

# HOUSE JOURNAL

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EIGHTY-SECOND LEGISLATURE, FIRST CALLED SESSION

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## PROCEEDINGS

FOURTEENTH DAY — FRIDAY, JUNE 24, 2011

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

The roll of the house was called and a quorum was announced present (Record 126).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; 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; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; 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; 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; Strama; Taylor, V.; Thompson; Truitt; Turner; Veasey; Villarreal; Vo; Weber; White; Workman; Zedler; Zerwas.

Absent, Excused — Chisum; Gallego; Hernandez Luna; Huberty; Martinez Fischer; Solomons; Taylor, L.; Walle; Woolley.

Absent — Anchia; Torres.

The invocation was offered by Representative Simpson.

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

### LEAVES OF ABSENCE GRANTED

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

Chisum on motion of Brown.

Gallego on motion of Farias.

Huberty on motion of Price.

Martinez Fischer on motion of Quintanilla.

Solomons on motion of Brown.

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

Hernandez Luna on motion of Quintanilla.

Walle on motion of Quintanilla.

### **REGULAR ORDER OF BUSINESS SUSPENDED**

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

### **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. 2).

### **LEAVES OF ABSENCE GRANTED**

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

Lewis on motion of W. Smith.

Castro on motion of Farias.

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

Torres on motion of Aliseda.

The following member was granted leave of absence for the remainder of today because of family business:

Eiland on motion of Madden.

### **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).

### **LEAVES OF ABSENCE GRANTED**

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

Turner on motion of Giddings.

The following member was granted leave of absence for the remainder of today because of the birth of his twins Ronald Eugene III and Reagan Elexis Reynolds:

Reynolds on motion of White.

### PROVIDING FOR ADJOURNMENT

Representative Otto moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees and receipt of messages from the senate, the house adjourn until 10 a.m. Monday, June 27.

The motion prevailed.

### RESOLUTIONS REFERRED TO COMMITTEES

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

(Pitts in the chair)

### RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

### ADJOURNMENT

In accordance with a previous motion, the house, at 3:08 p.m., adjourned until 10 a.m. Monday, June 27.

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### ADDENDUM

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### 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

**HCR 22** (By Madden), Commending the members of the Texas Supreme Court for their actions in support of legal aid services and honoring them for their work in promoting access to justice for the state's most vulnerable citizens.

To Rules and Resolutions.

**HR 133** (By Peña), Honoring U.S. Marine Corps Sergeant Jacob De la Garza for his service to this nation.

To Rules and Resolutions.

**HR 134** (By Peña), Honoring Alma Garza for her service on the Edinburg City Council.

To Rules and Resolutions.

**HR 135** (By Guillen), In memory of Rio Grande City police officer Robert A. Ramirez.

To Rules and Resolutions.

**HR 136** (By Schwertner), Congratulating Charlotte Ramsey of Cedar Park on her retirement from Pleasant Hill Elementary School in Leander.

To Rules and Resolutions.

**HR 137** (By Schwertner), Congratulating the baseball team of Yoe High School in Cameron on winning the UIL 2A state championship.

To Rules and Resolutions.

**HR 138** (By Zedler), Commending Bill Carlisle for his 14 years of service as an officer in the Arlington Kiwanis Club.

To Rules and Resolutions.

**HR 139** (By Y. Davis), In memory of Dr. Charles A. Hunter of Dallas.

To Rules and Resolutions.

**HR 140** (By Hughes), Congratulating Don and Linda Rhodes of Mineola on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 142** (By Guillen), Honoring Rodolfo Carlos Salinas, Jr., of Rio Grande City for his contributions to his community.

To Rules and Resolutions.

**HR 143** (By Guillen), Congratulating Pedro and Estefana Villareal on their 67th wedding anniversary.

To Rules and Resolutions.

**HR 144** (By Raymond), Congratulating Juan Francisco "Pancho" Ochoa on being named the 2011 BusinessPerson of the Year by the Laredo Chamber of Commerce.

To Rules and Resolutions.

**HR 145** (By Hughes), Congratulating Juan D. and Jerry Nichols of Quitman on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 146** (By Hughes), In memory of James E. Taylor of Marshall.

To Rules and Resolutions.

**HR 147** (By Lucio), Commemorating the 2011 CowParade in Austin benefiting the Dell Children's Medical Center of Central Texas.

To Rules and Resolutions.

**HR 148** (By V. Gonzales), Congratulating Ruben Longoria Saenz and Matilda Delgado Saenz of Robstown on their 40th wedding anniversary.

To Rules and Resolutions.

**HR 149** (By Madden), In memory of Dorothy Edna Schulte "Dot" McCalpin of Richardson.

To Rules and Resolutions.

**HR 150** (By Gooden), In memory of Valerie Evelyn Tumlinson of Athens.

To Rules and Resolutions.

**HR 151** (By Gooden), Congratulating Captain Kay Langford on her retirement from the Henderson County Sheriff's Office.

To Rules and Resolutions.

