

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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FIFTY-EIGHTH DAY

(Continued)

(Wednesday, May 15, 2013)

AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Eltife.

**SESSION HELD FOR  
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Eltife yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

**CSHB 86** (Lucio)

Relating to the criteria for review by the Sunset Advisory Commission of an agency that licenses an occupation.

(viva voce vote) (31-0) (31-0)

**HB 144** (Nelson)

Relating to a mental examination of a child subject to the juvenile justice system.

(viva voce vote) (31-0) (31-0)

**CSHB 243** (Uresti)

Relating to the authority of a community center that provides mental health or mental retardation services to sell certain real property of the center.

(viva voce vote) (31-0) (31-0)

**CSHB 248** (Ellis)

Relating to the regulation of automotive wrecking and salvage yards in certain counties.

(viva voce vote) (31-0) (31-0)

**CSHB 252** (Hegar)

Relating to water shortage reporting by water utilities and providers of wholesale water service.

(viva voce vote) (31-0) (31-0)

**HB 341** (Nichols)

Relating to the exclusion of certain mineral interests from the property interests that may be condemned by a regional tollway authority.

(viva voce vote) (31-0) (31-0)

**CSHB 347** (Nichols)

Relating to prohibiting using a wireless communication device while operating a motor vehicle on school property.

(viva voce vote) (31-0) (31-0)

**HB 389** (Rodríguez)

Relating to the enforcement of spousal maintenance agreements and property distribution agreements incident to divorce or annulment.

(viva voce vote) (31-0) (31-0)

**HB 403** (Ellis)

Relating to liability of certain certified municipal inspectors for services rendered during an emergency or disaster.

(viva voce vote) (31-0) (31-0)

**HB 410** (Estes)

Relating to the administration and operation of the appellate judicial system for the Second Court of Appeals District; changing an appellate judicial system court costs fee in certain counties.

(viva voce vote) (31-0) (31-0)

**HB 434** (Whitmire)

Relating to the persons authorized to take a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances.

(viva voce vote) (31-0) (31-0)

**HB 480** (Ellis)

Relating to the use of sick leave by state employees who are attending educational activities of their children.

(viva voce vote) (31-0) (31-0)

**HB 511** (Carona)

Relating to the registration of token trailers.

(viva voce vote) (31-0) (31-0)

**HB 567** (Nichols)

Relating to the definition of an authorized emergency vehicle.

(viva voce vote) (31-0) (31-0)

**HB 570** (Rodríguez)

Relating to issuance of a magistrate's order for emergency protection.

(viva voce vote) (31-0) (31-0)

**HB 622** (Hegar)

Relating to the report by the General Land Office to the legislature on the effectiveness of the coastal management program.

(viva voce vote) (31-0) (31-0)

**HB 625** (Carona)

Relating to the penalty for the operation of a vehicle without a license plate.

(viva voce vote) (31-0) (31-0)

**CSHB 630** (Huffman)

Relating to the filling of vacancies on a political party's county executive committee.

(viva voce vote) (31-0) (31-0)

**HB 634** (Rodríguez)

Relating to the verification of an inmate's veteran status by the Texas Department of Criminal Justice.

(viva voce vote) (31-0) (31-0)

**HB 695** (Nichols)

Relating to funding state highway markers.

(viva voce vote) (31-0) (31-0)

**HB 748** (Nelson)

Relating to a waiver allowing the Department of Family and Protective Services to use certain federal funds to test innovation strategies in child welfare programs.

(viva voce vote) (31-0) (31-0)

**HB 762** (Carona)

Relating to restrictions on disaster remediation contracts following a locally declared disaster.

(viva voce vote) (31-0) (31-0)

**HB 768** (Watson)

Relating to the application of the public and private facilities and infrastructure contracting requirements to technology facilities.

(viva voce vote) (31-0) (31-0)

**HB 797** (Garcia)

Relating to certain written information the Windham School District must provide to a person before the person enrolls in a district vocational training program.

(viva voce vote) (31-0) (31-0)

**CSHB 798** (Garcia)

Relating to certain actions taken by certain licensing authorities regarding a license holder or applicant who has been convicted of a Class C misdemeanor.

(viva voce vote) (31-0) (31-0)

**HB 799** (Whitmire)

Relating to vocational training programs provided by the Windham School District.

