

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, THIRD CALLED SESSION

PROCEEDINGS

SECOND DAY — MONDAY, AUGUST 5, 2013

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 2).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzalez, N.; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Márquez; Martinez; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Zedler.

Absent, Excused — Anchia; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Wu; Zerwas.

Absent — Bonnen, D.; Burnam; Canales; Cortez; Gonzales; González, M.; Gooden; Gutierrez; Martinez Fischer; Naishtat; Oliveira; Rodriguez, E.; Sanford; Villarreal.

The speaker recognized Representative Leach who offered the invocation.

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

(Howard in the chair)

(M. González and Naishtat now present)

LEAVES OF ABSENCE GRANTED

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

Carter on motion of J. Davis.

Elkins on motion of Flynn.

Farias on motion of Raymond.

P. King on motion of Morrison.

Pitts on motion of Lewis.

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

Anchia on motion of Hernandez Luna.

Longoria on motion of Guerra.

Lucio on motion of Walle.

Miles on motion of C. Turner.

Wu on motion of C. Turner.

The following members were granted leaves of absence for today because of illness:

Dukes on motion of McClendon.

Lozano on motion of Raymond.

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

Zerwas on motion of Callegari.

(Gonzales and Gooden now present)

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

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

(Burnam and E. Rodriguez now present)

RESOLUTIONS ADOPTED

Representative McClendon moved to suspend all necessary rules to take up and consider at this time the following congratulatory resolutions:

HR 1 (by Gooden), Commending Marie Ballard for her service to the Terrell community.

HR 2 (by Herrero), Congratulating Torres Garage of Robstown on 92 years of operation.

HR 3 (by Herrero), Congratulating Gladys Earl Coleman Williams of Corpus Christi on her 80th birthday.

HR 4 (by Martinez), Congratulating Amanda Carmona Rodriguez of Weslaco on her 95th birthday.

HR 6 (by Farney), Commemorating the 100th anniversary of Schwertner State Bank.

HR 7 (by Paddie), Congratulating David Johnson of Carthage on attaining the rank of Eagle Scout.

HR 8 (by Paddie), Congratulating Rhonda and Ronny Samford on receiving the Community Builder Award from Masonic Lodge No. 737 in Tenaha.

HR 9 (by Guillen), Congratulating the 58th Texas Game Warden Cadet Class.

HR 10 (by Y. Davis), Honoring Salem Institutional Baptist Church in Dallas on the 125th anniversary of its founding.

The motion to suspend all necessary rules prevailed, and the resolutions were adopted.

HR 5 - ADOPTED

(by Eiland)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 5**.

The motion prevailed.

The following resolution was laid before the house:

HR 5, In memory of energy industry pioneer and philanthropist George Phydias Mitchell of Galveston.

HR 5 was unanimously adopted by a rising vote.

(Martinez Fischer now present)

HOUSE AT EASE

At 2:35 p.m., the chair announced that the house would stand at ease.

(Canales and Gutierrez now present)

The speaker called the house to order at 2:53 p.m.

LEAVE OF ABSENCE GRANTED

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

D. Bonnen on motion of Ritter.

MAJOR STATE CALENDAR

HOUSE BILLS

SECOND READING

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

CSHB 1 ON SECOND READING
(by Pickett, Phillips, and Darby)

CSHB 1, A bill to be entitled An Act relating to transportation funding, expenditures, and finance and the preservation of a sufficient balance in the economic stabilization fund; making an appropriation.

(Cortez and Oliveira now present)

Amendment No. 1

Representative Pickett offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) as follows:

(1) On page 2, line 15, between "year" and the underlined comma, insert "preceding the year in which this section expires as provided by Subsection (e)".

(2) On page 2, line 25, between "year" and the underlined comma, insert "preceding the year in which this section expires as provided by Subsection (e)".

(3) On page 3, line 13, between "year" and the underlined comma, insert "preceding the year in which this section expires as provided by Subsection (e)".

(4) On page 4, between lines 2 and 3, insert the following:

(e) This section expires December 31, 2024.

(5) On page 5, between lines 21 and 22, insert the following:

(e) For the purposes of Section 49-g(c-2), Article III, Texas Constitution, the comptroller shall adjust the allocation provided by Section 49-g(c-1) of that article of amounts to be transferred to the fund and to the state highway fund under Section 49-g(c) of that article in a state fiscal year beginning on or after September 1, 2025, so that the total of those amounts is transferred to the economic stabilization fund, except that the comptroller shall reduce a transfer made under this subsection as necessary to prevent the amount in the fund from exceeding the limit in effect for that biennium under Section 49-g(g) of that article.

(f) Subsections (a), (b), and (c) and this subsection expire December 31, 2024.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Pickett, Harper-Brown, Toth, Simmons, Isaac, Klick, Capriglione, Villalba, Krause, Hughes, R. Miller, Riddle, Leach, Schaefer, Perry, Goldman, E. S. Turner, Frank, Dale, Huberty, Sheets, Taylor, White, Stephenson, G. Bonnen, Ratliff, Springer, Parker, E. Thompson, K. King, Raney, Fallon, and Keffer offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) as follows:

(1) Strike page 3, line 17, through page 4, line 2, and substitute the following:

(d) When the select committee has adopted under Subsection (b) the amount of the sufficient balance of the fund for a state fiscal biennium, the matter of approving that amount shall be presented to each house of the legislature in a concurrent resolution during the next succeeding regular legislative session. The

resolution must be presented for a vote in each house of the legislature not later than the 30th day of that legislative session, must be approved by a vote of a majority of the members of each house, and must be finally approved by each house not later than the 45th day of that legislative session. If a resolution finally approved under this subsection is amended during the legislative process to provide for a different sufficient balance of the fund than that adopted under Subsection (b), that different balance is the sufficient balance adopted under this section for purposes of Section 316.093. If a resolution finally approved under this subsection does not provide for a different sufficient balance of the fund or if a resolution is not finally approved as provided by this subsection, the sufficient balance adopted under Subsection (b) is the sufficient balance adopted under this section for purposes of Section 316.093.

(2) On page 5, line 16, immediately following the period, insert the following:

The process described by Section 316.092(d) does not apply to those transfers.

LEAVE OF ABSENCE GRANTED

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

Walle on motion of E. Rodriguez.

CSHB 1 - (consideration continued)

Amendment No. 3

Representative Simpson offered the following amendment to Amendment No. 2:

Amend Floor Amendment No. 2 by Pickett in Item (1) of the amendment as follows:

(1) On page 1, strike lines 20 and 21 and substitute "balance of the fund, the sufficient balance adopted under".

(2) On page 1, line 23, immediately following the period, add:
If a resolution is not finally approved as provided by this subsection, for the purposes of Section 316.093(c), the comptroller shall consider that a sufficient balance has not been adopted under this section.

