

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FORTIETH DAY — TUESDAY, MARCH 20, 2007

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 134).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Brown, B.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Delisi; Deshotel; Driver; Dunnam; Eissler; Elkins; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hancock; Hardcastle; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; O'Day; Olivo; Orr; Ortiz; Otto; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Raymond; Riddle; Ritter; Rodriguez; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Absent — Branch; Brown, F.; Burnam; Davis, J.; Davis, Y.; Dukes; Dutton; Eiland; England; Gattis; Geren; Hamilton; Harless; Hartnett; Howard, C.; McReynolds; Noriega; Oliveira; Parker; Pitts; Puente; Quintanilla; Rose; Smith, T.; Smith, W.; Van Arsdale; Zedler.

The invocation was offered by Dr. Michael S. Lewis, senior pastor, Great Hills Baptist Church, Austin, as follows:

Dear Heavenly Father, we humbly bow before you as we open this legislative session on this 20th day of March in the year of our Lord 2007.

We lovingly acknowledge you as the all-wise and all-powerful God. You are the sovereign king of the universe, and you are the one who has established all principalities, powers, rulers, and government bodies under your authority. You are the father of lights from whom every good and perfect gift comes from above. You are our creator and maker who spoke and the universe came into existence. You are our redeemer who gave your son, Jesus Christ, as the Savior of the world and who reigns as the king of kings and lord of lords over this world.

We call humbly upon you to guide us in all of the decisions and discussions of this session today. We recognize that we are finite beings with limited understanding; therefore, we ask for your infinite wisdom. We confess we are sinners who are like straying sheep; therefore, we need you, the shepherd of our souls, to guide us in all our ways. May righteousness and compassion fill our hearts with light from above. May the laws and decisions that are established in this session bring glory and honor to your name. May we be pleasing to you by promoting peace and spiritual prosperity for the residents of this great State of Texas. We acknowledge that all that we are and that we have comes from you. O God, bless Texas. O God, bless America. Be with our men and women who are serving our country in our military forces in Iraq and foreign lands this day.

Lord, with respect to all those of diverse religious faiths, we humbly submit this prayer to you in the name of our Lord Jesus Christ. Amen.

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

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Cohen who presented Dr. Ruchi Wanchoo of Houston as the "Doctor for the Day."

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

(F. Brown, Dukes, England, Hamilton, Pitts, and Quintanilla now present)

### **HR 943 - ADOPTED (by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 943**.

The motion prevailed.

The following resolution was laid before the house:

**HR 943**, Recognizing March 20, 2007, as Brazoria County Day at the State Capitol.

**HR 943** was read and was adopted.

On motion of Representative O'Day, the names of all the members of the house were added to **HR 943** as signers thereof.

(Harless, Rose, and W. Smith now present)

### **INTRODUCTION OF GUESTS**

The speaker recognized Representative Bonnen who introduced a delegation from Brazoria County.

**HR 941 - ADOPTED**  
**(by Goolsby)**

Representative Goolsby moved to suspend all necessary rules to take up and consider at this time **HR 941**.

The motion prevailed.

The following resolution was laid before the house:

**HR 941**, Recognizing March 20, 2007, as Texas Association of Public Employee Retirement Systems Day at the State Capitol.

**HR 941** was read and was adopted.

On motion of Representative Truitt, the names of all the members of the house were added to **HR 941** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Goolsby who introduced members of the Texas Association of Public Employee Retirement System.

(Burnam and T. Smith now present)

**HR 919 - ADOPTED**  
**(by Hill)**

Representative Hill moved to suspend all necessary rules to take up and consider at this time **HR 919**.

The motion prevailed.

The following resolution was laid before the house:

**HR 919**, Congratulating the Honorable Jim Jackson on his birthday.

(Christian in the chair)

**HR 919** was read and was adopted.

(J. Davis, Gattis, McReynolds, Puente, and Zedler now present)

**HR 608 - READ**  
**(by Harper-Brown, England, and Anchia)**

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

**HR 608**, Recognizing March 20, 2007, as City of Irving Day at the State Capitol.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Harper-Brown who introduced a delegation from Irving.

(C. Howard now present)

**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).

(Van Arsdale now present)

**HCR 27 - ADOPTED**  
**(by Strama and Gattis)**

Representative Strama moved to suspend all necessary rules to take up and consider at this time **HCR 27**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 27**, Commending The Biscuit Brothers television show for its quality children's programming.

**HCR 27** was read and was adopted.

(Branch and Noriega now present)

(Creighton in the chair)

**HR 450 - READ**  
**(by Callegari)**

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

**HR 450**, In memory of Todd Phillip Levin of Houston.

**HR 450 - MOTION TO ADD NAMES**

On motion of Representative Callegari, the names of all the members of the house were added to **HR 450** as signers thereof.

(Dutton, Eiland, and Oliveira now present)

**INTRODUCTION OF GUESTS**

The chair recognized Representative Callegari who introduced family members of Todd Phillip Levin.

**MAJOR STATE CALENDAR**  
**HOUSE BILLS**  
**THIRD READING**

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

(Bonnen in the chair)

**HB 735 ON THIRD READING**  
**(by Straus, Thompson, Keffer, Isett, P. King, et al.)**

**HB 735**, A bill to be entitled An Act relating to the discontinuation of the Telecommunications Infrastructure Fund.

A record vote was requested.

**HB 735** was passed by (Record 135): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb;

Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent — Davis, Y.; Geren; Goolsby; Hartnett; Parker.

#### STATEMENTS OF VOTE

When Record No. 135 was taken, I was absent because of a meeting with constituents. Had I been present I would have voted yes.

Y. Davis

When Record No. 135 was taken, my vote failed to register. I would have voted yes.

Goolsby

When Record No. 135 was taken, I was in the house but away from my desk. I would have voted yes.

