

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

THIRTEENTH DAY — WEDNESDAY, JANUARY 31, 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 44).

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; Giddings; Gonzales; 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; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; 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; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Geren; Gonzalez Toureilles; Merritt; Oliveira; Truitt.

The invocation was offered by Robert E. Webb, senior pastor, Westminster United Methodist Church, Houston, as follows:

Gracious and loving God, I give you thanks and praise for the privilege I have of living in what I consider the greatest state in the United States of America—Texas, our Texas. No doubt, O God, others feel the same about their state. And that's a good thing. Help us remember we are all part of a great nation that has been wondrously blessed. And today we pause to give you thanks for those blessings.

It is with a humble heart that I stand before your throne and this gathering of dedicated men and women to lift up a prayer that I hope will convey my deep appreciation and respect for the work they do and for the role you play in each of their lives. I am very much encouraged to know that these proceedings are opened daily by calling upon your guiding presence. May that continue to be the custom of the house of representatives for the great State of Texas.

Father, the discussions and decisions this group of representatives make on a daily basis affect the lives of so many across this great state. To consider that they might do so without going first to you in prayer is almost unthinkable. How I hope and pray all government officials across this great nation seek your counsel in all they say and do.

We are blessed to live in the great State of Texas. And I know these men and women before me are honored to be elected by the people of the Lone Star State to represent them at this highest level of our state's legislature. Lord, guide them in the decisions they make. Help them to remember not only those they directly represent, but also help them to remember that many of their decisions will affect all the people of Texas.

These are challenging times for your people, O God. There are so many pressing needs, not only in this state, but this nation, this world. No doubt, these who stand before me feel this burden of responsibility upon their shoulders each and every day. Help them carry those burdens, O God. Help those of us whom they represent to appreciate the difficulty of their tasks as state representatives and to demonstrate our loyalty as citizens of this state by faithfully implementing and following the legislation they pass.

Bless each of their families. Keep them safe as they travel to and from their homes. Help them to focus in these coming days on the great challenges before them. May all they say and do be pleasing and acceptable in your sight, O God, our rock and our redeemer. Lord, all these things we pray in your most precious and holy name. Amen.

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

#### **LEAVES OF ABSENCE GRANTED**

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

Geren on motion of Kolkhorst.

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

Merritt on motion of Otto.

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

Gonzalez Toureilles on motion of Escobar.

#### **CAPITOL PHYSICIAN**

The speaker recognized Representative Strama who presented Dr. Love Paul of Austin as the "Doctor for the Day."

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

**REGULAR ORDER OF BUSINESS SUSPENDED**

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

**HR 167 - ADOPTED  
(by Craddick)**

Representative Otto moved to suspend all necessary rules to take up and consider at this time **HR 167**.

The motion prevailed.

The following resolution was laid before the house:

**HR 167**, Honoring Sandra L. McKey of Bastrop for her public service on the occasion of her retirement from the Speaker's Office of the Texas House of Representatives.

**HR 167** was read and was adopted.

On motion of Representative Chisum, the names of all the members of the house were added to **HR 167** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker introduced Sandy McKey and her husband Joe.

(Farias in the chair)

**HR 177 - ADOPTED  
(by T. King)**

Representative T. King moved to suspend all necessary rules to take up and consider at this time **HR 177**.

The motion prevailed.

The following resolution was laid before the house:

**HR 177**, Recognizing January 31, 2007, as Eagle Pass and Maverick County Day at the State Capitol.

**HR 177** was read and was adopted.

**INTRODUCTION OF GUESTS**

The chair recognized Representative T. King who introduced a delegation from Eagle Pass and Maverick County.

**HR 178 - ADOPTED  
(by Morrison)**

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 178**.

The motion prevailed.

The following resolution was laid before the house:

**HR 178**, Commending the sponsors of the 2007 Texas Capitol Schoolhouse event.

(Speaker in the chair)

**HR 178** was read and was adopted.

**LEAVE OF ABSENCE GRANTED**

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

Eiland on motion of McCall.

**HR 180 - ADOPTED**

**(by Parker)**

Representative Parker moved to suspend all necessary rules to take up and consider at this time **HR 180**.

The motion prevailed.