Representative Pickett moved to table Amendment No. 3.

The motion to table prevailed by (Record 3): 90 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bonnen, G.; Burkett; Callegari; Canales; Capriglione; Cook; Cortez; Creighton; Crownover; Dale; Darby; Davis, J.; Eiland; Fallon; Farney; Flynn; Frank; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Laubenberg; Leach; Márquez; Martinez; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Raney; Ratliff; Raymond; Riddle; Ritter;

Rodriguez, E.; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, E.; Toth; Turner, E.S.; Villalba; Vo; Workman.

Nays — Allen; Bohac; Burnam; Button; Clardy; Collier; Craddick; Davis, S.; Davis, Y.; Deshotel; Dutton; Fletcher; Frullo; Giddings; Gooden; Gutierrez; Herrero; Hilderbran; Hughes; Krause; Lavender; Lewis; Martinez Fischer; McClendon; Nevárez; Perry; Price; Reynolds; Rodriguez, J.; Rose; Simpson; Stickland; Taylor; Thompson, S.; Turner, C.; Turner, S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Walle; Wu; Zerwas.

Absent — Branch; Coleman; Farrar; Sanford; Villarreal.

STATEMENT OF VOTE

When Record No. 3 was taken, my vote failed to register. I would have voted no.

Branch

COMMITTEE GRANTED PERMISSION TO MEET

Representative Geren requested permission for the Committee on House Administration to meet while the house is in session, at 5 p.m. today, in 3W.9, to consider budgets.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

House Administration, 5 p.m. today, 3W.9, for a formal meeting, to consider budgets.

CSHB 1 - (consideration continued)

Amendment No. 4

Representative S. Turner offered the following amendment to Amendment No. 2:

Amend Floor Amendment No. 2 by Pickett to **CSHB 1** (house committee printing) on page 1, line 11, by striking "a majority of the members" and substituting "two-thirds of the membership".

(Sanford now present)

Amendment No. 5

Representative S. Turner offered the following substitute amendment for Amendment No. 4:

Strike the text of the S. Turner amendment to the Pickett amendment to **CSHB 1** and substitute the following:

(1) On page 1, line 11, strike "a majority of the members" and substitute "two-thirds of the membership".

(2) On page 1, strike lines 20 and 21 and substitute "balance of the fund, the sufficient balance adopted under".

(3) On page 1, line 23, immediately following the period, add:
If a resolution is not finally approved as provided by this subsection, for the purposes of Section 316.093(c), the comptroller shall consider that a sufficient balance has not been adopted under this section.

LEAVE OF ABSENCE GRANTED

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

Villarreal on motion of Menéndez.

CSHB 1 - (consideration continued)

Amendment No. 5 was adopted.

Representative Pickett moved to table Amendment No. 4, as substituted.

The motion to table prevailed by (Record 4): 85 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Capriglione; Clardy; Cook; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Guerra; Guillen; Harless; Harper-Brown; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Leach; Lewis; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Raney; Ratliff; Raymond; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler.

Nays — Allen; Alonzo; Alvarado; Burnam; Callegari; Canales; Collier; Cortez; Craddick; Davis, Y.; Deshotel; Dutton; Eiland; Farrar; Geren; Giddings; González, M.; Gonzalez, N.; Gutierrez; Hernandez Luna; Herrero; Keffer; King, S.; Lavender; Márquez; Martinez; Martinez Fischer; McClendon; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Price; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Thompson, S.; Turner, C.; Turner, S.; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Coleman; Gooden; Menéndez.

STATEMENT OF VOTE

When Record No. 4 was taken, my vote failed to register. I would have voted no.

Gooden

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on House Administration:

Alonzo on motion of K. King.

Frullo on motion of K. King.

Geren on motion of K. King.

Howard on motion of K. King.

S. King on motion of K. King.

Kuempel on motion of K. King.

Raney on motion of K. King.

Vo on motion of K. King.

CSHB 1 - (consideration continued)

Amendment No. 2 was adopted.

Amendment No. 6

Representative Pickett offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) as follows:

(1) On page 2, line 19, strike "house appropriations committee" and substitute "house of representatives".

(2) On page 2, line 22, strike "finance committee".

(Ritter in the chair)

Amendment No. 6 was adopted by (Record 5): 102 Yeas, 17 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Aycok; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Deshotel; Eiland; Fallon; Farney; Fletcher; Flynn; Frank; Goldman; Gonzales; González, M.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez; Martinez Fischer; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Ratliff; Raymond; Riddle; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler.

Nays — Allen; Alvarado; Burnam; Collier; Davis, S.; Dutton; Farrar; Giddings; Gonzalez, N.; Gutierrez; Márquez; McClendon; Oliveira; Reynolds; Rose; Thompson, S.; Turner, S.

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

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent, Excused, Committee Meeting — Alonzo; Frullo; Geren; Howard; King, S.; Kuempel; Raney; Vo.

Absent — Coleman; Davis, Y.; Hernandez Luna; Turner, C.

Amendment No. 7

Representatives T. King, Guillen, and Hilderbran offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) as follows:

(1) On page 5, line 23, strike "Amounts" and substitute "Subject to Subsection (b), amounts".

(2) On page 5, immediately following line 27, add the following:

(b) In allocating money transferred to the state highway fund under Section 49-g(c), Article III, Texas Constitution, the Texas Department of Transportation shall prioritize the prevention of the conversion of asphalt surfaced public roadways to gravel roadways.

(Alonzo, Frullo, Geren, Howard, Kuempel, Raney, and Vo now present)

Representative Pickett moved to table Amendment No. 7.

The motion to table was lost by (Record 6): 55 Yeas, 73 Nays, 2 Present, not voting.

Yeas — Aycock; Bonnen, G.; Canales; Capriglione; Cook; Crownover; Dale; Davis, S.; Fallon; Fletcher; Frank; Goldman; Gonzales; Gonzalez, N.; Guerra; Harless; Harper-Brown; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; Kleinschmidt; Klick; Kolkhorst; Krause; Laubenberg; Leach; Márquez; Miller, D.; Miller, R.; Murphy; Otto; Parker; Patrick; Phillips; Pickett; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Smith; Stephenson; Stickland; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Zedler.

Nays — Allen; Alonzo; Alvarado; Anderson; Ashby; Bell; Bohac; Branch; Burkett; Burnam; Button; Callegari; Clardy; Collier; Cortez; Craddick; Creighton; Darby; Davis, J.; Davis, Y.; Deshotel; Dutton; Eiland; Farney; Farrar; Flynn; Frullo; Geren; Giddings; González, M.; Gooden; Guillen; Gutierrez; Hernandez Luna; Herrero; Hilderbran; Huberty; Kacal; King, K.; King, T.; Kuempel; Larson; Lavender; Lewis; Martinez; Martínez Fischer; McClendon; Menéndez; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Paddie; Perez; Perry; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Simpson; Smithee; Taylor; Thompson, S.; Turner, C.; Turner, S.; Vo; Workman.

