## **HOUSE JOURNAL**

#### EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

### **PROCEEDINGS**

TWENTIETH DAY — WEDNESDAY, FEBRUARY 16, 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 48).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; 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. Davis, Y. 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: 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 — Phillips.

The invocation was offered by Byron Jones, pastor, First Baptist Church of Gun Barrel City, Gun Barrel City, as follows:

Heavenly Father, it is my prayer that all that is done in this room today brings honor and glory to your name. The word tells us in James 1:5 that if any man lacks wisdom, let him ask of God. We pray today for spiritual wisdom for these congressional leaders of our state; wisdom that will bring prosperity for the people whom they represent; wisdom for unity among all of this great state; wisdom for these men and women to pass only those laws that bring a better way of life for all men. I pray that your spirit that brings peace, unity, love, and joy will move in each heart today, for it is in the name of our Lord and Savior Jesus Christ we ask these things. Amen.

The speaker recognized Representative Kuempel 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 and tomorrow because of important business in the district:

Phillips on motion of Hardcastle.

#### REGULAR ORDER OF BUSINESS SUSPENDED

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

#### 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).

#### CAPITOL PHYSICIAN

The speaker recognized Representative Schwertner who presented Dr. Paul Berg of Georgetown as the "Doctor for the Day."

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

(Gooden in the chair)

#### COMMITTEES GRANTED PERMISSION TO MEET

Representative Zerwas requested permission for the Committee on Appropriations, Subcommittee on Article II, to meet while the house is in session for the remainder of the session.

Permission to meet was granted.

Representative Otto requested permission for the Committee on Appropriations, Subcommittee on Articles I, IV, and V, to meet while the house is in session for the remainder of the session.

Permission to meet was granted.

Representative Otto requested permission for the Committee on Appropriations, Subcommittee on Articles VI, VII, and VIII, to meet while the house is in session for the remainder of the session.

Permission to meet was granted.

Representative Hochberg requested permission for the Committee on Appropriations, Subcommittee on Article III, to meet while the house is in session for the remainder of the session.

Permission to meet was granted.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 6).

(Sheets in the chair)

### HR 133 - ADOPTED (by Flynn)

Representative Flynn moved to suspend all necessary rules to take up and consider at this time **HR 133**.

The motion prevailed.

The following resolution was laid before the house:

**HR 133**, Recognizing February 16, 2011, as Van Zandt County Day at the State Capitol.

HR 133 was read and was adopted.

On motion of Representative Kleinschmidt, the names of all the members of the house were added to **HR 133** as signers thereof.

#### INTRODUCTION OF GUESTS

The chair recognized Representative Flynn who introduced a delegation from Van Zandt County.

## HR 383 - ADOPTED (by Crownover and S. Davis)

Representative Crownover moved to suspend all necessary rules to take up and consider at this time HR 383.

The motion prevailed.

The following resolution was laid before the house:

HR 383, Recognizing February 16, 2011, as Susan G. Komen for the Cure Advocacy Day.

HR 383 was read and was adopted.

On motion of Representative Woolley, the names of all the members of the house were added to **HR 383** as signers thereof.

# HR 318 - ADOPTED (by Muñoz)

Representative Muñoz moved to suspend all necessary rules to take up and consider at this time HR 318.

The motion prevailed.

The following resolution was laid before the house:

HR 318, Recognizing February 16, 2011, as Mission Day at the State Capitol.

HR 318 was read and was adopted.

On motion of Representative V. Gonzales, the names of all the members of the house were added to **HR 318** as signers thereof.

(R. Anderson in the chair)

#### INTRODUCTION OF GUESTS

The chair recognized Representative V. Gonzales who introduced a delegation from Mission.

### HR 410 - ADOPTED (by Shelton)

Representative Shelton moved to suspend all necessary rules to take up and consider at this time HR 410

The motion prevailed.

The following resolution was laid before the house:

HR 410, Recognizing February 13-19, 2011, as Texas Technology Week.

HR 410 was read and was adopted.

## HR 415 - ADOPTED (by Anchia)

Representative Anchia moved to suspend all necessary rules to take up and consider at this time HR 415.

The motion prevailed.

The following resolution was laid before the house:

**HR 415**, Recognizing February 16, 2011, as Texans Support Libraries Day at the State Capitol.

HR 415 was read and was adopted.

On motion of Representative Driver, the names of all the members of the house were added to **HR 415** as signers thereof.

#### INTRODUCTION OF GUESTS

The chair recognized Representative Anchia who introduced representatives of the Texas State Library and Archives Commission.

### HR 420 - ADOPTED (by Strama)

Representative Strama moved to suspend all necessary rules to take up and consider at this time **HR 420**.

The motion prevailed.

The following resolution was laid before the house:

**HR 420**, Commemorating the 50th anniversary of the founding of the Texas Economic Development Council.

HR 420 was read and was adopted.

On motion of Representative J. Davis, the names of all the members of the house were added to **HR 420** as signers thereof.

## HR 434 - ADOPTED (by Eiland)

Representative Eiland moved to suspend all necessary rules to take up and consider at this time HR 434.

The motion prevailed.

The following resolution was laid before the house:

HR 434, Recognizing February 16, 2011, as Chambers County Day at the State Capitol.

HR 434 was read and was adopted.

#### INTRODUCTION OF GUESTS

The chair recognized Representative Eiland who introduced a delegation from Chambers County.

## HR 342 - ADOPTED (by Madden and Button)

Representative Madden moved to suspend all necessary rules to take up and consider at this time **HR 342**.

The motion prevailed.

The following resolution was laid before the house:

**HR 342**, Commending The University of Texas at Dallas and welcoming officials and members of the government honors program.

HR 342 was read and was adopted.

