

HOUSE JOURNAL

EIGHTIETH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTEENTH DAY — TUESDAY, FEBRUARY 6, 2007

The house met at 9:30 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 47).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; 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; Gallego; Garcia; Gattis; Geren; 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; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; 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 — Oliveira.

Absent — Castro; Frost; Menendez; Olivo; Pickett; Rose.

The invocation was offered by John Free, senior pastor, Curry Creek Baptist Church, Boerne, as follows:

Heavenly Father, I thank you for the many blessings you have lavished on us as a people. I thank you for the men and women here who see it as their calling to serve in our government. I pray for those in authority making tough decisions on behalf of the people of Texas.

We ask for wisdom and discernment from you so that their legislation aptly reflects your righteousness and justice. We ask that our elected officials might be good stewards of all that you have entrusted to them. Please keep us from envy, greed, and selfishness. Encourage our officials when they are weary. Strengthen

them in their time of need. May all that they do be a reflection of your character and will. I ask for these things Lord so that you might receive the maximum amount of glory. In Jesus' name we pray. Amen.

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

COMMITTEE APPOINTED

The speaker announced the appointment of the following committee to escort Governor Rick Perry to the speaker's rostrum: Representatives Bohac, chair; Orr, Macias, Allen, and McReynolds.

CAPITOL PHYSICIAN

The speaker recognized Representative Macias who presented Dr. Beverly Nuckols of New Braunfels as the "Doctor for the Day."

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

LEAVE OF ABSENCE GRANTED

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

Eiland on motion of McCall.

HR 208 - ADOPTED (by Peña)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 208**.

The motion prevailed.

The following resolution was laid before the house:

HR 208, Welcoming the visiting delegation from Catholic Charities and commending them for their many good works.

HR 208 was read and was adopted.

HR 72 - ADOPTED (by Giddings, McClendon, and Dukes)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 72**.

The motion prevailed.

The following resolution was laid before the house:

HR 72, Honoring NASA astronaut Joan Higginbotham for her contributions to the national space program.

HR 72 was read and was adopted.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 72** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Dukes who introduced Joan Higginbotham and members of Links, Inc.

HR 237 - ADOPTED
(by Peña)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 237**.

The motion prevailed.

The following resolution was laid before the house:

HR 237, Recognizing February 6, 2007, as Texas Probation Association Day at the State Capitol.

(Hughes in the chair)

HR 237 was adopted.

(Speaker in the chair)

HR 226 - ADOPTED
(by Gonzales, Flores, and Peña)

Representative Gonzales moved to suspend all necessary rules to take up and consider at this time **HR 226**.

The motion prevailed.

The following resolution was laid before the house:

HR 226, Recognizing February 6, 2007, as McAllen Day at the State Capitol.

HR 226 was read and was adopted.

On motion of Representative Peña, the names of all the members of the house were added to **HR 226** as signers thereof.

(Menendez now present)

INTRODUCTION OF GUESTS

The speaker recognized Representative Gonzales who introduced a delegation of leaders from McAllen.

(Frost and Rose now present)

(Swinford in the chair)

HR 238 - ADOPTED
(by Mowery)

Representative Mowery moved to suspend all necessary rules to take up and consider at this time **HR 238**.

The motion prevailed.

The following resolution was laid before the house:

HR 238, Recognizing February 5-9, 2007, as National School Counseling Week.

HR 238 was adopted.

HR 200 - ADOPTED

(by Allen)

Representative Allen moved to suspend all necessary rules to take up and consider at this time **HR 200**.

The motion prevailed.

The following resolution was laid before the house:

HR 200, Recognizing the historic African American high schools of Texas and their graduates for their immeasurable contributions to the Lone Star State.

HR 200 was read and was adopted.

On motion of Representative Veasey, the names of all the members of the house were added to **HR 200** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Allen who introduced Lynn Rey Ellison and Emma Johnson.

(Pickett now present)

HR 240 - ADOPTED

(by Hughes)

Representative Hughes moved to suspend all necessary rules to take up and consider at this time **HR 240**.

The motion prevailed.

The following resolution was laid before the house:

HR 240, Commemorating the 100th anniversary of the R. B. Levy Chapter 1070 of the United Daughters of the Confederacy.

HR 240 was adopted.

HOUSE AT EASE

At 10:19 a.m., the chair announced that the house would stand at ease.

The speaker called the house to order at 10:39 a.m.

(Castro and Olivo now present)

ADDRESS BY GOVERNOR RICK PERRY
(The House of Representatives and Senate in Joint Session)

In accordance with the provisions of **SCR 12**, providing for a joint session of the senate and the house of representatives for the purpose of hearing an address by the Honorable Rick Perry, governor of the State of Texas, the Honorable David Dewhurst, lieutenant governor of the State of Texas, and the honorable senators were announced at the door of the house and were admitted.

The senators occupied seats arranged for them.

Lieutenant Governor Dewhurst was escorted to a seat on the speaker's rostrum.

Lieutenant Governor Dewhurst called the senate to order. A quorum of the senate was announced present.

The Honorable Tom Craddick, speaker of the house, stated that a quorum of the house of representatives was present.

Speaker Craddick stated that the two houses were in joint session pursuant to **SCR 12** for the purpose of hearing an address by the Honorable Rick Perry.

At 10:42 a.m., the speaker announced that the house would stand at ease pending the arrival of the governor and his party.

At 10:42 a.m., the lieutenant governor announced that the senate would stand at ease pending the arrival of the governor and his party.

The speaker called the house to order at 10:47 a.m.

The lieutenant governor called the senate to order at 10:47 a.m.

Governor Perry and his party, escorted by Senators Whitmire, chair; Ogden, Brimer, Hinojosa, and Williams, committee on the part of the senate; and Representatives Bohac, chair; Orr, Macias, Allen, and McReynolds, committee on the part of the house; were announced at the door of the house and, being admitted, were escorted to the speaker's rostrum.

Speaker Craddick introduced Anita Perry, first lady of Texas.

Speaker Craddick recognized Lieutenant Governor Dewhurst, who introduced the Honorable Rick Perry, governor of the State of Texas, to the joint session.

Governor Perry addressed the joint session, speaking as follows:

Members of the legislature, distinguished guests, my fellow Texans. It is an honor to speak from this historic dais once again just three weeks since I took the oath to serve as your governor for four more years. I am honored to appear before you today with my best friend by my side. She has been there through the good times and the bad for nearly 25 years of marriage—the love of my life—the first lady of Texas, Anita Perry.

Joining me today are two strong leaders. Three times the people of this state have elected the man who serves as your lieutenant governor. He is a bright and compassionate leader, and the top-cutting horse rider in the Texas Senate, my

friend, David Dewhurst. And three times the members of this house have elected their leader as speaker. He has been my partner in the conservative cause for more than 20 years, my long-time personal friend and fellow West Texan, Tom Craddick.

As we begin 2007, Texas is perched at the forefront of a new era of prosperity. The economy is growing and government revenues are on the rise. Our state surplus is larger than ever just four years removed from our largest shortfall ever. Frivolous lawsuits are down, as are insurance rates for homeowners and doctors. Thanks to medical liability reforms, hospitals are once again able to recruit specialists whose expertise can mean the difference between life and death. School funding, teacher pay, and classroom achievement are all up. More Texans have a job than ever before, and more own a home—a trend that is unlikely to change because you had the wisdom to cut school property taxes by 33 percent last year. The high-tech engine is once again generating jobs, innovation, and investment. Our state is building roads faster than any state in the nation. And a landmark telecommunications competition law has resulted in better choices for consumers while unleashing over a billion dollars in new investments.

For many, times are very good. But left out of the jubilation are nearly four million Texans who live in prosperity's shadow rather than its light. Many live in families without a college education or even a high school degree. Some are low-wage earners whose jobs are not a transition but a dead end. And too many are single parents that hold two jobs to pay the bills while feeling guilty that their children are home alone. No child chooses to be born into poverty. And no parent wishes to see their child go hungry. Yet, for too many, that is the harsh reality of their lives. And these dire economic conditions are often exacerbated by wrong choices, such as drug addiction, debt, and the decision to drop out of school early.

For the next four years, my goal is to spread opportunity far and wide for those willing to take personal responsibility for their lives and those they bring into this world. I do not believe government can solve every social ill. Nor do I believe we can tax and spend our way to prosperity. I do believe, however, there are investments we can make today that will lift people out of poverty, bolster the middle class, and ensure the Texans of tomorrow are less dependent on government. This moment in time is a unique opportunity to address great challenges and build the foundation for a future of unparalleled prosperity.

