

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

NINETEENTH DAY — THURSDAY, FEBRUARY 19, 2009

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

The roll of the house was called and a quorum was announced present (Record 32).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Zerwas.

Absent, Excused — Alvarado; Corte; Flynn; Heflin; Merritt.

Absent — Madden; Woolley.

The invocation was offered by Dr. Forrest Lowry, senior pastor, First Baptist Church, Lexington, as follows:

Our Father in heaven, we thank you for your gracious blessings and your provision for the people of Texas. I ask your special blessing on the men and women that meet here in this place to serve the people of our state. Grant them the grace necessary to do their work and fulfill their responsibilities to the people. Give each person here today the courage and wisdom to make right decisions, the capacity to vote their convictions, and please grant them the compassion to do what is right for our state. Grant each person the wisdom to resist the pressures of special interests and guide them as they look out for the interests of everyone. Lord, please guide them in every deliberation and in every vote. Help them to speak the truth. Help them to treat others as they would want to be treated.

Please be with the families and staff members of these public servants while they are away from home serving here in Austin. I pray that the actions of these men and women will bring honor and glory to your name.

Today may everyone here sense your almighty presence in an unusual way, and may your will be done on earth as it is in heaven. Please forgive us our sins and enable us to forgive others who have sinned against us. Grant us the capacity to love others as you have loved us and the capacity to be your ambassadors of good will in our state. I pray in the name of Jesus Christ, our Lord and Savior. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Gattis who presented Dr. Lamia Kadir of Round Rock as the "Doctor for the Day."

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

(Edwards in the chair)

INTRODUCTION OF GUESTS

The chair recognized Representative McCall who introduced the Honorable Sam Johnson and his wife, Shirley. Mr. Johnson briefly addressed the house.

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).

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. 6).

LEAVES OF ABSENCE GRANTED

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

Corte on motion of Hopson.

Flynn on motion of Hopson.

Heflin on motion of Hopson.

The following member was granted leave of absence for today because of a death in the family:

Alvarado on motion of Moody.

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

Merritt on motion of Elkins.

HR 455 - ADOPTED
(by Olivo)

Representative Olivo moved to suspend all necessary rules to take up and consider at this time **HR 455**.

The motion prevailed.

The following resolution was laid before the house:

HR 455, Honoring Mary Alice Gonzalez of Sugar Land for her contributions to the community.

HR 455 was read and was adopted.

On motion of Representative Christian, the names of all the members of the house were added to **HR 455** as signers thereof.

HR 446 - ADOPTED
(by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 446**.

The motion prevailed.

The following resolution was laid before the house:

HR 446, Recognizing February 18 and 19, 2009, as Nacogdoches-SFASU Days at the State Capitol.

HR 446 was read and was adopted.

On motion of Representative Christian, the names of all the members of the house were added to **HR 446** as signers thereof.

HR 447 - ADOPTED
(by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 447**.

The motion prevailed.

The following resolution was laid before the house:

HR 447, Honoring author Harold Fickett of Nacogdoches on his literary achievements and his contributions to his community.

HR 447 was read and was adopted.

On motion of Representative Christian, the names of all the members of the house were added to **HR 447** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Christian who introduced a delegation from Nacogdoches, including Harold Fickett and members of his family.

LEAVE OF ABSENCE GRANTED

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

Coleman on motion of Deshotel.

(Speaker pro tempore in the chair)

HR 283 - ADOPTED **(by Herrero and Ortiz)**

Representative Herrero moved to suspend all necessary rules to take up and consider at this time **HR 283**.

The motion prevailed.

The following resolution was laid before the house:

HR 283, Recognizing February 9-14, 2009, as Marriage Week in Nueces County.

HR 283 was adopted.

On motion of Representatives Hunter and Ortiz, the names of all the members of the house were added to **HR 283** as signers thereof.

HR 508 - ADOPTED **(by Peña and Gonzales)**

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 508**.

The motion prevailed.

The following resolution was laid before the house:

HR 508, Commending members of the Association of Public Administrators at The University of Texas-Pan American for their dedication to the field of public administration.

HR 508 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Peña who introduced members of the Association of Public Administrators at The University of Texas-Pan American.

HR 511 - ADOPTED **(by Kolkhorst)**

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 511**.

The motion prevailed.

The following resolution was laid before the house:

HR 511, Recognizing February 19, 2009, as Austin County Day at the State Capitol.

HR 511 was read and was adopted.

On motion of Representative Crabb, the names of all the members of the house were added to **HR 511** as signers thereof.

HR 470 - ADOPTED
(by Kleinschmidt)

Representative Kleinschmidt moved to suspend all necessary rules to take up and consider at this time **HR 470**.

The motion prevailed.

The following resolution was laid before the house:

HR 470, Recognizing Dr. Forrest Lowry as Pastor of the Day for February 19, 2009.

HR 470 was adopted.

HR 501 - ADOPTED
(by Kent, et al.)

Representative Kent moved to suspend all necessary rules to take up and consider at this time **HR 501**.

The motion prevailed.

The following resolution was laid before the house:

HR 501, Welcoming a delegation from Baylor University to the State Capitol on February 19, 2009.

HR 501 was read and was adopted.