The following resolution was laid before the house:

**HR 180**, Congratulating the Flower Mound Chamber of Commerce on the occasion of its 25th anniversary.

(Latham in the chair)

**HR 180** was adopted.

**HR 185 - ADOPTED**

**(by Cohen and Hochberg)**

Representative Cohen moved to suspend all necessary rules to take up and consider at this time **HR 185**.

The motion prevailed.

The following resolution was laid before the house:

**HR 185**, Commending Eleanor Tinsley of Houston for her many years of public service.

**HR 185** was adopted.

**HR 186 - ADOPTED**

**(by Cohen)**

Representative Cohen moved to suspend all necessary rules to take up and consider at this time **HR 186**.

The motion prevailed.

The following resolution was laid before the house:

**HR 186**, Commending Frances Leff of Houston for her exceptional record of civic engagement.

**HR 186** was adopted.

(Vaught in the chair)

**HCR 52 - ADOPTED**  
**(by Homer)**

Representative Homer moved to suspend all necessary rules to take up and consider at this time **HCR 52**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 52**, Honoring Thomas and Louise Hagood of Paris on their 65th wedding anniversary.

**HCR 52** was adopted.

**HR 111 - ADOPTED**  
**(by Alonzo)**

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time **HR 111**.

The motion prevailed.

The following resolution was laid before the house:

**HR 111**, Commemorating the 159th anniversary of the date the Treaty of Guadalupe Hidalgo was signed, ending the Mexican War.

**HR 111** was adopted.

**HR 112 - ADOPTED**  
**(by Alonzo)**

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time **HR 112**.

The motion prevailed.

The following resolution was laid before the house:

**HR 112**, Commemorating the 160th anniversary of the date the Treaty of Guadalupe Hidalgo was signed, ending the Mexican War.

**HR 112** was adopted.

**LEAVE OF ABSENCE GRANTED**

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

Castro on motion of Chavez.

(Hochberg in the chair)

**HR 190 - ADOPTED**  
**(by Darby)**

Representative Darby moved to suspend all necessary rules to take up and consider at this time **HR 190**.

The motion prevailed.

The following resolution was laid before the house:

**HR 190**, Honoring Lucian Hunt of Houston on his 90th birthday.

**HR 190** was read and was adopted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

State Affairs, 2 p.m or upon adjournment Monday, February 5, E2.010, for a formal meeting, to consider committee organization and hear reports from TRCC, DIR, TBPC.

(Speaker in the chair)

**PERMANENT OFFICERS OF THE HOUSE APPOINTED**

The speaker announced the appointment of the following permanent officers of the House of Representatives of the Eightieth Legislature:

- Chief Clerk . . . . . Robert Haney
- Parliamentarian and Special Counsel . . . . . Denise Davis
- Deputy Parliamentarian and Special Counsel. . . . . Christopher Griesel
- Parliamentary Assistant . . . . . Jan Meinscher
- Journal Clerk. . . . . Julia Bass
- Sergeant-at-Arms and Director of Security . . . . . Rod Welsh
- Assistant Sergeant-at-Arms . . . . . David Saucedo
- Reading Clerks . . . . . Connor Nix and Sarah Seidlits
- Voting Clerk . . . . . Jennifer Teigen
- Doorkeeper . . . . . Vernon Effenberger
- Chief of Staff and Legislative Director. . . . . Nancy Fisher
- Special Assistant to Chief of Staff . . . . . Carol Castlebury
- Director of Budget and Policy . . . . . Don Green
- Director of Research . . . . . Harrison Keller
- Executive Director, House Business Office . . . . . Steve Adrian
- Committee Coordinator . . . . . Stacey Nicchio

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Rules and Resolutions, 4 p.m. Monday, February 5, 3W.9, for a formal meeting, for organizational purposes.

**PROVIDING FOR ADJOURNMENT**

Representative Otto 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 Reverend Bill Webb of Harris County.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. 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.)

(Bonnen in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 11:26 a.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 220** (By P. King), Relating to the rights and liabilities of an employer with respect to the carrying of a concealed handgun.

To Law Enforcement.

**HB 221** (By P. King), Relating to housing prisoners in a tent or other facility in lieu of a county jail.

To Corrections.

**HB 222** (By Solomons), Relating to property owners' associations.

To Business and Industry.

