

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FIFTY-EIGHTH DAY (CONTINUED) — THURSDAY, APRIL 19, 2007

The house met at 9 a.m. and, at the request of the speaker, was called to order by Representative Hamilton.

The roll of the house was called and a quorum was announced present (Record 556).

Present — Mr. Speaker; Allen; Alonzo; 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.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; 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; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; 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.

Absent, Excused — Heflin; Moreno; Pierson.

The invocation was offered by Dr. Michael McKee, pastor, First United Methodist Church, Hurst, as follows:

Holy God, we pray this day for all your children: for those who serve on our behalf in the midst of peril in Iraq and Afghanistan and other places in the world, make us mindful of our debt to them; for those who are struggling to secure a future for their families, may we encourage and walk with them; for those who are victims of violence, may they may find peace and healing.

You have created all your children. May we seek to see each person as you, our creator sees—as a person of dignity and worth. May we utilize the abundant and diverse resources of people, ideas, land, passion, and courage that exist in Texas to create greater opportunities and a better future for all Texans.

We, the people of Texas, are grateful for those who willingly serve as legislators and act on our behalf. We are grateful for the staff who support their work. For all who serve to make Texas a better place for all people, we give you thanks.

As the morning begins, and the work of the Texas Legislature is transacted, differences may arise. May civility and integrity guide the proceedings and transactions so that at the end of our work together, we will be able to say that what transpired here reflected your vision for your people. Amen.

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

(Speaker in the chair)

### **LEAVES OF ABSENCE GRANTED**

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

Heflin on motion of Martinez.

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

Moreno on motion of Quintanilla.

Pierson on motion of S. King.

### **HR 1578 - ADOPTED (by Zedler)**

Representative Zedler moved to suspend all necessary rules to take up and consider at this time **HR 1578**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1578**, Honoring the recipients of the 2007 Communities In Schools Best of Texas Awards.

**HR 1578** was read and was adopted.

### **INTRODUCTION OF GUESTS**

The speaker recognized Representative Zedler who introduced recipients of the 2007 Communities In Schools Best of Texas Awards.

### **LEAVE OF ABSENCE GRANTED**

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

Branch on motion of Straus.

(Patrick in the chair)

### 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 chair recognized Representative Hancock who presented Dr. Erica Swegler of Keller as the "Doctor for the Day."

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

(Speaker in the chair)

### HR 167 - READ (by Hilderbran and T. King)

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

**HR 167**, Recognizing the 2007 and 2008 appointments of State Poet Laureate, State Musician, and State Visual Artists.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Hilderbran who introduced the 2007 and 2008 appointments of State Poet Laureate, State Musician, and State Visual Artists.

(Woolley in the chair)

### HR 400 - READ (by Noriega)

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

**HR 400**, Honoring agents of the Texas Alcoholic Beverage Commission for participating in Hurricane Katrina relief efforts at the George R. Brown Convention Center in Houston in September 2005.

### HR 400 - MOTION TO ADD NAMES

On motion of Representative J. Davis, the names of all the members of the house were added to **HR 400** as signers thereof.

### INTRODUCTION OF GUESTS

The chair recognized Representative Noriega who introduced agents of the Texas Alcoholic Beverage Commission who participated in Hurricane Katrina relief efforts.

### HR 826 - READ (by Alonzo)

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

**HR 826**, Honoring members of the Texas Dental Association and Texas Dental Association Smiles Foundation for their contributions to the 13th Texas Mission of Mercy.

### INTRODUCTION OF GUESTS

The chair recognized Representative Alonzo who introduced representatives of the Texas Dental Association and Texas Dental Association Smiles Foundation.

#### **HR 1601 - ADOPTED (by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 1601**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1601**, In memory of U.S. Army Specialist Philip Cody Ford of Jones Creek.

**HR 1601** was read and was unanimously adopted by a rising vote.

On motion of Representative Noriega, the names of all the members of the house were added to **HR 1601** as signers thereof.

### INTRODUCTION OF GUESTS

The chair recognized Representative Bonnen who introduced family members of U.S. Army Specialist Philip Cody Ford.

#### **LEAVE OF ABSENCE GRANTED**

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

Vaught on motion of Harless.

#### **HR 1507 - ADOPTED (by Dunnam, Guillen, Pitts, R. Cook, and Talton)**

Representative Guillen moved to suspend all necessary rules to take up and consider at this time **HR 1507**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1507**, Honoring Corporal Ronald Stanfield and Troopers Cynthia Sparks and Thomas M. Harris of the Texas Department of Public Safety for saving the life of a legislative employee.

**HR 1507** was read and was adopted.

On motion of Representatives Alonzo and Riddle, the names of all the members of the house were added to **HR 1507** as signers thereof.

### INTRODUCTION OF GUESTS

The chair recognized Representative Guillen who introduced Corporal Ronald Stanfield, Trooper Cynthia Sparks, Trooper Thomas M. Harris, and Robert and Kate McVey.

(McClendon in the chair)

### RESOLUTIONS ADOPTED

Representative Macias moved to suspend all necessary rules in order to take up and consider at this time **HR 1058 - HR 1248**.

The motion prevailed.

