

HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-THIRD DAY — MONDAY, APRIL 11, 2011

The house met at 1 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 321).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Absent, Excused — Alvarado.

Absent — Davis, Y.

The invocation was offered by Reverend Jeff Hammond, rector, St. Barnabus Episcopal Church, Fredericksburg.

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

LEAVE OF ABSENCE GRANTED

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

Alvarado on motion of Deshotel.

(Harper-Brown in the chair)

REGULAR ORDER OF BUSINESS SUSPENDED

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

CAPITOL PHYSICIAN

The chair recognized Representative Eiland who presented Dr. John Redman of Anahuac as the "Doctor for the Day."

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

LEAVE OF ABSENCE GRANTED

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

Gallego on motion of Martinez.

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. 16).

**HR 830 - ADOPTED
(by Sheffield)**

Representative Sheffield moved to suspend all necessary rules to take up and consider at this time **HR 830**.

The motion prevailed.

The following resolution was laid before the house:

HR 830, Commemorating the 110th anniversary of the founding of RVOS Farm Mutual Insurance Company in Temple.

HR 830 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Sheffield who introduced representatives of the RVOS Farm Mutual Insurance Company.

**HR 291 - PREVIOUSLY ADOPTED
(by Strama)**

The chair laid out the following previously adopted resolution:

HR 291, Congratulating the Hendrickson High School Marching Band of Pflugerville on being named the 2010-2011 Grand Master Champion at the Fiesta Bowl Band Championship in Arizona.

**HR 234 - PREVIOUSLY ADOPTED
(by Guillen)**

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

HR 234, Honoring Ruperto Canales, Jr., of San Diego, Texas, for his many years of exemplary service as a coach and teacher.

On motion of Representative Raymond, the names of all the members of the house were added to **HR 234** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Guillen who introduced Ruperto Canales, Jr., and members of his family.

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Miller requested permission for the Committee on Homeland Security and Public Safety to meet while the house is in session, at 1:40 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Homeland Security and Public Safety, 1:40 p.m. today, 3W.15, for a formal meeting, to consider pending business.

HR 480 - PREVIOUSLY ADOPTED

(by Carter)

The chair laid out the following previously adopted resolution:

HR 480, Congratulating Steve and Cissy Powell of Dallas on their 50th wedding anniversary.

(Speaker in the chair)

HR 1266 - ADOPTED

(by V. Taylor)

Representative V. Taylor moved to suspend all necessary rules to take up and consider at this time **HR 1266**.

The motion prevailed.

The following resolution was laid before the house:

HR 1266, Honoring the military personnel from Texas who have served in Operations Iraqi Freedom and New Dawn.

HR 1266 was read and was adopted.

On motion of Representative V. Taylor, the names of all the members of the house were added to **HR 1266** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representatives V. Taylor and Sheets who introduced representatives of the Texas Veterans Commission and military personnel from Texas who have served in Operations Iraqi Freedom and New Dawn.

(Orr in the chair)

RESOLUTIONS ADOPTED

Representative C. Anderson moved to suspend all necessary rules to take up and consider at this time **HR 1256** and **HR 1257**.

The motion prevailed.

The following resolutions were laid before the house:

HR 1256 (by C. Anderson), Honoring the volunteers at the Waco Center for Youth.

HR 1257 (by C. Anderson), Commemorating the 65th anniversary of KWTX in Waco and honoring M. N. "Buddy" Bostick for his 50 years in broadcasting.

The resolutions were adopted.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

(Carter in the chair)

MAJOR STATE CALENDAR

HOUSE BILLS THIRD READING

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

HB 1808 ON THIRD READING (by Cook)

HB 1808, A bill to be entitled An Act relating to the continuation and functions of the State Soil and Water Conservation Board.

HB 1808 was passed by (Record 322): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter(C); Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price;

Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Alvarado; Gallego.

Absent — Alonzo; Davis, Y.