## HR 433 - ADOPTED (by Legler)

Representative Legler moved to suspend all necessary rules to take up and consider at this time HR 433.

The motion prevailed.

The following resolution was laid before the house:

**HR 433**, Recognizing February 16, 2011, as Ellington Field Day at the State Capitol.

HR 433 was read and was adopted.

On motion of Representative Legler, the names of all the members of the house were added to **HR 433** as signers thereof.

#### INTRODUCTION OF GUESTS

The chair recognized Representative Legler who introduced a delegation from Ellington Field.

(Marquez in the chair)

### HR 444 - ADOPTED (by J. Davis)

Representative J. Davis moved to suspend all necessary rules to take up and consider at this time HR 444.

The motion prevailed.

The following resolution was laid before the house:

**HR 444**, Honoring NASA and the aerospace industry for their leadership and accomplishments in the State of Texas.

HR 444 was read and was adopted.

On motion of Representative Legler, the names of all the members of the house were added to **HR 444** as signers thereof.

## HR 254 - ADOPTED (by L. Gonzales and Schwertner)

Representative L. Gonzales moved to suspend all necessary rules to take up and consider at this time **HR 254**.

The motion prevailed.

The following resolution was laid before the house:

HR 254, Honoring the 2011 Class of Leadership Round Rock.

HR 254 was read and was adopted.

#### HR 284 - ADOPTED

#### (by Pickett, Quintanilla, Marquez, Gonzalez, and Margo)

Representative Pickett moved to suspend all necessary rules to take up and consider at this time HR 284.

The motion prevailed.

The following resolution was laid before the house:

HR 284, Recognizing February 16 and 17. 2011, as El Paso Days at the State Capitol.

HR 284 was read and was adopted.

On motion of Representative Quintanilla, the names of all the members of the house were added to **HR 284** as signers thereof.

#### INTRODUCTION OF GUESTS

The chair recognized Representative Gonzalez who introduced a delegation from El Paso.

#### RESOLUTIONS ADOPTED

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time HR 336, HR 340, and HR 462.

(D. Miller in the chair)

The motion prevailed.

The following resolutions were laid before the house:

HR 336 (by Y. Davis, Anchia, and Alonzo), Commemorating the inauguration of the 2011 Greater Dallas Hispanic Chamber of Commerce Board of Directors.

HR 340 (by Y. Davis), Honoring Texas Democratic Women for 24 years of service.

**HR 462** (by Y. Davis), Welcoming Nigerian writer Chike Momah to the State Capitol and recognizing him for his literary achievements.

The resolutions were adopted.

(Harper-Brown in the chair)

## HR 224 - ADOPTED (by Kleinschmidt)

Representative Kleinschmidt moved to suspend all necessary rules to take up and consider at this time HR 224.

The motion prevailed.

The following resolution was laid before the house:

**HR 224**, Commending the membership class of Leadership Fayette County for their dedication to their communities.

HR 224 was read and was adopted.

#### INTRODUCTION OF GUESTS

The chair recognized Representative Hardcastle who introduced district directors from the Texas Farm Bureau.

## HR 235 - ADOPTED (by Menendez)

Representative Menendez moved to suspend all necessary rules to take up and consider at this time HR 235.

The motion prevailed.

The following resolution was laid before the house:

**HR 235**, Commemorating the 10th anniversary of the founding of Harmony Public Schools.

HR 235 was read and was adopted.

## HR 451 - ADOPTED (by Johnson)

Representative Johnson moved to suspend all necessary rules to take up and consider at this time **HR 451**.

The motion prevailed.

The following resolution was laid before the house:

**HR 451**, In memory of Christene Faye Taylor of Dallas.

HR 451 was read and was unanimously adopted by a rising vote.

#### PROVIDING FOR ADJOURNMENT

Representative L. Gonzales moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of Dylan Horn of Cedar Park.

The motion prevailed.

### BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Keffer in the chair)

#### ADJOURNMENT

In accordance with a previous motion, the house, at 12:07 p.m. adjourned until 10 a.m. tomorrow.

#### ADDENDUM

#### HOUSE COMMITTEE SCHEDULE

82nd Legislature Regular Session Effective Tuesday, February 15, 2011

### **MONDAY**

7 a.m.	
Appropriations	E1.030
2 p.m. or upon adjournment	
Border and Intergovernmental Affairs	E1.010
Business and Industry	E2.016
Elections	E2.028
Judiciary and Civil Jurisprudence	E2.010
Land and Resource Management	E2.012

Ways and Means	E2.014
4 p.m. or upon adjournment	
Local and Consent Calendars	E2.020
TUESDAY	
8 a.m.	
Agriculture and Livestock	E1.014
Licensing and Administrative Procedures	E2.012
Natural Resources	E2.010
Pensions, Investments, and Financial Services	E2.014
10:30 a.m. or upon adjournment	
Criminal Jurisprudence	JHR 120
Insurance	E2.026
Redistricting	TBD
Rules and Resolutions	Agricultural Museum, 1W.14
2 p.m. or upon adjournment	
Homeland Security and Public Safety	E1.026
Human Services	E2.030
Public Education	E2.036
WEDNESDAY	
8 a.m.	
Public Health	E2.012
Transportation	E2.028
10:30 a.m. or upon adjournment	
Urban Affairs	E2.016
2 p.m. or upon adjournment	
Corrections	E2.014
Culture, Recreation, and Tourism	E1.026
Energy Resources	E2.010
Environmental Regulation	E2.030
Higher Education	E1.014
State Affairs	JHR 140
THURSDAY	
8 a.m.	
Defense and Veterans' Affairs	E2.012
Economic and Small Business Development	E2.012
General Investigating and Ethics	E2.014 E2.026
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Technology	E1.010
10;30 a.m. or upon adjournment	E2.016
County Affairs Government Efficiency and Reform	E2.016
	E1.014 E2.010
State Sovereignty, Select	
The House Select Committee on Voter Identification	n and Voter Fraud will meet at

The House Select Committee on Voter Identification and Voter Fraud will meet at the discretion of the chair.