The following resolutions were laid before the house:

**HR 1058** (by Raymond), Honoring retired educator Graciela Gutierrez of Laredo.

**HR 1059** (by Raymond), Honoring retired educator Laura G. Magnon of Laredo.

**HR 1060** (by Raymond), Honoring retired educator Laura J. Pichot of Laredo.

**HR 1061** (by Raymond), Honoring retired educator Cynthia Rodriguez of Laredo.

**HR 1062** (by Raymond), Honoring retired educator Ricardo Salinas of Laredo.

**HR 1063** (by Raymond), Honoring retired educator Gerardo Sefulveda of Laredo.

**HR 1064** (by Raymond), Honoring retired educator Maria Rosario Vela of Laredo.

**HR 1065** (by Raymond), Honoring retired educator Gregorio Gallegos of Laredo.

**HR 1066** (by Raymond), Honoring retired educator Maria Teresa Hinojosa of Laredo.

**HR 1067** (by Raymond), Honoring retired educator Kirk B. Lindsey of Laredo.

**HR 1068** (by Raymond), Honoring retired educator Ana Lila Perez-Sakr of Laredo.

**HR 1069** (by Raymond), Honoring retired educator Cayetano Tijerina III of Laredo.

**HR 1070** (by Raymond), Honoring retired educator Patricia Rathmel of Laredo.

**HR 1071** (by Raymond), Honoring retired educator Norma Cavazos of Laredo.

**HR 1072** (by Raymond), Honoring retired educator Francisco Cabello, Jr., of Laredo.

**HR 1073** (by Raymond), Honoring retired educator Robert Llano, Jr., of Laredo.

**HR 1074** (by Raymond), Honoring retired educator Robert Mora, Jr., of Laredo.

**HR 1075** (by Raymond), Honoring retired educator Guillermo Medrano, Jr., of Laredo.

**HR 1076** (by Raymond), Honoring retired educator John A. Snyder, Jr., of Laredo.

**HR 1077** (by Raymond), Honoring retired educator Jose Lara, Jr., of Laredo.

**HR 1078** (by Raymond), Honoring retired educator Teofilo Martinez, Jr., of Laredo.

**HR 1079** (by Raymond), Honoring retired educator Joaquin Ramirez, Jr., of Laredo.

**HR 1080** (by Raymond), Honoring retired educator Manuel Zuniga, Jr., of Laredo.

**HR 1081** (by Raymond), Honoring retired educator Shirley Winch of Laredo.

**HR 1082** (by Raymond), Honoring retired educator Dolores Barton of Laredo.

**HR 1083** (by Raymond), Honoring retired educator Marina Lucinda Cantu-Ramirez of Laredo.

**HR 1084** (by Raymond), Honoring retired educator Graciela Gonzalez of Laredo.

**HR 1085** (by Raymond), Honoring retired educator Renato Gutierrez of Laredo.

**HR 1086** (by Raymond), Honoring retired educator Blanca Ramirez of Laredo.

**HR 1087** (by Raymond), Honoring retired educator Imelda Villarreal of Laredo.

**HR 1088** (by Raymond), Honoring retired educator Robert L. Nelson of Laredo.

**HR 1089** (by Raymond), Honoring retired educator Imelda Salinas of Laredo.

**HR 1090** (by Raymond), Honoring retired educator Virginia Coe of Laredo.

**HR 1091** (by Raymond), Honoring retired educator Maria D. Herrera of Laredo.

**HR 1092** (by Raymond), Honoring retired educator Norma Leal of Laredo.

**HR 1093** (by Raymond), Honoring retired educator Celia Martinez of Laredo.

**HR 1094** (by Raymond), Honoring retired educator Magdalena Campos of Laredo.

**HR 1095** (by Raymond), Honoring retired educator Herminia Torres of Laredo.

**HR 1096** (by Raymond), Honoring retired educator Ruben Aguirre of Laredo.

**HR 1097** (by Raymond), Honoring retired educator Esther Juarez of Laredo.

**HR 1098** (by Raymond), Honoring retired educator Inez De Los Santos of Laredo.

**HR 1099** (by Raymond), Honoring retired educator Miroslava Romo of Laredo.

**HR 1100** (by Raymond), Honoring retired educator Laura Nishiyama of Laredo.

**HR 1101** (by Raymond), Honoring retired educator Jose Luis Velasquez of Laredo.

**HR 1102** (by Raymond), Honoring retired educator Thomas Coyne of Laredo.

**HR 1103** (by Raymond), Honoring retired educator Carlos Dovalina of Laredo.

**HR 1104** (by Raymond), Honoring retired educator William Groogan of Laredo.

**HR 1105** (by Raymond), Honoring retired educator Cynthia Ramirez of Laredo.

**HR 1106** (by Raymond), Honoring retired educator Royal R. Osburn of Laredo.

**HR 1107** (by Raymond), Honoring retired educator Maria T. Ramirez of Laredo.

**HR 1108** (by Raymond), Honoring retired educator Miguel Ruiz of Laredo.

**HR 1109** (by Raymond), Honoring retired educator Yvonne Ruiz of Laredo.

**HR 1110** (by Raymond), Honoring retired educator Margarita Villarreal of Laredo.

**HR 1111** (by Raymond), Honoring retired educator Alma P. Silva of Laredo.

**HR 1112** (by Raymond), Honoring retired educator David Guardiola of Laredo.

**HR 1113** (by Raymond), Honoring retired educator Carlos Gil of Laredo.

**HR 1114** (by Raymond), Honoring retired educator Laurentina Morales of Laredo.

**HR 1115** (by Raymond), Honoring retired educator Francisco Segura of Laredo.

**HR 1116** (by Raymond), Honoring retired educator Idolinda Smith of Laredo.