Hartnett

When Record No. 135 was taken, I was in the house but away from my desk. I would have voted yes.

Parker

#### MAJOR STATE CALENDAR SENATE BILLS THIRD READING

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

(Hartnett and Parker now present)

#### SB 378 ON THIRD READING

(Driver, P. King, Talton, Rose, Riddle, et al. - House Sponsors)

**SB 378**, A bill to be entitled An Act relating to the use of force or deadly force in defense of a person.

A record vote was requested.

**SB 378** was passed by (Record 136): 133 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen(C); Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dunnam; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hilderbran; Hill; Hochberg; Homer; Hopson; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Burnam; Coleman; Dukes; Dutton; Farrar; Hernandez; Hodge; Howard, D.; Mallory Caraway; McClendon; Miles; Moreno; Thompson.

Present, not voting — Mr. Speaker.

Absent — Davis, Y.; Geren; Rodriguez.

#### STATEMENTS OF VOTE

When Record No. 136 was taken, I was absent because of a meeting with constituents. Had I been present I would have voted no.

Y. Davis

I was shown voting yes on Record No. 136. I intended to vote no.

Naishtat

#### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 963 ON THIRD READING (by Guillen)

**HB 963**, A bill to be entitled An Act relating to providing notice of the release or escape of a defendant to certain crime victims and witnesses in criminal trials.

A record vote was requested.

**HB 963** was passed by (Record 137): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent — Davis, Y.; Geren; Olivo; Pierson.

#### STATEMENTS OF VOTE

When Record No. 137 was taken, I was absent because of a meeting with constituents. Had I been present I would have voted yes.

Y. Davis

When Record No. 137 was taken, I was in the house but away from my desk. I would have voted yes.

Olivo

When Record No. 137 was taken, my vote failed to register. I would have voted yes.

Pierson

#### HB 143 ON THIRD READING (by Deshotel)

**HB 143**, A bill to be entitled An Act relating to application of the Texas no-call list to certain transmissions to a mobile telephone number.

A record vote was requested.

**HB 143** was passed by (Record 138): 136 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Eiland; Eissler;

Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Naishtat; Noriega; O'Day; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Zedler; Zerwas.

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

Absent — Castro; Cohen; Davis, Y.; Dutton; Geren; Hancock; Martinez Fischer; Murphy; Olivo; Pierson; Woolley.

#### STATEMENTS OF VOTE

When Record No. 138 was taken, I was absent because of a meeting with constituents. Had I been present I would have voted yes.

Y. Davis

I was shown voting present, not voting on Record No. 138. I intended to vote yes.

Hilderbran

When Record No. 138 was taken, I was in the house but away from my desk. I would have voted yes.

Olivo

When Record No. 138 was taken, my vote failed to register. I would have voted yes.

Pierson

(Speaker in the chair)

#### **HB 385 ON THIRD READING** **(by Callegari, Flynn, and Zedler)**

**HB 385**, A bill to be entitled An Act relating to condemnation of historical sites at the direction of the Commission of Control for Texas Centennial Celebrations.

A record vote was requested.

**HB 385** was passed by (Record 139): 145 Yeas, 0 Nays, 1 Present, not voting.



Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Branch; Davis, Y.; Geren; Strama.

#### STATEMENTS OF VOTE

When Record No. 139 was taken, I was absent because of a meeting with constituents. Had I been present I would have voted yes.

Y. Davis

When Record No. 139 was taken, I was in the house but away from my desk. I would have voted yes.

Strama

#### HB 386 ON THIRD READING (by Callegari, Flynn, Zedler, and Crabb)

**HB 386**, A bill to be entitled An Act relating to the repeal of the law creating the Texas Deepwater Port Authority.

A record vote was requested.

**HB 386** was passed by (Record 140): 144 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg;

Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Zedler; Zerwas.

Nays — Alonzo.

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

Absent — Davis, Y.; Geren; Woolley.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 140. I intended to vote yes.

Alonzo

When Record No. 140 was taken, I was absent because of a meeting with constituents. Had I been present I would have voted yes.

Y. Davis

### LEAVE OF ABSENCE GRANTED

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

Chavez on motion of Guillen.

### MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

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

#### CSHB 17 ON SECOND READING (by Corte and Naishtat)

**CSHB 17**, A bill to be entitled An Act relating to the establishment of a pilot program to provide a ballot by electronic mail to military personnel serving overseas.

Representative Corte moved to postpone consideration of **CSHB 17** until 10 a.m. Monday, March 26.

The motion prevailed.

### GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

**HB 481 ON SECOND READING**  
**(by Jackson)**

**HB 481**, A bill to be entitled An Act relating to the transfer of a used motor vehicle.

**Amendment No. 1**

Representative Jackson offered the following amendment to **HB 481**:

Amend **HB 481** as follows:

(1) On page 2, line 10, strike "Subject to" and substitute "If the transferee holds a general distinguishing number issued under Chapter 503 of this code or Chapter 2301, Occupations Code, the amount of the late fee is \$10. If the transferee does not hold a general distinguishing number, subject to".

(2) On page 3, line 3, between "late fee" and "the department", insert "collected from a person who does not hold a general distinguishing number that".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Pickett offered the following amendment to **HB 481**:

Amend **HB 481**, on page 2, between lines 3 and 4, by inserting the following appropriately numbered SECTION and renumbering existing SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 520.031, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding Subsection (a), if the transferee is a member of the armed forces of the United States, a member of the Texas National Guard or of the National Guard of another state serving on active duty under an order of the president of the United States, or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the president of the United States, the documents described by Subsection (a) must be filed with the county assessor-collector not later than the 60th working day after the date of their receipt by the transferee.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Pickett offered the following amendment to **HB 481**:

Amend **HB 481** as follows:

(1) On page 2, line 5, strike "Subsection (b-1)" and substitute "Subsections (b-1) and (d)".