HB 2271 ON THIRD READING

(by Anchia)

HB 2271, A bill to be entitled An Act relating to the continuation and functions of the Texas Racing Commission, the abolishment of the Equine Research Account Advisory Committee, and the authority of Texas AgriLife Research; providing an administrative penalty.

HB 2271 was passed by (Record 323): 132 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Cain; Callegari; Carter(C); Castro; Chisum; Coleman; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Berman; Button; Christian; Creighton; Flynn; Landtroop; Lavender; Miller, S.; Perry; Simpson; Weber; White; Workman; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused — Alvarado; Gallego.

Absent — Alonzo; Davis, Y.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 323. I intended to vote no.

Parker

I was shown voting yes on Record No. 323. I intended to vote no.

Paxton

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 362 ON THIRD READING
(by Solomons, et al.)**

HB 362, A bill to be entitled An Act relating to the regulation by a property owners' association of the installation of solar energy devices and certain roofing materials on property.

HB 362 was passed by (Record 324): 143 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Anchia; Anderson, C.; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter(C); Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Workman; Zedler; Zerwas.

Nays — Berman; Garza; White.

Present, not voting — Mr. Speaker.

Absent, Excused — Alvarado; Gallego.

Absent — Anderson, R.; Davis, Y.

**HB 411 ON THIRD READING
(by Laubenberg and Crownover)**

HB 411, A bill to be entitled An Act relating to the confidentiality of newborn screening information.

HB 411 was passed by (Record 325): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Aycocck; Beck; Berman; Bohac; Bonnen; Branch; Brown; Bürkett; Burnam; Button; Cain; Callegari; Carter(C); Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Alvarado; Gallego.

Absent — Davis, Y.

HB 630 ON THIRD READING
(by Pickett and W. Smith)

HB 630, A bill to be entitled An Act relating to the authority of the Texas Department of Transportation, counties, regional tollway authorities, and regional mobility authorities to enter into funding agreements to expedite the entity's environmental review duties related to certain transportation projects.

HB 630 was passed by (Record 326): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Aycocck; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter(C); Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott;

Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Alvarado; Gallego.

Absent — Davis, Y.

HB 2193 ON THIRD READING

(by Truitt)

HB 2193, A bill to be entitled An Act relating to service and qualifications for membership on an advisory committee established by the Employees Retirement System of Texas to provide advice to the board of trustees on investments and investment-related issues.

HB 2193 was passed by (Record 327): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Aycok; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter(C); Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Alvarado; Gallego.

Absent — Davis, Y.; Gooden; Hochberg; Shelton.

STATEMENTS OF VOTE

When Record No. 327 was taken, my vote failed to register. I would have voted yes.

Gooden

When Record No. 327 was taken, I was in the house but away from my desk. I would have voted yes.

Shelton

HB 443 ON THIRD READING
(by Fletcher, Gonzalez, and White)

HB 443, A bill to be entitled An Act relating to the amount of the fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, *causas*, or *causas pro fine*.

HB 443 was passed by (Record 328): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter(C); Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Miller, S.

Present, not voting — Mr. Speaker.

Absent, Excused — Alvarado; Gallego.

Absent — Davis, Y.; Berman.

STATEMENT OF VOTE

When Record No. 328 was taken, I was in the house but away from my desk. I would have voted yes.

Berman

(Hamilton in the chair)

POSTPONED BUSINESS

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

SB 569 ON SECOND READING
(L. Taylor - House Sponsor)

SB 569, A bill to be entitled An Act relating to the rates charged by certain conservation and reclamation districts for potable water or wastewater service to recreational vehicle parks.

SB 569 was considered in lieu of **HB 1210**.

(Speaker in the chair)

SB 569 was read second time and was passed to third reading.

HB 1210 - LAID ON THE TABLE SUBJECT TO CALL

Representative L. Taylor moved to lay **HB 1210** on the table subject to call.
The motion prevailed.