On motion of Representative Anderson, the names of all the members of the house were added to **HR 501** as signers thereof.

HR 492 - ADOPTED
(by Gallego)

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 492**.

The motion prevailed.

The following resolution was laid before the house:

HR 492, Honoring the Lucy Rede Franco Middle School Band of Presidio on its selection as The Spirit of STAR DAY 2009 School Band and commemorating its STAR Day 2009 performance at the State Capitol.

HR 492 was adopted.

HR 464 - ADOPTED
(by T. Smith)

Representative T. Smith moved to suspend all necessary rules to take up and consider at this time **HR 464**.

The motion prevailed.

The following resolution was laid before the house:

HR 464, Honoring Joy Baldwin Goodgame of Eules on her 80th birthday.

HR 464 was adopted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Deshotel moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Business and Industry to conduct an organizational meeting and hear invited testimony at 2 p.m. or upon adjournment Monday, February 23.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, 2 p.m. or upon adjournment Monday, February 23, E2.026, for an organizational meeting and a public hearing to hear invited testimony.

PROVIDING FOR ADJOURNMENT

Representative Pickett moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 2 p.m. Monday, February 23.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES
CORRECTIONS IN REFERRAL**

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. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Madden now present)

(Peña in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:44 a.m., adjourned until 2 p.m. Monday, February 23.

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 469 (By P. King), Relating to the establishment of incentives by this state for the implementation of certain projects to capture and sequester in geological formations carbon dioxide that would otherwise be emitted into the atmosphere.

To Energy Resources.

HB 701 (By Zerwas), Relating to the provision of ad valorem tax relief.

To Ways and Means.

HB 702 (By Heflin), Relating to the eligibility of school districts in certain counties to enter into agreements under the Texas Economic Development Act.

To Ways and Means.

HB 707 (By Rose), Relating to the award of certain municipal contracts.

To Urban Affairs.

HB 708 (By Rose), Relating to coordination of postsecondary curricula and to an academic planning Internet website to support academic progress by students enrolled at public institutions of higher education.

To Higher Education.

HB 709 (By Rose), Relating to the award of stipends to nationally certified classroom teachers under the educator excellence awards program.

To Public Education.

HB 710 (By Rose), Relating to placing the State Board of Education under periodic review by the Sunset Advisory Commission.

To Public Education.

HB 711 (By Rose), Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

To Ways and Means.

HB 712 (By Rose), Relating to student members of the board of regents of a state university system or a state university.

To Higher Education.

HB 713 (By Rose), Relating to authorizing the issuance of revenue bonds for the construction of a recital hall and theater center at Texas State University–San Marcos.

To Higher Education.

HB 714 (By Rose), Relating to the penalty for the offense of reckless driving.

To Transportation.

HB 715 (By P. King), Relating to motor vehicle inspection stations that perform emissions inspections using only the onboard diagnostic system of inspected vehicles.

To Transportation.

HB 716 (By Riddle), Relating to a school choice program for certain students with disabilities.

To Public Education.

HB 717 (By Riddle), Relating to the eligibility of certain sex offenders for parole.

To Criminal Jurisprudence.

HB 718 (By Riddle), Relating to the applicability of certain laws to certain sex offenders.

To Criminal Jurisprudence.

HB 719 (By Flynn), Relating to certain content requirements for signs used to identify the location of a polling place during a primary election.

To Elections.

HB 720 (By Creighton), Relating to the total revenue exemption for the franchise tax.

To Ways and Means.

HB 721 (By D. Howard), Relating to permitting procedures of the Texas Commission on Environmental Quality for control of air pollution.

To Environmental Regulation.

HB 722 (By D. Howard), Relating to the authority of certain municipalities to regulate the location of facilities to supply drinking water.

To Urban Affairs.

HB 723 (By D. Howard), Relating to certain activities by, employment of, and contracts of former members of the legislature; creating offenses.

To State Affairs.

HB 724 (By Veasey), Relating to the penalties prescribed for committing prostitution within a certain distance of certain designated places.

To Criminal Jurisprudence.

HB 725 (By Veasey), Relating to utility bill payment protection for elderly or disabled persons.

To State Affairs.

HB 726 (By Miklos), Relating to the frequency and content of school bus emergency evacuation training.

To Public Education.

HB 727 (By Madden), Relating to the closure of a public school campus that is being used as an emergency evacuation shelter.

To Public Education.

HB 728 (By Cook), Relating to the creation of a county court at law in Navarro County.

To Judiciary and Civil Jurisprudence.

HB 729 (By Cook), Relating to property rights of certain religious organizations.

To State Affairs.

HB 730 (By Miklos), Relating to the general penalty for violation of a traffic law of this state.

To Transportation.

HB 731 (By Herrero), Relating to increasing the amount of the residence homestead exemption from ad valorem taxation by a school district to \$45,000, providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed by a school district on the homesteads of the elderly or disabled to reflect the increased exemption amount, and protecting school districts against the resulting loss in local revenue.

To Ways and Means.

HB 733 (By Fletcher), Relating to the definition of a police vehicle for the purposes of certain traffic laws.

To Transportation.

HB 734 (By Orr), Relating to certain requirements for school bus emergency evacuation training.

To Public Education.