**HB 223** (By Gallego), Relating to health benefit plan coverage for certain prosthetic devices, orthotic devices, and related services.

To Insurance.

**HB 224** (By Paxton), Relating to the issuance of "Choose Life" license plates and to the creation of the Choose Life account in the general revenue fund.

To Appropriations.

**HB 225** (By Paxton), Relating to prohibiting the use of state money for certain biomedical research.

To State Affairs.

**HB 226** (By Goolsby), Relating to the transfer of registration and license plates between vehicles with the same owner.

To Transportation.

**HB 227** (By Ritter), Relating to the operation of golf carts and side-by-side utility vehicles on municipal streets or county roads.

To Transportation.

**HB 228** (By Ritter), Relating to certain identifying information contained in the case file maintained by a county clerk for a decedent's estate.

To Judiciary.

**HB 229** (By Ritter), Relating to three-point seat belts on school buses.

To Transportation.

**HB 230** (By Ritter), Relating to an optional premium discount for certain resource-efficient buildings.

To Insurance.

**HB 231** (By Ritter), Relating to the regulation of certain renewable energy technology by a property owners' association.

To Business and Industry.

**HB 232** (By Ritter), Relating to employer contributions for certain retirees under the Teacher Retirement System of Texas who are employed by an institution of higher education.

To Pensions and Investments.

**HB 233** (By Ritter), Relating to a waiver of concealed handgun license fees for certain members and veterans of the military.

To Defense Affairs and State-Federal Relations.

**HB 236** (By Alonzo), Relating to the minimum wage.

To Economic Development.

**HB 237** (By Alonzo), Relating to a study and report concerning predicted faculty retirement at general academic teaching institutions.

To Higher Education.

**HB 238** (By Alonzo), Relating to a program to assist certain persons to become certified to teach in bilingual education programs and to teach in public schools with a shortage of certified bilingual education teachers.

To Public Education.

**HB 239** (By Alonzo), Relating to public use of computers in certain local public libraries.

To Urban Affairs.

**HB 240** (By Alonzo), Relating to the absence of a student from school for activities in connection with obtaining United States citizenship.

To Public Education.

**HB 241** (By Alonzo), Relating to equipping each K-9 law enforcement vehicle with a heat alarm system.

To Law Enforcement.



**HB 242** (By Alonzo), Relating to certain warning signs required on certain premises.

To Law Enforcement.

**HB 243** (By Alonzo), Relating to allowing certain early voting polling places to serve as election day polling places.

To Elections.

**HB 244** (By Alonzo), Relating to the protection of the rights of Texas voters without regard to race, color, ethnicity, or membership in a language minority group.

To Elections.

**HB 245** (By Alonzo), Relating to the registration of voters at a polling place and related procedures.

To Elections.

**HB 246** (By Alonzo), Relating to quarterly reports on cases of acquired immune deficiency syndrome and human immunodeficiency virus infection.

To Public Health.

**HB 247** (By Alonzo), Relating to prohibition of certain insurance discrimination.

To Insurance.

**HB 248** (By Alonzo), Relating to use of a credit score by a business or lender.

To Business and Industry.

**HB 249** (By Alonzo), Relating to the identification information required of an applicant for a driver's license.

To Law Enforcement.

**HB 250** (By Riddle), Relating to the constitutional limitation on the rate of growth of state appropriations.

To Appropriations.

**HB 251** (By Strama), Relating to limits on the size of prekindergarten classes in public schools.

To Public Education.

**HB 252** (By Mowery), Relating to the authority of the governing body of a municipality to change previously adopted zoning regulations.

To Land and Resource Management.

**HB 253** (By T. Smith), Relating to the authority of the Department of Public Safety and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated.

To Law Enforcement.

**HB 254** (By T. Smith), Relating to the expulsion of a public school student who engages in certain conduct off campus or while the student is not at a school-related activity.

To Public Education.

**HB 255** (By T. Smith), Relating to reporting of gifts of cash or a cash equivalent to public officials.

To Elections.

**HB 256** (By Alonzo), Relating to the identification information required of an applicant for a driver's license.

To Transportation.

**HB 257** (By Corte), Relating to the authority of a county or municipality to enter into certain debt collection contracts and to charge collection fees.