HB 364 ON SECOND READING
(by Turner)

HB 364, A bill to be entitled An Act relating to condominiums in certain municipalities, including the exercise of eminent domain authority by those municipalities with respect to certain condominiums.

HB 364 was read second time on April 8 and was postponed until 10 a.m. today.

Representative Bohac moved to postpone consideration of **HB 364** until 10 a.m. tomorrow.

The motion prevailed.

SB 115 ON SECOND READING
(Gallego - House Sponsor)

SB 115, A bill to be entitled An Act relating to limiting the liability of space flight entities.

SB 115 was considered in lieu of **CSHB 245**.

SB 115 was read second time and was passed to third reading.

CSHB 245 - LAID ON THE TABLE SUBJECT TO CALL

Representative Lewis moved to lay **CSHB 245** on the table subject to call.
The motion prevailed.

HB 346 ON SECOND READING
(by Kleinschmidt)

HB 346, A bill to be entitled An Act relating to the award of costs and attorney's fees in certain proceedings concerning mechanic's, contractor's, or materialman's liens.

HB 346 was read second time on April 4 and was postponed until 1 p.m. today.

Representative Kleinschmidt moved to postpone consideration of **HB 346** until 10 a.m. Thursday, April 14.

The motion prevailed.

HB 377 ON SECOND READING
(by McClendon)

HB 377, A bill to be entitled An Act relating to the expenditure of money from the general revenue fund for rail projects.

HB 377 was read second time on April 4 and was postponed until 2 p.m. today.

HB 377 was passed to engrossment. (C. Anderson, Bohac, Cain, Callegari, Christian, Cook, S. Davis; Driver, Fletcher, Flynn, C. Howard, P. King, Laubenberg, Murphy, Otto, Paxton, Riddle, Sheets, Solomons, L. Taylor, and White recorded voting no.)

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

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

HB 365 ON SECOND READING
(by Turner and Bohac)

HB 365, A bill to be entitled An Act relating to the use of eminent domain authority by certain municipalities to take abandoned multi-family rental buildings.

Representative Bohac moved to postpone consideration of **HB 365** until 10 a.m. tomorrow.

The motion prevailed.

HB 634 ON SECOND READING
(by McClendon and Harper-Brown)

HB 634, A bill to be entitled An Act relating to toll project information provided by the Texas Department of Transportation.

HB 634 was passed to engrossment.

HB 726 ON SECOND READING
(by Sheffield)

HB 726, A bill to be entitled An Act relating to the electronic distribution of information to legislators by state agencies.

HB 726 was passed to engrossment.

CSHB 1422 ON SECOND READING
(by Truitt)

CSHB 1422, A bill to be entitled An Act relating to the issuance of titles for certain motor vehicles that are the subject of insurance claims.

CSHB 1422 was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, during bill referral today, in 1W.14, to set a calendar.

Permission to meet was granted.

**PROVIDING FOR A LOCAL, CONSENT,
AND RESOLUTIONS CALENDAR**

Representative Thompson moved to set a local, consent, and resolutions calendar for 10 a.m. Thursday, April 14.

The motion prevailed.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, during bill referral today, in 1W.14, to set a calendar.

Permission to meet was granted.

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, during bill referral today, in 1W.14, to consider **HB 2249** and **HB 2605**.

Permission to meet was granted.

Representative Callegari requested permission for the Committee on Government Efficiency and Reform to meet while the house is in session, during bill referral today, in E2.020, to consider pending and posted business.

Permission to meet was granted.

LEAVE OF ABSENCE GRANTED

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

Zerwas on motion of Shelton.

FIVE-DAY POSTING RULE SUSPENDED

Representative L. Taylor moved to suspend the five-day posting rule to allow the Committee on Elections to consider **HB 3078** upon adjournment today in E2.028.

The motion prevailed.