HB 735 (By Quintanilla), Relating to inclusion by individuals regulated by this state of the individual's license or certificate of registration number on certain documents; providing a civil penalty.

To Licensing and Administrative Procedures.

HB 736 (By Quintanilla), Relating to authorizing county regulation of nuisances and disorderly conduct.

To County Affairs.

HB 737 (By Quintanilla), Relating to the duty to notify local governmental entities about the existence of proposed hazardous liquid pipeline projects.

To Energy Resources.

HB 738 (By Quintanilla), Relating to the penalty for an offense committed during the inattentive operation of a motor vehicle.

To Transportation.

HB 739 (By Quintanilla), Relating to certain continuing education requirements for insurance agents who sell Medicare-related products.

To Insurance.

HB 740 (By Quintanilla), Relating to the installation of nitrous oxide systems on vehicles intended for use on public roads.

To Transportation.

HB 741 (By Castro), Relating to health education curriculum and instruction in public schools.

To Public Education.

HB 742 (By Flores), Relating to an exemption from ad valorem taxation of the residence homesteads of certain totally disabled veterans and to the amount of the exemption from ad valorem taxation to which a disabled veteran is entitled based on disability rating.

To Ways and Means.

HB 746 (By F. Brown), Relating to making underused classrooms of public institutions of higher education available for use by other public colleges and universities.

To Higher Education.

HB 747 (By Gattis), Relating to the taking of a specimen of the breath or blood of a person arrested for an intoxication offense under certain circumstances.

To Public Safety.

HB 749 (By Darby), Relating to the authority of certain counties to impose a hotel occupancy tax for the maintenance and operation of a coliseum in the county.

To Ways and Means.

HB 750 (By Y. Davis), Relating to certain offenses that involve impersonating a peace officer or other public servant and misrepresenting the nature of certain property.

To Public Safety.

HB 751 (By Callegari), Relating to the liability of a public utility that allows recreational use of land that the public utility owns, occupies, or leases.

To State Affairs.

HB 752 (By England), Relating to the authority of certain municipalities to enter into an agreement with a school district to dedicate revenue from a tax increment fund to the district for the acquisition, construction, or reconstruction of an educational facility.

To Ways and Means.

HB 753 (By Gonzalez Toureilles), Relating to the date for electing directors of the Goliad County Groundwater Conservation District.

To Natural Resources.

HB 754 (By Gonzalez Toureilles), Relating to an exemption from the tax imposed on the rental of a motor vehicle under certain circumstances.

To Ways and Means.

HB 755 (By Gonzalez Toureilles), Relating to the creation of the county and district court technology fund; imposing a fee.

To Judiciary and Civil Jurisprudence.

HB 756 (By Martinez Fischer), Relating to the making or acceptance of political contributions in a building owned by or leased to the state.

To Elections.

HB 758 (By Martinez Fischer), Relating to the creation of an offense for certain prohibited uses of a wireless communication device while operating a motor vehicle.

To Transportation.

HB 759 (By Martinez Fischer), Relating to the creation of a hotline to report suspected incidents of impaired driving or dangerous driving.

To Public Safety.

HB 760 (By McClendon), Relating to county regulation of sound levels; providing a criminal penalty.

To County Affairs.

HB 761 (By Creighton), Relating to the penalty for certain property offenses committed during certain declared states of disaster.

To Defense and Veterans' Affairs.

HB 762 (By Creighton), Relating to filing a wage claim.

To Business and Industry.

HB 763 (By Hartnett), Relating to the recusal or disqualification of a statutory probate court judge and subsequent assignment of another judge.

To Judiciary and Civil Jurisprudence.

HB 764 (By Hartnett), Relating to eligibility for assignment as a visiting judge.

To Judiciary and Civil Jurisprudence.

HB 765 (By Hartnett), Relating to supplemental payments made to certain statutory probate court judges.

To Judiciary and Civil Jurisprudence.

HB 766 (By Guillen), Relating to a study concerning the establishment of a four-day work week for state employees.

To State Affairs.

HB 767 (By Guillen), Relating to a requirement that justice and municipal courts obtain evidence that certain minors are in compliance with mandatory school attendance requirements.

To Corrections.

HB 768 (By Kolkhorst), Relating to the requirement that a new road ordered by the commissioners court of a county be laid out by a jury of view.

To Transportation.

HB 769 (By Hernandez), Relating to standards for measuring the emission of air contaminants under the Texas Clean Air Act; providing a penalty.

To Environmental Regulation.

HB 770 (By D. Howard), Relating to the ad valorem taxation of a residence homestead that is rendered uninhabitable or unusable by a casualty or by mold or water damage.

To Ways and Means.

HB 771 (By D. Howard), Relating to sanctions available for certain academically unacceptable campuses.

To Public Education.

HB 772 (By D. Howard), Relating to Internet broadcasts of open meetings held by the State Board of Education.

To Public Education.

HB 773 (By Oliveira), Relating to extending the expiration date of the Property Redevelopment and Tax Abatement Act.

To Ways and Means.

HB 774 (By T. Smith), Relating to procedures for the adoption of a municipal zoning regulation or zoning district boundary.

To Land and Resource Management.