#### 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 32** (By Craddick), In memory of Lindley Paul Latham of Midland. To Rules and Resolutions.

**HCR 38** (By Eiland), Paying tribute to the life of Texas heroine Jane Herbert Wilkinson Long.

To Rules and Resolutions.

**HCR 47** (By Guillen), In memory of U.S. Army Private First Class Ira Benjamin Laningham IV of Zapata.

To Rules and Resolutions.

**HCR 49** (By Rodriguez), Commemorating the 20th anniversary of Austin Energy Green Building.

To Rules and Resolutions.

HCR 56 (By Muñoz), Designating April 9, 2011, as LZ:RGV Welcome Home South Texas Vietnam Veterans Day.

To Rules and Resolutions.

**HCR 59** (By Berman), Designating February 28 to March 1, 2011, as East Texas Coalition Days at the State Capitol.

To Rules and Resolutions.

**HR 105** (By Hilderbran), In memory of U.S. Army Staff Sergeant Michael C. Murphrey.

To Rules and Resolutions.

**HR 106** (By Hilderbran), Congratulating Lyle and Colleen McGuffin of Kerrville on their 75th wedding anniversary.

To Rules and Resolutions.

HR 108 (By Hilderbran), In memory of U.S. Army Private First Class Benjamen Glen Chisholm,

To Rules and Resolutions.

**HR 109** (By Hilderbran), Honoring Katie Bridges of Marble Falls for creating the Operation Cover a Friend initiative.

To Rules and Resolutions.

HR 110 (By Hopson), In memory of Cecil Alvis Staples of Palestine.

To Rules and Resolutions.

HR 112 (By McClendon), Congratulating Sebastian Lang-Lessing on being named music director of the San Antonio Symphony.

HR 113 (By Solomons), Congratulating Silas Nathaniel Huff on his selection as a U.S. Army band officer.

To Rules and Resolutions.

**HR 114** (By Solomons), Congratulating the volleyball team of Hebron High School in Carrollton on winning the UIL 5A state championship.

To Rules and Resolutions.

HR 115 (By Woolley), In memory of U.S. Army Specialist Pedro Antonio Maldonado of Houston.

To Rules and Resolutions.

**HR 116** (By Naishtat), Commemorating the centennial of The University of Texas at Austin Department of Government.

To Rules and Resolutions.

**HR 119** (By P. King), Congratulating Elvera Johnson on her retirement as district clerk of Parker County.

To Rules and Resolutions.

**HR 121** (By P. King), Congratulating Don Chrestman on his retirement as district judge of Parker County.

To Rules and Resolutions.

**HR 122** (By P. King), Congratulating Jayne Williams Choate on her retirement as justice of the peace of Parker County.

To Rules and Resolutions.

HR 123 (By P. King), Congratulating Melvin Simons on his retirement as justice of the peace for Precinct 4 in Parker County.

To Rules and Resolutions.

**HR 124** (By Alvarado), Honoring Herb M. Yambra of Houston for his work relating to railroad safety in the Lone Star State.

To Rules and Resolutions.

**HR 130** (By P. King), Honoring the Grace After Fire organization for providing support and resources to women veterans.

To Rules and Resolutions.

**HR 131** (By Rodriguez), Recognizing October 2011 as Adopt a Shelter Pet Month in Texas.

To Rules and Resolutions.

**HR 132** (By Flynn), Recognizing March 1, 2011, as Hunt County Day at the State Capitol.

To Rules and Resolutions.

**HR 134** (By Button), Honoring Dover Elementary School in Richardson on being named a 2010 Blue Ribbon School by the U.S. Department of Education.

To Rules and Resolutions.

**HR 135** (By Cain), In memory of Don Meredith, former SMU and Dallas Cowboys quarterback and longtime sportscaster.

**HR 136** (By Hunter), Recognizing February 17, 2011, as Aransas County Day at the State Capitol.

To Rules and Resolutions.

HR 138 (By Laubenberg), Honoring Tim Looper for his work with the Celina Pee Wee Football sixth-grade team.

To Rules and Resolutions.

HR 139 (By P. King), In memory of Mundy Ingalls Peale, Jr. of Lake Kiowa.

To Rules and Resolutions.

HR 142 (By Hunter), In memory of Dr. Billy Jim Blankenship of Corpus Christi.

To Rules and Resolutions.

HR 144 (By Patrick), In memory of Willie Belle Porter of Longview.

To Rules and Resolutions.

**HR 146** (By Paxton), In memory of U.S. Army Private First Class Cody A. Board of McKinney.

To Rules and Resolutions.

HR 147 (By Giddings), Honoring the life of Dan S. Petty of Dallas.

To Rules and Resolutions.

**HR 152** (By Raymond), Honoring former Texas Longhorn Daniel 'Colt" McCoy on his achievements as an athlete and volunteer.

To Rules and Resolutions.

**HR 153** (By Flynn), Congratulating Larry and Linda Harper of Commerce on their 40th wedding anniversary.

To Rules and Resolutions.

HR 154 (By Flynn), Congratulating Tony and Linda Gavin of Caddo Mills on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 155** (By Flynn), Recognizing February 23, 2011, as Rains County Day at the State Capitol.

To Rules and Resolutions.

**HR 161** (By Creighton), Recognizing February 23, 2011, as Children's Advocacy Centers of Texas Day at the Capitol.

To Rules and Resolutions.

HR 165 (By Callegari), In memory of Dr. Susan Diane Jackson.