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

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent, Excused, Committee Meeting — King, S.

Absent — Coleman; Springer.

STATEMENT OF VOTE

I was shown voting yes on Record No. 6. I intended to vote no.

Crownover

(S. King now present)

Amendment No. 7 failed of adoption by (Record 7): 59 Yeas, 68 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Ashby; Bell; Bohac; Branch; Burnam; Callegari; Canales; Clardy; Collier; Cortez; Craddick; Darby; Davis, J.; Davis, Y.; Deshotel; Eiland; Farney; Fletcher; Flynn; Frullo; Geren; González, M.; Gooden; Guillen; Gutierrez; Herrero; Hilderbran; Hughes; Kacal; Keffer; King, K.; King, S.; King, T.; Kuempel; Larson; Lavender; Lewis; Martinez; Martinez Fischer; Menéndez; Moody; Morrison; Muñoz; Nevárez; Oliveira; Paddie; Perry; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Smithee; Thompson, S.; Turner, C.

Nays — Allen; Anderson; Aycock; Bonnen, G.; Burkett; Button; Capriglione; Cook; Creighton; Crownover; Dale; Davis, S.; Dutton; Fallon; Farrar; Frank; Giddings; Goldman; Gonzales; Gonzalez, N.; Guerra; Harless; Harper-Brown; Howard; Huberty; Hunter; Isaac; Johnson; Kleinschmidt; Klick; Kolkhorst; Krause; Laubenberg; Leach; Márquez; Miller, D.; Miller, R.; Murphy; Naishtat; Orr; Otto; Parker; Patrick; Perez; Phillips; Pickett; Raney; Riddle; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Turner, S.; Villalba; Vo; White; Workman; Zedler.

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

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Coleman; Hernandez Luna; McClendon; Ratliff.

STATEMENT OF VOTE

When Record No. 7 was taken, my vote failed to register. I would have voted no.

Ratliff

(Speaker in the chair)

Amendment No. 8

Representative Deshotel offered the following amendment to **CSHB 1**:

Amend **CSHB 1** on second reading by adding the following SECTION, appropriately numbered, to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 55.022, Transportation Code, is amended by adding Subsection (e) to read as follows:

(e) The commission may use money from the Texas Mobility Fund to provide funding, including through a loan, for a port security project, a port transportation project, or a project eligible for funding under Subsection (c).

Amendment No. 8 was adopted.

Amendment No. 9

Representative Lavender offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) by adding the following SECTION, appropriately numbered, to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter G, Chapter 152, Tax Code, is amended by adding Section 152.1223 to read as follows:

Sec. 152.1223. ALLOCATION OF CERTAIN TAX REVENUE TO STATE HIGHWAY FUND. (a) Notwithstanding Section 152.122, in each state fiscal year beginning on or after September 1, 2015, the comptroller shall deposit to the credit of the state highway fund an amount of money that is equal to 33-1/3 percent of the money that:

(1) is received under Sections 152.043, 152.045, 152.047, and 152.121 and is remaining after the comptroller makes the allocation required by Section 152.1222; and

(2) exceeds the first \$3 billion of money described by Subdivision (1) that is received in that fiscal year.

(b) Money deposited to the credit of the state highway fund under this section may be appropriated only:

(1) for a purpose authorized by Section 7-a, Article VIII, Texas Constitution;

(2) to repay the principal and interest on general obligation bonds issued as authorized by Section 49-p, Article III, Texas Constitution; or

(3) to pay for a function performed by or under the supervision of the Texas Department of Transportation.

Amendment No. 10

Representative Lavender offered the following amendment to Amendment No. 9:

Amend Amendment No. 9 by Lavender to **CSHB 1** (house committee printing) on page 1, line 10 of the amendment, by striking "33-1/3 percent of the" and substituting "the total amount of".

Representative Pickett moved to table Amendment No. 10.

The motion to table prevailed by (Record 8): 84 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Branch; Burnam; Callegari; Canales; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Farney; Farrar; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Harless; Hernandez Luna; Herrero; Howard; Huberty; Johnson; Kacal; Keffer; King, K.; King, T.; Klick; Kuempel; Larson; Leach; Márquez; Martinez; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Stephenson; Thompson, E.; Toth; Turner, C.; Turner, S.; Villalba; Vo; Workman.

Nays — Allen; Bohac; Bonnen, G.; Burkett; Button; Capriglione; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Fallon; Fletcher; Flynn; Frank; Gooden; Gutierrez; Harper-Brown; Hughes; Isaac; King, S.; Kleinschmidt; Kolkhorst; Krause; Laubenberg; Lavender; Lewis; McClendon; Oliveira; Perry; Reynolds; Rose; Sanford; Schaefer; Sheets; Simpson; Springer; Stickland; Taylor; Thompson, S.; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Coleman; Guillen; Hilderbran; Hunter; Martinez Fischer.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 8. I intended to vote no.

Callegari

When Record No. 8 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 8. I intended to vote no.

Morrison

Representative Pickett moved to table Amendment No. 9.

The motion to table prevailed.

Amendment No. 11

Representative Lavender offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) by adding the following SECTION, appropriately numbered, to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) In this section, "biennial state taxes and fees general revenue estimate" means the amount of revenue stated in the comptroller's estimate provided in advance of the regular legislative session as required by Section 49a, Article III, Texas Constitution, that, based on the laws in effect at the

time the estimate is made, is anticipated to be received by and for the state from collections of taxes and fees the revenue from which is anticipated to be deposited to the credit of the general revenue fund and is not set aside by law for a particular purpose or entity.

(b) On the 91st day of the state fiscal biennium beginning September 1, 2013, an amount of money determined as provided by this subsection is appropriated from the general revenue fund to the Texas Department of Transportation for the two-year period beginning on the effective date of this Act for the purposes of constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads. The amount of money appropriated under this subsection is the amount by which revenue received by this state during the state fiscal biennium ending August 31, 2013, from collections of taxes and fees that is anticipated to be deposited to the credit of the general revenue fund and is not set aside for a particular purpose or entity exceeds the estimated amount of that revenue for that fiscal biennium as contained in the biennial state taxes and fees general revenue estimate for the state fiscal biennium ending August 31, 2013. The amount of money appropriated to the Texas Department of Transportation under this subsection may not exceed an amount that, when added to all other appropriations of state tax revenues not dedicated by the constitution made for the state fiscal biennium ending August 31, 2015, would exceed the maximum permissible amount of appropriations of those revenues for that biennium, as provided by Section 22, Article VIII, Texas Constitution.