HB 775 (By Miklos), Relating to the penalty for theft of a central air-conditioning unit.

To Criminal Jurisprudence.

HB 776 (By Strama), Relating to the implementation by the Texas Commission on Environmental Quality of a low-emission vehicle program.

To Environmental Regulation.

HB 777 (By Hamilton), Relating to the punishment for the offense of harboring a runaway child.

To Criminal Jurisprudence.

HB 778 (By S. Miller), Relating to the prosecution by the attorney general of campaign finance offenses alleged to have been committed in connection with a state office or an election on a constitutional amendment.

To Elections.

HB 779 (By S. Turner), Relating to higher education student loan repayment assistance for peace officers.

To Higher Education.

HB 780 (By S. Turner), Relating to eligibility requirements for a beginning police department position in certain municipalities under municipal civil service.

To Urban Affairs.

HB 781 (By Farabee), Relating to the Electra Hospital District.

To County Affairs.

HB 782 (By Pickett), Relating to registration exemptions for certain foreign commercial motor vehicles.

To Transportation.

HB 783 (By Pickett), Relating to the liability of a public utility that allows recreational use of land that the public utility owns, occupies, or leases.

To State Affairs.

HB 784 (By Hughes), Relating to the issuance of specialty license plates for certain firefighters.

To Transportation.

HB 786 (By Swinford), Relating to the boards of trustees of retirement systems for paid or partly paid firefighters.

To Pensions, Investments, and Financial Services.

HB 788 (By Thompson), Relating to the creation of a commission to investigate and prevent wrongful convictions.

To Criminal Jurisprudence.

HB 789 (By Thompson), Relating to a criminal justice policy impact statement attached to certain bills or resolutions.

To Criminal Jurisprudence.

HB 790 (By Burnam), Relating to the counting of a provisional ballot cast by a voter in a precinct in which the voter does not reside.

To Elections.

HB 791 (By Burnam), Relating to the period during which certain energy-efficient products are exempt from the sales tax.

To Ways and Means.

HB 793 (By P. King), Relating to the authority to charge reasonable fees for emergency services performed by volunteer fire departments.

To County Affairs.

HB 794 (By P. King), Relating to the exemption of volunteer fire departments from certain motor fuel taxes.

To Ways and Means.

HB 795 (By Chisum), Relating to the Texas Holocaust and Genocide Commission.

To Culture, Recreation, and Tourism.

HB 796 (By T. Smith), Relating to the disposition of property alleged to have been illegally acquired and to the use of the photographic evidence of that property in a criminal action.

To Criminal Jurisprudence.

HB 797 (By Lucio), Relating to exempting fuel ethanol derived from cellulosic biomass and blended with gasoline from the motor fuels tax.

To Ways and Means.

HB 798 (By Lucio), Relating to the regulation of solar energy devices by a property owners' association.

To Business and Industry.

HB 799 (By Lucio), Relating to an exemption from the sales tax for certain renewable energy devices.

To Ways and Means.

HB 801 (By Guillen), Relating to prohibiting the investment of the permanent university fund in certain business entities doing business in Sudan.

To Pensions, Investments, and Financial Services.

HJR 43 (By Zerwas), Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes to 110 percent or more of the appraised value of the property for the preceding tax year.

To Ways and Means.

HJR 44 (By Rose), Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

To Ways and Means.

HJR 45 (By Herrero), Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes to \$45,000 and providing for a reduction of the limitation on the total amount of taxes that may be imposed for those purposes on the homesteads of the elderly or disabled to reflect the increased exemption amount.

To Ways and Means.

HJR 46 (By S. Miller), Proposing a constitutional amendment to permit the attorney general to prosecute certain offenses arising under the campaign finance laws of this state.

To Elections.

HR 208 (By Laubenberg), Congratulating the Celina High School Bobcats on winning the 3A Division 2 football championship for 2007.

To Rules and Resolutions.

HR 209 (By Laubenberg), Congratulating Jason Castro of Rockwall for his achievement as an American Idol finalist in 2008.

To Rules and Resolutions.

HR 211 (By Leibowitz), Congratulating Debbie Plant and Phillip Manea on the opening of their new business, Wine 101, in Helotes.

To Rules and Resolutions.

HR 217 (By P. King), In memory of Donald Eugene Allen of Weatherford.

To Rules and Resolutions.

HR 220 (By Eiland), Recognizing March 31, 2009, as Jack Johnson Day at the State Capitol.

To Rules and Resolutions.

HR 222 (By Martinez), Honoring the First United Methodist Church of Donna on its 100th anniversary.

To Rules and Resolutions.

HR 224 (By Flynn), Honoring Billy and Barbara Hooten of Greenville on their 50th wedding anniversary.

To Rules and Resolutions.

HR 226 (By Callegari), Honoring the Brazos Valley Schools Credit Union for its contributions to Katy ISD schools.

To Rules and Resolutions.

HR 230 (By Patrick), Congratulating Carol Sue Marshall on her retirement from The University of Texas at Arlington.

To Rules and Resolutions.

HR 234 (By Gattis), Congratulating Walter Pond on his retirement from his position as superintendent of the Rockdale Independent School District.

To Rules and Resolutions.