(2) On page 2, between lines 22 and 23, insert the following:

(d) Subsections (b) and (b-1) do not apply if:

(1) the motor vehicle is eligible to be issued:

(A) classic vehicle license plates under Section 504.501; or

(B) antique vehicle license plates under Section 504.502;

Amendment No. 3 was adopted.

(Puente in the chair)

**Amendment No. 4**

Representative Pickett offered the following amendment to **HB 481**:

Amend **HB 481** on page 2 by striking lines 11-19 and substituting the following:

"amount of the late fee is \$25.

(b-1) If the application is filed after the 31st working day after the date the transferee received the documents under Section 520.022, the late fee imposed under Subsection (b) accrues an".

A record vote was requested.

Amendment No. 4 was adopted by (Record 141): 133 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Bonnen; Castro; Hartnett; Homer; Kolkhorst; Mallory Caraway; McCall; Olivo; Orr; Talton; Thompson; Truitt.

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

Absent, Excused — Chavez.

Absent — Davis, Y.; Geren.

A record vote was requested.

**HB 481**, as amended, was passed to engrossment by (Record 142): 127 Yeas, 16 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Branch; Burnam; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel;

Driver; Dukes; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Nays — Brown, B.; Brown, F.; Callegari; Castro; Dunnam; Hartnett; Isett; Jones; McCall; Miller; Olivo; Smith, T.; Talton; Thompson; Truitt; Zedler.

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

Absent, Excused — Chavez.

Absent — Davis, Y.; Geren; Rodriguez.

#### STATEMENTS OF VOTE

When Record No. 142 was taken, I was absent because of a meeting with constituents. Had I been present I would have voted yes.

Y. Davis

I was shown voting yes on Record No. 142. I intended to vote no.

Kolkhorst

I was shown voting yes on Record No. 142. I intended to vote no.

Paxton

(Gattis in the chair)

#### HB 1042 ON SECOND READING

(by Peña)

**HB 1042**, A bill to be entitled An Act relating to excepting certain crime victim information from required disclosure under the public information law.

**HB 1042** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

#### CSHB 348 ON SECOND READING

(by Callegari, Guillen, Dutton, et al.)

**CSHB 348**, A bill to be entitled An Act relating to an offense involving a motor vehicle with an altered or obscured license plate.

(Speaker in the chair)

**Amendment No. 1**

Representative Dutton offered the following amendment to **CSHB 348**:

Amend **CSHB 348** on page 1, line 18, by inserting "significantly" between "that" and "impairs".

Amendment No. 1 was adopted.

**CSHB 348**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**LEAVE OF ABSENCE GRANTED**

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

Geren on motion of Kolkhorst.

**HB 1556 ON SECOND READING  
(by Pickett)**

**HB 1556**, A bill to be entitled An Act relating to the management of certain public land.

**HB 1556 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE BURNAM: Mr. Pickett, you and I discussed this earlier and you know I have some concerns. This bill demonstrably increases the authority of the land commissioner himself. Is that correct?

REPRESENTATIVE PICKETT: It does not. It just gives the land commissioner more negotiating room as far as leases and right-of-way.

BURNAM: Could you explain to me, in trying to review the HRO, I simply do not understand this item under the background. It says under your proposed bill that the commissioner may grant a preference right to purchase for leases of a duration of twenty years or longer.

PICKETT: Yes, sir, under the current statute right now, if you lease a property from the general land office—

BURNAM: Mr. Pickett, could you repeat that? I cannot hear you.

PICKETT: As the statute reads today, if the general land office leases you a piece of property for twenty years, that gives you first right or privilege to buy that property from the general land office. In this bill that would take away the requirement of being twenty years. The fact that you are leasing the property gives you the right to make an offer, if that's in the best interest of the State of Texas.

BURNAM: So even if you're just leasing for as little as one year?

PICKETT: Sure, absolutely.

BURNAM: Would this legislation affect any existing park land that the commissioner might have control over at this time?

PICKETT: None.

BURNAM: Would this legislation affect any proposed park land, as in southwest Tarrant County?

PICKETT: No, sir.

BURNAM: Thank you for this clarifying conversation.

#### **REMARKS ORDERED PRINTED**

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

The motion prevailed.

Representative Pickett moved to postpone consideration of **HB 1556** until 2 p.m. Monday, March 26.

The motion prevailed.

(Chisum in the chair)

#### **HCR 7 - ADOPTED**

**(by Homer)**

Representative Homer moved to suspend all necessary rules to take up and consider at this time **HCR 7**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 7**, Recognizing March 20, 2007, as Sulphur Springs/Hopkins County Day at the State Capitol.

**HCR 7** was read and was adopted.

#### **INTRODUCTION OF GUESTS**

The chair recognized Representative Homer who introduced a delegation from Hopkins County.

#### **HR 888 - ADOPTED**

**(by Deshotel)**

Representative Deshotel moved to suspend all necessary rules to take up and consider at this time **HR 888**.

The motion prevailed.

The following resolution was laid before the house:

**HR 888**, Congratulating Mayor Oscar G. Ortiz of Port Arthur on being named 2006 Person of the Year by the Quota International Club of Southeast Texas.

**HR 888** was adopted.

**HR 944 - ADOPTED**  
**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 944**.

The motion prevailed.

The following resolution was laid before the house:

**HR 944**, Honoring Cora Faye Williams of West Columbia on her 100th birthday.

**HR 944** was adopted.

**HR 945 - ADOPTED**  
**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 945**.

The motion prevailed.

The following resolution was laid before the house:

**HR 945**, Recognizing March 25, 2007, as Greek Independence Day.

**HR 945** was adopted.

**HCR 5 - ADOPTED**  
**(by Homer)**

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

The motion prevailed.