**HR 1117** (by Raymond), Honoring retired educator Maria Saucedo of Laredo.

**HR 1118** (by Raymond), Honoring retired educator Olivia Martinez of Laredo.

**HR 1119** (by Raymond), Honoring retired educator Nancy Wright of Laredo.

**HR 1120** (by Raymond), Honoring retired educator Araceli Zuniga of Laredo.

**HR 1121** (by Raymond), Honoring retired educator Berta Alvarez of Laredo.

**HR 1122** (by Raymond), Honoring retired educator Ruben S. Gonzalez of Laredo.

**HR 1123** (by Raymond), Honoring retired educator Clara A. Barrera of Laredo.

**HR 1124** (by Raymond), Honoring retired educator Delia Gutierrez of Laredo.

**HR 1125** (by Raymond), Honoring retired educator Belia Lerma of Laredo.

**HR 1126** (by Raymond), Honoring retired educator Juan F. Perales of Laredo.

**HR 1127** (by Raymond), Honoring retired educator Esterina Pulido of Laredo.

**HR 1128** (by Raymond), Honoring retired educator Alicia Rogerio of Laredo.

**HR 1129** (by Raymond), Honoring retired educator Graciela Noyola of Laredo.

**HR 1130** (by Raymond), Honoring retired educator Leticia Garza of Laredo.

**HR 1131** (by Raymond), Honoring retired educator Juan M. Duncan of Laredo.

**HR 1132** (by Raymond), Honoring retired educator Maria Del Rosario Martinez of Laredo.

**HR 1133** (by Raymond), Honoring retired educator Rosa Speer of Laredo.

**HR 1134** (by Raymond), Honoring retired educator Mario Compean of Laredo.

**HR 1135** (by Raymond), Honoring retired educator Gloria Cabello of Laredo.

**HR 1136** (by Raymond), Honoring retired educator Sonia T. Rangel of Laredo.

**HR 1137** (by Raymond), Honoring retired educator Linda Sanchez of Laredo.

**HR 1138** (by Raymond), Honoring retired educator Yolanda Benavides of Laredo.

**HR 1139** (by Raymond), Honoring retired educator Frances Wawroski of Laredo.

**HR 1140** (by Raymond), Honoring retired educator Antonia O. Ibarra of Laredo.

**HR 1141** (by Raymond), Honoring retired educator Grace Scherzer of Laredo.

**HR 1142** (by Raymond), Honoring retired educator Diana Erickson of Laredo.

**HR 1143** (by Raymond), Honoring retired educator Hilda Kiel of Laredo.

**HR 1144** (by Raymond), Honoring retired educator Idalia Mendoza of Laredo.

**HR 1145** (by Raymond), Honoring retired educator Gloria Rios of Laredo.

**HR 1146** (by Raymond), Honoring retired educator Herminia Castro of Laredo.

**HR 1147** (by Raymond), Honoring retired educator Blanca E. Endlich of Laredo.

**HR 1148** (by Raymond), Honoring retired educator Lydia De La Vina of Laredo.

**HR 1149** (by Raymond), Honoring retired educator Hilda Gonzales of Laredo.

**HR 1150** (by Raymond), Honoring retired educator Maria Palacios of Laredo.

**HR 1151** (by Raymond), Honoring retired educator Carlos Rodriguez of Laredo.

**HR 1152** (by Raymond), Honoring retired educator Mirtha Gonzalez of Laredo.

**HR 1153** (by Raymond), Honoring retired educator Hilda Villarreal of Laredo.

**HR 1154** (by Raymond), Honoring retired educator Berta C. Castro of Laredo.

**HR 1155** (by Raymond), Honoring retired educator Patricia H. Ramirez of Laredo.

**HR 1156** (by Raymond), Honoring retired educator Carlota Estela Trevino of Laredo.

**HR 1157** (by Raymond), Honoring retired educator Joel Uribe of Laredo.

**HR 1158** (by Raymond), Honoring retired educator Gary S. Campbell of Laredo.

**HR 1159** (by Raymond), Honoring retired educator Jose Luis Aldaco of Laredo.

**HR 1160** (by Raymond), Honoring retired educator John Cox of Laredo.

**HR 1161** (by Raymond), Honoring retired educator Mary L. Dovalina of Laredo.

**HR 1162** (by Raymond), Honoring retired educator Maria A. Hernandez of Laredo.

**HR 1163** (by Raymond), Honoring retired educator Alfredo Enrique Guerra of Laredo.

**HR 1164** (by Raymond), Honoring retired educator Antonio Salinas of Laredo.

**HR 1165** (by Raymond), Honoring retired educator Rose M. Trevino of Laredo.

**HR 1166** (by Raymond), Honoring retired educator Juanita I. Martinez of Laredo.

**HR 1167** (by Raymond), Honoring retired educator Maria Earles of Laredo.

**HR 1168** (by Raymond), Honoring retired educator Linda H. Fagan of Laredo.

**HR 1169** (by Raymond), Honoring retired educator Maria Eugenia Garcia of Laredo.

**HR 1170** (by Raymond), Honoring retired educator Angela Gomez of Laredo.

**HR 1171** (by Raymond), Honoring retired educator Lavita Gilpin of Laredo.

**HR 1172** (by Raymond), Honoring retired educator Graciela Rathmell of Laredo.

**HR 1173** (by Raymond), Honoring retired educator Elaine G. Rodriguez of Laredo.

**HR 1174** (by Raymond), Honoring retired educator Joe Aguirre of Laredo.

**HR 1175** (by Raymond), Honoring retired educator M. Hivalia Cerda of Laredo.

**HR 1176** (by Raymond), Honoring retired educator Maria Del Carmen Munoz of Laredo.