HR 235 (By Gattis), Honoring Jerri Jones on her retirement as executive director of the Williamson County Children's Advocacy Center.

To Rules and Resolutions.

HR 236 (By Gattis), Honoring Boy Scouts of America on its centennial anniversary.

To Rules and Resolutions.

HR 241 (By Raymond), In memory of Francisco Javier Montemayor, Sr., of Laredo.

To Rules and Resolutions.

HR 249 (By Hilderbran), Honoring the 25th anniversary of the Museum of Western Art in Kerrville.

To Rules and Resolutions.

HR 252 (By D. Howard), Honoring Westlake High School junior Samantha Tucker of Austin for her swimming achievements.

To Rules and Resolutions.

HR 253 (By B. Brown), Congratulating Rachael Elizabeth Flatt on winning the 2008 World Junior Figure Skating Championship.

To Rules and Resolutions.

HR 254 (By B. Brown), Welcoming Henderson County Republican Women to the State Capitol.

To Rules and Resolutions.

HR 257 (By Solomons), Recognizing November 2-6, 2009, as Municipal Courts Week in Texas.

To Rules and Resolutions.

HR 259 (By Hughes), Honoring J. L. and Sheila Rushing of Indian Rock on their 50th wedding anniversary.

To Rules and Resolutions.

HR 260 (By Hughes), Honoring Billie and Jimmie Dickard of Hallsville on their 50th wedding anniversary.

To Rules and Resolutions.

HR 262 (By Madden), Congratulating John Murphy on his election as president of the North Central Texas Council of Governments Executive Board.

To Rules and Resolutions.

HR 263 (By Madden), In memory of Jacob Daniel Hayes of Allen.

To Rules and Resolutions.

HR 265 (By Aycock), Recognizing March 18, 2009, as Leadership Killeen Day at the State Capitol.

To Rules and Resolutions.

HR 270 (By Peña), In memory of Jose Borrego of Edcouch.

To Rules and Resolutions.

HR 272 (By McClendon), In memory of Dr. Sophie Thompson Womack.

To Rules and Resolutions.

HR 273 (By Dunnam), In memory of Talmadge Douglas Steinke of Waco.

To Rules and Resolutions.

HR 274 (By Dunnam), Recognizing February 24, 2009, as Waco Day at the State Capitol.

To Rules and Resolutions.

HR 275 (By Aycock), Honoring the dedication in the spring of 2009 of the new sanctuary complex of First Baptist Church of Killeen.

To Rules and Resolutions.

HR 284 (By Naishtat), In memory of Lane Alton Zivley of Pflugerville.

To Rules and Resolutions.

HR 285 (By Naishtat), In memory of William Judson Holloway III, co-chair of the Travis County Green Party.

To Rules and Resolutions.

HR 292 (By T. Smith), In memory of Mike Rambo of Colleyville.

To Rules and Resolutions.

HR 296 (By Alonzo), In memory of Selena Quintanilla Perez on March 31, 2009, the 14th anniversary of her death.

To Rules and Resolutions.

HR 297 (By Alonzo), In memory of Tejano legend Laura Canales of Kingsville on April 16, 2009, the fourth anniversary of her death.

To Rules and Resolutions.

HR 298 (By Alonzo), Honoring participants in the University of North Texas Roberto R. Alonzo Bilingual/ESL Education Scholars Program for 2009.

To Rules and Resolutions.

HR 299 (By Alonzo), Recognizing Diez y Seiz de Septiembre (Mexican Independence Day) for 2009.

To Rules and Resolutions.

HR 300 (By Alonzo), Honoring the life of Cesar E. Chavez on March 31, 2009, the 82nd anniversary of his birth.

To Rules and Resolutions.

HR 301 (By Alonzo), Honoring Representative Irma Rangel and the fifth anniversary of the opening of the Irma Lerma Rangel Young Women's Leadership School in Dallas.

To Rules and Resolutions.

HR 302 (By Alonzo), Recognizing July 24, 2009, as American Mexican Day.

To Rules and Resolutions.

HR 303 (By Alonzo), Honoring the Dallas Association for Bilingual Education in 2009 for its outstanding record of service to the community.

To Rules and Resolutions.

HR 304 (By Alonzo), Commemorating the third anniversary of the Dallas Mega March for American Values and Justice on April 9, 2009.

To Rules and Resolutions.

HR 305 (By Alonzo), Commemorating Cinco de Mayo, 2009.

To Rules and Resolutions.

HR 306 (By Alonzo), Honoring members of the Texas Dental Association and Texas Dental Association Smiles Foundation for their contributions to the 2009 Texas Missions of Mercy.

To Rules and Resolutions.

HR 307 (By Alonzo), Paying tribute to the life of William C. Velasquez, founder of the Southwest Voter Registration Education Project, on June 15, 2009, the 21st anniversary of his death.

To Rules and Resolutions.

HR 308 (By Alonzo), Honoring the life of Cesar Chavez and recognizing the month beginning March 31, 2009, as Cesar Chavez Farmworker Appreciation Month.

To Rules and Resolutions.

HR 309 (By Alonzo), Recognizing the week of April 26 through May 2, 2009, as National Crime Victims' Rights Week.

To Rules and Resolutions.