To County Affairs.

**HB 258** (By Corte), Relating to the confiscation of firearms and ammunition during a state of disaster.

To Defense Affairs and State-Federal Relations.

**HB 259** (By Corte), Relating to the persons authorized to draw a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances.

To Law Enforcement.

**HB 260** (By Callegari), Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.

To Appropriations.

**HB 261** (By Pickett), Relating to the computation of the motor vehicle sales and use tax on the sale of certain motor vehicles.

To Ways and Means.

**HB 262** (By Coleman), Relating to the minimum wage.

To Economic Development.

**HB 263** (By Phillips), Relating to expansion of the minimum salary schedule for certain professional public school employees.

To Public Education.

**HB 265** (By Anchia), Relating to the registration of voters at a polling place and related procedures.

To Elections.

**HB 266** (By Anchia), Relating to the designation of certain election days as state holidays.

To Elections.

**HB 267** (By Anchia), Relating to the punishment for the offense of burglary of a vehicle.

To Criminal Jurisprudence.

**HB 268** (By Anchia), Relating to coverage for prescription contraceptive drugs and devices and related services under certain standard health benefit plans.

To Insurance.

**HB 269** (By Anchia), Relating to energy efficiency incentive programs administered by electric utilities.

To Regulated Industries.

**HB 270** (By Anchia), Relating to the use of the Texas emerging technology fund and other incentives to promote new energy technology; imposing a tax. To Regulated Industries.

**HB 271** (By Gonzales), Relating to disclosure by a home seller of previous use of the home for manufacture of methamphetamine. To Business and Industry.

**HB 272** (By F. Brown), Relating to county responsibility for indigent health care services. To Public Health.

**HB 273** (By Truitt), Relating to certain purchasing procedures for school districts. To Public Education.

**HB 274** (By Raymond), Relating to requiring parties in a suit affecting the parent-child relationship to disclose to the court knowledge of certain registered sex offenders; providing a penalty. To Juvenile Justice and Family Issues.

**HB 276** (By Peña), Relating to a risk assessment for Type 2 diabetes. To Public Health.

**HB 277** (By Madden), Relating to the creation and operation of a state virtual school network to provide education to students through electronic means. To Public Education.

**HB 278** (By Madden), Relating to the authority of a school district board of trustees to create criminal offenses for violations of district policies. To Public Education.

**HB 279** (By Madden), Relating to the continuing education requirements for a licensed chemical dependency counselor. To Public Health.

**HB 280** (By Madden), Relating to the eligibility of juvenile correctional officers for the fire fighter and law enforcement or security officer home loan program. To Urban Affairs.

**HB 281** (By Madden), Relating to state funding of the Windham School District. To Corrections.

**HB 282** (By Madden), Relating to the applicability of certain certification requirements to the superintendent of the Windham School District. To Corrections.

**HB 283** (By B. Brown), Relating to investigations and decisions regarding allegations of abuse, neglect, or exploitation of persons with disabilities by employees at certain facilities. To Human Services.

**HB 285** (By Herrero), Relating to a consumer debt owed by certain military personnel called to active duty.

To Defense Affairs and State-Federal Relations.

**HB 286** (By Herrero), Relating to social security coverage for employees of public school districts.

To Public Education.

**HB 287** (By Herrero), Relating to limits on class size at certain grade levels in public schools.

To Public Education.

**HB 288** (By Pickett), Relating to enforcement of licensing requirements of certain assisted living facilities.

To Human Services.

**HB 289** (By Delisi), Relating to the expansion of faith- and community-based health and human services initiatives.

To Government Reform.

**HB 290** (By Naishtat), Relating to the fee charged for depositing a will during a testator's life.

To Judiciary.

**HB 291** (By Jackson), Relating to requiring governmental entities and contractors with governmental entities to participate in the federal work authorization program; providing a penalty.

To Defense Affairs and State-Federal Relations.

**HB 292** (By Farrar), Relating to the requirement that certain offenders undergo testing for AIDS, HIV infection, or related conditions.

To Criminal Jurisprudence.

**HB 293** (By Farrar), Relating to health benefit plan coverage for reconstructive surgery following mastectomy.

To Insurance.