**HR 1177** (by Raymond), Honoring retired educator Consuelo Flores of Laredo.

**HR 1178** (by Raymond), Honoring retired educator Mary Pearl Shinn of Laredo.

**HR 1179** (by Raymond), Honoring retired educator Jose Luis Castaneda of Laredo.

**HR 1180** (by Raymond), Honoring retired educator Sylvia Molina of Laredo.

**HR 1181** (by Raymond), Honoring retired educator Maria Martinez of Laredo.

**HR 1182** (by Raymond), Honoring retired educator Jose Guevara of Laredo.

**HR 1183** (by Raymond), Honoring retired educator Melton Boyett of Laredo.

**HR 1184** (by Raymond), Honoring retired educator Esther Arreazola of Laredo.

**HR 1185** (by Raymond), Honoring retired educator Rolando F. Gadna of Laredo.

**HR 1186** (by Raymond), Honoring retired educator Irma Hooper of Laredo.

**HR 1187** (by Raymond), Honoring retired educator George N. Woods of Laredo.

**HR 1188** (by Raymond), Honoring retired educator Michael Daniel of Laredo.

**HR 1189** (by Raymond), Honoring retired educator Rosangela C. Garcia of Laredo.

**HR 1190** (by Raymond), Honoring retired educator Rosa Ballesteros of Laredo.

**HR 1191** (by Raymond), Honoring retired educator Alfonso Mayers of Laredo.

**HR 1192** (by Raymond), Honoring retired educator Linda W. Trevino of Laredo.

**HR 1193** (by Raymond), Honoring retired educator Armando Castaneda of Laredo.

**HR 1194** (by Raymond), Honoring retired educator Felepe Jimenez of Laredo.

**HR 1195** (by Raymond), Honoring retired educator Floyd Scrimshire of Laredo.

**HR 1196** (by Raymond), Honoring retired educator Veronica Rubio of Laredo.

**HR 1197** (by Raymond), Honoring retired educator Maria O. Stahl of Laredo.

**HR 1198** (by Raymond), Honoring retired educator Juan R. Saucedo of Laredo.

**HR 1199** (by Raymond), Honoring retired educator Roberto Xavier Miranda of Laredo.

**HR 1200** (by Raymond), Honoring retired educator Genoveva Mendiola of Laredo.

**HR 1201** (by Raymond), Honoring retired educator Arabella Martinez of Laredo.

**HR 1202** (by Raymond), Honoring retired educator Adela Gutierrez of Laredo.

**HR 1203** (by Raymond), Honoring retired educator Nelda Guardiola of Laredo.

**HR 1204** (by Raymond), Honoring retired educator Higinio Gonzalez of Laredo.

**HR 1205** (by Raymond), Honoring retired educator Gloria Farmer of Laredo.

**HR 1206** (by Raymond), Honoring retired educator George Diaz of Laredo.

**HR 1207** (by Raymond), Honoring retired educator Hector Chacon of Laredo.

**HR 1208** (by Raymond), Honoring retired educator Mary Cantu of Laredo.

**HR 1209** (by Raymond), Honoring retired educator Graciela Salinas of Laredo.

**HR 1210** (by Raymond), Honoring retired educator M. Sylvia Bradley of Laredo.

**HR 1211** (by Raymond), Honoring retired educator Elia Flores of Laredo.

**HR 1212** (by Raymond), Honoring retired educator San Juana G. Cervantes of Laredo.

**HR 1213** (by Raymond), Honoring retired educator Maria Dovalina of Laredo.

**HR 1214** (by Raymond), Honoring retired educator Hope Fernandez of Laredo.

**HR 1215** (by Raymond), Honoring retired educator Jesus Martinez III of Laredo.

**HR 1216** (by Raymond), Honoring retired educator Laura Reyna of Laredo.

**HR 1217** (by Raymond), Honoring retired educator Maria Rocha of Laredo.

**HR 1218** (by Raymond), Honoring retired educator Alicia Romo of Laredo.

**HR 1219** (by Raymond), Honoring retired educator Placida Narvaez of Laredo.

**HR 1220** (by Raymond), Honoring retired educator Rosaura Perez of Laredo.

**HR 1221** (by Raymond), Honoring retired educator Sylvia Cortez of Laredo.

**HR 1222** (by Raymond), Honoring retired educator Rosa V. Garcia of Laredo.

**HR 1223** (by Raymond), Honoring retired educator M. Refugio Pena of Laredo.

**HR 1224** (by Raymond), Honoring retired educator Maria Rodriguez of Laredo.

**HR 1225** (by Raymond), Honoring retired educator Maria Sosa of Laredo.

**HR 1226** (by Raymond), Honoring retired educator Edna De La Garza of Laredo.

**HR 1227** (by Raymond), Honoring retired educator Nancy M. Chamberlain of Laredo.

**HR 1228** (by Raymond), Honoring retired educator Edna Emma Valle of Laredo.

**HR 1229** (by Raymond), Honoring retired educator Richard A. Ponti of Laredo.

**HR 1230** (by Raymond), Honoring retired educator Sally K. Osburn of Laredo.

**HR 1231** (by Raymond), Honoring retired educator Maria Ofelia Juarez of Laredo.

**HR 1232** (by Raymond), Honoring retired educator Judy Cavazos of Laredo.

**HR 1233** (by Raymond), Honoring retired educator Evangelina Maldonado of Laredo.

**HR 1234** (by Raymond), Honoring retired educator Irene G. Hill of Laredo.

**HR 1235** (by Raymond), Honoring retired educator Isabel H. Sanchez of Laredo.

**HR 1236** (by Raymond), Honoring retired educator Daniel T. Maldonado of Laredo.