HR 310 (By Alonzo), Commemorating the 161st anniversary of the date the Treaty of Guadalupe Hidalgo was signed, ending the Mexican War.

To Rules and Resolutions.

HR 311 (By Alonzo), Honoring the life of Benito Juarez on March 21, 2009, the 203rd anniversary of his birth.

To Rules and Resolutions.

HR 312 (By Alonzo), Commemorating the 41st anniversary of the 1969 Crystal City student walkout.

To Rules and Resolutions.

HR 313 (By Alonzo), Recognizing the 22nd annual Grand Prairie Cinco de Mayo Celebration.

To Rules and Resolutions.

HR 314 (By Alonzo), Honoring Oak Cliff on the occasion of the 106th anniversary of its annexation to Dallas.

To Rules and Resolutions.

HR 315 (By Alonzo), Recognizing Diez y Seis de Septiembre (Mexican Independence Day) for 2010.

To Rules and Resolutions.

HR 316 (By Alonzo), In memory of Selena Quintanilla Perez on March 31, 2010, the 15th anniversary of her death.

To Rules and Resolutions.

HR 317 (By Alonzo), Honoring participants in the University of North Texas Roberto R. Alonzo Bilingual/ESL Education Scholars Program for 2010.

To Rules and Resolutions.

HR 318 (By Alonzo), In memory of Tejano legend Laura Canales of Kingsville on April 16, 2010, the fifth anniversary of her death.

To Rules and Resolutions.

HR 319 (By Alonzo), Honoring Representative Irma Rangel and the sixth anniversary of the opening of the Irma Lerma Rangel Young Women's Leadership School in Dallas.

To Rules and Resolutions.

HR 320 (By Alonzo), Recognizing July 24, 2010, as American Mexican Day.

To Rules and Resolutions.

HR 321 (By Alonzo), Commemorating the fourth anniversary of the Dallas Mega March for American Values and Justice on April 9, 2010.

To Rules and Resolutions.

HR 322 (By Alonzo), Honoring the Dallas Association for Bilingual Education in 2010 for its outstanding record of service to the community.

To Rules and Resolutions.

HR 323 (By Alonzo), Commemorating Cinco de Mayo, 2010.

To Rules and Resolutions.

HR 324 (By Alonzo), Honoring the life of Cesar E. Chavez on March 31, 2010, the 83rd anniversary of his birth.

To Rules and Resolutions.

HR 325 (By Alonzo), Honoring the life of Cesar Chavez and recognizing the month beginning March 31, 2010, as Cesar Chavez Farmworker Appreciation Month.

To Rules and Resolutions.

HR 326 (By Alonzo), Honoring members of the Texas Dental Association and Texas Dental Association Smiles Foundation for their contributions to the 2010 Texas Missions of Mercy.

To Rules and Resolutions.

HR 327 (By Alonzo), Paying tribute to the life of William C. Velasquez, founder of the Southwest Voter Registration Education Project, on June 15, 2010, the 22nd anniversary of his death.

To Rules and Resolutions.

HR 328 (By Alonzo), Honoring Oak Cliff on the occasion of the 107th anniversary of its annexation to Dallas.

To Rules and Resolutions.

HR 329 (By Alonzo), Commemorating the 162nd anniversary of the date the Treaty of Guadalupe Hidalgo was signed, ending the Mexican War.

To Rules and Resolutions.

HR 330 (By Alonzo), Recognizing the 23rd annual Grand Prairie Cinco de Mayo Celebration.

To Rules and Resolutions.

HR 331 (By Alonzo), Honoring the life of Benito Juarez on March 21, 2010, the 204th anniversary of his birth.

To Rules and Resolutions.

HR 332 (By Alonzo), Commemorating the 40th anniversary of the 1969 Crystal City student walkout.

To Rules and Resolutions.

HR 333 (By Alonzo), Recognizing National Crime Victims' Rights Week in 2010.

To Rules and Resolutions.

HR 334 (By Laubenberg), Congratulating the Lovejoy ISD Lady Leopards volleyball team on winning the UIL 3A state championship.

To Rules and Resolutions.

HR 335 (By Eiland), Congratulating Judge Jimmy Sylvia on his selection as the 2008 Person of the Year by the West Chambers County Chamber of Commerce.

To Rules and Resolutions.

HR 338 (By Gattis), In memory of Robert Mueller of Taylor.

To Rules and Resolutions.

HR 340 (By McClendon), In memory of Roger Dennis, Jr., of Live Oak.

To Rules and Resolutions.

HR 341 (By McClendon), In memory of Wilma Phillips Hunter of San Antonio.

To Rules and Resolutions.

HR 342 (By McClendon), Honoring Daisy Lee Simmons-Ransom on her 70th birthday.

To Rules and Resolutions.

HR 343 (By Bolton), Commending Menchaca Elementary School in Austin for its achievements in mathematics.

To Rules and Resolutions.

HR 344 (By Harless), Recognizing February 26, 2009, as Leadership North Houston Day at the State Capitol.

To Rules and Resolutions.

HR 350 (By McReynolds), Recognizing March 17, 2009, as Diabetes Day at the State Capitol.

To Rules and Resolutions.

HR 353 (By Gallego), Honoring former governor Dolph Briscoe, Jr., on his receipt of the Santa Rita Award.