To Rules and Resolutions.

**HR 166** (By Callegari), Commemorating the dedication of Stan C. Stanley Elementary School in Katy.

**HR 167** (By Callegari), Congratulating David Roy Bull on his graduation from Mountain Vista High School.

To Rules and Resolutions.

**HR 168** (By Callegari), Honoring the City of Katy on its receipt of a 2010 Governor's Community Achievement Award.

To Rules and Resolutions.

**HR 169** (By Hughes), In memory of Donald Keith Dubbs of Mineola. To Rules and Resolutions.

**HR 170** (By Hughes), Congratulating Agnes Eve Pulk Farmer of Wood County on the occasion of her 90th birthday.

To Rules and Resolutions.

**HR 173** (By Darby), Honoring Bill Tullos of Arden on being chosen as the recipient of the 2010 National Golden Spur Award.

To Rules and Resolutions.

HR 176 (By Naishtat), In memory of Susan Bright of Austin.

To Rules and Resolutions.

HR 177 (By Naishtat), Recognizing March 2011 as Professional Social Work Month.

To Rules and Resolutions.

**HR 186** (By Craddick), Commending Carolyn Turner, former district clerk of Dawson County, for her 33 years of service to the county.

To Rules and Resolutions.

**HR 187** (By Schwertner), In memory of Vernon Hunter of Cedar Park. To Rules and Resolutions.

**HR 188** (By Schwertner), In memory of Leonard Allen Reed of Cedar Park. To Rules and Resolutions.

**HR 190** (By Schwertner), In memory of U.S. Army Second Lieutenant Darryn Deen Andrews.

To Rules and Resolutions.

**HR 191** (By Menendez), Commemorating the 50th anniversary of the founding of VFW Lackland Memorial Post 9174.

To Rules and Resolutions.

**HR 196** (By Woolley), In memory of Steven Patrick Kanaly of Houston. To Rules and Resolutions.

HR 197 (By P. King), In memory of U.S. Army Private First Class Austin Garrett Staggs.

To Rules and Resolutions.

**HR 199** (By Schwertner), In memory of Michael Grant Cahill of Cameron. To Rules and Resolutions.

**HR 207** (By Raymond), Honoring Drew Brees for his outstanding achievements in football and for his charitable works.

To Rules and Resolutions.

HR 208 (By Raymond), Congratulating Ana Rodriguez on her selection as Miss Texas USA 2011.

To Rules and Resolutions.

**HR 209** (By Flynn), Recognizing February 1, 2011, as Farmers Insurance Group Day at the Capitol.

To Rules and Resolutions.

HR 212 (By Harper-Brown), In memory of Otto William Bielss, Jr. of Irving.

To Rules and Resolutions.

HR 214 (By Sheffield), Congratulating Bob and Sue Stone of Temple on their 50th wedding anniversary.

To Rules and Resolutions.

HR 215 (By Zedler), In memory of Jean May Keller of Arlington.

To Rules and Resolutions.

**HR 217** (By Kolkhorst), Congratulating Dorothy Morgan on her retirement as Washington County judge.

To Rules and Resolutions.

HR 218 (By Woolley), In memory of Jack 'Jackie' Rush King of Paris.

To Rules and Resolutions.

**HR 220** (By Hochberg), Honoring the Azerbaijani residents of Houston. To Rules and Resolutions.

HR 223 (By Rodriguez), In memory of David 'Lee' Walker of Dripping Springs.

To Rules and Resolutions.

HR 226 (By Callegari), Honoring Daniel Cardinal DiNardo, Archbishop of Galveston-Houston.

To Rules and Resolutions.

**HR 227** (By Callegari), Recognizing the opening of Texas Children's Hospital West Campus in Katy.

To Rules and Resolutions.

**HR 228** (By Crownover), Recognizing February 22, 2011, as Denton County Day at the State Capitol.

To Rules and Resolutions.

**HR 233** (By Hochberg), Honoring Briarmeadow Charter School in the Houston Independent School District on its selection as a 2010 Blue Ribbon School by the U.S. Department of Education.

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

To Rules and Resolutions.

**HR 236** (By Callegari), In memory of Floyd A. Mechler, Jr. of Spring. To Rules and Resolutions.

**HR 237** (By Gooden), Recognizing February 1, 2011, as Cedar Creek Lake Area Day at the State Capitol.

To Rules and Resolutions.

**HR 240** (By Patrick), In memory of former Arlington mayor, U.S. representative, and Tarrant County judge Tom J. Vandergriff.

To Rules and Resolutions.

HR 242 (By Patrick), In memory of Officer Jillian Michelle Smith of the Arlington Police Department.

To Rules and Resolutions.

**HR 244** (By Hilderbran), In memory of Robert R. Woodward of Kerrville. To Rules and Resolutions.

**HR 246** (By Flynn), Congratulating Brigadier General Victor Ortiz on the occasion of his retirement from the Texas State Guard.

To Rules and Resolutions.

**HR 247** (By Flynn), Congratulating Penny Smeltzer of Round Rock ISD on her receipt of the 2010 O'Donnell Texas AP Teacher Award.

To Rules and Resolutions.

HR 248 (By Marquez), In memory of Artemisa 'Arte' Salinas of El Paso. To Rules and Resolutions.

**HR 249** (By Marquez), Commemorating the opening of the new baseball and softball athletic fields at El Paso High School.

To Rules and Resolutions.

HR 250 (By Marquez), Congratulating Nandie Adams of Canutillo High School in El Paso on her outstanding play during the 2010-2011 basketball season.

To Rules and Resolutions.

**HR 252** (By Christian), Recognizing February 16 and 17, 2011, as Nacogdoches-SFA Days at the State Capitol.

To Rules and Resolutions.

