howard), Honoring Joy Anderson on her retirement as chief of staff for the Texas Youth Commission.

To Rules and Resolutions.

HR 516 (By P. King), In memory of Nobel Prize-winning economist Dr. Milton Friedman.

To Rules and Resolutions.

HR 517 (By Gallego), Congratulating the Honorable Olie Strickland on his retirement as municipal judge of Monahans.

To Rules and Resolutions.

HR 518 (By Veasey), In memory of U.S. Army Private Clarence Spencer of Fort Worth.

To Rules and Resolutions.

HR 519 (By Veasey), Honoring Nora Jackson Pyles of Fort Worth on her 75th birthday.

To Rules and Resolutions.

HR 520 (By Martinez Fischer), In memory of Chris Mireles of San Antonio.

To Rules and Resolutions.

HR 521 (By Martinez Fischer), Honoring the life of Annie Coronado Perez of San Antonio.

To Rules and Resolutions.

HR 522 (By Zerwas), Congratulating Ursula Coates on her receipt of the 2006 Chairman's Award from the Fort Bend Chamber of Commerce.

To Rules and Resolutions.

HR 523 (By Macias), In memory of Sam V. Champion of Boerne.

To Rules and Resolutions.

HR 524 (By Martinez Fischer), In memory of Colonel J. George Cisneros of San Antonio.

To Rules and Resolutions.

HR 525 (By Martinez Fischer), In memory of Joe V. Galvan of San Antonio.

To Rules and Resolutions.

HR 526 (By Martinez Fischer), In memory of Sister Stephanie Deegan of San Antonio.

To Rules and Resolutions.

HR 527 (By Martinez Fischer), In memory of Guadalupe Cruz of Dallas.

To Rules and Resolutions.

HR 528 (By Martinez Fischer), In memory of Wilma E. Scharrer of Frankenmuth, Michigan.

To Rules and Resolutions.

HR 529 (By Martinez Fischer), In memory of Robert Walker Best of San Antonio.

To Rules and Resolutions.

HR 531 (By Hamilton), Honoring Gary Stelly and the staff of radio station KOGT in Orange for their outstanding service in behalf of area citizens during Hurricane Rita.

To Rules and Resolutions.

HR 532 (By Parker), Congratulating James Clayton Satterfield of Argyle on attaining the rank of Eagle Scout.

To Rules and Resolutions.

HR 533 (By Parker), Congratulating Pilot Point ISD for receiving a Verizon Grant for the PEER program at Selz Elementary School.

To Rules and Resolutions.

HR 534 (By Hancock), Honoring the Northeast Tarrant Chamber of Commerce on the 50th anniversary of its founding.

To Rules and Resolutions.

List No. 2

HB 1648 (By Leibowitz), Relating to allowing a county to hold a nonbinding referendum on a county fiscal matter.

To Elections.

HB 1649 (By Leibowitz), Relating to requiring notice by a seller of real property of potential annexation of the property by a municipality.

To Land and Resource Management.

HB 1653 (By W. Smith), Relating to the historical advisory board of the San Jacinto Battleground.

To Culture, Recreation, and Tourism.

HB 1654 (By Riddle), Relating to the registration of certain assisted living facilities.

To Human Services.

HB 1673 (By Swinford), Relating to the inclusion of certain methane in the fuel ethanol and biodiesel incentive program of the Department of Agriculture.

To Agriculture and Livestock.

HB 1676 (By Delisi), Relating to a public awareness campaign concerning certain solicitations for the purchase of prescription drugs.

To Public Health.

HB 1677 (By Miller), Relating to the prohibition of recovering attorney's fees and costs from natural gas utility customers in certain rate proceedings.

To Civil Practices.

HB 1683 (By Hopson), Relating to the repeal of the requirement of a ratio of pharmacists to pharmacy technicians in a Class A pharmacy.

To Public Health.

HB 1686 (By McClendon), Relating to the registration and regulation of homebuilders and residential construction and improvements; providing penalties.

To State Affairs.

HB 1690 (By Bailey), Relating to the provision of a preference in certain state and school district construction contracts for contractors that provide health benefits to employees.