**HB 294** (By Farrar), Relating to contact between a public school student who assaults another student and the student victim.

To Public Education.

**HB 295** (By Farrar), Relating to the regulation of and claims against residential home builders.

To State Affairs.

**HB 296** (By Farrar), Relating to limits on the size of prekindergarten classes in public schools.

To Public Education.

**HB 297** (By Farrar), Relating to the offense of cruelty to animals.

To Criminal Jurisprudence.

**HB 298** (By Farrar), Relating to the use of bail bond costs.

To County Affairs.

**HB 299** (By Farrar), Relating to testing and warnings related to mercury levels in certain fish.

To Culture, Recreation, and Tourism.

**HB 300** (By Farrar), Relating to requiring warning signs regarding mercury levels in certain fish.

To Culture, Recreation, and Tourism.

**HB 301** (By Farrar), Relating to an abortion when a fetal abnormality is detected.

To State Affairs.

**HB 302** (By Farrar), Relating to requirements for removal of a county treasurer.

To County Affairs.

**HB 303** (By Farrar), Relating to the punishment for the offense of burglary of a vehicle.

To Criminal Jurisprudence.

**HB 304** (By Farrar), Relating to requiring as a condition of release on parole, mandatory supervision, or community supervision that sex offenders not reside in proximity with other sex offenders.

To Criminal Jurisprudence.

**HB 305** (By Farrar), Relating to a prohibition of discrimination by public educational institutions.

To Public Education.

**HB 306** (By Farrar), Relating to an abortion for a victim of incest or sexual assault.

To State Affairs.

**HB 307** (By Farrar), Relating to the prohibition of employment discrimination on the basis of sexual orientation or gender identity.

To Business and Industry.

**HB 308** (By Kuempel), Relating to the use of laser sighting devices by hunters who are legally blind.

To Culture, Recreation, and Tourism.

**HB 309** (By Truitt), Relating to certain notifications made by the Texas Department of Criminal Justice to close relatives of deceased victims.

To Corrections.

**HB 310** (By Goolsby), Relating to the transfer of registration and license plates between vehicles with the same owner.

To Transportation.

**HB 311** (By Chisum), Relating to parental approval of a student's participation in human sexuality instruction in public schools.

To Public Education.

**HB 312** (By Turner), Relating to the burden of proof in a community supervision revocation hearing regarding a defendant's ability to make certain court-ordered payments.

To Criminal Jurisprudence.

**HB 313** (By Pickett), Relating to an exemption from registration in this state for certain foreign commercial motor vehicles.

To Transportation.

**HB 314** (By Eissler), Relating to the classroom placement of multiple birth siblings in public schools.

To Public Education.

**HB 315** (By Miller), Relating to the career ladder for certain prison industry workers.

To Corrections.

**HB 317** (By Miller), Relating to the student enrollment required for the issuance of certain revenue bonds for facilities at Texas A&M University—Central Texas.

To Higher Education.

**HB 319** (By West), Relating to persons who are authorized to conduct a marriage ceremony.

To Juvenile Justice and Family Issues.

**HB 320** (By West), Relating to use of electronically readable information from a driver's license or personal identification certificate by a commercial business.

To Law Enforcement.

**HB 321** (By Dukes), Relating to the establishment of a pilot program by the Health and Human Services Commission to accept importation of electronic eligibility information from a regional indigent care provider.

To Human Services.

**HB 322** (By Dukes), Relating to a study regarding the costs and benefits of providing presumptive eligibility for Medicaid to certain applicants for federal disability benefits.

To Human Services.

**HB 323** (By Hamilton), Relating to seat belts on buses that transport schoolchildren.

To Transportation.

**HB 324** (By Hamilton), Relating to exempting sales of certain hurricane preparation supplies in certain counties from the sales tax for a limited period.

To Ways and Means.

**HB 325** (By Leibowitz), Relating to construction projects employing undocumented workers.

To State Affairs.

**HB 326** (By Leibowitz), Relating to fees authorized by the Texas Residential Construction Commission Act.

To State Affairs.

**HB 327** (By Leibowitz), Relating to the minimum wage.

To Economic Development.

**HB 328** (By Leibowitz), Relating to the procedure for the disannexation of territory from a municipality.

To Land and Resource Management.