**HR 1237** (by Raymond), Honoring retired educator M. Anabela Castillo of Laredo.

**HR 1238** (by Raymond), Honoring retired educator Peggy Susan Batey of Laredo.

**HR 1239** (by Raymond), Honoring retired educator Nicola Lanese of Laredo.

**HR 1240** (by Raymond), Honoring retired educator Johnny Hammond of Laredo.

**HR 1241** (by Raymond), Honoring retired educator Humberto Jacinto of Laredo.

**HR 1242** (by Raymond), Honoring retired educator Agustin Ballesteros of Laredo.

**HR 1243** (by Raymond), Honoring retired educator Maria R. Guerra of Laredo.

**HR 1244** (by Raymond), Honoring retired educator Lydia H. Yzaguirre of Laredo.

**HR 1245** (by Raymond), Honoring retired educator Consuelo D. Czar of Laredo.

**HR 1246** (by Raymond), Honoring retired educator Maria Trevino of Laredo.

**HR 1247** (by Raymond), Honoring retired educator Alicia Rodriguez of Laredo.

**HR 1248** (by Raymond), Honoring retired educator Maria Eugenia Lopez of Laredo.

The resolutions were adopted.

#### **CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were laid before the house:

**HCR 185** (by Bohac), Congratulating Patricia Montgomery on being named Outstanding Juvenile Probation Officer of the Year for 2006 by the Harris County Juvenile Probation Department.

**HCR 188** (by Merritt), Honoring the 60th anniversary of Skeeter Products of Kilgore.

**HR 972** (by Gallego), Congratulating Raul W. Ramos on the occasion of his retirement from Sul Ross State University.

**HR 1377** (by Creighton), Honoring Operation Helmet for its efforts to assist U.S. military personnel.

**HR 1380** (by Hernandez), Honoring Johnnie Rountree for his outstanding work in behalf of Galena Park ISD.

**HR 1381** (by Farabee), Honoring Iowa Park police chief Steve Klempa on his retirement.

**HR 1382** (by Dukes), Honoring the Huston-Tillotson University Choir on the occasion of its annual Houston concert.

**HR 1383** (by Chavez), Congratulating Estrella Escobar of El Paso on her selection to the Texas Lyceum.

**HR 1384** (by Chavez), Congratulating Governor Bill Richardson of New Mexico on winning the Sembrador del Bien Award from the Sin Fronteras Organizing Project.

**HR 1385** (by Chavez), Congratulating Fermin Dorado on his receipt of the Sembrador del Bien Award from the Sin Fronteras Organizing Project.

**HR 1386** (by Chavez), Congratulating Terry W. Hammond of El Paso on his professional achievements.

**HR 1387** (by Hughes), Congratulating Jack and Bonnie Frost of Quitman on their 65th wedding anniversary.

**HR 1388** (by Hughes), Commemorating the 100th anniversary of the founding of the Mineola Fire Department.

**HR 1389** (by Deshotel), Commending Martin Luther King III for his contributions to social justice on the occasion of his visit to the State Capitol.

**HR 1390** (by Flynn), Congratulating Frances McGregor and Fred McGregor, Sr., of Canton on their 60th wedding anniversary.

**HR 1391** (by Dutton), Honoring Cortney Sanders on her first place finish at the Houston ISD Regional History Fair.

**SCR 50** (Hilderbran - House Sponsor), Recognizing April 3, 2007, as Texas Medal of Arts Awards Day at the Capitol.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

**HR 1378** (by Anchia), In memory of James C. Henderson.

**HR 1392** (by Otto), In memory of Benjamin Ellis Pickett, Sr., of Liberty.

**HR 1421** (by Y. Davis), In memory of Katherine Reddy Eddy of Dallas.

**HR 1425** (by Quintanilla), In memory of Bill A. Borrego of Clint.

**HR 1426** (by Quintanilla), In memory of Jose Guillermo Alarcon, Sr., of Clint.

**HR 1428** (by Quintanilla), In memory of Alfredo G. Alarcon of San Elizario.

**HR 1429** (by Haggerty), In memory of Francis John "Flip" Morin of El Paso.

**HR 1430** (by Gallego), In memory of Elizabeth Ann Reeves Warnock of Fort Stockton.

**HR 1432** (by Gallego), In memory of Stephen Daniel Lindsey.

The resolutions were unanimously adopted by a rising vote.

#### **MOTION TO ADD NAMES**

On motion of Representative Gallego, the names of all the members of the house were added to **HR 972**, **HR 1430**, and **HR 1432** as signers thereof.

(Speaker pro tempore in the chair)

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR  
SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading, and the following resolutions were laid before the house on committee report and adopted (members registering votes are shown following the caption):

**SB 192** (Swinford - House Sponsor), A bill to be entitled An Act relating to the Texas Mutual Insurance Company and the application of certain statutes to the Texas Mutual Insurance Company.

**CSSB 229** (Gonzales - House Sponsor), A bill to be entitled An Act relating to the seal of a district court and the signature of the district clerk used on process issued by the court.