Representative Pitts moved to suspend the five-day posting rule to allow the Committee on Appropriations to consider pending business at 7 a.m. Thursday, April 14 in E1.030.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative W. Smith requested permission for the Committee on Environmental Regulation to meet while the house is in session, during bill referral today, in E1.022, to consider pending business.

Permission to meet was granted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Phillips moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Transportation to consider **HB 3413** at 8 a.m. Wednesday, April 13 in E2.028.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Transportation, during bill referral today, for a formal meeting, to consider pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative V. Gonzales requested permission for the Committee on Border and Intergovernmental Affairs to meet while the house is in session, during bill referral today, in E1.010, to consider pending business.

Permission to meet was granted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Ritter moved to suspend the five-day posting rule to allow the Committee on Natural Resources to consider **HB 3109** and **HJR 92** at 8 a.m. tomorrow in E2.010.

The motion prevailed.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 14.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Local and Consent Calendars, during bill referral today, Agricultural Museum (1W.14), for a formal meeting, to set a local, consent, and resolution calendar.

Calendars, during bill referral today, 1W.14, for a formal meeting, to set a calendar.

Environmental Regulation, during bill referral today, E1.022, for a formal meeting, to consider pending business.

Appropriations, 7 a.m. Thursday, April 14, E1.030, for a public hearing, to consider pending business.

Transportation, 8 a.m. Wednesday, April 13, E2.028, for a public hearing, to consider **HB 3413** and previously posted business.

State Affairs, during bill referral today, Agricultural Museum (1W.14), for a formal meeting, to consider **HB 2249** and **HB 2605**.

Natural Resources, 8 a.m. tomorrow, E2.010, for a public hearing, to consider **HB 3109**, **HJR 92**, and previously posted business.

Elections, during bill referral today, E2.028, for a public hearing, to consider **HB 3078** and the previously posted agenda.

PROVIDING FOR ADJOURNMENT

Representative Alonzo moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees and the signing of bills and resolutions in the presence of the house, the house adjourn until 10 a.m. tomorrow in memory of Juanita Valdez Contreras of Dallas.

The motion prevailed.

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.)

(V. Taylor 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, Senate List No. 12).

ADJOURNMENT

In accordance with a previous motion, the house, at 2:39 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 3840 (By Parker), Relating to the extension of the deadline for holding the confirmation and initial directors' election of the Tradition Municipal Utility District No. 2 of Denton County.

To Natural Resources.

HB 3841 (By Martinez), Relating to the designation of Farm-to-Market Road 907 in Hidalgo County as Rudy Villarreal Road.

To Transportation.

HB 3842 (By Callegari), Relating to the creation of the Bridgeland Management District; providing authority to levy an assessment, impose a tax, and issue bonds.

To Natural Resources.

HB 3843 (By Thompson), Relating to excluding certain territory from the Harris County Road Improvement District No. 2.

To Transportation.

HB 3844 (By Aycock), Relating to the creation of criminal law magistrates for Burnet County.

To Judiciary and Civil Jurisprudence.

HB 3845 (By Sheffield), Relating to the powers of the CLL Municipal Utility District No. 1; providing authority to levy an assessment, impose a tax, and issue bonds.

To Natural Resources.

HB 3846 (By Laubenberg), Relating to the creation of the Mustang Ranch Municipal Management District No. 1; providing authority to levy an assessment and issue bonds.

To Natural Resources.

SB 27 to Public Education.

SB 28 to Higher Education.

SB 217 to Public Education.

SB 249 to Pensions, Investments, and Financial Services.

SB 324 to Higher Education.

SB 327 to State Affairs.

SB 372 to Government Efficiency and Reform.

SB 385 to Environmental Regulation.

SB 403 to State Affairs.

SB 419 to Public Education.

SB 420 to Public Health.

SB 423 to Pensions, Investments, and Financial Services.

SB 432 to Ways and Means.