One of the greatest obstacles to individual prosperity is the rising cost of healthcare. Years of hard work and savings can be wiped out with the onset of one life-threatening illness. Every day millions of our citizens play a dangerous game of healthcare roulette as they go without health insurance. Of the five-and-a-half million uninsured Texans, two million are adults with incomes below 200 percent of the federal poverty level. Most are working Texans whose jobs offer healthcare benefits they can't afford, or no benefits at all. Today I am proposing a new initiative called Healthier Texas that will open the door to more affordable insurance options for two million working Texans. This initiative redirects hundreds of millions of federal dollars spent on uncompensated care for the uninsured to the creation of a funding pool to purchase insurance for working

Texans below 200 percent of the federal poverty level. For every half a million Texans that sign up for insurance under this plan, it would cost the state a little more than \$200 million and help us draw down a federal match of more than \$300 million. And there would be no cost to state general revenue, which I will explain in detail in a few minutes. Under Healthier Texas, the state would provide monthly premium assistance payments of as much as \$150 per individual, depending on family income. For some this would help with the purchase of a catastrophic plan. For others it could be part of the financing for a full-benefit plan that could include contributions from employers and individuals too. And for a low cost we could add children too. The financial cost would be modest, the social benefit extraordinary. That's because this plan recognizes the long-term benefits of providing Texans preventative care through insurance instead of paying for costly emergency room visits. Patients once stuck in overcrowded emergency rooms would start seeing primary care physicians. Preventable conditions would be treated with less pain and at a lower cost. And we will make the private insurance market more robust.

This solution recognizes the wisdom of expanding the insurance market without a government takeover of your healthcare and without adding one more Texan to the government rolls. Like any plan, its success will depend upon the willingness of uninsured Texans to enroll at a modest cost. The foundation of personal empowerment is personal responsibility. Government can design programs, but adults must take the initiative to do what is best for their children and themselves.

Access to quality healthcare and affordable insurance is a challenge for all Texans, especially for the employees and owners of small businesses. I don't believe the answer is government-mandated insurance. Like payroll taxes, mandated employer contributions discourage the economic activity we want to promote, which is job creation. In Texas, we have begun to address this issue through the creation of health cooperatives and purchasing groups that allow various small employers to band together and seek more affordable insurance by creating a larger patient pool. We must also be careful during this important debate to not confuse access to insurance with access to quality healthcare. Even those with insurance coverage can be denied vital care when medical decisions are made by insurance companies instead of doctors. And government-run programs, like Medicaid, offer doctors a paper thin margin while causing exploding costs in state budgets.

We must take innovative measures, with the help of Washington, to reform Medicaid. There is no reason for healthy children and pregnant women to have the exact same benefit plan as Medicaid recipients with long-term healthcare needs. Washington's "one size fits all" approach to Medicaid will bankrupt the states. To Washington I say this: give us flexibility to design different plans for different populations, to introduce co-payments for emergency care in order to encourage preventative care, and let us give consumers greater choices. Healthcare is the only significant sector of our economy where consumers don't

know the price of products and procedures, and often don't care. For those that are insured, little thought goes into effective healthcare utilization because someone else pays the bill once co-payments and deductibles are met.

For some, the best way to lower the cost of healthcare is through market-driven incentives like health savings accounts. These accounts put healthcare decisions back in the hands of consumers who have a renewed incentive to control costs. Healthcare is also one of the last sectors of the economy yet to embrace the information technology revolution, including electronic medical records. Electronic records are critical to reducing medical errors and stopping healthcare fraud. And ensuring patients have the best care possible requires more than the lawsuit reforms we passed in 2003—it requires better Medicaid reimbursements. That's why my budget invests more than a half a billion dollars to increase Medicaid reimbursement rates for hospitals and physicians.

Let me say a few words about the human side of the healthcare issue. A man of faith once told me that the statistics of death are one out of one. Though his point had to do with the hereafter, it got me to thinking about how quickly our lives can change in the here and now. One day you're as healthy as can be, the next you are in the fight for your life against a deadly disease like cancer. Cancer does not discriminate based on age, gender, race, or income. It can strike the fittest of athletes, and the smallest of children.

Rick and Lori McGrath watched their daughter Marin battle brain cancer at the age of two. The doctors thought she had won the battle, but two years later she had a recurrence of the same cancer. At the age of four, her precious little life was lost and all its great potential. For all the little Marins of this world, we must do everything in our power to defeat cancer. Rick and Lori, we are sorry for your great loss. Thank you for your courage. I don't know when the day will come that we find a cure for cancer, but I do know it is my dream to accelerate its arrival with a multi-billion dollar cancer research initiative that can save lives and provide millions renewed hope.

Recent progress gives us hope of ultimate victory against this disease. For the first time ever we have a vaccine that can prevent a cancer—a vaccine that prevents the spread of HPV, the leading cause of cervical cancer in women. I understand the concern some of my good friends have about requiring this vaccine, which is why parents can opt out if they so choose. But I refuse to look a young woman in the eye 10 years from now who suffers from this form of cancer and tell her we could have stopped it, but we didn't. Others may focus on the cause of this cancer. I will stay focused on the cure. And if I err, I will err on the side of protecting life. Sadly, there is still so much we don't know about cancer. The proposal I offer is large enough in scale that it will attract world-renowned researchers to Texas to find the cure for cancer. It is also large enough that it will bring our university scientists together in a tremendous collaborative effort to find a cure. And aggressively pursuing this kind of research does not require the use of embryonic stem cells.

I am also proposing a source of funding that does not dry up with time or cost the state general revenue, unlike a bond proposal. Conservative estimates tell us that the state lottery could be sold to the private sector for \$14 billion. Using these resources, we could create a \$2.7 billion endowment for the uninsured that generates close to a quarter billion dollars in interest payments every year. We could also create a \$3 billion cancer research trust fund that would annually generate more than a quarter billion dollars each year to the fight against cancer. And the rest of the money—more than \$8 billion—could be dedicated to a public education endowment that would provide about \$800 million a year for public education. Imagine the possibilities if we create a permanent endowment for public education, a permanent source of funding for making health insurance more affordable and available, and a long-term source of substantial funding to fight a disease that touches the lives of virtually every Texan.

If you are thinking about how all the numbers work, don't forget these numbers too: there are 400,000 Texans who have survived this deadly disease but who know its great emotional cost. There will be 95,000 Texans diagnosed with cancer this year. And 34,000 Texans will lose the fight and die too young. These people are our neighbors and our co-workers, our husbands and wives, our precious children. Why take such a bold action, such as selling the lottery, in a time of record surpluses? Let me tell you why: two states are currently trying to sell their lotteries and several more are likely to follow. If we delay, the market price is likely to be less in the years to come. But if we act now, we can invest in our classrooms, laboratories, and hospitals, giving hope to those who need it most.

Expanding cancer research is a worthy goal for this legislature, but it is an absolute passion for those on the front lines of this fight: people like the renowned medical pioneer and president of M.D. Anderson, Dr. John Mendohlson. Please join me in welcoming Dr. Mendohlson and his wife Anne. Let's give our best doctors every possible tool in the fight to save lives. It is a tragedy whenever we lose someone to a deadly disease, and it breaks my heart when people die prematurely from conditions that are completely preventable.

We are experiencing an epidemic of obesity among our children that, if not confronted, will ensure this youngest generation will be the first in American history to live shorter lives than their parents. Poor nutrition and bad exercise habits result in higher numbers of diabetes cases and future coronary problems. That's why I have asked the Texas Education Agency to work with every school in Texas to perform a youth fitness evaluation. We will evaluate every student's fitness level and look at corollary data such as student absenteeism, discipline problems, and academic success. The goal will be to use this data to develop a fitness regime in our schools and neighborhoods that will get more children in shape, improve academic performance, and set them on course to a lifetime of health and happiness.

For the children of disadvantaged families, there is one singular hope for removing them from a cycle of poverty and despair, and that is a quality education. Texas faces unique challenges in this regard. There are more than 600,000 schoolchildren who speak English as a second language, many of whom

arrive in the classroom grades behind. Other children not only have the disadvantage of a poor educational foundation, but they have no guiding influence at home. This is why there is no profession more important to our future than the teaching profession.

Last summer, we worked together to pass a \$2,000 pay raise for every teacher in Texas. But we didn't stop there, because teachers deserve to be treated as individual professionals and not merely as a monolithic profession. Starting this fall Texas will have the largest performance pay program in the nation to reward teaching excellence, and I will do everything in my power to see that it stays that way. Just as we should reward the best, we must also do more to equip more teachers to succeed, especially those who are new to the classroom. I support recent recommendations to improve teacher performance, including greater professional development, a renewed focus on best practices, and removing from our classrooms that small percentage of teachers that chronically under-perform.