(c) This section expires January 1, 2016.

Representative Pickett moved to table Amendment No. 11.

The motion to table was lost by (Record 9): 56 Yeas, 66 Nays, 3 Present, not voting.

Yeas — Alonzo; Anderson; Ashby; Bell; Bonnen, G.; Button; Callegari; Canales; Capriglione; Clardy; Creighton; Dale; Darby; Fallon; Farney; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Huberty; Hunter; Isaac; Kacal; Keffer; King, K.; Klick; Krause; Leach; Martinez; Menéndez; Miller, R.; Moody; Muñoz; Murphy; Otto; Parker; Perez; Phillips; Pickett; Raney; Raymond; Riddle; Ritter; Sanford; Sheffield, J.; Simmons; Smith; Springer; Stephenson; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba.

Nays — Allen; Alvarado; Aycok; Bohac; Burkett; Burnam; Collier; Cook; Cortez; Craddick; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Gooden; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Hughes; Johnson; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Lewis; McClendon; Miller, D.; Morrison; Naishtat; Nevárez; Oliveira; Orr; Paddie; Patrick; Perry; Price; Ratliff; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, R.; Simpson; Smithee; Stickland; Thompson, S.; Turner, C.; Turner, S.; Vo; White; Workman; Zedler.

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

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Coleman; Crownover; Davis, J.; Harless; Hilderbran; King, T.; Márquez; Martinez Fischer.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 9. I intended to vote no.

Anderson

I was shown voting present, not voting on Record No. 9. I intended to vote yes.

Branch

I was shown voting yes on Record No. 9. I intended to vote no.

Callegari

I was shown voting yes on Record No. 9. I intended to vote no.

Guillen

When Record No. 9 was taken, I was in the house but away from my desk. I would have voted no.

Harless

When Record No. 9 was taken, I was in the house but away from my desk. I would have voted no.

Hilderbran

I was shown voting present, not voting on Record No. 9. I intended to vote yes.

Laubenberg

I was shown voting yes on Record No. 9. I intended to vote no.

Menéndez

I was shown voting no on Record No. 9. I intended to vote yes.

Sheets

I was shown voting no on Record No. 9. I intended to vote yes.

Stickland

Amendment No. 11 was adopted.

Amendment No. 12

Representative Lavender offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) by adding the following SECTION, appropriately numbered, to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) In this section, "biennial state taxes and fees general revenue estimate" means the amount of revenue stated in the comptroller's estimate provided in advance of the regular legislative session as required by Section 49a, Article III, Texas Constitution, that, based on the laws in effect at the time the estimate is made, is anticipated to be received by and for the state from collections of taxes and fees the revenue from which is anticipated to be deposited to the credit of the general revenue fund and is not set aside by law for a particular purpose or entity.

(b) On the 91st day of the state fiscal biennium beginning September 1, 2015, the comptroller of public accounts shall deposit an amount of money determined as provided by this subsection to the credit of the state highway fund. The amount of money deposited under this subsection is the amount by which revenue received by this state during the state fiscal biennium ending August 31, 2015, from collections of taxes and fees that is anticipated to be deposited to the credit of the general revenue fund and is not set aside for a particular purpose or entity exceeds the estimated amount of that revenue for that fiscal biennium as contained in the biennial state taxes and fees general revenue estimate for the state fiscal biennium ending August 31, 2015. The amount of money deposited to the credit of the state highway fund under this subsection may not exceed \$2,000,000,000.

(c) This section expires January 1, 2016.

Amendment No. 12 was withdrawn.

Amendment No. 13

Representative Isaac offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) by adding the following SECTION, appropriately numbered, to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter G, Chapter 152, Tax Code, is amended by adding Section 152.1225 to read as follows:

Sec. 152.1225. ALLOCATION OF CERTAIN TAX REVENUE TO STATE HIGHWAY FUND. (a) Notwithstanding Section 152.122, in each state fiscal year beginning on or after September 1, 2015, the comptroller shall deposit to the credit of the state highway fund the amount of money that is:

(1) received under Sections 152.047 and 152.121;

(2) estimated to have been derived from the tax imposed by this chapter on the sale of a self-propelled vehicle designed to transport persons or property on a public highway; and

(3) remaining after the comptroller makes the allocation required by Section 152.1222.

(b) The comptroller shall determine the amount described by Subsection (a) using available statistical data. If satisfactory data are not available, the comptroller may require county tax assessor-collectors and sellers of motor vehicles in seller-financed sales to report additional information to the comptroller as necessary to make the allocation required by Subsection (a).

Amendment No. 13 was withdrawn.

Amendment No. 14

Representative Isaac offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 386.251(c), Health and Safety Code, is amended to read as follows:

(c) The fund consists of:

(1) the amount of money deposited to the credit of the fund under:

(A) Section 386.056;

(B) Sections 151.0515, ~~[and]~~ 152.0215, and 152.1224, Tax Code;

and

(C) Sections 501.138, 502.358, and 548.5055, Transportation

Code; and

(2) grant money recaptured under Section 386.111(d) and Chapter 391.

SECTION _____. Subchapter G, Chapter 152, Tax Code, is amended by adding Section 152.1224 to read as follows:

Sec. 152.1224. ALLOCATION OF CERTAIN REVENUE DERIVED FROM SALES TAX IMPOSED ON ELECTRIC VEHICLES. (a) In this section, "electric vehicle" means a motor vehicle that draws propulsion energy only from a rechargeable energy storage system.

(b) Notwithstanding Section 152.122, in each state fiscal year beginning on or after September 1, 2019, the comptroller shall deposit to the credit of the state highway fund all money received under Sections 152.047 and 152.121 that is estimated to have been derived from the tax imposed under Section 152.021 on the sale of an electric vehicle and is remaining after the comptroller makes the allocation required by Section 152.1222.

(b-1) Notwithstanding Section 152.122, in each state fiscal year beginning on or after September 1, 2015, and before September 1, 2019, the comptroller shall deposit all money received under Sections 152.047 and 152.121 that is estimated to have been derived from the tax imposed under Section 152.021 on the sale of an electric vehicle and is remaining after the comptroller makes the allocation required by Section 152.1222 as follows:

(1) 75 percent to the credit of the state highway fund; and

(2) 25 percent to the credit of the Texas emissions reduction plan fund.

(b-2) Subsection (b-1) and this subsection expire August 31, 2019.

(c) The comptroller shall determine the amounts to be deposited as required by this section using available statistical data. If satisfactory data are not available, the comptroller may require county tax assessor-collectors and sellers of motor vehicles in seller-financed sales to report additional information to the comptroller as necessary to make the deposits required by this section.

Amendment No. 14 was withdrawn.