HR 255 (By Sheffield), Congratulating Jim and Maxine Howell of Temple on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 256** (By Sheffield), Congratulating Robert and Alice Hoelscher of Red Ranger on their 50th wedding anniversary.

**HR 257** (By Sheffield), Congratulating Roy and Iris Kneese of Belton on their 60th wedding anniversary.

To Rules and Resolutions.

HR 258 (By Schwertner), Honoring Nicholas Charles McAtee on becoming an Eagle Scout.

To Rules and Resolutions.

HR 259 (By Schwertner), Congratulating Kyle Westley Deal, Jr. on achieving the rank of Eagle Scout.

To Rules and Resolutions.

**HR 260** (By Schwertner), Congratulating Jason Andrew Deal on achieving the rank of Eagle Scout.

To Rules and Resolutions.

**HR 263** (By Giddings), Recognizing February 2, 2011, as Statewide Minority Business Enterprise Public Policy Day at the State Capitol.

To Rules and Resolutions.

HR 265 (By P. King), In memory of Jack Borden of Weatherford.

To Rules and Resolutions.

HR 266 (By Riddle), Honoring Fred and Mary Jane Parrow of Spring on their 50th wedding anniversary.

To Rules and Resolutions.

HR 267 (By Callegari), In memory of Richard Dix Diehl of Dickinson.

To Rules and Resolutions.

**HR 268** (By Gooden), In memory of Louann Confer of Henderson County. To Rules and Resolutions.

**HR 270** (By Flynn), Congratulating Orville and Becky Gentry of Greenville on their 50th wedding anniversary.

To Rules and Resolutions.

HR 271 (By Flynn), Congratulating Colonel Manuel Rodriguez on his promotion to brigadier general and his assignment as deputy commander, Army, Texas State Guard.

To Rules and Resolutions.

**HR 272** (By Shelton), Congratulating the Texas Christian University football team on its undefeated 2010-2011 season.

To Rules and Resolutions.

HR 273 (By McClendon), In memory of Juan Sergio Camacho of San Antonio.

To Rules and Resolutions.

HR 274 (By McClendon), In memory of Major Marcus Marion Davis, Jr. of San Antonio

HR 275 (By McClendon), Congratulating the Reverend Dr. Ronald and Sister Lillian R. Benson on their 30th pastoral anniversary with Bethany First Baptist Church in San Antonio.

To Rules and Resolutions.

**HR 276** (By McClendon), In memory of Dr. Lanier Byrd of San Antonio. To Rules and Resolutions.

HR 277 (By McClendon), In memory of the Reverend Dr. Lawrence A. Crenshaw of San Antonio.

To Rules and Resolutions.

**HR 278** (By McClendon), In memory of Albert Walter Coy of San Antonio. To Rules and Resolutions.

**HR 279** (By McClendon), In memory of Trina Bonds of San Antonio. To Rules and Resolutions.

**HR 280** (By McClendon), In memory of Dr. Dana Bryant Donatto. To Rules and Resolutions.

**HR 288** (By Harless), Recognizing March 3, 2011, as Texas Federation of Republican Women Day at the Capitol.

To Rules and Resolutions.

**HR 290** (By Orr), Commemorating the 150th anniversary of the First Presbyterian Church of Clifton.

To Rules and Resolutions.

HR 291 (By Strama), 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.

To Rules and Resolutions.

**HR 293** (By Craddick), Congratulating Melven and JoAn Lobstein of Sparenburg on their 50th wedding anniversary.

To Rules and Resolutions.

HR 297 (By C. Anderson), Recognizing February 10, 2011, as West Day at the State Capitol.

To Rules and Resolutions.

**HR 298** (By Hardcastle), Recognizing March 24, 2011, as Wilbarger County and City of Vernon Day at the State Capitol.

To Rules and Resolutions.

**HR 299** (By Hardcastle), Congratulating the Vernon College men's rodeo team on winning the 2010 national championship at the College National Finals Rodeo.

To Rules and Resolutions.

**HR 301** (By Button), Recognizing March 9, 2011, as Richardson's Telecom Corridor Legislative Day.

HR 302 (By Button), Recognizing Richardson Republican Women as its members visit the State Capitol for Texas Federation of Republican Women Day on March 3, 2011.

To Rules and Resolutions.

HR 303 (By Button), Honoring Dr. Carolyn Bukhair for her outstanding service in behalf of the Richardson Independent School District.

To Rules and Resolutions.

HR 304 (By Button), In memory of Jennifer Yuyin Hwang of Humble. To Rules and Resolutions.

**HR 305** (By Schwertner), Congratulating Jonathon Douglas Deal of Cameron on attaining the rank of Eagle Scout.

To Rules and Resolutions.

**HR 307** (By Marquez), Commending Dr. Andres S. Enriquez for his service as 2010-2011 president of the El Paso County Medical Society.

To Rules and Resolutions.

HR 308 (By Marquez), In memory of Ray Gilbert of El Paso.

To Rules and Resolutions.

HR 309 (By Marquez), In memory of former state representative Anita Blair.

To Rules and Resolutions.

HR 311 (By Anchia), Commending Sara Reidy of Dallas for her contributions as a community advocate.

To Rules and Resolutions.

**HR 312** (By Workman), Congratulating the Regents School of Austin football team on winning the 2010 TAPPS Division III state championship.

To Rules and Resolutions.

**HR 314** (By McClendon), Commemorating the 100th anniversary of New Hope Missionary Baptist Church in San Antonio.

To Rules and Resolutions.

HR 315 (By McClendon), Congratulating retired U.S. Army Sergeant Major Turner N. McGarity on receiving the Veterans Braintrust Award from the Congressional Black Caucus.

To Rules and Resolutions.