In education, we have done some groundbreaking work. We were the first state to implement a college-prep curriculum as the standard coursework, the first to tailor individualized graduation plans for at-risk students, the first to create customized study guides for students that fail state assessments. But we still have achievement gaps, and the best place to rectify those gaps is during the earliest learning years. That's why my budget invests an additional \$80 million to expand the Early Start pre-K program that uses pioneering techniques to improve learning among our youngest at-risk students.

Perhaps no student population is at greater risk than the children of prisoners. Seventy percent are destined to follow a parent's path behind bars if no one intervenes. This is a national tragedy. We must break up the generational cycle of incarceration. That is why Texas was the first state to offer a statewide grant for the Amachi program administered by Big Brothers Big Sisters, which mentors the children of prisoners. For the sake of these children, I ask you to continue funding this important program which changes lives.

When it comes to education, we must recognize its value in an interdependent world. Today knowledge is more valuable than raw labor, and those nations that prosper by pushing the envelope of innovation are those that invest in vibrant colleges and universities. That's why I have proposed expanding financial aid by \$360 million so Texas can compete in a global economy. The budget I submit today consolidates numerous financial aid programs into one, and leverages Lieutenant Governor Dewhurst's concept with the B on Time program by requiring students to take a certain number of hours per semester, maintain a grade point average of 3.0 or higher, and graduate on time. Some have complained these high standards will hurt certain students. But I believe all children have the capacity to excel and we should have high expectations for students of every background.

I am also advocating that we set aside \$40 million for a new Texas Technology Grant program. Texas produces 5,500 graduates a year in electrical engineering, engineering technology, and computer science while our economy produces 11,000 annual job openings in those fields. Visiting the Texas Capitol

today is astronaut Joan Higginbotham, the nation's third African American to fly into space. A member of the Links Program—a public service organization of 10,000 women dedicated to expanding opportunities for African American women—Joan is an inspiration to many, and living proof that children of all backgrounds can reach for the stars. Let's invest in technology scholarships so that Texans are on the forefront of technology innovation, whether it is here at home or in outer space.

There is another industry shortage we must address because lives are at stake, and that is in our state's nursing profession. I am proposing a \$50 million nursing initiative that addresses this shortage in two ways. First, it provides new incentives for recruiting more students and faculty; second, it allows aspiring nurses to become licensed through a pilot program at our hospitals.

In total, the investment I am seeking for higher education is \$1.7 billion in new money. Included in my proposal is full funding of the Irma Rangel Pharmacy School and the El Paso Medical School. Under my plan, \$300 million in new funding is tied to schools meeting performance targets. Funding would increase for degrees awarded in critical fields, graduation rates, and success with at-risk students. One of the fundamental changes envisioned by this plan is ensuring more funding follows the students. Ultimately, higher education is not about the buildings we fund but the lives we improve, and we will improve a lot of lives if you increase financial aid by \$360 million. Joining us today are outstanding examples of how an investment in higher education can pay great dividends. Please join me in welcoming some of our newest student regents.

I am also asking members of the legislature to join me in making higher education budgets more transparent by breaking out spending into more detailed line-items instead of the current practice of listing entire university budgets in one lump-sum. Just because custodial services or building expenditures are listed in a line-item does not mean they are more likely to be vetoed, but it does mean Texans will have a better idea of how their money is spent.

Just last week my office, like Comptroller Combs, began disclosing office expenditures on the Internet. I believe every agency ought to publish its spending on line. The Texas Education Agency has already taken this to heart. Government that is open and honest will always be able to withstand the light of day. Honest budgeting also requires us to end the practice of raising a fee for one purpose and diverting the funds to another purpose. Trauma funds, utility discount dollars, and clean air funds have all been diverted to other purposes, often to balance the budget. The solution to this is simple: either we spend fees for the purpose they are collected, or we give the money back. I agree with Speaker Craddick that this practice has done damage to a vibrant parks system. This session let's spend the sporting goods tax on what it was collected for: to create first-class parks that give our people open spaces and fresh air for needed recreation.

Today I have proposed a budget that invests in healthcare and higher education, a budget that cuts property taxes and eliminates accounting gimmicks, and that grows the Rainy Day Fund to more than \$4 billion. Not only that, it expands upon the record property tax cut of last year by setting aside an additional \$2.5 billion for tax relief. One way to provide tax relief is in the form

of a rebate. The appeal of a one-time rebate is that future legislatures don't have to find the money to sustain it. However, the will of the legislature may be to provide rate relief instead. Either way is better than the alternative, which is having the money spent on more government. And for the record, I don't believe cutting taxes is the same thing as spending. A spending cap is meant to stop runaway spending, not runaway tax relief.

The fight for lower property taxes requires not only a reduction in tax rates, but greater control over appraised values. I believe Texans deserve more than property tax relief, they deserve appraisal relief. It is not good enough to only make appraisals more accurate through sales price disclosure. By itself, this action will only lead to higher taxes. We must also restrain appraisal windfalls. I believe local governments should be able to raise all the revenue they need, just do it with a vote and not through the appraiser's note. And if you want to spend more than five percent a year, there is no need to be shy about allowing the people to vote. For years they have supported worthy bond proposals, and they will do the same for good investments in local priorities.

I believe the state should live under a similar spending cap. In a time of record revenues, there is a temptation to spend more than we can sustain in the years to come. That's why I am proposing a stricter spending cap that is tied to the average inflation and population growth of the last six years. This session such a spending limit would be three-and-a-half percent lower than the current spending limit, and would amount to a state spending increase of less than five percent a year. When you exclude tax relief from spending calculations, the budget I have proposed grows state spending less than an average of five percent a year, and more than half of that money, \$5 billion, is the cost of getting right with the people after years of accounting sleights of hand. Payments delays and other accounting gimmicks remind me of that character from Popeye, Old Wimpy, who liked to say, "I will gladly pay you Tuesday for a hamburger today." My friends, Tuesday is here. No more Wimpy budgeting.

I am also proposing a \$100 million investment in a more secure border. There is no such thing as homeland security without border security. It is not hyperbole to say terrorists view our international border with Mexico as a prime point of entry—that is the conclusion of the U.S. intelligence community. While the vast majority of people who come here illegally are economic migrants simply seeking a better life, the small percentage seeking to cause us harm don't dress differently. Nor do they put out press advisories in advance of their arrival. They don't want us to know they are here until they have done mortal damage to our people. The best plan to secure our border involves intensive operations with federal, state, and local officials working together to seal off common illegal crossings. So far we have used all available resources to fund additional patrol hours, new vehicles, and new technology for local law enforcement. We have caught drug traffickers and human smugglers off guard and reduced crime in remote border regions so often exploited by criminal operatives. The key element to our success has been the work of local law enforcement officials, such as

border sheriffs. Today we are fortunate enough to have some of these heroes in our midst. Please join me in welcoming the members of the Texas Border Sheriff's Coalition.

I support strategic fencing in urban areas along the border. But I also believe, like border sheriffs, that the best solution involves added manpower, not unmanned walls. That is why I ask you to fund a \$100 million effort that will expand patrols, purchase new technology, and protect the border from drug traffickers, human smugglers, and other criminal thugs that seek to destroy our way of life. Immigration reform is a federal issue. That's why I urge Congress to pass reform that respects the rule of law. That means two things: those who come here illegally should not be rewarded with amnesty. And it also means those who hire illegal aliens should face tough penalties. Ultimately, the best way to crack down on illegal hiring practices is for Congress to finally pass a guest worker program. A guest worker program recognizes the contributions of foreign workers and captures their income in our tax system, ensuring they contribute to the public services we provide them. And a guest worker program will help us know who crosses our border legally rather than not knowing who crosses our border illegally.

Illegal immigration is a problem felt deeply by Texas, while too often ignored by Washington. So in the spirit of that mythical holiday, Festivus, let me begin the airing of grievances with Washington. It is time Washington met its obligations in paying for the costs of illegal immigration. Our hospitals, schools, and law enforcement agencies deserve more than praise, they deserve the appropriate level of federal reimbursement.

We also believe that the state should not be penalized for savings it has generated by the onerous and unconstitutional Medicare clawback provision. Nor should Washington commandeer Children's Health Insurance Program funds that are allotted to Texas and needed for our children. And we are tired of environmental extremists entrenched in the federal bureaucracy undermining our regional water planning process. We support wildlife sanctuaries, but please stop declaring them on land local officials have identified as viable for water reservoirs. Especially when, as in the case of the Fastril Reservoir in East Texas, even better land has been identified for that purpose. In short our message to Washington is this: let Texans run Texas. I support legislation that establishes more than 20 reservoir sites in statute because securing viable water supplies is vital to the future of this state.