(viva voce vote) (31-0) (31-0)

**HB 878 (Estes)**

Relating to the filing with the state of electric logs by operators of oil-related or gas-related wells; providing a penalty.

(viva voce vote) (31-0) (31-0)

**HB 938 (Eltife)**

Relating to the designation of a segment of Farm-to-Market Road 2348 in Titus County as the Army Staff Sergeant Chauncy Mays Memorial Highway.

(viva voce vote) (31-0) (31-0)

**CSHB 944 (Carona)**

Relating to an exemption from license requirements for a limited number of sales of manufactured housing.

(viva voce vote) (31-0) (31-0)

**CSHB 1160 (Nelson)**

Relating to the transfer of a certificate of convenience and necessity in certain municipalities.

(viva voce vote) (31-0) (31-0)

**(Senator Hancock in Chair)****HB 1204 (Nelson)**

Relating to designating October 1 as Influenza Awareness Day.

(viva voce vote) (31-0) (31-0)

**HB 1205 (Carona)**

Relating to the offense of failure to report abuse or neglect of a child.

(viva voce vote) (31-0) (31-0)

**HB 1264 (Deuell)**

Relating to information regarding the number of public school students with dyslexia.

(viva voce vote) (31-0) (31-0)

**HB 1334 (Rodríguez)**

Relating to the composition of the El Paso County juvenile board.

(viva voce vote) (31-0) (31-0)

**HB 1347 (Rodríguez)**

Relating to the use of El Paso Mission Valley specialty license plate fees for the preservation and rehabilitation of the Socorro, San Elizario, and Ysleta Missions.

(viva voce vote) (31-0) (31-0)

**HB 1395 (Nelson)**

Relating to the exemption of registered dental laboratories from certain distributing and manufacturing licensing requirements.

(viva voce vote) (31-0) (31-0)

**CSHB 1445 (Duncan)**

Relating to the distribution of certain civil penalties and civil restitution received by the attorney general.

(viva voce vote) (30-1) "Nay" Nelson (30-1) "Nay" Nelson

**CSHB 1534** (Paxton)

Relating to the designation of a segment of U.S. Highway 75 in Collin County as the Prisoner of War Memorial Highway.

(viva voce vote) (31-0) (31-0)

**HB 1624** (Van de Putte)

Relating to the assumed name of a series limited liability company.

(viva voce vote) (31-0) (31-0)

**HB 1648** (Nelson)

Relating to the confidentiality of certain information held by the Department of Family and Protective Services.

(viva voce vote) (31-0) (31-0)

**CSHB 1711** (Duncan)

Relating to barratry.

(viva voce vote) (31-0) (31-0)

**HB 1718** (Estes)

Relating to the eligibility of certain terminally ill individuals to purchase a resident hunting license.

(viva voce vote) (31-0) (31-0)

**HB 1760** (Nelson)

Relating to the provision of services to certain individuals with developmental disabilities by a state supported living center.

(viva voce vote) (31-0) (31-0)

**CSHB 1762** (Deuell)

Relating to workers' compensation and other remedies available to an injured temporary employee.

(viva voce vote) (31-0) (31-0)

**CSHB 1818** (Deuell)

Relating to the disposition of confiscated game, animal parts, and animal products.

(viva voce vote) (31-0) (31-0)

**HB 1871** (Uresti)

Relating to the allocation of the expenses of a joint election to certain school districts.

(viva voce vote) (31-0) (31-0)

**HB 1952** (Van de Putte)

Relating to professional development training for certain public school personnel regarding student disciplinary procedures.

(viva voce vote) (31-0) (31-0)

**HB 1972** (Hancock)

Relating to the provision of 9-1-1 services; providing criminal penalties.

(viva voce vote) (31-0) (31-0)

**HB 2016** (Duncan)

Relating to the receipt or consideration of a petition requesting detachment and annexation by the board of trustees of a school district after adoption of consolidation resolutions.

(viva voce vote) (31-0) (31-0)

**HB 2051** (Carona)

Relating to the authority of public institutions of higher education to make certain investments to support technology commercialization.

(viva voce vote) (31-0) (31-0)

**(Senator Garcia in Chair)****HB 2058** (Ellis)

Relating to the administration of a high school equivalency examination.