HR 316 (By McClendon), Commending the African American Leadership Institute of San Antonio for its outstanding public service.

To Rules and Resolutions.

**HR 317** (By Flynn), Congratulating John and Charlotte Turner on their 40th wedding anniversary.

To Rules and Resolutions.

HR 319 (By Flynn), Honoring the Canton Autumn Stroll Barbecue Cook-off.

HR 320 (By L. Gonzales), Recognizing March 23, 2011, as Hutto Day at the State Capitol.

To Rules and Resolutions.

HR 321 (By Craddick), Honoring the late William D. Kleine for his posthumous induction into the Petroleum Hall of Fame.

To Rules and Resolutions.

**HR 322** (By Craddick), Congratulating Gerald and Nancy Parsons of Lamesa on their 60th wedding anniversary.

To Rules and Resolutions.

HR 323 (By Morrison), Congratulating Robby Burdge on being named the Victoria Chamber of Commerce Citizen of the Year for 2010.

To Rules and Resolutions.

**HR 325** (By Christian), Honoring Malcolm Samuel Weaver of Center for his contributions to East Texas.

To Rules and Resolutions.

**HR 326** (By V. Gonzales), Honoring the Autism Council for Educational Support and Scientific Studies and the Rio Grande Valley Task Force of the Texas Council on Autism and Pervasive Developmental Disorders.

To Rules and Resolutions.

**HR 327** (By Sheffield), Congratulating Bill and Marjorie Knight of Belton on their 60th wedding anniversary.

To Rules and Resolutions.

HR 328 (By Sheffield), Honoring Louis DeLaRosa, Jr. and Ophelia DeLaRosa of Temple on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 329** (By Hilderbran), In memory of Silas B. Ragsdale, Jr. of Hunt. To Rules and Resolutions.

**HR 330** (By Hilderbran), In memory of Frances Gail Sears of Kerrville. To Rules and Resolutions.

**HR 332** (By Aliseda), Recognizing February 10, 2011, as Jim Wells County Day at the State Capitol.

To Rules and Resolutions.

HR 335 (By Pitts), Welcoming Leadership Ennis to the State Capitol.

To Rules and Resolutions.

HR 338 (By C. Anderson), Recognizing February 9, 2011, as Waco Day at the State Capitol.

To Rules and Resolutions.

**HR 343** (By Shelton), Welcoming the Texas Christian University Student Government Association to the State Capitol.

**HR 344** (By McClendon), Congratulating Dr.Carl Johnson on his retirement as pastor of Greater Corinth Baptist Church in San Antonio.

To Rules and Resolutions.

HR 345 (By McClendon), In memory of Albert W. McKnight of San Antonio.

To Rules and Resolutions.

HR 346 (By McClendon), Congratulating Mentoria Lewis Sherfield on her retirement from the San Antonio Independent School District.

To Rules and Resolutions.

HR 347 (By McClendon), Congratulating Joseph C. Walsh, Jr. on his retirement from Laurel Street Church of Christ in San Antonio.

To Rules and Resolutions.

HR 348 (By McClendon), In memory of Audrae Helen Adams of San Antonio.

To Rules and Resolutions.

HR 349 (By McClendon), In memory of U.S. Marine Lance Corporal Christopher Shawn Baltazar, Jr. of San Antonio.

To Rules and Resolutions.

HR 350 (By McClendon), In memory of Dr. William Hicks Hadnott, Jr. of San Antonio.

To Rules and Resolutions.

HR 351 (By McClendon), Congratulating James Hudson on his retirement from VIA Metropolitan Transit in San Antonio.

To Rules and Resolutions.

HR 352 (By McClendon), Commemorating the 75th anniversary of the Antioch Missionary Baptist Church in San Antonio.

To Rules and Resolutions.

**HR 353** (By McClendon), In memory of Beverly Ann Johnson Dudley of San Antonio.

To Rules and Resolutions.

HR 354 (By McClendon), In memory of Minnie Christinia Jones of San Antonio.

To Rules and Resolutions.

HR 355 (By McClendon), In memory of Thea Williams-Douglas of San Antonio.

To Rules and Resolutions.

HR 356 (By McClendon), Commemorating the 50th anniversary of the San Antonio Chapter of The Links, Incorporated.

To Rules and Resolutions.

HR 357 (By McClendon), In memory of James Charles Fanner, Sr. of San Antonio.

HR 358 (By McClendon), In memory of Henrietta Eugene Roberts Stevenson of San Antonio.

To Rules and Resolutions.

HR 359 (By McClendon), In memory of Laura "Honey" Hunt Jones.

To Rules and Resolutions.

#### List No. 2

**HB 358** (By Aycock), Relating to authorizing the issuance of revenue bonds for capital projects at Texas A&M University–Central Texas.

To Higher Education.

**HB 359** (By Allen), Relating to the use of corporal punishment in public schools.

To Public Education.

**HB 360** (By Jackson), Relating to ballot language for a proposition to approve the imposition or increase of a tax or the issuance of bonds.

To Elections.

**HB** 361 (By Otto), Relating to the composition of the agricultural advisory board of an appraisal district.

To Ways and Means.

**HB 362** (By Solomons), Relating to the regulation by a property owners' association of the installation of solar energy devices and certain roofing materials on property.

To Business and Industry.

**HB 363** (By Turner), Relating to urban renewal authority of municipalities. To Urban Affairs.

**HB** 364 (By Turner), Relating to condominiums in certain municipalities, including the exercise of eminent domain authority by those municipalities with respect to certain condominiums.

To Land and Resource Management.

**HB 365** (By Turner), Relating to the use of eminent domain authority by certain municipalities to take abandoned multi-family rental buildings.

To Land and Resource Management.

HB 366 (By Orr), Relating to priority of payment relating to property owners' association assessments.