Let's continue to invest in clean air by increasing our funding for the Texas Emissions Reduction Program by \$180 million. Mobile sources contribute the majority of pollution in Texas. This program cleans up dirty engines and reduces emissions by one ton for every \$5,000 invested. Cleaning the air while increasing our power supply is a difficult challenge. Conservation alone will not prevent an energy crunch when our population is expected to double in just over 30 years. Power outages are just a few years away if we don't take action. And while the clean technology known as Integrated Gasification Combined Cycle has tremendous promise for the future, it remains unproven, especially for Texas lignite and Wyoming coal. With current technologies allowing coal to burn at

least twice as clean as all of the old natural gas plants we are trying to replace in Texas today, we can meet our power needs while reducing total emissions. In fact, one company's plan reduces their total emissions by 20 percent while increasing their total energy capacity by over 50 percent. At the same time energy producers have announced a new \$10 billion investment in wind energy infrastructure, which will keep our ranking as the top wind power producer in the nation. We are also taking the lead in building liquefied natural gas terminals and developing biofuels. And I strongly support new investments in nuclear power.

Let me mention a few other priorities. When it comes to criminal justice, I believe we can take an approach to crime that is both tough and smart. I agree with our lieutenant governor that sexual offenders who harm our children must face tougher penalties. At the same time, there are thousands of non-violent offenders in the system whose future we cannot ignore. Let's focus more resources on rehabilitating those offenders so we can ultimately spend less money locking them up again.

We must also put aside regional differences in order to be prepared for a hurricane of historic proportions. Our windstorm insurance system is out of date, and had Rita made landfall in the Houston ship channel, it would have done great damage to the entire Texas economy as well as the state budget. We must work together to bolster the state's windstorm insurance fund.

I also believe the example we set in Texas can have international ramifications. I join Railroad Commissioner Michael Williams and a bipartisan group of legislators in protesting the ethnic genocide occurring in Darfur by calling on the State of Texas to divest of companies doing business in Sudan.

At home, we must continue to invest in jobs by expanding workforce training through the skills development fund, by continuing to fund job creation through the Enterprise Fund, and by increasing funding for the Emerging Technology Fund, which will help us attract the new growth industries of this new century. From our investments at UT-Dallas and Sematech, to our funding for the Texas Institute of Genomic Medicine, we are creating a foundation of prosperity that will last long beyond our years. Moving Texans from the conditions of dependency to the freedom of self-sufficiency requires us to invest in education, healthcare, and the jobs of the future. They are the pillars of prosperity.

Before us is a unique opportunity to address great challenges. We can either dissolve into partisan disputes that leave Texas no better off for the 140 days that we are here, or we can join together in a spirit of bipartisan unity for causes greater than self, greater than political party. From providing access to insurance for millions of working Texans, to investing in great colleges and universities, to funding a cancer research initiative that can save countless lives, there is much we can do together. I ask that past disputes be left in the past in order to pursue our future promise, that you choose the high road of unity rather than the easy course of cynicism, and that you join me in leaving the critics on the sidelines to fight the good fight on the front lines. There will be critics of what we attempt. Some will fight for the status quo, even when change is needed for the greater good. Our task is not easy, but none of us were sent here to do what is easy, but to

do what is right. And how historic this session can be if we fight for the right, if we empower the powerless and lift up the lowly, if we make this Texas a land of tremendous opportunities and attainable prosperity.

The state of our state is good for many. Before us is the challenge to make it good for many more by spreading opportunity far and wide. Let's fight for the Texas we aspire to, the Texas that can be, the Texas that can lead the world. Thank you, and God bless you all.

INTERPRETER FOR THE DEAF

The speaker introduced Donna Alexander and Alena Newberry who provided interpretation of the proceedings of the house today.

SENATE ADJOURNMENT

At 11:45 a.m., Lieutenant Governor Dewhurst stated that the business of the joint session had been accomplished and the senate would, in accordance with a previous motion, stand adjourned until 11 a.m. tomorrow.

HOUSE AT EASE

At 11:45 a.m., Speaker Craddick announced that the house would stand at ease pending the departure of guests.

The speaker called the house to order at 11:51 a.m.

HR 245 - ADOPTED (by Hilderbran)

Representative Hilderbran moved to suspend all necessary rules to take up and consider at this time **HR 245**.

The motion prevailed.

The following resolution was laid before the house:

HR 245, In tribute to the life and presidency of Ronald Reagan on February 6, 2007, the 96th anniversary of his birth.

HR 245 was unanimously adopted by a rising vote.

HR 246 - ADOPTED (by Hodge)

Representative Hodge moved to suspend all necessary rules to take up and consider at this time **HR 246**.

The motion prevailed.

The following resolution was laid before the house:

HR 246, Honoring Craig Holcomb of Dallas on his receipt of the 2007 Spirit of the Centennial Award from Friends of Fair Park.

HR 246 was adopted.

On motion of Representative Y. Davis, the names of all the members of the house were added to **HR 246** as signers thereof.

HR 231 - ADOPTED
(by B. Brown)

Representative B. Brown moved to suspend all necessary rules to take up and consider at this time **HR 231**.

The motion prevailed.

The following resolution was laid before the house:

HR 231, Recognizing February 6, 2007, as Cedar Creek Lake Area Day at the State Capitol.

HR 231 was read and was adopted.

INTRODUCTION OF GUEST

The speaker recognized Representative B. Brown who introduced Scott Confer.

(Kolkhorst in the chair)

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 meet tomorrow upon adjournment in E2.016 for a public hearing.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Juvenile Justice and Family Issues, posted for today, will instead meet upon adjournment tomorrow, E2.016, for a public hearing.

PROVIDING FOR ADJOURNMENT

Representative Keffer 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 Patsy Marie White Alexander of Eastland.

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 Nos. 1 and 2.)

(Chisum in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 12:42 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

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 455 (By Rodriguez), Relating to the confidentiality of certain personal information that pertains to certain officers and employees of a community supervision and corrections department.

To State Affairs.

HB 480 (By Jackson), Relating to the minimum eligibility standards adopted by this state for use in determining eligibility for indigent health care.

To Public Health.

HB 492 (By Orr), Relating to removal of territory from an emergency services district by a municipality.

To County Affairs.

HB 521 (By Miller), Relating to notice of an application for a permit to dispose of oil and gas waste in a commercial disposal well; creating an offense.

To Energy Resources.

HB 530 (By Madden), Relating to the operation and funding of drug court programs.

To Corrections.

HB 531 (By Madden), Relating to the eligibility of certain high school students to take the high school equivalency examination.

To Public Education.

HB 532 (By Dukes), 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 533 (By Dukes), Relating to a prescription drug retail price registry and disclosure of a list of prescription drug retail prices.

To Public Health.

HB 534 (By Smithee), Relating to authorizing the lease or conveyance of certain real property owned by Amarillo College.

To Higher Education.

HB 535 (By Leibowitz), Relating to the transfer of extraterritorial jurisdiction between certain home-rule and general-law municipalities and annexation of certain territory by the general-law municipalities.

To Land and Resource Management.

HB 536 (By Truitt), Relating to the consent required for a municipality to annex a water or sewer district.

To Land and Resource Management.

HB 537 (By Thompson), Relating to research using human cells and tissues.

To State Affairs.

HB 539 (By W. Smith), Relating to the regulation of fireworks and fireworks displays.

To County Affairs.

HB 540 (By Martinez Fischer), Relating to the creation of a hotline to report suspected incidents of impaired driving or dangerous driving.

To Law Enforcement.

HB 541 (By Martinez Fischer), Relating to procedures for certain persons charged with an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or mandatory supervision.

To Criminal Jurisprudence.

HB 542 (By Bonnen), Relating to the name of the Brazos River Harbor Navigation District of Brazoria County and the name of its governing body.

To Government Reform.

HB 543 (By Strama), Relating to the eligibility of certain adjunct faculty members of public institutions of higher education to participate in a state group benefits program.

To Insurance.

HB 544 (By Strama), Relating to reduced tuition and fees for certain junior college district students who reside outside of the district.

To Higher Education.

HB 545 (By Gallego), Relating to the regulation of certain water wells by the Brewster County Groundwater Conservation District.

To Natural Resources.

HB 546 (By Gallego), Relating to the regulation of certain water wells by the Presidio County Underground Water Conservation District.

To Natural Resources.

HB 547 (By Farrar), Relating to monitoring and controlling emissions of air contaminants under the Texas Clean Air Act; providing a penalty.

To Environmental Regulation.