Amendment No. 15

Representative C. Turner offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee report) by striking Subsection (a) of SECTION 2 of the bill (page 2, line 8, through page 5 line 27) and substituting the following:

(a) Chapter 316, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. SUSPENSION OF CERTAIN TRANSFERS TO STATE
HIGHWAY FUND

Sec. 316.091. SUSPENSION OF CERTAIN TRANSFERS TO STATE
HIGHWAY FUND. The comptroller shall adjust the allocation of the amounts to
be transferred to the economic stabilization fund and to the state highway fund
provided by Section 49-g(c), Article III, Texas Constitution, so that the total of
those amounts is transferred to the economic stabilization fund if the comptroller
is directed to make the adjustment by resolution of the membership of each
house, except that the comptroller shall reduce a transfer made under this
subsection as necessary to prevent the amount in the fund from exceeding the
limit in effect for that biennium under Section 49-g(g) of that article. The
resolution must be presented for a vote in each house of the legislature not later
than the 30th day of that legislative session, must be approved by a two-thirds
vote of the membership of each house, and must be finally approved by each
house not later than the 45th day of that legislative session.

Amendment No. 15 was withdrawn.

Amendment No. 16

Representative McClendon offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 162.102, Tax Code, is amended to read as follows:

Sec. 162.102. TAX RATE. The gasoline tax rate is 30 ~~[20]~~ cents for each net gallon or fractional part on which the tax is imposed under Section 162.101.

(b) Section 162.202, Tax Code, is amended to read as follows:

Sec. 162.202. TAX RATE. The diesel fuel tax rate is 30 ~~[20]~~ cents for each net gallon or fractional part on which the tax is imposed under Section 162.201.

(c) Subchapter F, Chapter 162, Tax Code, is amended by adding Section 162.507 to read as follows:

Sec. 162.507. ALLOCATION OF CERTAIN REVENUE TO CERTAIN
TRANSPORTATION-RELATED PROJECTS. (a) Notwithstanding any other
provision of this chapter, all net proceeds from taxes collected under Subchapters
B and C attributable to the portion of the tax rates that exceed 20 cents, but do not
exceed 30 cents, for each net gallon or fractional part on which the taxes are
imposed shall be deposited as follows:

- (1) one-fourth to the credit of the available school fund; and
- (2) the remainder to the credit of the state highway fund.

(b) Subject to the limitations on the use of revenue derived from taxes imposed on motor fuels and lubricants prescribed by Section 7-a, Article VIII, Texas Constitution, revenue deposited to the credit of the state highway fund under this section may be appropriated only to the Texas Department of Transportation to provide funding for current and future transportation infrastructure projects, including intermodal projects, to relieve congestion on public roadways, enhance public safety, facilitate the movement of commercial freight, and improve air quality. Revenue deposited under this section may not be used for projects involving toll roads.

(d) The change in law made by this section does not affect taxes imposed before the effective date of this section, and the law in effect before that date is continued in effect for purposes of the liability for and collection of those taxes.

(e) This section takes effect on the first day of the first month beginning on or after the 91st day after the last day of the legislative session.

Amendment No. 16 was withdrawn.

Amendment No. 17

Representative Toth offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Subchapter B, Chapter 225, Transportation Code, is amended by adding Section 225.093 to read as follows:

Sec. 225.093. GEORGE P. MITCHELL MEMORIAL HIGHWAY. (a) The portion of Interstate Highway 45 in Montgomery County between its intersection with State Highway 242 and the Montgomery-Harris county line is designated as the George P. Mitchell Memorial Highway. The designation is in addition to any other designation.

(b) Subject to Section 225.021(c), the department shall:

(1) design and construct markers indicating the designation as the George P. Mitchell Memorial Highway and any other appropriate information; and

(2) erect a marker at each end of the highway and at appropriate intermediate sites along the highway.

(b) This Act takes effect on the 91st day after the last day of the legislative session.

Amendment No. 17 was withdrawn.

Amendment No. 18

Representative C. Turner offered the following amendment to **CSHB 1**:

Amend **CSHB 1** (house committee report) by striking Subsection (a) of SECTION 2 of the bill (page 2, line 8, through page 5 line 27) and substituting the following:

(a) Chapter 316, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. SUSPENSION OF CERTAIN TRANSFERS TO STATE
HIGHWAY FUND

Sec. 316.091. SUSPENSION OF CERTAIN TRANSFERS TO STATE
HIGHWAY FUND. The comptroller shall adjust the allocation of the amounts to
be transferred to the economic stabilization fund and to the state highway fund
provided by Section 49-g(c), Article III, Texas Constitution, so that the total of
those amounts is transferred to the economic stabilization fund if the comptroller
is directed to make the adjustment by resolution of the membership of each
house, except that the comptroller shall reduce a transfer made under this
subsection as necessary to prevent the amount in the fund from exceeding the
limit in effect for that biennium under Section 49-g(g) of that article. The
resolution must be presented for a vote in each house of the legislature not later
than the 30th day of that legislative session, must be approved by a two-thirds
vote of the membership of each house, and must be finally approved by each
house not later than the 45th day of that legislative session.

Representative Pickett moved to table Amendment No. 18.

The motion to table prevailed.

Amendment No. 8 - Motion to Reconsider

Representative Pickett moved to reconsider the vote by which Amendment No. 8 was adopted.

The motion to reconsider was lost by (Record 10): 35 Yeas, 95 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Bell; Bonnen, G.; Capriglione; Clardy; Craddick; Creighton; Fallon; Flynn; Frank; Goldman; Guerra; Hilderbran; Isaac; Kleinschmidt; Klick; Krause; Laubenberg; Leach; Miller, R.; Parker; Phillips; Ratliff; Sanford; Schaefer; Sheets; Simmons; Smithee; Springer; Stickland; Thompson, E.; Toth; Turner, E.S.; Zedler.

Nays — Allen; Alonzo; Alvarado; Aycock; Bohac; Branch; Burkett; Burnam; Button; Callegari; Canales; Collier; Cook; Cortez; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Farney; Farrar; Fletcher; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lavender; Lewis; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Simpson; Smith; Stephenson; Taylor; Thompson, S.; Turner, C.; Turner, S.; Villalba; Vo; White; Workman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Coleman; Moody.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 10. I intended to vote no.

G. Bonnen

When Record No. 10 was taken, I was in the house but away from my desk. I would have voted no.

Moody

I was shown voting yes on Record No. 10. I intended to vote no.

Zedler

AMENDMENT NO. 11 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE KOLKHORST: On one of the amendments that went on—I believe it was the Lavender amendment, which actually put revenue into this bill, am I correct?

REPRESENTATIVE PICKETT: Yes, ma'am.

KOLKHORST: I read that it cannot go for toll roads, and I want to clarify that just for clarification. Is that your understanding?