To Government Reform.

HB 1693 (By Bailey), Relating to the authority of the Texas State Board of Podiatric Medical Examiners to commission a peace officer.

To Public Health.

HB 1697 (By Hilderbran), Relating to the protection of property subject to certain conservation easements.

To Culture, Recreation, and Tourism.

HB 1703 (By C. Howard), Relating to prohibiting the transfer of an embryo except in an adoption proceeding; providing a penalty.

To State Affairs.

HB 1706 (By Coleman), Relating to the annual registration of physicians by the Texas Medical Board.

To Public Health.

HB 1708 (By Naishtat), Relating to examination requirements in certain guardianship matters concerning persons with mental retardation.

To Human Services.

HB 1712 (By W. Smith), Relating to certain educational requirements applicable to the regulation of the practice of chiropractic.

To Public Health.

HB 1715 (By J. Davis), Relating to the regulation of certain long-term care facilities, including the establishment of late fees and changes to administrative penalties, and relating to the office of long-term care ombudsman.

To Human Services.

HB 1728 (By Harper-Brown), Relating to confidentiality of certain information in rabies vaccination certificates and dog and cat registries.

To Agriculture and Livestock.

HB 1732 (By Kuempel), Relating to the authority of municipalities to adopt zoning regulations affecting the appearance of buildings or open spaces.

To Land and Resource Management.

HB 1738 (By Lucio), Relating to medical assistance for children with Down syndrome.

To Human Services.

HB 1743 (By Giddings), Relating to establishing a demonstration project for the regional delivery of tertiary care services.

To Public Health.

HB 1749 (By Morrison), Relating to the authority of political subdivisions to negotiate contracts for electricity.

To Regulated Industries.

HB 1752 (By Rodriguez), Relating to a foster children's bill of rights.

To Human Services.

HB 1755 (By Taylor), Relating to the reporting and disclosure of financial arrangements between referring health care providers and diagnostic imaging providers; providing penalties.

To Public Health.

HB 1758 (By Chisum), Relating to the annual registration of physicians by the Texas Medical Board.

To Public Health.

HB 1761 (By Coleman), Relating to a change of name and vital statistics information.

To Public Health.

HB 1762 (By Leibowitz), Relating to interest on unpaid penalties imposed by the Texas Residential Construction Commission.

To State Affairs.

HB 1764 (By Kuempel), Relating to the purchasing methods available to a county when paying with certain funds.

To County Affairs.

HB 1765 (By Driver), Relating to the responsibility of an employer in relation to a person who drives a commercial motor vehicle; providing a criminal penalty.

To Law Enforcement.

HB 1766 (By Peña), Relating to the punishment for theft of aluminum, bronze, or copper wiring.

To Criminal Jurisprudence.

HB 1767 (By Peña), Relating to the punishment for criminal mischief committed by interfering with certain transportation signs, signals, or devices.

To Criminal Jurisprudence.

HB 1768 (By Anchia), Relating to the hours worked during a week by police officers in certain municipalities.

To Urban Affairs.

HB 1769 (By Anchia), Relating to the requirement that certain high school students successfully complete four courses in each subject of the foundation curriculum.

To Public Education.

HB 1770 (By Noriega), Relating to housing and medical care for pregnant inmates, or female inmates who have an infant, confined in a facility operated by or under contract with the Texas Department of Criminal Justice.

To Corrections.

HB 1772 (By Villarreal), Relating to reporting requirements for employers not covered by workers' compensation insurance; providing administrative penalties.

To Business and Industry.

HB 1773 (By Escobar), Relating to requiring written notice before the introduction of certain evidence during the punishment phase of a criminal trial.

To Criminal Jurisprudence.

HB 1774 (By Christian), Relating to the enforcement of immigration laws by local governments.

To State Affairs.

HB 1775 (By Christian), Relating to authorizing the issuance of revenue bonds for the expansion of school of nursing facilities at Stephen F. Austin State University.

To Higher Education.

HB 1776 (By Christian), Relating to restricting students who fail to perform satisfactorily on state-administered assessment instruments from participating in extracurricular activities.

To Public Education.