**CSSB 343** (Alonzo - House Sponsor), A bill to be entitled An Act relating to the oath taken by witnesses appearing before a grand jury.

**CSSB 369** (Callegari - House Sponsor), A bill to be entitled An Act relating to an offense involving a motor vehicle with an altered or obscured license plate.

**CSSB 369 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE C. HOWARD: Is it the intent of this bill to not allow the use of license plate brackets?

REPRESENTATIVE CALLEGARI: No. This bill provides for the reasonable use of license plate brackets, even if they obscure a portion of an original design feature of a license plate.

C. HOWARD: Is a license plate bracket that covers an original design feature of the license plate, such as the oil derrick or the space shuttle, or the phrase "the Lone Star State" at the bottom acceptable under this bill?

CALLEGARI: Absolutely.

C. HOWARD: How would you describe something that significantly impairs the readability of the name of the state or the letters or numbers of the license plate number?

CALLEGARI: Basically some kind of film or covering that actually covers the number of the license plate.

C. HOWARD: Do you think that it would be appropriate for law enforcement to stop motorists to measure their license plate bracket's compliance with the requirements of this Act?

CALLEGARI: Not at all. The intent of this bill is not to give law enforcement officials a reason to pull over and harass motorists.

**REMARKS ORDERED PRINTED**

Representative C. Howard moved to print remarks between Representative Callegari and Representative C. Howard.

The motion prevailed.

**CSSB 456** (Rodriguez - House Sponsor), A bill to be entitled An Act relating to notice of provisions authorizing tax deferral or abatement.

**HB 56** (by Isett), A bill to be entitled An Act relating to the operation of crematory establishments by commercial embalming establishments.

**HB 100** (by Martinez), A bill to be entitled An Act relating to the fee charged for the Texas Airport Directory.

**CSHB 210** (by Flynn, B. Brown, Berman, and Hughes), A bill to be entitled An Act relating to the designation of a portion of Interstate Highway 20 as the Ronald Reagan Memorial Highway. (Burnam and Veasey recorded voting no.)

**CSHB 264** (by Phillips), A bill to be entitled An Act relating to the procedure for rendering certain property for ad valorem taxation if the information contained in the most recently filed rendition statement continues to be accurate.

**CSHB 563** (by Noriega), A bill to be entitled An Act relating to municipal and county eligibility for federal grants related to commercial motor vehicle safety.

**CSHB 730** (by Kolkhorst), A bill to be entitled An Act relating to the notice of a municipality's or county's intention to issue certificates of obligation.

**CSHB 948** (by Y. Davis), A bill to be entitled An Act relating to requirements for labeling certain drugs.

**CSHB 1052** (by Callegari), A bill to be entitled An Act relating to requiring warning signs before intersections at which a municipality uses a photographic traffic monitoring system to enforce compliance with a traffic-control signal.

**CSHB 1110** (by Callegari), A bill to be entitled An Act relating to the use by an active peace officer of the officer's rank or status to advertise or promote certain private businesses.

**CSHB 1244** (by Kuempel), A bill to be entitled An Act relating to contributions to, benefits from, and the administration of the Texas Municipal Retirement System.

**HB 1420** (by W. Smith), A bill to be entitled An Act relating to the removal of property from county roads by certain counties.

**CSHB 1471** (by Hancock, et al.), A bill to be entitled An Act relating to resource sharing among certain political subdivisions, including regional planning commissions, during a disaster.

#### **Amendment No. 1**

Representative Hancock offered the following amendment to **CSHB 1471**:

Amend **CSHB 1471** as follows:

(1) On page 1, strike lines 10-13 and substitute the following:

(b) A local entity may designate by majority vote of its governing body an individual authorized to approve resource sharing agreements under this section.

(c) A local entity may share its resources with another local entity, regardless of the process required for sharing resources under an emergency management plan or program or local law, only if authorized by an individual designated under Subsection (b) for the sharing entity's governing body and:

(2) On page 1, line 18, strike "presiding officers" and substitute "individuals designated under Subsection (b) for the governing bodies".

Amendment No. 1 was adopted.

**CSHB 1522** (by Harless), A bill to be entitled An Act relating to parking a commercial motor vehicle on certain streets.

**HB 1590** (by Smithee), A bill to be entitled An Act relating to Chapter 425, Subchapter B, Insurance Code, the Standard Valuation Law, by adding Section 425.071 to include lapse rates in the calculation of reserves for secondary guarantees in universal life contracts.

**HB 1652** (by Macias), A bill to be entitled An Act relating to the provision of forms for personal financial statements filed with the Texas Ethics Commission.

**HB 1694** (by Bailey), A bill to be entitled An Act relating to the boundaries of the Airline Improvement District in Harris County.

**HB 1930** (by Keffer), A bill to be entitled An Act relating to gifts and grants for financing or assisting the operation of the office of county attorney in Brown County.

**CSHB 2066** (by Laubenberg), A bill to be entitled An Act relating to the accessibility of initial training and continuing education for constables.

**CSHB 2174** (by Bonnen), A bill to be entitled An Act relating to excluding the transportation of gas to and from a liquefied natural gas marine terminal from being considered a gas utility.

**HB 2176** (by Deshotel, Eissler, Escobar, Flynn, Delisi, et al.), A bill to be entitled An Act relating to a parenting and paternity awareness component of the high school health curriculum.