- SB 460** to Culture, Recreation, and Tourism.
SB 497 to Defense and Veterans' Affairs.
SB 498 to Culture, Recreation, and Tourism.
SB 499 to Culture, Recreation, and Tourism.
SB 551 to Ways and Means.
SB 628 to County Affairs.
SB 630 to Natural Resources.
SB 639 to Higher Education.
SB 656 to Natural Resources.
SB 680 to Judiciary and Civil Jurisprudence.
SB 692 to Natural Resources.
SB 715 to Judiciary and Civil Jurisprudence.
SB 729 to Elections.
SB 743 to Transportation.
SB 766 to Culture, Recreation, and Tourism.
SB 778 to Public Education.
SB 782 to Business and Industry.
SB 789 to Judiciary and Civil Jurisprudence.
SB 794 to Higher Education.
SB 795 to Public Health.
SB 800 to State Affairs.
SB 803 to Ways and Means.
SB 804 to Ways and Means.
SB 816 to Transportation.
SB 864 to Public Health.
SB 867 to Licensing and Administrative Procedures.
SB 873 to Land and Resource Management.
SB 874 to Public Health.
SB 876 to Homeland Security and Public Safety.
SB 886 to Judiciary and Civil Jurisprudence.
SB 887 to Criminal Jurisprudence.
SB 888 to Transportation.
SB 889 to Business and Industry.
SB 890 to Licensing and Administrative Procedures.

- SB 892 to Business and Industry.
- SB 893 to Agriculture and Livestock.
- SB 894 to County Affairs.
- SB 900 to Natural Resources.
- SB 912 to Public Education.
- SB 914 to Natural Resources.
- SB 918 to Insurance.
- SB 934 to Ways and Means.
- SB 944 to Insurance.
- SB 983 to State Affairs.
- SB 990 to Transportation.
- SB 992 to Urban Affairs.
- SB 1007 to Transportation.
- SB 1008 to Pensions, Investments, and Financial Services.
- SB 1009 to Higher Education.
- SB 1017 to Transportation.
- SB 1020 to Higher Education.
- SB 1087 to State Affairs.
- SB 1097 to Natural Resources.
- SB 1121 to Higher Education.
- SB 1124 to Pensions, Investments, and Financial Services.
- SB 1144 to Transportation.
- SB 1145 to Transportation.
- SB 1150 to State Affairs.
- SB 1151 to State Affairs.
- SB 1160 to Judiciary and Civil Jurisprudence.
- SB 1165 to Pensions, Investments, and Financial Services.
- SB 1166 to Pensions, Investments, and Financial Services.
- SB 1167 to Pensions, Investments, and Financial Services.
- SB 1176 to Economic and Small Business Development.
- SB 1187 to Business and Industry.
- SB 1220 to Public Health.
- SB 1226 to Higher Education.
- SB 1230 to State Affairs.

SB 1241 to Judiciary and Civil Jurisprudence.

SB 1242 to Judiciary and Civil Jurisprudence.

SB 1308 to Criminal Jurisprudence.

SB 1343 to Culture, Recreation, and Tourism.

SB 1501 to State Affairs.

SIGNED BY THE SPEAKER

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

House List No. 16

HCR 128

Senate List No. 12

SCR 40

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, April 11, 2011

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 6 Shapiro

Relating to the foundation curriculum, the establishment of the instructional materials allotment, and the adoption, review, and purchase of instructional materials and technological equipment for public schools.

SB 20 Williams

Relating to a grant program for certain natural gas motor vehicles.

SB 201 Uresti

Relating to the calculation of ad valorem taxes on the residence homestead of a 100 percent or totally disabled veteran for the tax year in which the veteran qualifies or ceases to qualify for an exemption from taxation of the homestead.

SB 285 Harris

Relating to exempting certain judicial officers from certain requirements for obtaining or renewing a concealed handgun license and to the authority of certain judicial officers to carry certain weapons.

SB 326 Duncan

Relating to the exemption from ad valorem taxation of certain tangible personal property stored temporarily at a location in this state.