HB 1777 (By Thompson), Relating to rates charged for residential property and personal automobile insurance in certain rating territories.

To Insurance.

HB 1780 (By Harless), Relating to the audit of a county jail's commissary operations.

To County Affairs.

HB 1781 (By Harless), Relating to information displayed on a disabled parking placard.

To Transportation.

HB 1782 (By D. Howard), Relating to the applicability of across-the-board salary increases to employees of institutions of higher education.

To Higher Education.

HB 1788 (By Pitts), Relating to the planning, reporting, and review of the state's information resources.

To Government Reform.

HB 1789 (By Pitts), Relating to the management and oversight of information resources projects.

To Government Reform.

HB 1790 (By Harper-Brown), Relating to a motor vehicle passing a bicyclist; providing penalties.

To Transportation.

HB 1791 (By Anderson), Relating to safety seats on school buses.

To Transportation.

HB 1792 (By T. King), Relating to the limitation on the rate of school district enrichment taxes eligible for equalization under the foundation school program.

To Public Education.

HB 1794 (By Veasey), Relating to an open document format for electronic state documents.

To Government Reform.

HB 1795 (By Veasey), Relating to certain security technology at unmanned teller machines.

To Financial Institutions.

HB 1796 (By Hochberg), Relating to the refund of tuition and fees at institutions of higher education.

To Higher Education.

HB 1797 (By Martinez Fischer), Relating to certain criminal penalties for and civil consequences of damaging property with graffiti.

To Criminal Jurisprudence.

HB 1798 (By Martinez Fischer), Relating to restricted access to metropolitan transit authority right of way; providing penalties.

To Transportation.

HB 1800 (By Martinez Fischer), Relating to enhancement of the punishment for certain intoxication offenses based on past convictions under federal law and the Uniform Code of Military Justice.

To Criminal Jurisprudence.

HB 1801 (By Zerwas), Relating to the date by which a prosecuting attorney may appeal certain orders, rulings, or sentences in a criminal case.

To Criminal Jurisprudence.

HB 1802 (By Thompson), Relating to a registered property tax consultant.

To Licensing and Administrative Procedures.

HB 1803 (By Gonzales), Relating to the conversion of certain water rights on subdivided land from irrigation to municipal use.

To Natural Resources.

HB 1804 (By Gattis), Relating to the prosecution of the offense of improper photography or visual recording.

To Criminal Jurisprudence.

HB 1805 (By Gattis), Relating to the forfeiture of rights and interests of certain heirs, devisees, and legatees.

To Judiciary.

HB 1807 (By Naishtat), Relating to the regulation of electioneering communications made in connection with a political campaign; providing a criminal penalty.

To Elections.

SIGNED BY THE SPEAKER

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

House List No. 8

HCR 72, HCR 103, HCR 104, HCR 106

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
 Monday, February 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:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 31 Chisum SPONSOR: Duncan
 Congratulating Jimmy M. Ross of Quitaque on his election as president of the International Association of Lions Clubs for 2006-2007.

HCR 47 Isett, Carl SPONSOR: Duncan
 Commemorating the 50th anniversary of Lubbock Christian University.

HCR 65 Homer SPONSOR: Eltife
 In memory of Joe Farris Shelton of Paris.

HCR 66 Homer SPONSOR: Eltife
 In memory of Dr. John M. Ellis and Lucille Ellis of Mount Pleasant.

HCR 80 Homer SPONSOR: Eltife
 In memory of Powell W. Peek, county judge of Red River County.

HCR 99 Homer SPONSOR: Eltife
 In memory of Janice Kaye Bolton Reddell of Paris.

HCR 105 Homer SPONSOR: Eltife
 In memory of Richard Lamoine "Dick" Cunningham of Paris.

HCR 115 Homer SPONSOR: Eltife
 In memory of Robert Allen Bonner of Clarksville.

Respectfully,
 Patsy Spaw
 Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

February 22

Criminal Jurisprudence - **HB 8**

Law Enforcement - **HB 76, HB 84**

Regulated Industries - **HB 624**

February 23

Land and Resource Management - **HB 117, HB 989, HB 1138**

Law Enforcement - **HB 486, HB 487**