HB 548 (By Farrar), Relating to the implementation by the Texas Commission on Environmental Quality of a low-emission vehicle program.
To Environmental Regulation.

HB 549 (By Farrar), Relating to environmental review of toll projects.
To Transportation.

HB 551 (By Turner), Relating to the system benefit fund and to eligibility for and enrollment for benefits provided under the system benefit fund programs.
To Regulated Industries.

HB 552 (By Turner), Relating to electric market safeguards after the expiration of the price to beat.
To Regulated Industries.

HB 553 (By Turner), Relating to market power abuse in the wholesale electricity market and pricing safeguards in certain markets; providing administrative and criminal penalties.
To Regulated Industries.

HB 554 (By Phillips), Relating to parenting plans and parenting coordinators in suits affecting the parent-child relationship.
To Juvenile Justice and Family Issues.

HB 555 (By Phillips), Relating to the use of parenting plans and parenting coordinators in suits affecting the parent-child relationship.
To Juvenile Justice and Family Issues.

HB 556 (By Hilderbran), Relating to voting station requirements for elections held by the Hickory Underground Water Conservation District No. 1.
To Natural Resources.

HB 557 (By W. Smith), Relating to the failure of a parent to attend a public school parent-teacher conference; providing a criminal penalty.
To Public Education.

HB 558 (By Noriega), Relating to restrictions on the location of certain sex offenders and to notice reflecting that location.
To Criminal Jurisprudence.

HB 560 (By Noriega), Relating to the method of providing notice in the enforcement of certain municipal ordinances involving substandard buildings.
To Urban Affairs.

HB 564 (By Hartnett), Relating to the administration and operation of certain trusts and other property interests held for the benefit of another.
To Judiciary.

HB 565 (By Driver), Relating to enforcement of certain vehicle weight and safety requirements by a noncommissioned employee of the Department of Public Safety.
To Law Enforcement.

HB 566 (By Hamilton), Relating to compulsory school attendance for students who are at least 18 years of age.

To Public Education.

HB 567 (By Puente), Relating to the time requirements for registering with the state registry of paternity.

To Juvenile Justice and Family Issues.

HB 568 (By Puente), Relating to the requirements for an affidavit of voluntary relinquishment of parental rights.

To Juvenile Justice and Family Issues.

HB 569 (By Gonzales), Relating to the creation of an address confidentiality program to assist victims of family violence, sexual assault, or stalking in maintaining confidential addresses.

To Juvenile Justice and Family Issues.

HB 570 (By Leibowitz), Relating to the use of motor vehicle registration or license plate information collected by a toll project entity.

To Transportation.

HB 571 (By Gonzales), Relating to retirement benefits for certain teachers.

To Pensions and Investments.

HB 572 (By Gonzales), Relating to reports of incidents of bullying at public schools and at public school activities.

To Public Education.

HB 573 (By Gonzales), Relating to providing street lights in a subdivision in the unincorporated area of a county.

To County Affairs.

HB 575 (By Straus), Relating to the eligibility of certain foster care children to attend prekindergarten classes.

To Public Education.

HB 576 (By W. Smith), Relating to the bid bond form of bid deposit for certain special district construction projects.

To Natural Resources.

HB 577 (By Turner), Relating to safeguards for certain customers of retail public utilities in the electric power market.

To Regulated Industries.

HB 579 (By Deshotel), Relating to coverage under residential property insurance policies for certain losses incurred because of compliance with an emergency evacuation order.

To Insurance.

HB 580 (By Deshotel), Relating to the adoption of an alternative base period for computation of unemployment compensation benefits.

To Economic Development.

HB 581 (By Deshotel), Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

To Economic Development.

HB 582 (By Deshotel), Relating to the determination of certain catastrophe areas eligible for insurance coverage through the Texas Windstorm Insurance Association.

To Insurance.

HB 583 (By Deshotel), Relating to disbursements from the universal service fund.

To Regulated Industries.

HB 584 (By Deshotel), Relating to the owner-builder loan program.

To Economic Development.

HB 585 (By Laubenberg), Relating to the jurisdiction of a probate court in certain guardianship proceedings.

To Judiciary.

HB 586 (By Gonzalez Toureilles), Relating to eligibility for dismissal of certain speeding charges on completion of a driving safety course.

To Law Enforcement.

HB 587 (By Gonzalez Toureilles), Relating to the recording of certain information by the clerk of a court.

To Criminal Jurisprudence.

HB 588 (By Gonzalez Toureilles), Relating to a court fee on dismissal of a charge in connection with motor vehicle financial responsibility.

To Law Enforcement.

HB 589 (By Aycock), Relating to the student enrollment required for Texas A&M University—Central Texas to operate as a general academic teaching institution.

To Higher Education.

HB 590 (By Delisi), Relating to standards of conduct for and conflicts of interest of state officers and employees.

To Government Reform.

HB 591 (By Escobar), Relating to the powers of the commissioners court of certain counties that have no incorporated municipality.

To County Affairs.

HB 592 (By Escobar), Relating to the amounts to be appropriated for the state contribution to the teacher retirement program for fiscal years 2008 and 2009.

To Appropriations.

HB 593 (By Chisum), Relating to contested cases involving the collection, administration, and enforcement of certain taxes and fees.

To Ways and Means.

HB 594 (By Y. Davis), Relating to the creation of certain offenses concerning firearm sales at gun shows.

To Law Enforcement.

HB 595 (By Y. Davis), Relating to requiring a waiting period for the purchase or sale of a handgun; creating an offense.

To Law Enforcement.

HB 596 (By Y. Davis), Relating to the retail sale of temperature-adjusted gasoline and diesel fuel.

To Agriculture and Livestock.

HB 597 (By Guillen), Relating to the creation of an address confidentiality program to assist victims of family violence or stalking in maintaining confidential addresses.

To Juvenile Justice and Family Issues.

HB 598 (By Guillen), Relating to publishing notice of certain agreements with state agencies in the Texas Register.

To Government Reform.

HB 599 (By B. Brown), Relating to the creation of the Fairfields Municipal Utility District of Kaufman County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

HB 600 (By W. Smith), Relating to the use of certain voting equipment in an election that does not involve a federal office.

To Elections.

HB 601 (By Thompson), Relating to the requirement that state agencies identify and address adverse human health and environmental effects on minority populations and low-income populations.

To Government Reform.

HB 602 (By D. Howard), Relating to certain activities by, employment of, and contracts of former members of the legislature; creating offenses.

To Elections.

HB 603 (By D. Howard), Relating to the nonpartisan election of members to the State Board of Education.

To Elections.

HB 605 (By D. Howard), Relating to the creation of a library district.

To Urban Affairs.

HB 606 (By Madden), Relating to certain election procedures for common school district board elections.

To Elections.

HB 607 (By Madden), Relating to the penalty for a parent who fails to require a child to attend school.

To Public Education.

HB 608 (By Hodge), Relating to access to television by inmates confined by the Texas Department of Criminal Justice in death row segregation.

To Corrections.

HB 609 (By T. Smith), Relating to the application and enforcement of municipal construction codes.

To State Affairs.

HB 610 (By F. Brown), Relating to a plan to provide services to an area annexed by a municipality.

To Land and Resource Management.

HB 611 (By Thompson), Relating to the eligibility for unemployment compensation benefits of certain employees who provide at-home infant care after the birth or adoption of a child.

To Economic Development.

HB 612 (By Branch), Relating to participation by private or independent institutions of higher education in the tuition equalization grant program.

To Higher Education.

HB 613 (By Quintanilla), Relating to the composition of the board of trustees of the Employees Retirement System of Texas.

To Pensions and Investments.

HB 615 (By Quintanilla), Relating to county reports on the use of the optional fee for the county road and bridge fund.

To County Affairs.

HB 616 (By Quintanilla), Relating to specialty license plates benefiting public schools in certain counties.

To Transportation.

HB 617 (By Quintanilla), Relating to requiring counties to adopt residential building codes; providing a criminal penalty.

To State Affairs.

HB 618 (By Bonnen), Relating to the eligibility of emergency medical services personnel to participate in a low-interest home loan program offered by the state.

To Urban Affairs.

HB 619 (By Puente), Relating to the involuntary termination of the parent-child relationship.

To Juvenile Justice and Family Issues.

HB 620 (By Puente), Relating to retroactive child support and notification in cases involving an anticipated adoption that is not completed.

To Juvenile Justice and Family Issues.

HB 622 (By Hardcastle), Relating to the application of the professional prosecutors law to the district attorney for the 46th Judicial District.

To Judiciary.

HB 623 (By Chavez), Relating to the residency requirements for tuition and fee exemptions for certain military personnel and their dependents.

To Defense Affairs and State-Federal Relations.