SB 501 West

Relating to the disproportionality of certain groups in the juvenile justice, child welfare, health, and mental health systems and the disproportionality of the delivery of certain services in the education system.

SB 693 Estes

Relating to permit application and amendment hearings conducted by groundwater conservation districts and the State Office of Administrative Hearings.

SB 714 Patrick

Relating to the exemption of certain property from municipal drainage service charges and from related ordinances, resolutions, and rules.

SB 937 Lucio

Relating to priorities for restoration of electric service following an extended power outage.

SB 980 Carona

Relating to communications services and markets.

SB 1047 Jackson

Relating to the eligibility of an innovation and commercialization organization associated with the Lyndon B. Johnson Space Center to receive funding from the Texas emerging technology fund.

SB 1153 Williams

Relating to the authority of the Public Utility Commission of Texas to participate in certain proceedings before the Federal Energy Regulatory Commission.

SB 1613 Ogden

Relating to the application of the public meetings and public information laws to public power utilities.

SB 1719 Williams

Relating to certain comprehensive development agreements of the Texas Department of Transportation.

Respectfully,
Patsy Spaw
Secretary of the Senate

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 8

Business and Industry - **HB 2779**

County Affairs - **HB 2002, HB 2857**

Criminal Jurisprudence - **HB 260, HB 385, HB 649, HB 772, HB 1754, HB 2118, HB 3346**

Defense and Veterans' Affairs - **HB 973, HB 2247**

Economic and Small Business Development - **HB 2457, HB 2581**

Elections - **HB 157, HB 2817**

Government Efficiency and Reform - **HB 2870**

Higher Education - **HB 34, HB 1053, HB 1163, HB 1318, HB 2908, HB 3577**

Homeland Security and Public Safety - **HB 242, HB 698, HB 2656**

Judiciary and Civil Jurisprudence - **HB 323, HB 1207, SB 115, SB 543, SB 716**

Licensing and Administrative Procedures - **HB 602, HB 1146, HB 1451, HB 1822, HB 1823, HB 1936**

Natural Resources - **HB 1547, HB 2619, HB 2809, HB 2859, HB 3372**

Pensions, Investments, and Financial Services - **HB 2251**

Public Health - **HB 680, HB 3065**

Redistricting - **HB 600**

Ways and Means - **HB 268, HB 469, HB 896**

ENGROSSED

April 8 - HB 6, HB 11, HB 42, HB 118, HB 125, HB 175, HB 191, HB 205, HB 218, HB 266, HB 282, HB 289, HB 308, HB 328, HB 336, HB 341, HB 399, HB 412, HB 413, HB 414, HB 441, HB 460, HB 468, HB 479, HB 500, HB 530, HB 534, HB 555, HB 650, HB 679, HB 682, HB 709, HB 734, HB 811, HB 840, HB 841, HB 871, HB 886, HB 943, HB 965, HB 994, HB 1010, HB 1028, HB 1032, HB 1060, HB 1091, HB 1116, HB 1173, HB 1201, HB 1245, HB 1247, HB 1293, HB 1305, HB 1334, HB 1341, HB 1343, HB 1344, HB 1376, HB 1417, HB 1473, HB 1495, HB 1496, HB 1499, HB 1504, HB 1524, HB 1555, HB 1560, HB 1567, HB 1570, HB 1573, HB 1638, HB 1753, HB 1756, HB 1757, HB 1758, HB 1770, HB 1779, HB 1781, HB 1804, HB 1869, HB 1885, HB 1889, HB 1891, HB 1904, HB 1932, HB 1952, HB 1956, HB 1967, HB 1981, HB 2007, HB 2012, HB 2014, HB 2035, HB 2207, HB 2258, HB 2351, HB 2360, HB 2376, HB 2418, HB 2503, HB 2521, HB 2609, HB 2631,

HB 2633, HB 2690, HB 2785, HB 2909

ENROLLED

April 8 - HCR 128