PICKETT: That's the way I read Mr. Lavender's amendment, yes, ma'am.

KOLKHORST: And would it be your opinion also that it could not be used for availability payments, like you and I have discussed on the constitutional amendment?

PICKETT: Yes, ma'am. He mirrored all the language that we have in the rest of the bills and all the other amendments, yes, ma'am.

REMARKS ORDERED PRINTED

Representative Kolkhorst moved to print remarks between Representative Pickett and Representative Kolkhorst.

The motion prevailed.

CSHB 1, as amended, was passed to engrossment by (Record 11): 128 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford;

Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; White; Workman; Zedler.

Nays — Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Burnam; Coleman; Gutierrez.

HB 1 ON THIRD READING
(by Pickett, Phillips, and Darby)
CONSTITUTIONAL RULE SUSPENDED

Representative Pickett moved to suspend the constitutional rule requiring bills to be read on three several days and to place **HB 1** on its third reading and final passage.

The motion prevailed by (Record 12): 128 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Workman; Zedler.

Nays — Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Coleman; Murphy; White.

The speaker laid **HB 1** before the house on its third reading and final passage.

HB 1 was read third time and was passed by (Record 13): 129 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; White; Workman; Zedler.

Nays — Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Coleman; Keffer.

The speaker stated that **HB 1** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

HB 1 - ENGROSSED RIDERS

Pursuant to Rule 2, Section 1(a)(9) of the House Rules, Representative Pickett moved to send **HB 1** to the senate in the form of engrossed riders in lieu of a full engrossment.

The motion prevailed.

CONSTITUTIONAL AMENDMENTS CALENDAR HOUSE JOINT RESOLUTIONS SECOND READING

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

SJR 1 ON SECOND READING (Pickett, Phillips, Harper-Brown, and Darby - House Sponsors)

SJR 1, A joint resolution proposing a constitutional amendment to provide for the transfer of certain general revenue to the economic stabilization fund and to the state highway fund and for the dedication of the revenue transferred to the state highway fund.

SJR 1 was considered in lieu of **HJR 1**.

Amendment No. 1

Representatives T. King, Guillen, and Hilderbran offered the following amendment to **SJR 1**:

Amend **SJR 1** (house committee printing) on page 2, line 1 of the resolution, immediately following the underlined period, by adding the following:

Of the revenue transferred to the state highway fund under this subsection, priority must be given to:

(1) repaving with asphalt those public roadways that have been replaced with gravel public roadways; and

(2) preventing the replacement of asphalt-paved public roadways with gravel public roadways.

Amendment No. 1 was withdrawn.

SJR 1 was adopted by (Record 14): 106 Yeas, 20 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anderson; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Cook; Cortez; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Martinez; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler.

Nays — Allen; Burnam; Collier; Craddick; Davis, Y.; Dutton; Eiland; Farrar; Giddings; Gooden; Lewis; Martinez Fischer; McClendon; Oliveira; Rose; Simpson; Thompson, S.; Turner, C.; Turner, S.; Vo.

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

Absent, Excused — Anchia; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Ashby; Coleman; Hernandez Luna; Hunter; Márquez.

PAIRED VOTES

Gutierrez (present), who would vote no, with Elkins (absent), who would vote yes.

STATEMENT OF VOTE

When Record No. 14 was taken, my vote failed to register. I would have voted yes.

Hunter

HJR 1 - LAID ON THE TABLE SUBJECT TO CALL

Representative Pickett moved to lay **HJR 1** on the table subject to call.

The motion prevailed.

LEAVES OF ABSENCE GRANTED

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

Ashby on motion of Clardy.

Márquez on motion of N. Gonzalez.

HOUSE AT EASE

At 7:30 p.m., the speaker announced that the house would stand at ease.

(Keffner in the chair)

The chair called the house to order at 9:15 p.m.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 1).

HOUSE AT EASE

At 9:16 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 9:25 p.m.

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).

(Speaker in the chair)

HR 60 - ADOPTED

(by Branch)

Representative Branch moved to suspend all necessary rules to take up and consider at this time **HR 60**.

The motion prevailed.

The following resolution was laid before the house:

HR 60, Congratulating Dr. Charles L. Branch, Sr., and Sylvia Lee Boswell Branch on the occasion of their 60th wedding anniversary.

HR 60 - REMARKS

REPRESENTATIVE BRANCH: I think this may be the only time I've passed a resolution that involves family members. And I wanted to honor my parents for six decades of marriage, which is fairly unusual, and specifically putting up with me and my four other siblings, and now 18 grandchildren and one great grandchild and one on the way. But, it is fairly unusual and remarkable, and

they've been—obviously without them I wouldn't have had a chance to serve in the house. And so, I appreciate the indulgence of the body and appreciate the speaker and the clerk for giving us the unusual number of **HR 60** when there haven't been that many resolutions in this third called session. And I'm grateful to the governor for calling the third session so that we had a chance to honor them, and I know some of us might have some reservations about being here, as does the current author of this resolution, but I'm grateful for the one serendipity to recognize my parents.

REPRESENTATIVE RAYMOND: Mr. Speaker, before I move to add all members' names, I just want to thank Chairman Branch for his service in the house, and for always remembering that if you're going to serve here, then people need to know to "Come and Take It."

BRANCH: Thank you, Mr. Raymond. And you being at the back mic reminds me that one of the nice things in addition to being able to, with many of the colleagues here, pass a moment of silence in the schools and giving our schoolchildren the chance to pray and say the Texas and U.S. pledge, which was something this legislature did 10 years ago. But also, working together with you, we got to put "In God we Trust" over the top of the chamber. So, it's been a real pleasure and honor to serve with you and all the members here, and I look forward to perhaps a chance to serve in another capacity.

HR 60 was adopted.

On motion of Representative Raymond, the names of all the members of the house were added to **HR 60** as signers thereof.

HB 1 - RULES SUSPENDED

Representative Pickett moved to suspend all necessary rules to call up **HB 1** with senate amendments before it is eligible.

The motion prevailed by (Record 15): 124 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Kacal; Keffer; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez; Martinez Fischer; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson;

Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; White; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Ashby; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Márquez; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Geren; Gooden; Huberty; Johnson; King, K.; McClendon.

STATEMENT OF VOTE

When Record No. 15 was taken, my vote failed to register. I would have voted yes.

Gooden

HB 1 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Pickett called up with senate amendments for consideration at this time,

HB 1, A bill to be entitled An Act relating to transportation funding, expenditures, and finance and the preservation of a sufficient balance in the economic stabilization fund; making an appropriation.

Representative Pickett moved to concur in the senate amendments to **HB 1**.

The motion to concur in the senate amendments to **HB 1** prevailed by (Record 16): 124 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Aycok; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Leach; Lewis; Martinez; Martinez Fischer; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; White; Workman; Zedler.