**HB 2398** (by Delisi, Gonzalez Toureilles, et al.), A bill to be entitled An Act relating to the issuance of specialty license plates to immediate family members of a person who dies while serving in the United States armed forces.

### **HB 2398 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE GONZALEZ TOUREILLES: Is it your intent to use the definition of family used by the Department of Defense to define who can get a gold star family license plate?

REPRESENTATIVE DELISI: It is.

GONZALEZ TOUREILLES: Thank you.

DELISI: Thank you, and thank you for this legislative intent and thank you for your help with this most important license plate for families that have suffered loss.

**REMARKS ORDERED PRINTED**

Representative Gonzalez Toureilles moved to print remarks between Representative Delisi and Representative Gonzalez Toureilles.

The motion prevailed.

**CSHB 2406** (by Hardcastle), A bill to be entitled An Act relating to the powers and duties of the Gainesville Hospital District.

**HB 2484** (by Menendez), A bill to be entitled An Act relating to the funds allocation advisory committee of the Texas Commission on Fire Protection.

**CSHB 2514** (by McClendon), A bill to be entitled An Act relating to the creation of an arts and entertainment district by a populous municipality.

**HB 2708** (by Hancock), A bill to be entitled An Act relating to the nature of certain promotional event prize programs.

**HB 2727** (by Goolsby), A bill to be entitled An Act relating to storage of certain imported alcoholic beverages.

**HB 2840** (by S. King), A bill to be entitled An Act relating to the requirements for a petition seeking an election to abolish a municipality's corporate existence.

**CSHB 2931** (by T. King), A bill to be entitled An Act relating to required notice of and a lien resulting from damage to a fence.

**HB 3089** (by Phillips), A bill to be entitled An Act relating to the definition of a roadway. (Latham recorded voting no.)

**HB 3170** was withdrawn.

**HB 3189** (by C. Howard), A bill to be entitled An Act relating to the notice of the public hearings to be held on a proposal to increase the total ad valorem tax revenues of a taxing unit. (Latham recorded voting no.)

**Amendment No. 1**

Representative C. Howard offered the following amendment to **HB 3189**:

Amend **HB 3189** (house committee printing) as follows:

(1) On page 5, between lines 8 and 9, insert the following new SECTION, appropriately numbered, and renumber subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 26.06(d), Tax Code, is amended to read as follows:

(d) At the public hearings the governing body shall announce the date, time, and place of the meeting at which it will vote on the proposed tax rate. After each hearing the governing body shall give notice of the meeting at which it will vote on the proposed tax rate and the notice shall be in the same form as prescribed by Subsections (b) and (c), except that it must state the following:

"NOTICE OF [~~VOTE ON~~] TAX REVENUE INCREASE [~~RATE~~]

"The (name of the taxing unit) conducted public hearings on (date of first hearing) and (date of second hearing) on a proposal to increase the total tax revenues of the (name of the taxing unit) from properties on the tax roll in the

preceding year by (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under this chapter) percent ~~on~~ ~~(dates and times public hearings were conducted)~~].

"The total tax revenue proposed to be raised last year at last year's tax rate of (insert tax rate for the preceding year) for each \$100 of taxable value was (insert total amount of taxes imposed in the preceding year).

"The total tax revenue proposed to be raised this year at the proposed tax rate of (insert proposed tax rate) for each \$100 of taxable value, excluding tax revenue to be raised from new property added to the tax roll this year, is (insert amount computed by multiplying proposed tax rate by the difference between current total value and new property value).

"The total tax revenue proposed to be raised this year at the proposed tax rate of (insert proposed tax rate) for each \$100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year, is (insert amount computed by multiplying proposed tax rate by current total value).

"The (governing body of the taxing unit) is scheduled to vote on the tax rate that will result in that tax increase at a public meeting to be held on (date of meeting) at (location of meeting, including mailing address) at (time of meeting [and time] at (meeting place))."

(2) On page 5, strike lines 12-14 and substitute the following:

SECTION 3. (a) Sections 26.06(b) and (d), Tax Code, as amended by this Act, apply to the publication of a notice required by those sections in connection with the adoption of the ad

(3) On page 5, strike lines 18-20 and substitute the following:

Section 26.06(b) or (d), Tax Code, as applicable, before the effective date of this Act, Section 26.06(b) or (d), Tax Code, as amended by this Act, applies to the publication of the notice required by that section

Amendment No. 1 was adopted.

**HB 3191** (by Hill), A bill to be entitled An Act relating to the exemption from ad valorem taxation of certain property used to provide low-income housing.

**HB 3193** (by Hill), A bill to be entitled An Act relating to the circumstances under which an appraisal review board hearing shall be closed to the public.

**HB 3295** (by Driver), A bill to be entitled An Act relating to the DNA samples taken from certain offenders.

**HB 3614** (by Swinford), A bill to be entitled An Act relating to the election, powers, and duties of the members of the board of directors of the Midland County Hospital District.

**HB 3718** (by Krusee), A bill to be entitled An Act relating to terms of directors of a regional mobility authority.

**HB 3787** (by Isett, Crabb, Haggerty, et al.), A bill to be entitled An Act relating to a probate fee exemption for estates of members of the armed forces of the United States who died while serving in a combat zone.

**HB 3972** (by Hughes), A bill to be entitled An Act relating to a bailiff to serve the 115th District Court in Upshur County.

**HCR 70** (by Goolsby), Authorizing the lieutenant governor and speaker to appoint interim joint committees.

**HR 578** (by Gattis), Granting permission to Texas Aggie Muster to use the chamber of the Texas House of Representatives on April 21, 2007.