HB 624 (By P. King), Relating to the securitization of the nonbypassable delivery rates of transmission and distribution utilities.

To Regulated Industries.

HB 625 (By P. King), Relating to exemptions from the sales tax for certain energy efficient products for a limited period.

To Ways and Means.

HB 626 (By P. King), Relating to the procedures for registering to vote and accepting a voter at a polling place.

To Elections.

HB 627 (By P. King), Relating to the ability of an honorably retired reserve peace officer to carry a weapon.

To Law Enforcement.

HB 628 (By P. King), Relating to the courtroom access of certain witnesses during a criminal proceeding.

To Criminal Jurisprudence.

HB 629 (By P. King), Relating to the date for a consolidation election of two or more municipalities.

To Elections.

HB 630 (By P. King), Relating to notice to a surface owner by an oil or gas well operator of certain oil and gas operations.

To Energy Resources.

HB 631 (By P. King), Relating to the municipalities that may annex an area for limited purposes.

To Land and Resource Management.

HB 632 (By P. King), Relating to the appointment of bailiffs for the 415th District Court.

To Judiciary.

HB 633 (By P. King), Relating to animal control officer training; providing civil and criminal penalties.

To Government Reform.

HB 634 (By Eiland), Relating to certain limitations in health benefit plans and health insurance policies.

To Insurance.

HB 635 (By Eiland), Relating to funding of the Texas Windstorm Insurance Association, including funding of coverage for certain catastrophic events through the issuance of public securities.

To Insurance.

HB 636 (By Hughes), Relating to using a boat or other floating device to hunt along certain parts of Big Sandy Creek in Wood County.

To Culture, Recreation, and Tourism.

HB 637 (By Hughes), Relating to making participation in an animal identification program voluntary.

To Agriculture and Livestock.

HB 638 (By Hughes), Relating to the eligibility of certain retired peace officers to obtain a weapons proficiency certificate.

To Law Enforcement.

HB 639 (By Hughes), Relating to information included in legislative appropriations requests of state agencies and in the budgets submitted by the governor and the Legislative Budget Board.

To Appropriations.

HB 640 (By Hughes), Relating to the online posting of expenditures by state agencies.

To Government Reform.

HB 641 (By Coleman), Relating to application of the minimum wage to certain governmental entities.

To Economic Development.

HB 642 (By Callegari), Relating to certificates of public convenience and necessity of certain retail public utilities.

To Natural Resources.

HB 643 (By Hughes), Relating to the renewal of an expired dental license for a dentist practicing voluntary charity care.

To Public Health.

HB 645 (By Hughes), Relating to the salary of a district judge presiding over multidistrict litigation.

To Judiciary.

HB 646 (By McCall), Relating to an exemption from the sales tax for nonvehicular fuel cells.

To Ways and Means.

HB 647 (By McCall), Relating to the making of political contributions to and acceptance of political contributions by statewide officers and members of the legislature before and during a special session of the legislature; providing a criminal penalty.

To Elections.

HB 648 (By McCall), Relating to the authority of a debt collector to contact persons other than the debtor.

To Financial Institutions.

HB 649 (By McCall), Relating to the fraudulent use of a child's identifying information.

To Criminal Jurisprudence.

HB 650 (By Rodriguez), Relating to the establishment of a task force to assist certain long-term care facilities in developing the capacity to provide services to individuals with disabilities through community-based arrangements.

To Public Health.

HB 651 (By Hartnett), Relating to the jurisdiction of the railroad commission over gas utilities in certain municipalities.

To Energy Resources.

HB 652 (By Quintanilla), Relating to the penalty for an offense committed during the inattentive operation of a motor vehicle.

To Transportation.

HB 653 (By Chavez), Relating to charitable poker runs that benefit certain nonprofit organizations; providing a penalty.

To Licensing and Administrative Procedures.

HB 654 (By Hilderbran), Relating to the Department of State Health Services contracting for a community psychiatric hospital to be located on Kerrville State Hospital grounds.

To Public Health.

HB 655 (By Coleman), Relating to the prosecution of the offense of improper photography or visual recording.

To Criminal Jurisprudence.

HB 656 (By Coleman), Relating to health benefit plan coverage for an enrollee with certain mental disorders.

To Insurance.

HB 657 (By Zedler), Relating to point-of-sale health warnings for tobacco products.

To Public Health.

HB 659 (By Coleman), Relating to coverage of anorexia nervosa and bulimia nervosa as serious mental illnesses under certain group health benefit plans.

To Insurance.

HB 660 (By Hartnett), Relating to venue or transfer of certain probate matters and guardianship matters.

To Judiciary.

HB 661 (By P. King), Relating to the protection of customer telephone records; providing a penalty.

To Regulated Industries.

HB 662 (By Dukes), Relating to the coordination and improvement of certain programs and services for the prevention of and early intervention in child abuse and neglect.

To Human Services.

HB 663 (By Dukes), Relating to the performance of a private commercial contractor that provides a service of a state agency.

To Government Reform.

HB 664 (By Dukes), Relating to the adequacy of health maintenance organization health care delivery networks and availability of preferred provider benefits; providing penalties.

To Insurance.

HB 665 (By Dukes), Relating to the sharing of client information among certain state agencies.

To Government Reform.

HB 666 (By Naishtat), Relating to requiring a record vote by each house or committee of the legislature on bills, proposed constitutional amendments, amendments to bills and proposed constitutional amendments, and certain other actions and to public notice of the record vote.

To State Affairs.

HB 667 (By Van Arsdale), Relating to prohibiting the investment of state funds in certain private business entities doing business in Sudan.

To Pensions and Investments.

HB 668 (By Dukes), Relating to the office of inspector general.

To Government Reform.

HB 669 (By Coleman), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 670 (By Strama), Relating to the enforcement of unpaid child support.

To Juvenile Justice and Family Issues.

HB 671 (By Swinford), Relating to the acquisition of outdoor advertising by a governmental entity.

To State Affairs.

HB 672 (By Swinford), Relating to the Texas Mutual Insurance Company and the application of certain statutes to the Texas Mutual Insurance Company.

To State Affairs.

HB 673 (By Oliveira), Relating to seawalls and street lights as authorized projects in a public improvement district.

To County Affairs.

HB 674 (By Swinford), Relating to the authority of the Department of Information Resources to accept gifts and grants.

To State Affairs.

HB 675 (By Swinford), Relating to the membership of the governing board of the Department of Information Resources.

To State Affairs.

HB 676 (By Y. Davis), Relating to the imposition of statutory damages against a debt collector or third-party debt collector for improper debt collection activities.

To Financial Institutions.

HB 677 (By Y. Davis), Relating to disciplinary actions affecting certain pharmacy technicians.

To Public Health.

HB 678 (By Y. Davis), Relating to infection rates at health-care facilities.

To Public Health.

HB 679 (By Swinford), Relating to the validation of governmental acts and proceedings of the Downtown Midland Management District.

To Urban Affairs.

HB 680 (By Swinford), Relating to the sale of certain small municipal parks.

To Urban Affairs.

HB 681 (By Hochberg), Relating to postconviction DNA testing.

To Criminal Jurisprudence.

HB 682 (By Eissler), Relating to the creation of an additional county court at law in Montgomery County.

To Judiciary.

HB 683 (By Villarreal), Relating to the imposition of taxes on rail freight to fund the Texas rail relocation and improvement fund.

To Ways and Means.

HB 684 (By Pickett), Relating to state assistance for housing developments located in certain disaster areas.

To Border and International Affairs.

HB 685 (By Orr), Relating to the exemption of volunteer fire departments from certain motor fuel taxes.

To Ways and Means.

HB 686 (By Farabee), Relating to the name of political committees for supporting a candidate or assisting an officeholder.

To Elections.

HB 687 (By Farabee), Relating to the application of the general fishing license requirement to residents 65 years of age or older.

To Culture, Recreation, and Tourism.

HB 688 (By Krusee), Relating to a credit or refund for diesel fuel taxes paid on diesel fuel used in this state by auxiliary power units or power take-off equipment.

To Ways and Means.

HB 689 (By Veasey), Relating to the licensing and regulation of landmen in certain urban areas defined by the Texas Real Estate Commission.

To Licensing and Administrative Procedures.

HB 690 (By B. Brown), Relating to the use of certain voting equipment in certain elections that do not involve a federal office.

To Elections.

HB 692 (By Paxton), Relating to regulation of persons making certain loans secured by real property.

To Financial Institutions.

HB 693 (By Paxton), Relating to the form of "Welcome to Texas" signs along certain highways.

To Culture, Recreation, and Tourism.

HB 694 (By Smithee), Relating to the declination of compensation by a candidate for a county or precinct office.