Nays — Lavender; Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Ashby; Bonnen, D.; Carter; Dukes; Elkins; Farias; King, P.; Longoria; Lozano; Lucio; Márquez; Miles; Pitts; Villarreal; Walle; Wu; Zerwas.

Absent — Gooden; Huberty; Johnson; McClendon.

The speaker stated that **HB 1** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

STATEMENTS OF VOTE

When Record No. 16 was taken, my vote failed to register. I would have voted yes.

Gooden

When Record No. 16 was taken, my vote failed to register. I would have voted yes.

Huberty

Senate Committee Substitute

CSHB 1, A bill to be entitled An Act relating to transportation funding, expenditures, and finance and the preservation of a sufficient balance in the economic stabilization fund; making an appropriation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 222, Transportation Code, is amended by adding Section 222.0031 to read as follows:

Sec. 222.0031. REQUIRED REPAYMENT OF BONDS. (a) On or before August 31, 2015, the department shall identify and implement savings and efficiencies that result in a total savings of at least \$100 million in funds appropriated to the department for the state fiscal biennium ending August 31, 2015. The amount saved is appropriated for the state fiscal biennium ending August 31, 2015, to the department from the source from which the money was originally appropriated for the purpose of reducing the principal of and interest on bonds and other public securities issued, and bond enhancement agreements entered into, by the commission as authorized by Section 49-n, Article III, Texas Constitution, as proposed by H.J.R. 28, 78th Legislature, Regular Session, 2003.

(b) To make payments required under Subsection (a), the department:

(1) shall maximize the use of all amounts appropriated to the department;

(2) may use savings realized through operational efficiencies, cost reductions, and cost savings; and

(3) may not reduce the amount of funding available for transportation projects.

(c) Not later than August 31, 2015, the department shall report in writing to the legislature on the implementation of this section.

(d) This section expires September 1, 2015.

SECTION 2. (a) Chapter 316, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. PRESERVATION OF SUFFICIENT BALANCE IN
ECONOMIC STABILIZATION FUND

Sec. 316.091. DEFINITION. In this subchapter, "fund" means the economic stabilization fund.

Sec. 316.092. DETERMINATION OF SUFFICIENT FUND BALANCE.
(a) Not later than September 1 of each even-numbered year, the speaker of the house of representatives and the lieutenant governor shall appoint a select committee as follows:

(1) the speaker of the house of representatives shall appoint five members of the house appropriations committee as members of the committee; and

(2) the lieutenant governor shall appoint five members of the senate finance committee as members of the committee.

(b) For the purposes of Section 49-g(c-2), Article III, Texas Constitution, not later than December 1 of each even-numbered year, the select committee shall determine and adopt for the next state fiscal biennium a sufficient balance of the fund in an amount that the committee estimates will ensure an appropriate amount of revenue available in the fund. In determining the sufficient balance for that fiscal biennium, the committee shall consider:

(1) the history of fund balances;

(2) the history of transfers to the fund;

(3) estimated fund balances during that fiscal biennium;

(4) estimated transfers to the fund to occur during that fiscal biennium;

(5) information available to the committee regarding state highway congestion and funding demands; and

(6) any other information requested by the committee regarding the state's financial condition.

(c) On or before October 1 of each even-numbered year, the comptroller shall provide to the select committee the comptroller's projection of the amounts to be transferred to the fund during the next state fiscal biennium.

(d) The sufficient fund balance adopted by the select committee under Subsection (b) may be adjusted by filing a resolution proposing that a different amount be adopted as the sufficient fund balance. The resolution must be filed not later than the 30th day of the regular legislative session that begins after the date the sufficient fund balance is adopted by the committee, and must be approved by a majority of the members of both houses of the legislature not later than the 60th day of that legislative session or the resolution has no effect. If the resolution is approved as provided by this subsection, the amount of the sufficient fund balance specified in the resolution is adopted and supersedes the balance adopted by the committee under Subsection (b).

Sec. 316.093. ADJUSTMENT OF CONSTITUTIONAL ALLOCATIONS TO FUND AND STATE HIGHWAY FUND. (a) Before the comptroller makes transfers for a state fiscal year in accordance with Section 49-g(c), Article III, Texas Constitution, the comptroller shall determine whether the sum of the balance of the fund on the preceding August 31, any projected transfer to the fund under Section 49-g(b) of that article, and any projected transfer to the fund under Section 49-g(c) of that article in accordance with the allocations for the transfer as provided by Section 49-g(c-1) of that article is less than the sufficient balance adopted under Section 316.092.

(b) If the sum described by Subsection (a) is less than the sufficient balance adopted under Section 316.092, the comptroller shall reduce the allocation to the state highway fund provided by Section 49-g(c), Article III, Texas Constitution, and increase the allocation to the economic stabilization fund, in an equal amount, until the sufficient balance adopted under Section 316.092 is achieved.

(c) If under Section 316.092 a sufficient balance has not been adopted for the comptroller to consider under this section, the comptroller shall adjust the allocation of amounts to be transferred to the fund and to the state highway fund provided by Section 49-g(c), Article III, Texas Constitution, so that the total of those amounts is transferred to the economic stabilization fund, except that the comptroller shall reduce a transfer made under this subsection as necessary to prevent the amount in the fund from exceeding the limit in effect for that biennium under Section 49-g(g) of that article.

(d) As soon as practicable after the effective date of this section, the speaker of the house of representatives and the lieutenant governor shall appoint a select committee in the manner required by Section 316.092(a), and that committee shall determine and adopt a sufficient balance of the fund applicable to the transfers to be made under Section 49-g(c), Article III, Texas Constitution, for the state fiscal year beginning September 1, 2014, and a sufficient balance of the fund applicable to the transfers to be made under that subsection for the next fiscal biennium. The comptroller may not make the transfers required under Section 49-g of that article for the state fiscal year beginning September 1, 2014, until the committee has adopted a sufficient balance under this subsection. However, if the committee has not adopted the balance before the 30th day after the effective date of this section, the comptroller shall make that transfer on the 30th day after the effective date of this section in accordance with Subsection (c). This subsection expires September 1, 2015.

Sec. 316.094. ALLOCATION OF CERTAIN AMOUNTS TRANSFERRED TO STATE HIGHWAY FUND. (a) Amounts transferred to the state highway fund under Section 49-g(c), Article III, Texas Constitution, when appropriated, must be used and allocated throughout the state by the Texas Department of Transportation consistent with existing formulas adopted by the Texas Transportation Commission.