To Rules and Resolutions.

HR 357 (By Morrison), Congratulating Thadious Polasek of Flatonia on receiving a 2009 Texas Exes Award for Outstanding Teachers.

To Rules and Resolutions.

HR 358 (By Hodge), In memory of W. A. "Dub" Jackson III of Dallas.

To Rules and Resolutions.

HR 359 (By Harper-Brown), Commemorating the 100th anniversary of the Irving Independent School District in 2009.

To Rules and Resolutions.

HR 365 (By Craddick), Congratulating Eugene and Molly Lewis of Midland on their 50th wedding anniversary.

To Rules and Resolutions.

HR 366 (By Craddick), Honoring Melvin and Glynda Glenn of Ropesville on their 50th wedding anniversary.

To Rules and Resolutions.

HR 367 (By Craddick), Congratulating Monty Kinnard on his election as president of the Lamesa Area Chamber of Commerce.

To Rules and Resolutions.

HR 368 (By Leibowitz), Congratulating James and Carolyn Lyon of San Antonio on the occasion of their 40th wedding anniversary.

To Rules and Resolutions.

HR 369 (By Gonzalez Toureilles), Recognizing February 16, 2009, as Live Oak County Day at the State Capitol.

To Rules and Resolutions.

HR 372 (By Gattis), Commending Shaun Mulligan for his role in rescuing a toddler from near drowning.

To Rules and Resolutions.

HR 373 (By Gattis), Commending Jacob Chavez for his role in rescuing a toddler from near drowning.

To Rules and Resolutions.

HR 374 (By McClendon), In memory of Myrtle Ann Smith of San Antonio.

To Rules and Resolutions.

HR 375 (By McClendon), Honoring Reverend I. V. Tolbert on his retirement from Emmanuel African Methodist Episcopal Church in San Antonio.

To Rules and Resolutions.

HR 376 (By McClendon), In memory of Dorothy Cunningham of San Antonio.

To Rules and Resolutions.

HR 377 (By McClendon), In memory of Elaine Annette Guajardo Kelley of San Antonio.

To Rules and Resolutions.

HR 378 (By McClendon), Honoring the single mothers of Texas.

To Rules and Resolutions.

HR 379 (By McClendon), Congratulating Sandra G. Cooper Sapenter on winning a Spirit Award from the San Antonio Metropolitan Chapter of the Top Ladies of Distinction.

To Rules and Resolutions.

HR 380 (By McClendon), Congratulating Jerry Wayne Young, Sr., of San Antonio on his 70th birthday.

To Rules and Resolutions.

HR 381 (By McClendon), Honoring the Reverend R. A. Callies, Sr., of San Antonio for his civic leadership.

To Rules and Resolutions.

HR 382 (By McClendon), In memory of David M. Arevalo of San Antonio.

To Rules and Resolutions.

HR 383 (By McClendon), In memory of Leonora Rodriguez Castellanos of San Antonio.

To Rules and Resolutions.

HR 384 (By McClendon), Honoring Joseph and Georgetta Armstrong of San Antonio on their 50th wedding anniversary.

To Rules and Resolutions.

HR 385 (By McClendon), Recognizing John Fielder of San Antonio for his service to the community.

To Rules and Resolutions.

HR 386 (By McClendon), Honoring the Reverend Clyde James Bias for his service to Bethany Missionary Baptist Church in San Antonio.

To Rules and Resolutions.

HR 387 (By McClendon), Congratulating Genevieve Jones on being named Mother of the Year by the San Antonio Mother's Service Organization.

To Rules and Resolutions.

HR 388 (By McClendon), In memory of James Fuller Dodds of San Antonio.

To Rules and Resolutions.

HR 389 (By McClendon), Honoring Carolyn Jo Burleson Ross on her retirement from Lackland Air Force Base in San Antonio.

To Rules and Resolutions.

HR 390 (By McClendon), Honoring Dr. E. Thurman Walker on his 15th pastoral anniversary with Antioch Missionary Baptist church in San Antonio.

To Rules and Resolutions.

HR 391 (By McClendon), Honoring Harolyn Sylvia Kidd on her 75th birthday.

To Rules and Resolutions.

HR 392 (By McClendon), Congratulating Mildred L. Phillips of San Antonio on her 60th birthday.

To Rules and Resolutions.

HR 393 (By McClendon), Congratulating Cordell Patrick of San Antonio on her 100th birthday.

To Rules and Resolutions.

HR 394 (By McClendon), In memory of Anne E. Crenshaw of San Antonio.

To Rules and Resolutions.

HR 395 (By McClendon), Honoring Geraldine Bright of San Antonio on her 89th birthday.

To Rules and Resolutions.

HR 396 (By McClendon), Honoring Lurline E. Moore Mosley on her 90th birthday.

To Rules and Resolutions.

HR 397 (By McClendon), In memory of Mildred Orville Guilmenot Gipson of Bexar County.

To Rules and Resolutions.

HR 398 (By McClendon), Honoring Tommie Battles Owens of San Antonio on her 80th birthday.

To Rules and Resolutions.

HR 399 (By McClendon), Congratulating president Marvinette Smith and the newly selected officers of the San Antonio Branch of the NAACP.