The following resolution was laid before the house:

**HCR 5**, Congratulating Homer L. Thornton, Jr., of Paris, Texas, on the occasion of his 75th birthday.

**HCR 5** was adopted.

**COMMITTEES GRANTED PERMISSION TO MEET**

Pursuant to House Rule 4, Section 9, Representative P. King requested permission for all house committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings.

Permission to meet was granted.

**FIVE DAY POSTING RULE SUSPENDED**

Representative Dutton moved to suspend the five day posting rule to allow the Committee on Juvenile Justice and Family Issues to consider **HB 554**.

The motion prevailed.



Representative Madden moved to suspend the five day posting rule to allow the Committee on Corrections to consider pending business at 4 p.m. today in E1.026.

The motion prevailed.

Representative Madden moved to suspend the five day posting rule to allow the Joint Select Committee on the Operation and Management of the Texas Youth Commission to hear invited testimony at 1:30 p.m. tomorrow in JHR 140.

The motion prevailed.

Representative Hochberg moved to suspend the five day posting rule to allow the Committee on Appropriations to consider **HB 1** and **HB 15** at 8 a.m. tomorrow in E1.030.

The motion prevailed.

Representative Isett moved to suspend the five day posting rule to allow the Committee on Appropriations, Subcommittee on General Government, to consider the posted agenda at 8 a.m. or upon adjournment of the Committee on Appropriations meeting, Thursday, March 22, in E1.030.

The motion prevailed.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Appropriations, Subcommittee on General Government, 8 a.m. or upon adjournment of the Committee on Appropriations meeting, Thursday, March 22, E1.030, for a public hearing, to consider parks and wildlife.

Joint Select Committee on the Operation and Management of the Texas Youth Commission, 1:30 p.m. or upon adjournment tomorrow, JHR 140, for a public hearing, to hear invited testimony.

Law Enforcement, during bill referral today, 3W.9, for a formal meeting, to consider **HB 320**.

Agriculture and Livestock, during bill referral today, E1.010, for a public hearing, to consider posted items.

Appropriations, 8 a.m. tomorrow, E1.030, for a public hearing, to consider **HB 1** and **HB 15**.

Higher Education, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

Land and Resource Management, Subcommittee on Eminent Domain, during bill referral today, 1W.14, for a work session, to consider the issue of eminent domain.

Environmental Regulation, during bill referral today, 3N.4, for a formal meeting, to consider pending business.

Transportation, will reconvene this morning's posted meeting, during bill referral today, E2.012, for a public hearing, to consider the remainder of the agenda.

### **PROVIDING FOR ADJOURNMENT**

Representative P. King 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 John Jacob Deel of Weatherford and William Spence of Aledo.

The motion prevailed.

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Hamilton in the chair)

### **ADJOURNMENT**

In accordance with a previous motion, the house, at 12:14 p.m., adjourned until 10 a.m. tomorrow.

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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**

**HB 3226** (By Branch), Relating to the equalization of property wealth in certain school districts.

To Public Education.

**HB 3227** (By Branch), Relating to the payment of a fee or penalty imposed by a public hospital owned or operated by a governmental unit for the parking of a vehicle operated by or for the transportation of a person with a disability.

To Transportation.

**HB 3228** (By Branch), Relating to the establishment of a pilot program for the electronic administration of assessment instruments in public schools.

To Public Education.

**HB 3229** (By D. Howard), Relating to permitting procedures of the Texas Commission on Environmental Quality for control of air pollution.

To Environmental Regulation.

**HB 3230** (By Darby), Relating to the prevention of surface water or groundwater pollution from certain evaporation pits.

To Natural Resources.

**HB 3231** (By Olivo), Relating to the term of a municipal solid waste permit issued by the Texas Commission on Environmental Quality.

To Environmental Regulation.

**HB 3232** (By Olivo), Relating to common areas in certain residential subdivisions.

To Land and Resource Management.

**HB 3233** (By Callegari), Relating to the establishment of a procedure for authorizing the beneficial use or reuse of certain water.

To Natural Resources.

**HB 3234** (By Alonzo), Relating to the requirement that governmental entities give preference to Texas-based companies in awarding certain financial services contracts.

To Government Reform.

**HB 3235** (By Alonzo), Relating to certain unfair practices in the settlement of insurance claims involving noneconomic damages.

To Insurance.

**HB 3236** (By R. Cook), Relating to the service areas of the Blinn County College District and the Austin Community College District.

To Higher Education.

**HB 3237** (By Hopson), Relating to requiring the Department of State Health Services to allow health care providers to use certain vaccines in the vaccines for children program.

To Public Health.

**HB 3238** (By Hopson), Relating to the removal of a political advertising sign after an election; providing a civil penalty.

To Elections.

**HB 3239** (By McClendon), Relating to an option to participate in the Teacher Retirement System of Texas by a member of the optional retirement program.

To Pensions and Investments.

**HB 3240** (By Straus), Relating to building energy performance standards.

To Regulated Industries.

**HB 3241** (By Straus), Relating to energy efficiency incentive programs administered by electric utilities.

To Regulated Industries.

**HB 3242** (By Straus), Relating to this state's goal for electric energy efficiency.

To Regulated Industries.

**HB 3243** (By Straus), Relating to requiring the installation of solar power generation panels in the construction of public schools.

To Regulated Industries.

**HB 3244** (By Straus), Relating to energy efficiency incentive programs administered by electric utilities.

To Regulated Industries.

**HB 3245** (By Straus), Relating to electric energy efficiency goals and programs.

To Regulated Industries.

**HB 3246** (By Bailey), Relating to inflation adjustments to retirement benefits provided by certain rapid transit authorities.

To Pensions and Investments.

**HB 3247** (By Riddle), Relating to the punishment for certain misdemeanor thefts.

To Criminal Jurisprudence.

**HB 3248** (By Riddle), Relating to the transfer or exclusion of territory in emergency services districts.

To County Affairs.