**CSHB 1768** (by Anchia, Goolsby, Branch, and Hodge), A bill to be entitled An Act relating to the hours worked during a week by police officers in certain municipalities.

**CSHB 3437** (by Flores), A bill to be entitled An Act relating to an optional fee on registration of a vehicle in certain counties to fund transportation projects.

**Amendment No. 1**

Representative Lucio offered the following amendment to **CSHB 3437**:

Amend **CSHB 3437** on page 1, line 10, by striking "500,000" and substituting "300,000".

Amendment No. 1 was adopted.

**HB 1659 - RECOMMITTED**

Representative P. King moved to recommit **HB 1659** to the Committee on Regulated Industries.

The motion prevailed.

**HR 1355 - ADOPTED**  
**(by T. Smith)**

Representative T. Smith moved to suspend all necessary rules to take up and consider at this time **HR 1355**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1355**, Welcoming Leadership Fort Worth to the State Capitol.

**HR 1355** was read and was adopted.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Calendars, upon first adjournment today, 3W.9, for a formal meeting, to consider a calendar.

Higher Education, upon first adjournment today, 3W.9, for a formal meeting, to consider pending business.

Business and Industry, upon first adjournment today, 3W.9, for a formal meeting, to consider pending business.

Civil Practices, upon first adjournment today, 1W.14, for a formal meeting, to consider **HB 3293**.

**CSHB 447 - VOTE RECONSIDERED**

Representative Callegari moved to reconsider the vote by which **CSHB 447** was passed to engrossment on April 18.

The motion to reconsider prevailed.

**CSHB 447 ON SECOND READING**

**(by Callegari and Macias)**

**CSHB 447**, A bill to be entitled An Act relating to contracts by governmental entities for construction projects and related professional services and to public works performance and payment bonds.

**Amendment No. 6 - Vote Reconsidered**

Representative Callegari moved to reconsider the vote by which Amendment No. 6 was adopted.

The motion to reconsider prevailed.

Amendment No. 6 was withdrawn.

**CSHB 447**, 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.)

**SB 534 - RECOMMITTED**

Representative Driver moved to recommit **SB 534** to the Committee on Law Enforcement.

The motion prevailed.

**HR 1597 - ADOPTED**

**(by Gattis and Krusee)**

Representative Gattis moved to suspend all necessary rules to take up and consider at this time **HR 1597**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1597**, Recognizing April 19, 2007, as Williamson County Day at the State Capitol.

**HR 1597** was read and was adopted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Local and Consent Calendars, upon first adjournment today, 1W.14, for a formal meeting.

**ADJOURNMENT**

Representative Keffer moved that the house adjourn until 11:25 a.m. today.

The motion prevailed.

The house accordingly, at 11:09 a.m., adjourned until 11:25 a.m. today.

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## ADDENDUM

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### 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  
Thursday, April 19, 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:

**SB 11** Carona  
Relating to homeland security; providing penalties.

**SB 161** Wentworth  
Relating to intercollegiate athletics fees at institutions within the Texas State University System.

**SB 436** Ellis  
Relating to the operation of hybrid motor vehicles.

**SB 660** Wentworth  
Relating to the creation of an additional statutory county court in Travis County.

**SB 864** Harris  
Relating to offenses involving boating safety.

**SB 874** Van de Putte  
Relating to the tuition and fee exemption available to certain military personnel and permitting those personnel to transfer the exemption to a child.

**SB 889** Wentworth  
Relating to the charges for certain public information maintained by a governmental body.

**SB 956** West, Royce  
Relating to consideration of family violence in the risk assessment for international parental abduction of a child.

- SB 960** Shapleigh  
Relating to the administration of exit-level state assessment instruments to transfer students who are dependents of military personnel.
- SB 1064** West, Royce  
Relating to the purchasing and contracting practices of junior college districts; providing criminal penalties.
- SB 1132** Carona  
Relating to the calculation of certain fees collected to defray certain expenses incurred in conjunction with the sale of a motor vehicle.
- SB 1172** Seliger  
Relating to the disposition of income at Palo Duro Canyon State Park.
- SB 1222** Carona  
Relating to the licensing and regulation of appliance installers and appliance installation contractors.
- SB 1454** Van de Putte  
Relating to veteran's employment preferences.
- SB 1496** Zaffirini  
Relating to the partial forgiveness of Texas B-On-time loans for certain graduates of four-year public and private institutions of higher education.
- SB 1688** Watson  
Relating to the creation, powers, and duties of a transportation infrastructure services district created by a municipality; imposing taxes and authorizing bonds.
- SB 1697** Shapiro  
Relating to improvement of reading skills of students enrolled in public middle and junior high schools and use of certain federal funds to provide accelerated instruction to certain public school students.
- SB 1724** Ogden  
Relating to abolishing the Texas Military Facilities Commission and transferring its functions to the adjutant general.
- SB 1765** Watson  
Relating to the authority of a municipality to enter into contracts without competitive bidding; making conforming changes.
- SB 1912** Shapleigh  
Relating to certification of educators from outside the state.
- SB 1956** Van de Putte  
Relating to assistance for local areas affected by defense restructuring.
- SCR 57** Duncan  
Recognizing The Institute for Environmental and Human Health in Lubbock on the occasion of its 10th anniversary.

Respectfully,  
Patsy Spaw  
Secretary of the Senate