**HR 152** (By Johnson), Congratulating Lula Beatrice McGough Jordan of Dallas on the occasion of her 100th birthday.

To Rules and Resolutions.

**HR 153** (By Guillen), Honoring Martin A. Canales, Jr., of Roma for his contributions to his community.

To Rules and Resolutions.

**HR 154** (By Callegari), In memory of the Reverend John Brannon Haskins, Sr., of Houston.

To Rules and Resolutions.

**HR 155** (By Gooden), Commemorating the 30th anniversary of the founding of Cornerstone Baptist Church in Terrell.

To Rules and Resolutions.

**HR 156** (By Guillen), Honoring Rudy and Ann Casas for their success as the owners of Freer Iron Works in Duval County.

To Rules and Resolutions.

**HR 157** (By Gallego), Congratulating Fred Brockwell of Del Rio on earning a 2010 Spotlight Award from the American Association of Community Theatre.

To Rules and Resolutions.

**HR 158** (By Gallego), In memory of Eugene Russell Watson of Marathon.

To Rules and Resolutions.

**HR 159** (By Madden), Congratulating James "Bubba" Martin, Jr., on his retirement as chief juvenile probation officer for Jefferson County.

To Rules and Resolutions.

**HR 160** (By Johnson), Congratulating Lovie Mae Walker Kazee of Dallas on the occasion of her 95th birthday.

To Rules and Resolutions.

**HR 161** (By Huberty), Congratulating Ashley Alspaugh of Atascocita on her graduation from St. Pius X High School.

To Rules and Resolutions.

**HR 162** (By Huberty), Honoring William Patrick Barnett, Sr., on his 75th birthday.

To Rules and Resolutions.

**HR 163** (By Button), In memory of Antonio Palaganas.

To Rules and Resolutions.

**HR 164** (By D. Howard), Congratulating Benjamin Mauro of Austin on attaining the rank of Eagle Scout.

To Rules and Resolutions.

**HR 165** (By D. Howard), Congratulating Tanner Mauro of Austin on attaining the rank of Eagle Scout.

To Rules and Resolutions.

**HR 166** (By Morrison), In memory of the Honorable Frank Harrington Crain of Victoria.

To Rules and Resolutions.

**HR 167** (By Lozano), Congratulating Elizabeth F. Springs of Kingsville on her participation in the NASA High School Aerospace Scholars program.

To Rules and Resolutions.

**HR 168** (By McClendon), Congratulating Carlton and Margaret Robinson of San Antonio on their 65th wedding anniversary.

To Rules and Resolutions.

**HR 169** (By Guillen), Honoring Rene G. Smith, Jr., of Starr County for his contributions to his community.

To Rules and Resolutions.

**HR 170** (By Harper-Brown), Commemorating the Eighth Annual Awareness Banquet hosted by the Dallas/Fort Worth chapter of the Korean American Coalition and extending best wishes to newly elected chapter president Soo Yeon Nam.

To Rules and Resolutions.

**HR 171** (By Eissler), Congratulating The Woodlands High School softball team on winning the UIL 5A state championship.

To Rules and Resolutions.

**HR 172** (By Gallego), Honoring Edelmira Sotelo for her 21 years of service as district director for the Del Rio office of State Representative Pete Gallego.

To Rules and Resolutions.

**HR 173** (By Gallego), In memory of Moises L. Prieto of Del Rio.

To Rules and Resolutions.

**HR 174** (By Guillen), In memory of Jesus Alberto Solis of Starr County.

To Rules and Resolutions.

**HR 175** (By Hamilton), In memory of State District Judge Britton E. Plunk of Silsbee.

To Rules and Resolutions.

**HR 176** (By Hamilton), In memory of A. J. Leger of Beaumont.

To Rules and Resolutions.

**HR 178** (By Madden), In memory of Sharon Elaine Wright of Plano.

To Rules and Resolutions.

**HR 179** (By Perry), Congratulating Wendell Dee Moore of Lubbock on being recognized by the Texas State Board of Public Accountancy for maintaining his CPA license for 50 years.

To Rules and Resolutions.

**HR 181** (By S. Davis), Congratulating Ronald G. Giroto on the occasion of his retirement as president and CEO of the Methodist Hospital System in Houston.

To Rules and Resolutions.

**HR 182** (By S. Davis), Commemorating the dedication of Evelyn's Park in Bellaire.

To Rules and Resolutions.

**List No. 2**

**HCR 5** (By Harper-Brown), Urging Congress to take appropriate action to ensure acceptable treatment of the public by personnel of the Transportation Security Administration.

To State Affairs.

**SIGNED BY THE SPEAKER**

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

**Senate List No. 2**

**SB 4**

**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

Friday, June 24, 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:**

**HB 3** Smithee **SPONSOR: Carona**  
Relating to the operation of the Texas Windstorm Insurance Association and to the resolution of certain disputes concerning claims made to that association; providing penalties.  
(Committee Substitute)

**SB 22** Wentworth

Relating to the reapportionment of congressional districts and the creation, function, and duties of the Texas Congressional Redistricting Commission.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**ENGROSSED**

**June 22 - HB 79**