To Business and Industry.

**HB 367** (By Orr), Relating to the designation of State Highway 121 in Tarrant and Johnson Counties as the Chisholm Trail Parkway.

To Transportation.

HB 368 (By Hochberg), Relating to ballot instructions.

To Elections.

**HB 369** (By Hochberg), Relating to procedures concerning verification of certain information submitted in a voter registration application.

To Select Voter Identification and Voter Fraud.

**HB 370** (By Hochberg), Relating to the eligibility of a student to participate in extracurricular activities or competitions after transferring or moving from one public school to another.

To Public Education.

HB 372 (By Hartnett), Relating to the rule against perpetuities.

To Judiciary and Civil Jurisprudence.

**HB 373** (By Alonzo), Relating to the establishment of a program at the University of North Texas to provide financial incentives to certain students who agree to teach bilingual education, English as a second language, or Spanish in certain public schools.

To Higher Education.

**HB 374** (By Alonzo), Relating to a program to provide financial incentives to students who agree to teach bilingual education, English as a second language, or Spanish in certain public schools.

To Higher Education.

**HB** 375 (By Alonzo), Relating to establishing veterans resource centers at certain institutions of higher education.

To Higher Education.

HB 376 (By Alonzo), Relating to use of a credit score by a business or lender.

To Pensions, Investments, and Financial Services.

**HB 377** (By McClendon), Relating to the expenditure of money from the general revenue fund for rail projects.

To Transportation.

**HB 378** (By Guillen), Relating to stationary tow trucks on a highway; providing a penalty.

To Licensing and Administrative Procedures.

**HB** 379 (By Guillen), Relating to exemptions from the sales tax for clothing, footwear, and certain other items for a limited period.

To Ways and Means.

**HB 380** (By Callegari), Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.

To Appropriations.

**HB 381** (By Brown), Relating to the operation of a student health center of an institution of higher education.

To Higher Education.

**HB 382** (By Menendez), Relating to the authorization and regulation of poker gaming and the duties of the Texas Lottery Commission; providing civil and criminal penalties.

To Licensing and Administrative Procedures.

**HB 383** (By Menendez), Relating to allowing a surrogate decision-maker to consent to certain medical treatments on behalf of an inmate of a correctional facility.

To Corrections.

**HB 384** (By Menendez), Relating to the proper identification of boats and outboard motors.

To Culture, Recreation, and Tourism.

**HB 386** (By Raymond), Relating to the instruction of American Sign Language in public high schools.

To Public Education.

**HB 387** (By Turner), Relating to the right of an employee who is a parent of a child enrolled in a special education program to time off from work to meet with certain persons affecting the education of the child.

To Business and Industry.

**HB 388** (By Raymond), Relating to the designation of segments of State Highways 359, 16, and 285 as the Veterans of the Korean War Memorial Highway.

To Transportation.

**HB 389** (By Cook), Relating to the purchase of plastic bulk merchandise containers by certain businesses; providing a civil penalty.

To Environmental Regulation.

**HB 390** (By V. Gonzales), Relating to the service retirement annuity for appellate judges under the Judicial Retirement System Plan Two.

To Pensions, Investments, and Financial Services.

**HB 391** (By Aycock), Relating to termination of a public school teacher's term contract and discharge of the teacher at any time on the basis of a school district's financial exigency.

To Public Education.

**HB 392** (By V. Gonzales), Relating to a county's eligibility to receive state assistance for health care expenditures that exceed eight percent of the county's general revenue levy for the year.

To Public Health.

**HB 393** (By V. Gonzales), Relating to physician shortage residency training programs.

To Public Health.



HB 395 (By V. Gonzales), Relating to court costs imposed on conviction and deposited to the appropriate courthouse security fund or court building security fund.

To Judiciary and Civil Jurisprudence.

**HB 396** (By V. Gonzales), Relating to health care data collected by the Department of State Health Services and access to certain confidential patient information within the department.

To Public Health.

**HB** 397 (By V. Gonzales), Relating to the creation of the Bureau for Economic Development of the Border Region.

To Border and Intergovernmental Affairs.

**HB 398** (By Jackson), Relating to the eligibility of employees convicted of certain offenses to provide services under a contract with a public school.

To Public Education.

**HB** 399 (By Castro), Relating to requiring general academic teaching institutions to offer personal financial literacy training.

To Higher Education.

HB 401 (By T. Smith), Relating to requiring a voter to present proof of identification.

To Select Voter Identification and Voter Fraud.

HB 402 (By Fletcher), Relating to public school students who have dyscalculia.

To Public Education.

**HB 403** (By Quintanilla), Relating to voter eligibility and registration in El Paso County Water Improvement District No. 1.

To Natural Resources.

**HB 404** (By Quintanilla), Relating to voter eligibility and registration in El Paso County Water Improvement District No. 1.

To Natural Resources.

**HB 405** (By Quintanilla), Relating to the storage, transportation, and disposal of tires; providing criminal penalties.

To Environmental Regulation.

**HB 406** (By Quintanilla), Relating to local regulation of the possession and consumption of alcoholic beverages on certain formerly licensed or permitted premises.

To Licensing and Administrative Procedures.

**HB 407** (By Quintanilla), Relating to the grounds for a hearing concerning action on certain alcoholic beverage permits and licenses.

To Licensing and Administrative Procedures.

**HB 408** (By Walle), Relating to minimum standards for juvenile case managers.

To Corrections.

 ${
m HB~409}$  (By Walle), Relating to the supervision of certain juvenile case managers.

To Corrections.

**HB 411** (By Laubenberg), Relating to the confidentiality of newborn screening information.

To Public Health.

**HB 412** (By Aycock), Relating to the requirement that certain impaired veterinarians participate in a peer assistance program.