To County Affairs.

HB 695 (By Villarreal), Relating to the effect of changes in high school enrollment on the eligibility of a graduating high school student for automatic admission to a general academic teaching institution.

To Higher Education.

HB 698 (By Eiland), Relating to the kinds of property insurance that may be offered by the Fair Access to Insurance Requirements (FAIR) Plan.

To Insurance.

HB 699 (By Turner), Relating to the confidentiality of certain information involving real estate transactions of the School Land Board, Veterans' Land Board, General Land Office, or land commissioner.

To Land and Resource Management.

HB 700 (By Berman), Relating to the authority of certain criminal investigators of the United States to enforce the laws of Texas.

To Law Enforcement.

HB 701 (By Gonzales), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 702 (By Bonnen), Relating to the authority of a school district to establish a volunteer reserve police force.

To Public Education.

HB 703 (By Villarreal), Relating to the licensing and regulation of lactation consultants; providing penalties.

To Public Health.

HB 704 (By Herrero), Relating to the coverage period for eligibility under the child health plan.

To Human Services.

HB 705 (By Herrero), Relating to the optional county fee for the county road and bridge fund.

To Local Government Ways and Means.

HB 706 (By Thompson), Relating to equal access to places of public accommodation.

To Civil Practices.

HB 707 (By Turner), Relating to the persons authorized to take a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances.

To Law Enforcement.

HB 708 (By Puente), Relating to Celebrate Freedom Week in public schools.

To Public Education.

HB 709 (By Puente), Relating to information regarding umbilical cord blood options.

To State Affairs.

HB 710 (By Ortiz), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 711 (By Noriega), Relating to protecting certain members of the Texas National Guard from exposure to depleted uranium.

To Defense Affairs and State-Federal Relations.

HB 712 (By Noriega), Relating to the residency requirements for tuition and fee exemptions for certain military personnel and their dependents.

To Defense Affairs and State-Federal Relations.

HB 713 (By Callegari), Relating to the authority of a fresh water supply district to issue bonds or to enter into a contract to convey property to another water district or water supply corporation.

To Natural Resources.

HB 714 (By Farrar), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 715 (By Castro), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 716 (By Solomons), Relating to residential mortgage fraud; providing criminal penalties.

To Financial Institutions.

HB 717 (By Jackson), Relating to county liability for services provided under the Indigent Health Care and Treatment Act.

To Public Health.

HB 718 (By Leibowitz), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 719 (By Leibowitz), Relating to the operation of a state highway or segment of a state highway as a toll project.

To Transportation.

HB 720 (By Bolton), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 721 (By Eissler), Relating to the certification of educational diagnosticians.

To Public Education.

HB 722 (By Burnam), Relating to the establishment of a global warming task force.

To Energy Resources.

HB 723 (By Solomons), Relating to an annual report by a justice of the peace regarding certain income.

To Judiciary.

HB 724 (By Solomons), Relating to resolution of certain disputes regarding workers' compensation claims for medical benefits.

To Business and Industry.

HB 729 (By Dunnam), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 737 (By Farias), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 739 (By Hernandez), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 817 (By Eiland), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 821 (By Menendez), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 822 (By Villarreal), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 824 (By Heflin), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HB 852 (By Olivo), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

HCR 44 (By Hardcastle), Congratulating Kelly Maben of Spur for setting a new arena record for barrel racing at the 2006 Wrangler National Finals Rodeo.

To Rules and Resolutions.

HJR 10 (By Chavez), Proposing a constitutional amendment permitting recognized Indian tribes to conduct gambling or other gaming activity on certain tribal land.

To Licensing and Administrative Procedures.

HJR 11 (By Corte), Proposing a constitutional amendment to limit the public taking of private property.

To Land and Resource Management.

HJR 12 (By Solomons), Proposing a constitutional amendment relating to the public taking of private property for private use.

To Land and Resource Management.

HJR 14 (By Chavez), Proposing a constitutional amendment to authorize the legislature to permit certain recognized Indian tribes to conduct gambling or other gaming activity on certain tribal land.

To Licensing and Administrative Procedures.

HJR 15 (By Chavez), Proposing a constitutional amendment requiring the state to treat recognized Indian tribes equally with regard to authorizing gambling or other gaming activity on tribal land.

To Licensing and Administrative Procedures.

HJR 17 (By Naishtat), Proposing a constitutional amendment to require a house or committee of the legislature to take a record vote on certain legislative measures and actions and to provide for public access to those record votes.

To State Affairs.

HJR 19 (By Branch), Proposing a constitutional amendment to require each house of the legislature to take a record vote on final passage of a bill and to publish the record vote on the Internet.

To State Affairs.

HJR 20 (By Branch), Proposing a constitutional amendment relating to the determination of a quorum of the senate or house of representatives.

To State Affairs.

HJR 23 (By Naishtat), Proposing a constitutional amendment relating to a moratorium on the execution of persons convicted of capital offenses.

To Criminal Jurisprudence.

HJR 24 (By Raymond), Supporting the ratification of a proposed amendment to the Constitution of the United States providing for a federal balanced budget.

To Government Reform.

HJR 25 (By Raymond), Proposing a constitutional amendment prohibiting the authorization or funding of an elementary or secondary education voucher program.

To Public Education.

HJR 26 (By Raymond), Proposing a constitutional amendment to dedicate net revenue from the state lottery to certain public school purposes to offset other revenue used for that purpose.

To Ways and Means.

HJR 28 (By Anderson), Proposing a constitutional amendment requiring any increase in a rate of the franchise tax be approved by two-thirds of all the members elected to each house of the legislature.

To Ways and Means.

HJR 30 (By Jackson), Proposing a constitutional amendment to allow the repurchase of real property acquired by a governmental entity through eminent domain.

To Land and Resource Management.

HJR 31 (By Ritter), Proposing a constitutional amendment limiting the time in which the legislature may enact or modify districts for the state legislature or the United States House of Representatives.

To Redistricting.

HJR 36 (By McReynolds), Proposing a constitutional amendment to permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice's or judge's current term.

To Judiciary.

HJR 38 (By Leibowitz), Proposing a constitutional amendment relating to the dedication of the revenue received from the sporting goods sales tax.

To Culture, Recreation, and Tourism.

HJR 39 (By Allen), Post-ratifying Amendment XXIV to the Constitution of the United States prohibiting the denial or abridgment of the right to vote for failure to pay any poll tax or other tax.

To Elections.

HJR 44 (By Branch), Proposing a constitutional amendment requiring any increase in a franchise tax rate to be approved by three-fourths of all the members elected to each house of the legislature.

To Ways and Means.

HJR 46 (By Paxton), Proposing a constitutional amendment authorizing the governor to reduce the amount of an item of appropriation in an appropriations bill.

To Appropriations.

HJR 49 (By Vo), Proposing a constitutional amendment prohibiting the taxation of the sale or use of certain food, drinks, and medicine.

To Ways and Means.

HR 49 (By Goolsby), In memory of L. A. Nelson, Jr., of Denton.
To Rules and Resolutions.

HR 50 (By Goolsby), Honoring Randy Reynolds of Austin for his service as president of the Independent Insurance Agents of Texas for 2005-2006.
To Rules and Resolutions.

HR 51 (By Goolsby), Congratulating Marguerite Whitehead on her 100th birthday.
To Rules and Resolutions.

HR 52 (By Goolsby), In memory of James Eaves of Tyler.
To Rules and Resolutions.

HR 56 (By Gallego), Honoring Judge Donald Clyde Creager for his service to Loving County and for his commitment to this great state as the longest-serving county judge in Texas.
To Rules and Resolutions.

HR 61 (By Hilderbran), In memory of Keith Robert Heffington of Austin.
To Rules and Resolutions.

HR 62 (By Hilderbran), In memory of Dorothy Perkins Doran Fournier of Kerrville.
To Rules and Resolutions.

HR 63 (By Hilderbran), In memory of Lillian Tamsitt Condra of Boerne.
To Rules and Resolutions.

HR 64 (By Hilderbran), In memory of former Kerr County Commissioner Glenn Holekamp of Comfort.
To Rules and Resolutions.

HR 65 (By Hilderbran), Honoring Bruce and Jennie Motheral of Kerrville on their 50th wedding anniversary.
To Rules and Resolutions.

HR 66 (By Hilderbran), Honoring John and Jaye George of Kerrville on their 50th wedding anniversary.
To Rules and Resolutions.

HR 67 (By Hilderbran), In memory of Eldera Jenkins Vordenbaum of Kerrville.
To Rules and Resolutions.

HR 68 (By Hilderbran), In memory of Phyllis Keidel of Kerrville.
To Rules and Resolutions.