**HB 3249** (By Truitt), Relating to the powers and duties of, and the entities reviewed by, the Sunset Advisory Commission.

To State Affairs.

**HB 3250** (By Truitt), Relating to the continuation and functions of the Texas Real Estate Commission and the regulation of real estate brokers, salespersons, inspectors, appraisers, residential service companies, and timeshares; providing administrative penalties.

To Licensing and Administrative Procedures.

**HB 3251** (By Woolley), Relating to the authority of certain municipalities to regulate the hours of certain businesses that sell alcoholic beverages.

To Licensing and Administrative Procedures.

**HB 3252** (By Woolley), Relating to the Texas Health Reinsurance System.

To Insurance.

**HB 3253** (By Pitts), Relating to judicial review regarding issues other than compensability or income or death benefits under the Texas Workers' Compensation Act.

To Business and Industry.

**HB 3254** (By Pitts), Relating to prohibiting employers from requiring employees to make certain charitable contributions.

To Economic Development.

**HB 3255** (By Pitts), Relating to authority of an electric cooperative to use unclaimed money to assist low-income customers in paying their electric bills.  
To Regulated Industries.

**HB 3256** (By Martinez Fischer), Relating to the punishment for driving while intoxicated.  
To Criminal Jurisprudence.

**HB 3257** (By Corte), Relating to allowing landowners and certain municipalities to enter into voluntary agreements regarding annexation.  
To Land and Resource Management.

**HB 3258** (By Corte), Relating to fees, adjustments, corrections, and repairs in connection with a vehicle inspection.  
To Transportation.

**HB 3259** (By Branch), Relating to the administration of international assessment instruments to certain public school students.  
To Public Education.

**HB 3260** (By Branch), Relating to the establishment of a center for the study of advanced instructional methods.  
To Public Education.

**HB 3261** (By Chavez), Relating to the use of electronic signatures in the administration of health and human services programs.  
To Human Services.

**HB 3262** (By Chavez), Relating to an allotment under the foundation school program for certain students who transfer midyear or who are military dependents.  
To Public Education.

**HB 3263** (By Chavez), Relating to emergency medical services.  
To Public Health.

**HB 3264** (By Chavez), Relating to an allotment under the foundation school program for certain students who are military dependents.  
To Public Education.

**HB 3265** (By Eiland), Relating to dispute resolution and insurance policies or other coverage agreements.  
To Insurance.

**HB 3266** (By Eiland), Relating to fees for licenses issued by the Texas Parks and Wildlife Department.  
To Culture, Recreation, and Tourism.

**HB 3267** (By Eiland), Relating to venue for civil actions.  
To Civil Practices.

**HB 3268** (By Eiland), Relating to the authority of voters of certain municipalities to extend or change the purposes of a sales and use tax for certain economic development corporations.  
To Local Government Ways and Means.

**HB 3269** (By Eiland), Relating to the abolition of the Texas Residential Construction Commission.

To State Affairs.

**HB 3270** (By Eiland), Relating to authorizing the issuance of anticipation notes or other obligations by issuers located along the Gulf Coast in the event of an emergency.

To Financial Institutions.

**HB 3271** (By Eiland), Relating to the biennial hearing concerning title insurance and related information.

To Insurance.

**HB 3272** (By Eiland), Relating to the establishment, funding, and operation of the natural disaster catastrophe fund.

To Insurance.

**HB 3273** (By Crownover), Relating to the powers and duties of the Railroad Commission of Texas; providing an administrative penalty.

To Energy Resources.

**HB 3274** (By Crownover), Relating to a physician's disclosure of a financial interest in a laboratory to which the physician refers a patient.

To Public Health.

**HB 3275** (By Miller), Relating to distribution of funding for transportation projects.

To Transportation.

**HB 3276** (By Elkins), Relating to the use of an employer assessment to fund certain employment and training investment programs in this state.

To Economic Development.

**HB 3277** (By Elkins), Relating to the inspection process for new home construction in a municipality.

To Urban Affairs.

**HB 3278** (By Isett), Relating to the collection of delinquent obligations owed to the state.

To Ways and Means.

**HB 3279** (By Isett), Relating to group health benefit plan coverage for an enrollee with certain mental disorders.

To Insurance.

**HB 3280** (By Isett), Relating to treatment of pharmaceutical services provided through specialty and mail order pharmacy services operated under contracts between governmental entities and pharmacy benefit managers.

To Public Health.

**HB 3281** (By P. King), Relating to the recovery of medical or health care expenses in civil actions.

To Civil Practices.

**HB 3282** (By Branch), Relating to the authority of issuers to enter into contracts for services in connection with the issuance of public securities.

To Financial Institutions.

**HB 3283** (By Laubenberg), Relating to the regulation of independent emergency medical care facilities; providing an administrative penalty; creating an offense.

To Public Health.

**HB 3284** (By Laubenberg), Relating to implementing certain incentives and cost-sharing requirements under the Medicaid program.

To Public Health.

**HB 3285** (By Farrar), Relating to the liability for property taxes.

To Local Government Ways and Means.

**HB 3286** (By Giddings), Relating to offender education facilitation.

To Public Education.

**HB 3287** (By Ritter), Relating to a franchise tax credit for qualified low-income community investments.

To Ways and Means.

**HB 3288** (By Otto), Relating to reporting of and access to information about civil judgments arising out of certain conduct involving harm to a child.

To Judiciary.

**HB 3289** (By Otto), Relating to the subdivision of land for which a plat must be filed in certain counties.

To Land and Resource Management.

**HB 3290** (By Otto), Relating to expanding the scope of an audit by the state auditor when the state auditor finds evidence of gross mismanagement.

To State Affairs.

**HB 3291** (By Otto), Relating to a prohibition against the governing board of a public institution of higher education entering into certain contracts relating to permanent improvements at the institution.