To Agriculture and Livestock.

**HB 413** (By Aycock), Relating to the confidentiality of certain information held by a veterinarian.

To Agriculture and Livestock.

**HB 414** (By Aycock), Relating to the conducting of licensing examinations by the State Board of Veterinary Medical Examiners.

To Agriculture and Livestock.

**HB 415** (By Anchia), Relating to the information on the supplementary birth certificate of an adopted child.

To Public Health.

**HB 416** (By Anchia), Relating to providing for voter registration at a polling place during early voting by personal appearance and related procedures.

To Elections.

**HB 417** (By Anchia), Relating to provision of notice regarding and limitation of attorney's fees for services provided in connection with the making of a wrongful imprisonment claim.

To Judiciary and Civil Jurisprudence.

**HB 418** (By Berman), Relating to requiring certain candidates to pay a filing fee or file a petition as a qualification to appear on the ballot for the general election for state and county officers.

To Elections.

**HB 420** (By Alonzo), Relating to a subsidy under an adoption assistance agreement for certain adoptive parents of children in foster care.

To Human Services.

**HB 421** (By Alonzo), Relating to the offer of certain unusable remainder real property acquired by the Texas Department of Transportation to nonprofit corporations.

To Transportation.

**HB 422** (By Guillen), Relating to certain oversize and overweight permits issued by the Texas Department of Transportation.

To Transportation.

HB 423 (By Guillen), Relating to the powers of rural and urban transit districts.

To Transportation.

HB 424 (By Darby), Relating to the offices of county treasurer and county auditor.

To County Affairs.

**HB 425** (By Driver), Relating to the creation of the Rowlett Downtown Management District; providing authority to impose a tax, levy an assessment, and issue bonds.

To Urban Affairs.

**HB 426** (By Driver), Relating to the creation of the Rowlett Pecan Grove Management District; providing authority to impose a tax, levy an assessment, and issue bonds.

To Urban Affairs.

**HB 427** (By Driver), Relating to the creation of the Rowlett Waterfront Entertainment Management District; providing authority to impose a tax, levy an assessment, and issue bonds.

To Urban Affairs.

**HB 428** (By Fletcher), Relating to access to campuses of public schools and institutions of higher education by foreign consuls.

To State Affairs.

**HB 429** (By Fletcher), Relating to the classification of automotive repair shops as primarily engaged in retail trade for purposes of the franchise tax.

To Ways and Means.

**HB 431** (By Larson), Relating to the adoption of a county charter by Bexar County.

To County Affairs.

**HB 432** (By Walle), Relating to the licensing and regulation of air conditioning and refrigeration contractors and technicians; providing a penalty.

To Licensing and Administrative Procedures.

**HB 433** (By Parker), Relating to qualified manufacturing project zones. To Economic and Small Business Development.

HB 434 (By Parker), Relating to the minimum standards for licensed child-care facilities and registered family homes.

To Human Services.

**HB 435** (By Parker), Relating to suits affecting the parent-child relationship that involve an alleged father who has not registered with the paternity registry.

To Judiciary and Civil Jurisprudence.

**HB 436** (By Parker), Relating to standing for certain foster parents to file a suit affecting the parent-child relationship.

To Judiciary and Civil Jurisprudence.

**HB 437** (By Rodriguez), Relating to manufacturers' inclusion of denatonium benzoate in certain products containing ethylene glycol.

To Public Health.

**HB 438** (By Thompson), Relating to health benefit plan coverage for orally administered anticancer medications.

To Insurance.

**HB 440** (By Turner), Relating to the authority of a peace officer to take a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances.

To Homeland Security and Public Safety.

**HB 441** (By Guillen), Relating to the fees for certain commercial vehicles. To Transportation.

HB 442 (By Guillen), Relating to the establishment of an emergency radio infrastructure account.

To Homeland Security and Public Safety.

**HB 444** (By Creighton), Relating to notification of applications for permits for certain injection wells.

To Natural Resources.

**HB 445** (By Guillen), Relating to the eligibility of a disabled veteran or surviving spouse to pay ad valorem taxes imposed on a residence homestead in installments.

To Ways and Means.

**HB 446** (By Guillen), Relating to discovery in a criminal case and the consequences of a failure to disclose certain discoverable evidence in a timely manner.

To Criminal Jurisprudence.

**HB 447** (By Menendez), Relating to the powers of a defense base development authority.

To Defense and Veterans' Affairs.

**HB 448** (By Lucio), Relating to the establishment of a pilot program under which high school students may accrue prepaid tuition units at public institutions of higher education by completing certain community service activities.

To Higher Education.

**HB 449** (By Lucio), Relating to a limitation on the use by state agencies of credit information regarding certain job applicants.

To State Affairs.

**HB 450** (By Lucio), Relating to the regulation of solar energy devices by a property owners' association.

To Business and Industry.

HJR 42 (By Callegari), Proposing a constitutional amendment concerning the limitation on the rate of growth of state appropriations and the use of unencumbered surplus state revenues to provide for a rebate of state franchise taxes, to reduce public school district property taxes, and to fund the state's rainy day fund.

To Appropriations.

**HJR 44** (By Larson), Proposing a constitutional amendment to allow the voters of certain counties to adopt a charter that restructures and empowers the county government and that may allow the integration of the county government with certain other political subdivisions located wholly or partly in the county.

To County 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. 6

HCR 48, HCR 51

#### 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

Austin, Texas Wednesday, February 16, 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:

HCR 52 Keffer SPONSOR: Eltife Designating February 15, 2011, as Texas Manufacturers Day.

Respectfully, Patsy Spaw

Secretary of the Senate

### APPENDIX

**ENROLLED** 

February 15 HCR 53

SENT TO THE GOVERNOR

February 15 HCR 53