To Rules and Resolutions.

HR 400 (By McClendon), Paying tribute to the Sisters of the Holy Spirit and Mary Immaculate for their commitment to the poor and oppressed in the United States, Mexico, and Zambia, Africa.

To Rules and Resolutions.

HR 402 (By Lucio), Congratulating the Brownsville Independent School District on winning the 2008 Broad Prize for Urban Education.

To Rules and Resolutions.

HR 403 (By Moody), In memory of Ofelia L. Grenier of El Paso.

To Rules and Resolutions.

HR 404 (By Madden), Honoring Serenity High in McKinney for its contributions to the lives of numerous young Texans.

To Rules and Resolutions.

HR 412 (By Taylor), Honoring the Lighthouse Charity Team of Friendswood on 25 years of service.

To Rules and Resolutions.

HR 413 (By Solomons), In memory of Sharon Eileen Gibbs of San Antonio.

To Rules and Resolutions.

HR 414 (By Solomons), In memory of Michael C. Barrett of Dallas.

To Rules and Resolutions.

HR 415 (By Craddick), Congratulating Bill and Pat Gregg of Levelland on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

HR 416 (By Craddick), Honoring C. A. and Johnnie Currington of Lubbock on their 60th wedding anniversary.

To Rules and Resolutions.

HR 417 (By Craddick), Congratulating the McCamey Chamber of Commerce on its 50th anniversary.

To Rules and Resolutions.

HR 418 (By Craddick), Congratulating Arnold and Carolyn Tims of Midland on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

HR 421 (By McClendon), Honoring Delta Sigma Theta Sorority, Inc., for its dedicated service to the community and outstanding record of achievements.

To Rules and Resolutions.

HR 422 (By McClendon), In memory of Clarence Bryant of San Antonio.

To Rules and Resolutions.

HR 423 (By McClendon), Honoring Dr. Lanier Byrd on his retirement from St. Philip's College in San Antonio.

To Rules and Resolutions.

HR 424 (By McClendon), In memory of Ben Randle, Jr., of San Antonio.

To Rules and Resolutions.

HR 425 (By McClendon), In memory of Phillip Gil Roberts.
To Rules and Resolutions.

HR 426 (By McClendon), Commemorating the 110th anniversary of the founding of St. Philip's College in San Antonio.
To Rules and Resolutions.

HR 427 (By McClendon), In memory of Sylvia Elois Hadley-Jones.
To Rules and Resolutions.

HR 428 (By McClendon), Honoring Earlean Anderson Lang Mitchell of San Antonio on her 80th birthday.
To Rules and Resolutions.

HR 429 (By McClendon), Congratulating the Reverend John A. Hall on his 50th anniversary with Trinity Missionary Baptist Church in San Antonio.
To Rules and Resolutions.

HR 430 (By McClendon), In memory of Oscar Ray Williams of San Antonio.
To Rules and Resolutions.

HR 431 (By McClendon), Congratulating Julius H. Newton of San Antonio on his 80th birthday.
To Rules and Resolutions.

HR 432 (By C. Howard), Congratulating Derek Schottle of Sugar Land on being named the 2008 Male Athlete of the Year by Special Olympics Texas.
To Rules and Resolutions.

HR 433 (By McClendon), Commemorating Pearson's annual Black History Month series.
To Rules and Resolutions.

HR 434 (By McClendon), Congratulating Carl Dailey on his 67th birthday and honoring Carl and Ruth Dailey on their 46th wedding anniversary.
To Rules and Resolutions.

HR 435 (By Hunter), Recognizing February 26, 2009, as Aransas County Day at the State Capitol.
To Rules and Resolutions.

HR 438 (By Gonzales), Congratulating Hidalgo Mayor John David Franz on his selection as the 2009 Border Texan of the Year.
To Rules and Resolutions.

HR 439 (By Farabee), Honoring Roddy Atkins for his career as a mental health administrator and clinician in North Texas.
To Rules and Resolutions.

HR 440 (By Miklos), Congratulating Deputy Chief Wilbur Montgomery on his retirement from the Mesquite Fire Department.
To Rules and Resolutions.

HR 441 (By McClendon), Commending all those who participated in National Black HIV/AIDS Awareness Day on February 7, 2009.

To Rules and Resolutions.

HR 442 (By McClendon), In memory of Elaine Nicholas Lieck of San Antonio.

To Rules and Resolutions.

HR 443 (By Fletcher), Recognizing February 25, 2009, as Justices of the Peace and Constables Day at the State Capitol.

To Rules and Resolutions.

HR 449 (By Bolton), Honoring Carol Foy of Spicewood for her record-breaking flight around the world in a single-engine plane.

To Rules and Resolutions.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 546 (By Raymond), Relating to the salary paid to certain professional employees of public schools.

To Public Education.

SIGNED BY THE SPEAKER

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

House List No. 6

HCR 33, HCR 39, HCR 42, HCR 48

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, February 19, 2009

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SCR 18 Duncan

In Memory of Raul "Rudy" Acosta.

Respectfully,

Patsy Spaw
Secretary of the Senate

APPENDIX

SENT TO THE GOVERNOR

February 18 - HCR 31, HCR 37, HCR 38