(b) This section takes effect immediately on the final canvass of the election on the constitutional amendment proposed by the 83rd Legislature, 3rd Called Session, 2013, to provide for the transfer of certain general revenue to the economic stabilization fund and to the state highway fund and for the dedication of the revenue transferred to the state highway fund, but only if that amendment is approved by the voters. If that amendment is not approved by the voters, this section has no effect.

SECTION 3. (a) The speaker of the house of representatives shall appoint nine members to a House Select Committee on Transportation Funding, Expenditures, and Finance and designate one member as chair. The lieutenant governor shall appoint nine members to a Senate Select Committee on Transportation Funding, Expenditures, and Finance and designate one member as chair. The speaker and lieutenant governor shall make the appointments not later than November 30, 2013.

(b) The committees established under this section may meet separately at the call of the chair of the committee or jointly at the call of both chairs. In joint meetings, the chairs shall act as joint chairs.

(c) The committees established under this section, meeting separately or jointly, shall review, study, and evaluate:

(1) the future reliability of all current state transportation funding sources;

(2) alternatives that may increase available state funding for surface transportation, including an examination of increases to current surface-transportation-related funding streams and possible diversions of non-surface-transportation-related funding streams toward surface transportation funding;

(3) the use of debt financing in state transportation funding, including the uses of the Texas Mobility Fund, and the effects on long-term transportation planning of using debt financing;

(4) alternative transportation funding options in use nationally and internationally;

(5) current and historic appropriations to the Texas Department of Transportation, including:

(A) whether that agency's budget structure best maximizes the application of limited public funds toward highway maintenance and construction;

(B) whether there are opportunities to reduce the use of money from the state highway fund by that agency for activities not related to highway maintenance and construction, including such uses as employee salaries and benefits; and

(C) possible benefits of developing a budget for that agency for the 2016-2017 state fiscal biennium using zero-based budgeting principles;

(6) the uses of the state highway fund for agencies other than the Texas Department of Transportation, including and emphasizing the use of that fund for the Department of Public Safety of the State of Texas; and

(7) the original purpose of the economic stabilization fund established by Section 49-g, Article III, Texas Constitution, whether that purpose remains relevant, and whether it remains appropriate to continue using the net amount of oil and gas production taxes received in the 1987 state fiscal year as the basis for making general revenue transfers to the economic stabilization fund.

(d) Following consideration of the factors described by Subsection (c) of this section, the committees established under this section shall jointly adopt recommendations related to the reviewed subjects and shall provide a written report of the committees' recommendations on the reviewed subjects to the legislature not later than November 1, 2014.

(e) The committees established under this section may exercise any power of a committee of their respective chambers and any powers of a joint committee. For the purposes of this section, the committees established under this section are considered a joint committee and the cost of operation of each committee may be borne in the same manner as the cost of a joint committee. The Texas Legislative Council may provide funding for the operations of the committees. To the extent not inconsistent with this section, the joint rules adopted by the 83rd Legislature for the administration of joint interim legislative study committees apply to the committees established under this section.

(f) This section expires January 13, 2015.

SECTION 4. Except as otherwise provided by this Act:

(1) this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution; and

(2) if this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

REMARKS ORDERED PRINTED

Representative Raymond moved to print remarks on **HR 60**.

The motion prevailed.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

PROVIDING FOR ADJOURNMENT SINE DIE

At 9:39 p.m., Representatives Keffer, Dutton, Springer, and Giddings moved that, at the conclusion of administrative duties, the house stand adjourned sine die in memory of the Honorable Jack Hightower of Vernon and the Honorable Lois DeBerry of Tennessee.

The motion prevailed.

(Bell in the chair)

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. 1).

MEMORANDUM BY THE SPEAKER

The speaker submitted the following memorandum for inclusion in the journal:

Beginning in the 70th Legislature, Jan Meinscher worked for over 17 years as a senate staffer. She was initially appointed to the office of house parliamentary assistant on February 1, 2004. She served as house parliamentary assistant or parliamentary deputy in each subsequent session.

Ms. Meinscher joins other employees of the house and other legislative service agencies who ended their service to the house and the state during the 83rd Legislature. The house thanks each of those employees for their service.

During the 83rd Legislature, several longtime and dedicated employees of the house, including Don Jones, chief of staff for Representative Menéndez; Colin Coe, chief of staff for Representative Márquez; and Ethan Harlow of the House Committee Coordinator's Office passed away.

The house recognizes the service of each of its employees, past or present, who have passed away during this session and expresses their regret at the loss of each of the employees or staffers who passed away.

ADJOURNMENT SINE DIE

In accordance with a previous motion, Representative Bell, at 10:08 p.m., pronounced the House of Representatives of the Third Called Session of the Eighty-Third Legislature adjourned sine die.

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 4 (By Lavender), Relating to providing funding for certain transportation projects, including port-related transportation projects; making appropriations.

To Select Transportation Funding.

HB 7 (By Frank), Relating to the allocation of certain revenue from the taxes imposed on the sale, rental, or use of motor vehicles to the state highway fund.

To Select Transportation Funding.

HB 8 (By Toth), Relating to the designation of a segment of Interstate Highway 45 in Montgomery County as the George P. Mitchell Memorial Highway.

To Select Transportation Funding.

HB 12 (By Isaac), Relating to the allocation of certain motor vehicle sales tax revenue to the state highway fund.

To Select Transportation Funding.

HB 13 (By Isaac), Relating to the deposit to the state highway fund and the Texas emissions reduction plan fund of certain motor vehicle sales tax revenue.

To Select Transportation Funding.

HB 15 (By Harper-Brown), Relating to providing funding for constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads; making appropriations.

To Select Transportation Funding.

HB 16 (By Harper-Brown), Relating to the allocation of certain motor vehicle sales, use, and rental tax revenue; making an appropriation.

To Select Transportation Funding.

HB 17 (By McClendon), Relating to the rates of the state gasoline and diesel fuel taxes and to the use of any additional revenue derived from those taxes.

To Select Transportation Funding.

SIGNED BY THE SPEAKER

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

House List No. 1

HB 1

Senate List No. 1

SJR 1

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, August 5, 2013 - 1

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:

HB 1 Pickett SPONSOR: Nichols
Relating to transportation funding, expenditures, and finance and the preservation of a sufficient balance in the economic stabilization fund; making an appropriation.
(Committee Substitute)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, August 5, 2013 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 13 Williams
Relating to the designation of a segment of Interstate Highway 45 in Montgomery County as the George P. Mitchell Memorial Highway.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

August 2

Transportation Funding, Select - **HB 1, HJR 1**

August 5

Transportation Funding, Select - **SJR 1**

ENGROSSED

August 5 - HB 1

ENROLLED

August 5 - HB 1

SENT TO THE GOVERNOR

August 7 - HB 1

SENT TO THE COMPTROLLER

August 6 - HB 1

SIGNED BY THE GOVERNOR

August 7 - HB 1