To Higher Education.

**HB 3292** (By Otto), Relating to the authority of qualified community workforce training centers to receive a state sales and use tax refund for reimbursement of certain expenses.

To Ways and Means.

**HB 3293** (By Strama), Relating to the performance of certain civil duties by officers in this state.

To Civil Practices.

**HB 3294** (By Noriega), Relating to the penalties for the offense of criminal trespass.

To Criminal Jurisprudence.

**HB 3295** (By Driver), Relating to the DNA samples taken from certain offenders.

To Law Enforcement.

**HB 3296** (By Driver), Relating to the use of force or deadly force in defense of a person.

To Law Enforcement.

**HB 3297** (By Callegari), Relating to unfunded mandates imposed on school districts.

To Public Education.

**HB 3298** (By Callegari), Relating to exempting municipalities from certain unfunded state mandates.

To Government Reform.

**HB 3299** (By Callegari), Relating to revenue collection and expenditure efficiencies for county government.

To Government Reform.

**HB 3300** (By Phillips), Relating to classifying llamas and alpacas as livestock.

To Agriculture and Livestock.

**HB 3301** (By Gonzales), Relating to the licensing and practice of psychological associates.

To Public Health.

**HB 3302** (By Y. Davis), Relating to the use of eminent domain authority for the purpose of the acquisition of real property for public use.

To Land and Resource Management.

**HB 3303** (By Y. Davis), Relating to a research and program to focus on eliminating achievement gaps among minority students.

To Higher Education.

**HB 3305** (By Peña), Relating to personal and monetary bail bond requests.

To Criminal Jurisprudence.

**HB 3306** (By England), Relating to the costs associated with the civil commitment of sexually violent predators and to the criminal consequences of violating a term of that commitment.

To Criminal Jurisprudence.

**HB 3307** (By England), Relating to funding for the continuing education of certain peace officers.

To Law Enforcement.

**HB 3308** (By England), Relating to a requirement that the Texas Commission on Environmental Quality provide notice related to certain permit applications to certain municipal officials.

To Environmental Regulation.



**HB 3310** (By Jackson), Relating to fraud investigations and criminal offenses involving the Medicaid program; providing criminal penalties.

To Public Health.

**HB 3311** (By Martinez), Relating to fees imposed by certain counties for documents provided by the county clerk.

To County Affairs.

**HB 3312** (By Martinez), Relating to reporting certain information regarding residential property and personal automobile insurance and public Internet access to that information.

To Insurance.

**HB 3313** (By F. Brown), Relating to the licensure of anesthesiologist assistants; providing penalties.

To Public Health.

**HB 3314** (By Keffer), Relating to administration, collection, and enforcement of state taxes; providing penalties.

To Ways and Means.

**HB 3315** (By Keffer), Relating to the imposition and collection of certain insurance taxes and the adoption of certain reciprocal or multistate agreements relating to those taxes.

To Insurance.

**HB 3316** (By Keffer), Relating to the cigarette tax and the tax on cigars and other tobacco products.

To Ways and Means.

**HB 3317** (By Keffer), Relating to updating motor fuel tax citations.

To Ways and Means.

**HB 3318** (By Keffer), Relating to the application of the state hotel occupancy tax.

To Ways and Means.

**HB 3319** (By Keffer), Relating to updating and clarifying the state sales and use tax.

To Ways and Means.

**HB 3320** (By Keffer), Relating to motor fuel taxes.

To Ways and Means.

**HB 3321** (By Truitt), Relating to requiring a health benefit plan for enrollment at a public institution of higher education.

To Higher Education.

**HB 3322** (By Truitt), Relating to a plan-to-plan transfer of certain assets from the TexaSaver 457 plan administered by the Employees Retirement System of Texas to a 457 plan created by an institution of higher education.

To Pensions and Investments.

**HB 3323** (By Homer), Relating to the election of the commissioner of insurance.

To Insurance.

**HB 3324** (By Escobar), Relating to financial aid.

To Higher Education.

**HB 3325** (By Escobar), Relating to the extent of extraterritorial jurisdiction of certain municipalities.

To Land and Resource Management.

**HB 3326** (By Flores), Relating to authorizing the operation of video lottery games by licensed horse and greyhound racetrack operators, to the operation of video lottery by Indian tribes, to the authority of the Texas Lottery Commission and the Texas Racing Commission, and to the conduct of gambling in this state; providing penalties.

To Licensing and Administrative Procedures.

**HB 3350** (By Geren), Relating to payment of costs incurred in the operation and administration of the Texas Lottery Commission.

To Licensing and Administrative Procedures.

**HB 3351** (By Flores), Relating to the operation of video lottery games for this state to provide additional money to fund governmental programs; the creation, powers, and duties of the Texas Gaming and Boxing Commission; the powers and duties of the Texas Lottery Commission, the Texas Racing Commission, and the Texas Commission of Licensing and Regulation, and the regulation of casino gaming and other gambling activities in this state; making an appropriation; providing penalties.

To Licensing and Administrative Procedures.

**HB 3352** (By Woolley), Relating to municipal civil service for firefighters and police officers in certain municipalities.

To Urban Affairs.

**HB 3353** (By Haggerty), Relating to the repeal of the ability of certain water supply or sewer service corporations to dissolve and transfer assets to a municipality.

To Natural Resources.

**HB 3354** (By Haggerty), Relating to the liability of a manufacturer or seller of a non-consumer safety product.

To Civil Practices.

**HB 3355** (By Haggerty), Relating to certain fire and police pension funds.

To Pensions and Investments.

**HB 3356** (By Straus), Relating to the acquisition of real property by public housing authorities.

To Urban Affairs.

**HB 3357** (By Smithee), Relating to defining as a deceptive trade practice representing the franchise tax as a fee, charge, reimbursement, or other item on an invoice or mailing to a consumer.