(viva voce vote) (31-0) (31-0)

**HB 2103** (Seliger)

Relating to education research centers and the sharing of educational data between state agencies; redesignating certain fees as charges.

(viva voce vote) (31-0) (31-0)

**HB 2105** (Lucio)

Relating to municipally owned utility systems; authorizing the imposition of fees by a utility board of trustees.

(viva voce vote) (31-0) (31-0)

**HB 2252** (Nichols)

Relating to eligibility of charitable organizations to participate in a state employee charitable campaign.

(viva voce vote) (31-0) (31-0)

**HB 2256** (Watson)

Relating to the view of the State Capitol.

(viva voce vote) (31-0) (31-0)

**HB 2263** (Huffman)

Relating to requesting a replacement voter registration certificate by telephone or electronically.

(viva voce vote) (31-0) (31-0)

**HB 2459** (Carona)

Relating to the limitation on the amount that may be charged for certain debt cancellation agreements.

(viva voce vote) (31-0) (31-0)

**CSHB 2462** (Carona)

Relating to automobile club memberships offered in connection with certain motor vehicle retail installment contracts.

(viva voce vote) (31-0) (31-0)

**HB 2475** (Huffman)

Relating to the oath taken by a person who assists a voter.

(viva voce vote) (31-0) (31-0)

**HB 2536** (Nelson)

Relating to the composition of certain regional transportation authority subregional boards.

(viva voce vote) (31-0) (31-0)

**HB 2571** (Fraser)

Relating to the inspection of certain information regarding the production, transportation, sale, and marketing of oil and gas from state land; imposing an administrative penalty.

(viva voce vote) (31-0) (31-0)

**HB 2637** (Whitmire)

Relating to the fraudulent use of identifying information by certain sex offenders; providing criminal penalties.

(viva voce vote) (31-0) (31-0)

**CSHB 2683** (Nelson)

Relating to employment in certain consumer-directed services and by certain facilities and to the nurse aide registry and the employee misconduct registry.

(viva voce vote) (31-0) (31-0)

**HB 2710** (Schwertner)

Relating to the employment of an attorney by the Texas Funeral Service Commission.

(viva voce vote) (31-0) (31-0)

**HB 2892** (Hegar)

Relating to the authority of the board of regents of The Texas A&M University System to dispose of real property and mineral interests under its jurisdiction.

(viva voce vote) (31-0) (31-0)

**HB 3031** (Ellis)

Relating to fare enforcement officers for metropolitan rapid transit authorities.

(viva voce vote) (31-0) (31-0)

**HB 3163** (Taylor)

Relating to the San Jacinto Historical Advisory Board.

(viva voce vote) (31-0) (31-0)

**HB 3337** (Uresti)

Relating to the authority of certain counties to impose a county hotel occupancy tax.

(viva voce vote) (31-0) (31-0)

**CSHB 3559** (Eltife)

Relating to the Texas Peace Officers' Memorial Monument.

(viva voce vote) (31-0) (31-0)

**HB 3900** (Hancock)

Relating to the board of directors of the Tarrant Regional Water District.

(viva voce vote) (31-0) (31-0)

**HCR 55** (Hinojosa)

Urging the U.S. Department of State to take appropriate action to ensure that Mexico complies with the 1944 Treaty regarding shared water resources and that it make required water deliveries to the United States a priority.

(31-0)

**CSSB 1262** (Rodríguez)

Relating to the housing authorities in certain municipalities and counties.

(viva voce vote) (31-0) (31-0)

**SB 1915** (Campbell)

Relating to the creation of the Comal County Water Improvement District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

(viva voce vote) (31-0) (31-0)

**SCR 27** (Rodríguez)

Urging Congress to reauthorize Section 5056 of the Water Resources Development Act of 2007 and to appropriate sufficient funds for the Rio Grande Environmental Management Program.

(31-0)

**BILLS REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator Seliger and Senator Eltife requested in writing that **CSHB 1294** be removed from the Local and Uncontested Calendar.

Senator Carona and Senator Eltife requested in writing that **CSHB 1917** be removed from the Local and Uncontested Calendar.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 8:38 a.m. adjourned until 11:00 a.m. today.