HR 69 (By Hilderbran), In memory of Harvie Bird, Jr., of Kerrville.
To Rules and Resolutions.

HR 70 (By Hilderbran), In memory of Virginia Ann Jakovich Stehling of Kerrville.
To Rules and Resolutions.

HR 71 (By Hilderbran), Honoring Edward and Margaret Higgins of Center Point on their 60th wedding anniversary.

To Rules and Resolutions.

HR 77 (By Dunnam), Congratulating the Chilton Pirates for winning the 2006 Class A Division II state football championship.

To Rules and Resolutions.

HR 78 (By Dutton), Honoring Dr. Michael D. Griffin for his superlative achievements as NASA Administrator.

To Rules and Resolutions.

HR 79 (By Dutton), Honoring Dr. Louis C. Sidney, Sr., on his 23rd anniversary as the pastor of St. Paul Missionary Baptist Church in Houston.

To Rules and Resolutions.

HR 81 (By F. Brown), Recognizing the TALL X class of the Texas Agricultural Lifetime Leadership "TALL" program.

To Rules and Resolutions.

HR 87 (By Goolsby), In memory of Vidal M. Trevino, former state representative and superintendent of Laredo ISD.

To Rules and Resolutions.

HR 91 (By F. Brown), Congratulating Travis E. Nelson of Bryan on his 85th birthday.

To Rules and Resolutions.

HR 98 (By Parker), Honoring Robin Fry of the Lewisville Independent School District on her selection as a TEA 2007 Regional Teacher of the Year.

To Rules and Resolutions.

HR 101 (By R. Cook), Honoring James "Chick" Herrin on his induction into the International Lineman's Hall of Fame.

To Rules and Resolutions.

HR 102 (By Herrero), Honoring Maria Silguero of Robstown on her 94th birthday.

To Rules and Resolutions.

HR 103 (By Straus), Congratulating the San Antonio Public Library on its receipt of a 2006 National Award for Museum and Library Service from the Institute of Museum and Library Services.

To Rules and Resolutions.

HR 105 (By Gallego), In memory of William David Slaughter, Jr.

To Rules and Resolutions.

HR 107 (By Gallego), Honoring Culberson County Judge John Conoly on his retirement from public office.

To Rules and Resolutions.

HR 108 (By Gallego), In memory of Gregg A. Cooke of Dallas.

To Rules and Resolutions.

HR 109 (By Gallego), In memory of longtime Del Rio resident Libbie Stool.

To Rules and Resolutions.

HR 110 (By Gallego), Honoring Paul Valenzuela for his service to Pecos County as county commissioner for Precinct 4.

To Rules and Resolutions.

HR 117 (By Raymond), Recognizing the HOSA program at the Dr. Dennis Cantu Health Science Magnet School in Laredo.

To Rules and Resolutions.

HR 121 (By Goolsby), In memory of Daniel Boone of Abilene.

To Rules and Resolutions.

HR 124 (By Woolley), Congratulating Arthur Rudolph and Tommie Lynn Ayles of Pasadena on their 40th wedding anniversary.

To Rules and Resolutions.

HR 126 (By Martinez Fischer), In memory of Luis Augusto Moreno of San Antonio.

To Rules and Resolutions.

HR 127 (By Alonzo), Honoring Oak Cliff on the occasion of the 104th anniversary of its annexation to Dallas.

To Rules and Resolutions.

HR 128 (By Alonzo), Honoring Oak Cliff on the occasion of the 105th anniversary of its annexation to Dallas.

To Rules and Resolutions.

HR 129 (By Alonzo), Honoring the life of Benito Juárez on March 21, 2007, the 201st anniversary of his birth.

To Rules and Resolutions.

HR 130 (By Alonzo), Honoring the life of Benito Juárez on March 21, 2008, the 202nd anniversary of his birth.

To Rules and Resolutions.

HR 135 (By Alonzo), Honoring the life of Selena Quintanilla Perez on the 12th anniversary of her passing.

To Rules and Resolutions.

HR 136 (By Alonzo), Honoring the life of Selena Quintanilla Perez on the 13th anniversary of her passing.

To Rules and Resolutions.

HR 137 (By Alonzo), In memory of Laura Canales of Kingsville, "La Reina de la Onda Tejana," on the second anniversary of her passing.

To Rules and Resolutions.

HR 138 (By Alonzo), In memory of Laura Canales of Kingsville, "La Reina de la Onda Tejana," on the third anniversary of her passing.

To Rules and Resolutions.

HR 139 (By Alonzo), Recognizing the week of April 22 through April 28, 2007, as National Crime Victims' Rights Week.

To Rules and Resolutions.

HR 140 (By Alonzo), Recognizing National Crime Victims' Rights Week in 2008.

To Rules and Resolutions.

HR 141 (By Alonzo), Commemorating Cinco de Mayo, 2007.

To Rules and Resolutions.

HR 142 (By Alonzo), Commemorating Cinco de Mayo, 2008.

To Rules and Resolutions.

HR 143 (By Alonzo), Recognizing the 20th annual Grand Prairie Cinco de Mayo Celebration.

To Rules and Resolutions.

HR 144 (By Alonzo), Recognizing the 21st annual Grand Prairie Cinco de Mayo Celebration.

To Rules and Resolutions.

HR 145 (By Alonzo), Honoring participants in the University of North Texas Roberto R. Alonzo Bilingual/ESL Education Scholars Program for 2007.

To Rules and Resolutions.

HR 146 (By Alonzo), Honoring participants in the University of North Texas Roberto R. Alonzo Bilingual/ESL Education Scholars Program for 2008.

To Rules and Resolutions.

HR 147 (By Alonzo), Honoring Representative Irma Rangel and the third anniversary of the opening of the Irma Lerma Rangel Young Women's Leadership School in Dallas.

To Rules and Resolutions.

HR 148 (By Alonzo), Honoring Representative Irma Rangel and the fourth anniversary of the opening of the Irma Lerma Rangel Young Women's Leadership School in Dallas.

To Rules and Resolutions.

HR 149 (By Alonzo), Honoring former presidents of the Mexican American Democrats of Texas for 2007.

To Rules and Resolutions.

HR 150 (By Alonzo), Honoring former presidents of the Mexican American Democrats of Texas for 2008.

To Rules and Resolutions.

HR 151 (By Alonzo), Recognizing Diez y Seis de Septiembre (Mexican Independence Day) for 2007.

To Rules and Resolutions.

HR 152 (By Alonzo), Recognizing Diez y Seis de Septiembre (Mexican Independence Day) for 2008.

To Rules and Resolutions.

HR 160 (By Laubenberg), In memory of John B. King of Rockwall.
To Rules and Resolutions.

HR 164 (By P. King), Honoring Promise Helpers, Inc., on the 10th anniversary of its founding.
To Rules and Resolutions.

HR 165 (By P. King), Congratulating barber Mike Manchack of Fort Worth on his retirement.
To Rules and Resolutions.

HR 168 (By Flynn), Honoring Marland and Linda Faye Poe of Caddo Mills on their 50th wedding anniversary.
To Rules and Resolutions.

HR 170 (By Veasey), Congratulating the Garden of Eden Neighborhood Association in Tarrant County on its receipt of the 2006 Grand Prize as Neighborhood of the Year from Neighborhoods, USA.
To Rules and Resolutions.

HR 171 (By Veasey), Congratulating San Diego Chargers' running back LaDainian Tomlinson on being named the 2006 National Football League Most Valuable Player and honoring him for his community service.
To Rules and Resolutions.

HR 175 (By R. Cook), In memory of Malcom Thomas, Sr., of Eagle Lake.
To Rules and Resolutions.

HR 176 (By Hughes), In memory of Bobby Delafield.
To Rules and Resolutions.

HR 181 (By Ortiz), Honoring Delia Salazar of Corpus Christi on her 80th birthday.
To Rules and Resolutions.

HR 182 (By Dutton), Honoring Houston native Vince Young for being named the 2006 Associated Press NFL Offensive Rookie of the Year.
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 39 (By Paxton), Relating to the determination of resident status of students by public institutions of higher education.
To State Affairs.

HB 104 (By Riddle), Relating to information required to establish resident status in connection with tuition and fees charged by public institutions of higher education.
To State Affairs.

HB 141 (By Jackson), Relating to the determination of resident status of students by public institutions of higher education.
To State Affairs.

HB 159 (By Zedler), Relating to the determination of resident status of students by public institutions of higher education.

To State Affairs.

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 State Affairs.

List No. 2

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

HB 174 (By Truitt), Relating to the regulation of laser hair removal facilities; providing penalties.

To Public Health.