To Business and Industry.

**HB 3358** (By Smithee), Relating to prior approval of property and casualty insurance rates under certain circumstances.

To Insurance.

**HB 3359** (By T. Smith), Relating to standards for the issuance of a preconstruction permit under the Clean Air Act for certain electric generating facilities.

To Environmental Regulation.

**HB 3360** (By Martinez), Relating to the prerequisites for enrollment in certain peace officer training programs.

To Law Enforcement.

**HB 3361** (By Coleman), Relating to health benefit coverage for children and grandchildren.

To Insurance.

**HB 3362** (By Zedler), Relating to parental rights in public education.

To Public Education.

**HB 3363** (By Alonzo), Relating to representation of constituents on local governing bodies.

To Urban Affairs.

**HB 3364** (By Farrar), Relating to the revision of building energy efficiency performance standards.

To Energy Resources.

**HB 3365** (By Farrar), Relating to the employment by state and local governmental entities of individuals who have been convicted of crimes.

To State Affairs.

**HB 3366** (By Straus), Relating to a small employer health benefit plan premium assistance program.

To Insurance.

**HB 3367** (By Straus), Relating to the change in boundaries by agreement between a general-law municipality with a population of more than 5,000 and a home-rule municipality with a population of more than 1.1 million.

To Urban Affairs.

**HB 3368** (By B. Cook), Relating to physician delegation of laser hair removal to certain individuals; providing penalties.

To Public Health.

**HB 3369** (By England), Relating to the inclusion of proposed electric generating units in an amendment or revision to the state implementation plan.

To Environmental Regulation.

**HB 3370** (By Thompson), Relating to the prosecution of the offense of trafficking of persons.

To Criminal Jurisprudence.

**HB 3371** (By Thompson), Relating to the penalty for the offense of compelling prostitution.

To Criminal Jurisprudence.

**HB 3372** (By Thompson), Relating to continuing education and training for peace officers relating to the trafficking of persons.

To Criminal Jurisprudence.

**HB 3373** (By Thompson), Relating to providing certain notices to be posted on the premises of alcoholic beverage retailers.

To Licensing and Administrative Procedures.

**HB 3374** (By Thompson), Relating to funding for the investigation and prosecution of offenses involving the trafficking of persons.

To Criminal Jurisprudence.

**HB 3375** (By Thompson), Relating to prompt payment penalties.

To Insurance.

**HB 3376** (By Thompson), Relating to the transfer of certain alcoholic beverages between certain permitted premises.

To Licensing and Administrative Procedures.

**HB 3377** (By Thompson), Relating to requiring certain defendants in common nuisance suits to provide telephone access to and information regarding an information and referral hotline for victims of human trafficking.

To Civil Practices.

**HB 3378** (By Truitt), Relating to the requirements governing municipal consent to the creation or expansion of certain water districts.

To Natural Resources.

**HB 3379** (By R. Cook), Relating to groundwater conservation districts regulation of groundwater use by political subdivisions.

To Natural Resources.

**HB 3380** (By R. Cook), Relating to retirement benefits for retired Texas Rangers.

To Pensions and Investments.

**HB 3381** (By Rodriguez), Relating to certain individuals employed to assist a registered lobbyist.

To Elections.

**HB 3382** (By Naishtat), Relating to providing certain computerized instructional material for blind and visually impaired students at public institutions of higher education.

To Higher Education.

**HB 3383** (By Naishtat), Relating to procedures regarding certain criminal defendants who are or may be persons with mental illness or mental retardation.

To Criminal Jurisprudence.

**HB 3384** (By Dunnam), Relating to creating the office of district attorney for the 201st Judicial District.

To Judiciary.

**HB 3385** (By Chisum), Relating to the funding of relocation of Interstate Oil and Gas Compact Commission and support of other entities.

To Energy Resources.

**HB 3386** (By Chisum), Relating to the creation of the Texas State Music History Museum.

To Culture, Recreation, and Tourism.

**HB 3387** (By Orr), Relating to the transfer of ad valorem tax liens.

To Financial Institutions.

**HB 3388** (By Olivo), Relating to the review of solid waste facility permits.

To Environmental Regulation.

**HB 3389** (By Villarreal), Relating to the reapportionment of state legislative, congressional, and judicial districts and the creation, function, and duties of the Texas Redistricting Commission.

To Redistricting.

**HB 3390** (By Villarreal), Relating to a kindergarten-plus pilot project for certain children.

To Public Education.

**HB 3391** (By Villarreal), Relating to public financing of the public education employee retirement system and an annual cost-of-living adjustment for certain retirement benefits.

To Pensions and Investments.

**HB 3392** (By Guillen), Relating to the resumption of employment by certain retirees within the Texas Municipal Retirement System.

To Pensions and Investments.

**HB 3393** (By T. King), Relating to the issuance of groundwater permits by the Edwards Aquifer Authority to persons who establish that they beneficially used groundwater during a certain period.

To Natural Resources.

**HB 3394** (By D. Howard), Relating to the appointment of members of the State Board of Education and to the establishment of regional education service centers.

To Public Education.

**HB 3395** (By Thompson), Relating to the billing and reassignment of the professional component of diagnostic imaging services.

To Public Health.

**HB 3396** (By Gallego), Relating to granting certain counties general zoning authority around certain military facilities; providing a penalty.

To Defense Affairs and State-Federal Relations.

**HB 3397** (By Gallego), Relating to an application for a writ of habeas corpus in certain felony cases.

To Civil Practices.

**HB 3398** (By Gallego), Relating to the power of the Culberson County Groundwater Conservation District to regulate certain wells and the water produced from those wells.

To Natural Resources.

**HB 3399** (By Gallego), Relating to the authority of the Texas Department of Transportation to sell or convey the Presidio International Bridge.

To Transportation.