**HB 329** (By Leibowitz), Relating to the provision of free notary public service by applicants for an allocation of low income housing tax credits.

To Business and Industry.

**HB 330** (By Flynn), Relating to the criminal offenses applicable to gambling and gambling devices.

To Criminal Jurisprudence.

**HB 331** (By Harper-Brown), Relating to the use in an advertisement of a name or picture of a member of the United States Armed Forces; providing a criminal penalty.

To Defense Affairs and State-Federal Relations.

**HB 332** (By Chisum), Relating to the exemption for certain educational facilities from the child-care licensing requirements.

To Public Health.

**HB 333** (By Herrero), Relating to requiring posting of certain information regarding nursing homes and related institutions on the Department of Aging and Disability Services website.

To Human Services.

**HB 334** (By Hartnett), Relating to district court jurisdiction over suits concerning trusts.

To Judiciary.

**HB 335** (By Hartnett), Relating to the time for a court reporter to provide a transcript of the evidence in a case.

To Judiciary.

**HB 336** (By Hartnett), Relating to the administration and operation of certain trusts.

To Judiciary.

**HB 337** (By Turner), Relating to the consequences of a defendant's violation of a condition of community supervision.

To Criminal Jurisprudence.

**HB 338** (By Leibowitz), Relating to the collection and reporting of employment information regarding beneficiaries of certain health care services and employee health benefit plan coverage.

To Insurance.

**HB 339** (By Leibowitz), Relating to requiring DNA records of persons who are arrested under certain circumstances, who are indicted, or who waive indictment for certain felonies.

To Criminal Jurisprudence.

**HB 340** (By Leibowitz), Relating to the creation and dissemination by the Veterans' Land Board and the Texas Residential Construction Commission of a list of builders who provide certain types of building services.

To State Affairs.

**HB 341** (By Leibowitz), Relating to location of branches of certain financial institutions.

To Financial Institutions.

**HB 342** (By Naishtat), Relating to concurrent guardianship proceedings in this state and in a foreign jurisdiction.

To Judiciary.

**HB 343** (By Naishtat), Relating to notification of voter registrar by probate court clerk of recent deaths.

To Elections.

**HB 344** (By Strama), Relating to the implementation by the Texas Commission on Environmental Quality of a low-emission vehicle program.

To Environmental Regulation.

**HB 345** (By Flynn), Relating to the collateralization of certain public funds.

To Government Reform.

**HCR 18** (By Hardcastle), Congratulating the R. A. Brown Ranch on winning the 2006 Texas Ranch Roundup.

To Rules and Resolutions.

**HCR 20** (By Hardcastle), Congratulating Jody Bellah of the R. A. Brown Ranch on winning the 2006 Top Hand award at the Texas Ranch Roundup.

To Rules and Resolutions.

**HCR 23** (By Gallego), In memory of the Honorable Ann Richards, 45th governor of Texas.

To Rules and Resolutions.

**HCR 26** (By Gallego), In memory of the Honorable Frank Madla of San Antonio.

To Rules and Resolutions.

**HCR 31** (By Chisum), Congratulating Jimmy M. Ross of Quitaque on his election as president of the International Association of Lions Clubs for 2006-2007.

To Rules and Resolutions.

**HCR 32** (By Berman), Designating February 26 to February 27, 2007, as Tyler Days at the State Capitol.

To Rules and Resolutions.



**HCR 34** (By Dunnam), Congratulating the Chilton Pirates for winning the 2006 Class A Division II state football championship.

To Rules and Resolutions.

**HCR 39** (By Taylor), Honoring the winners of the Faithful Fathering Initiative in Texas' 2006 Chick-Fil-A Dads Becoming Heroes Essay Contest.

To Rules and Resolutions.

**HCR 40** (By Isett), Honoring the Texas Tech women's cross country team for their performance in the 2006 NCAA championships.

To Rules and Resolutions.

**HCR 41** (By Isett), Honoring Whitney Wofford of Lubbock for winning the Bryan-College Station Super Championship Major Zone Tennis Tournament.

To Rules and Resolutions.

**HCR 47** (By Isett), Commemorating the 50th anniversary of Lubbock Christian University.

To Rules and Resolutions.