**HB 3400** (By Anderson), Relating to the composition of the McLennan County Juvenile Board.

To Juvenile Justice and Family Issues.

**HB 3401** (By Anderson), Relating to the sale of cattle represented as sound for breeding purposes; providing a criminal penalty.

To Agriculture and Livestock.

**HB 3402** (By Anderson), Relating to the appointment of magistrates in McLennan County.

To Judiciary.

**HB 3403** (By Allen), Relating to the allotment under the foundation school program for special transportation of students receiving special education services.

To Public Education.

**HB 3404** (By Allen), Relating to mandatory sanctions for certain academically unacceptable public school campuses.

To Public Education.

**HB 3405** (By Allen), Relating to the recognition of law enforcement officers in certain counties.

To Law Enforcement.

**HB 3406** (By Hamilton), Relating to fees for and terms of permits and licenses issued by the Texas Alcoholic Beverage Commission.

To Licensing and Administrative Procedures.

**HB 3407** (By Hamilton), Relating to the appointment of emergency services boards in districts located in more than one county.

To County Affairs.

**HB 3408** (By Laubenberg), Relating to required hair care products for operation of a barbership or related specialty shop.

To Licensing and Administrative Procedures.

**HB 3409** (By Thompson), Relating to staff development training for certain public school personnel regarding student disciplinary procedures.

To Public Education.

**HB 3410** (By Gattis), Relating to alternative procedures for plat revision of residential areas by a county.

To Land and Resource Management.

**HB 3411** (By Gattis), Relating to the operation of the Texas Residential Construction Commission.

To State Affairs.

**HB 3412** (By Gattis), Relating to the award of attorney's fees in a judicial appeal of certain ad valorem tax determinations.

To Local Government Ways and Means.

**HB 3413** (By Gattis), Relating to jury assembly and administration.

To Judiciary.

**HB 3414** (By Coleman), Relating to the establishment of the Texas Medical Radiologic Technology Board of Examiners and the regulation of medical radiologic technology.

To Public Health.

**HB 3415** (By Garcia), Relating to the punishment for tampering with or fabricating physical evidence.

To Criminal Jurisprudence.

**HB 3416** (By Garcia), Relating to providing psychological counseling to jurors or alternate jurors in certain criminal trials.

To Criminal Jurisprudence.

**HB 3417** (By Garcia), Relating to the sales and use tax imposed by municipal crime control and prevention districts.

To Local Government Ways and Means.

**HB 3418** (By Guillen), Relating to state grants for student clubs in high schools that serve students at risk of dropping out of school.

To Public Education.

**HB 3419** (By Eissler), Relating to public school instructional materials.

To Public Education.

**HB 3420** (By Eissler), Relating to performance appraisal of public school principals and assistant principals.

To Public Education.

**HB 3421** (By Eissler), Relating to accountability systems for public school educator preparation programs.

To Public Education.

**HB 3422** (By Eissler), Relating to continuing education for public school teachers.

To Public Education.

**HB 3423** (By Eissler), Relating to performance appraisal of public school teachers.

To Public Education.

**HB 3424** (By Chisum), Relating to certain requirements for businesses required to obtain a registration certificate or license from the secretary of state or another licensing authority.

To Business and Industry.

**HB 3425** (By Eissler), Relating to the review of the public school system accountability.

To Public Education.

**HB 3426** (By Flynn), Relating to the continuation and functions of the Texas Veterans Commission.

To Defense Affairs and State-Federal Relations.

**HJR 100** (By Flores), Proposing a constitutional amendment authorizing video lottery games and casino gaming at certain racetracks, at certain tourist destination locations, and on Indian lands to provide additional money to fund governmental programs and regulating the locations at which gambling may be conducted in this state.

To Licensing and Administrative Procedures.

**HJR 101** (By Villarreal), Proposing a constitutional amendment establishing the Texas Redistricting Commission to establish legislative and congressional districts and revising constitutional redistricting procedures.

To Redistricting.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**HB 2193** (By Eiland), Relating to the applicability to certain school districts of provisions related to the equalized wealth level and state aid for property tax reduction.

To Public Education.

**HB 2514** (By McClendon), Relating to the creation of an arts and entertainment district by a populous municipality.

To Urban Affairs.

**HB 2561** (By Puente), Relating to the authority of a water and sewer utility to acquire property by eminent domain.

To Natural Resources.

**HB 2654** (By Puente), Relating to the regulation of the use of an injection well to inject nonhazardous brine from a desalination operation or to inject nonhazardous drinking water treatment residuals.

To Natural Resources.



**HCR 108** (By Vo), Memorializing Congress to approve sufficient funds for Texas' block grant allocation for the State Children's Health Insurance Program to enable the state to increase enrollment levels.

To Human Services.

### 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

Tuesday, March 20, 2007

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 2061**

Keffer, Jim

SPONSOR: Williams

Relating to the acquisition or disclosure of the social security number of a living person by a governmental body, including by a district or county clerk.

**SB 7**

Hinojosa

Relating to instruction in cardiopulmonary resuscitation, the availability and use of automated external defibrillators at certain school campuses and athletic events, and the creation of a cardiovascular screening pilot program.

**SB 82**

Van de Putte

Relating to safety regulations for certain public school extracurricular activities.

**SB 311**

Van de Putte

Relating to reemployment rights of certain members of the National Guard.

Respectfully,

Patsy Spaw

Secretary of the Senate

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### APPENDIX

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#### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**March 19**

Business and Industry - **HB 73**

County Affairs - **HB 673, HB 1298, HB 1780**

Criminal Jurisprudence - **HB 184**

Human Services - **HB 1763**

Licensing and Administrative Procedures - **HB 1029**

Local Government Ways and Means - **HB 402, HB 1010**

Public Health - **HB 246, HB 416**

**ENROLLED**

**March 19 - HB 542**