**HJR 33** (By Riddle), Proposing a constitutional amendment concerning the restriction on the rate of growth of state appropriations.

To Appropriations.

**HJR 34** (By Callegari), Proposing a constitutional amendment concerning the limitation on the rate of growth of state appropriations and the use of unencumbered surplus state revenues to finance a state sales tax holiday.

To Appropriations.

**HR 11** (By Hill), In memory of Billye Meyer of Richardson.

To Rules and Resolutions.

**HR 12** (By Callegari), Congratulating Anna Haisler Baker of Katy on her 90th birthday.

To Rules and Resolutions.

**HR 13** (By Callegari), In memory of Gay Susan Chandler Mechler of Spring.

To Rules and Resolutions.

**HR 14** (By Callegari), In memory of Judy Jones of Houston.

To Rules and Resolutions.

**HR 15** (By Callegari), In memory of Walter Max Mischer of Houston.

To Rules and Resolutions.

**HR 17** (By Callegari), Congratulating Patsy and Malcolm Bailey of Houston on their receipt of the Samaritan for All Seasons award.

To Rules and Resolutions.

**HR 18** (By T. Smith), Commending the Honorable Tom J. Vandergriff of Arlington on the occasion of his retirement as Tarrant County judge.

To Rules and Resolutions.

**HR 19** (By B. Cook), In memory of L. William McNutt, Jr., of Corsicana.  
To Rules and Resolutions.

**HR 20** (By B. Cook), Honoring Bob Wright of Mexia on his receipt of the 2006 Mexia Nubbin Bankhead Citizen of the Year Award.  
To Rules and Resolutions.

**HR 21** (By Chisum), Honoring First United Methodist Church of Pampa on the 100th anniversary of its founding.  
To Rules and Resolutions.

**HR 22** (By Gallego), Honoring Brenda Marie Silva for her service as county and district clerk for Presidio County.  
To Rules and Resolutions.

**HR 23** (By Gallego), Congratulating Dr. Norman C. Francis for winning the Presidential Medal of Freedom.  
To Rules and Resolutions.

**HR 24** (By Gallego), Honoring Mario Rivera for his service as the treasurer of Presidio County.  
To Rules and Resolutions.

**HR 25** (By Gallego), Commending the Honorable Brock Jones on his retirement as judge of the 112th State District Court.  
To Rules and Resolutions.

**HR 26** (By Gallego), Honoring Teresa Todd for her service to Presidio County and the greater West Texas region.  
To Rules and Resolutions.

**HR 27** (By England), Recognizing the Grand Prairie Independent School District as a community of readers.  
To Rules and Resolutions.

**HR 28** (By Frost), Commending Amos McCord of Hughes Springs on his participation in the NASA High School Aerospace Scholars program.  
To Rules and Resolutions.

**HR 29** (By Frost), Commending Matthew Justiss of Daingerfield on his participation in the NASA High School Aerospace Scholars program.  
To Rules and Resolutions.

**HR 37** (By Y. Davis), Honoring the city of DeSoto for the establishment of its streaming-video system for public meetings.  
To Rules and Resolutions.

**HR 41** (By Goolsby), In memory of Billy Earl Hibbs.  
To Rules and Resolutions.

**HR 42** (By Goolsby), In memory of Norman Garvin Germany of Dallas.  
To Rules and Resolutions.

**HR 43** (By Goolsby), In memory of Phyllis Carter Pou Pierce.  
To Rules and Resolutions.

**HR 44** (By Goolsby), In memory of Carolyn Hutchinson.  
To Rules and Resolutions.

**HR 45** (By Goolsby), In memory of Frederic E. Wagner of Dallas.  
To Rules and Resolutions.

**HR 46** (By Goolsby), In memory of Bobby Haden Bain of Highland Village.  
To Rules and Resolutions.

**HR 47** (By Goolsby), In memory of William Crenshaw Miller of Dallas.  
To Rules and Resolutions.

**HR 48** (By Goolsby), In memory of Florence Kossover Schwartz.  
To Rules and Resolutions.

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

**HB 83** (By Branch), Relating to requiring a record vote by each house of the legislature on final passage of a bill and to public notice of the record vote.  
To State Affairs.

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## APPENDIX

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### SENT TO THE GOVERNOR

**January 30 - HCR 38**

