

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TWENTY-FIFTH DAY — TUESDAY, MARCH 3, 2009

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 39).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Harcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Vaught.

Absent — Crownover.

The invocation was offered by Dr. Carol Friesen, associate pastor for mission, Westlake Hills Presbyterian Church, Austin, as follows:

Almighty God, maker of heaven and earth and ruler of all people. We begin a new day thankful for the gifts of life and liberty and mindful of the abundance of your blessings, mindful too of our many shortcomings. Forgive us, O God, for our selfish pursuits. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil intention. Purify our hearts that we might seek love and truth and the good of all people.

Give to these men and women assembled here this morning wisdom to govern with justice and mercy. Bless them with health and strength that they may use their position to serve faithfully. Encourage them this day with signs of your loving presence. Empower them to do your will. All this we ask for the glory of your kingdom. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Cook who presented Dr. John Keller of Fairfield as the "Doctor for the Day."

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

(Gutierrez in the chair)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HR 674 - ADOPTED (by Truitt)

Representative Truitt moved to suspend all necessary rules to take up and consider at this time **HR 674**.

The motion prevailed.

The following resolution was laid before the house:

HR 674, Honoring Coach Kris Hogan of Faith Christian School in Grapevine for his generosity and sportsmanship.

HR 674 was read and was adopted.

On motion of Representative Phillips, the names of all the members of the house were added to **HR 674** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Truitt who introduced Coach Kris Hogan and his wife, Amy.

LEAVE OF ABSENCE GRANTED

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

Vaught on motion of Quintanilla.

HR 567 - PREVIOUSLY ADOPTED (by Madden)

The chair laid out the following previously adopted resolution:

HR 567, Welcoming the members of The University of Texas at Dallas government honors program to the State Capitol.

HCR 28 - PREVIOUSLY ADOPTED
(by Berman)

The chair laid out the following previously adopted resolution:

HCR 28, Designating March 2 to March 3, 2009, as Tyler Days at the State Capitol.

On motion of Representative Hopson, the names of all the members of the house were added to **HCR 28** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Berman who introduced a delegation from Smith County.

HR 504 - PREVIOUSLY ADOPTED
(by Heflin)

The chair laid out the following previously adopted resolution:

HR 504, Recognizing March 3, 2009, as Cotton Day at the State Capitol.

On motion of Representative Craddick, the names of all the members of the house were added to **HR 504** as signers thereof.

(Crownover now present)

HR 142 - ADOPTED
(by Elkins)

Representative Elkins moved to suspend all necessary rules to take up and consider at this time **HR 142**.

The motion prevailed.

The following resolution was laid before the house:

HR 142, Honoring Eric Davis of Houston for achieving the rank of Eagle Scout.

HR 142 was read and was adopted.

HCR 78 - ADOPTED
(by Merritt)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HCR 78**.

The motion prevailed.

The following resolution was laid before the house:

HCR 78, Declaring March 2 and 3, 2009, as Kilgore Days at the State Capitol.

HCR 78 was read and was adopted.

On motion of Representative Berman, the names of all the members of the house were added to **HCR 78** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Hopson who introduced a delegation from Kilgore.

(Bohac in the chair)

HR 693 - ADOPTED (by Hernandez)

Representative Hernandez moved to suspend all necessary rules to take up and consider at this time **HR 693**.

The motion prevailed.

The following resolution was laid before the house:

HR 693, Honoring State Representative Armando Walle on his 31st birthday.

HR 693 was read and was adopted.

On motion of Representative Alvarado, the names of all the members of the house were added to **HR 693** as signers thereof.

HR 610 - ADOPTED (by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 610**.

The motion prevailed.

The following resolution was laid before the house:

HR 610, Recognizing March 3, 2009, as Ellis County Day at the State Capitol.

HR 610 was read and was adopted.

HR 612 - ADOPTED (by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 612**.

The motion prevailed.

The following resolution was laid before the house:

HR 612, Welcoming members of Leadership Waxahachie to the State Capitol on March 3, 2009, and commending them for their contributions to Texas.

HR 612 was read and was adopted.

(Speaker pro tempore in the chair)

HR 670 - ADOPTED
(by Naishtat and F. Brown)

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 670**.

The motion prevailed.

The following resolution was laid before the house:

HR 670, Recognizing March 3, 2009, as Orange and Maroon Legislative Day.

HR 670 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Naishtat who introduced participants in Orange and Maroon Legislative Day.

HR 638 - ADOPTED
(by D. Miller)

Representative D. Miller moved to suspend all necessary rules to take up and consider at this time **HR 638**.

The motion prevailed.

The following resolution was laid before the house:

HR 638, Recognizing the 43rd annual Texas Legislative Conference in New Braunfels on March 19 and 20, 2009.

HR 638 was read and was adopted.

On motion of Representative Kuempel, the names of all the members of the house were added to **HR 638** as signers thereof.

HR 661 - ADOPTED
(by Hardcastle)

Representative Hardcastle moved to suspend all necessary rules to take up and consider at this time **HR 661**.

The motion prevailed.

The following resolution was laid before the house:

HR 661, Recognizing March 3, 2009, as Rolling Plains Day at the State Capitol.

HR 661 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Hardcastle who introduced a delegation from the Rolling Plains area.

(Taylor in the chair)

HCR 77 - ADOPTED
(by Merritt)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HCR 77**.

The motion prevailed.

The following resolution was laid before the house:

HCR 77, In memory of Rose Shipton Pickens Kirkpatrick of Longview.

HCR 77 was read and was unanimously adopted by a rising vote.

On motion of Representative Bonnen, the names of all the members of the house were added to **HCR 77** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Merritt who introduced family members of Rose Shipton Pickens Kirkpatrick.

(Vaught now present)

HR 688 - ADOPTED
(by Kolkhorst, Fletcher, and Branch)

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 688**.

The motion prevailed.

The following resolution was laid before the house:

HR 688, Commemorating the 216th anniversary of the birth of Sam Houston.

HR 688 was read and was adopted.

On motion of Representative Fletcher, the names of all the members of the house were added to **HR 688** as signers thereof.

HR 673 - ADOPTED
(by Gonzalez Toureilles)

Representative Gonzalez Toureilles moved to suspend all necessary rules to take up and consider at this time **HR 673**.

The motion prevailed.

The following resolution was laid before the house:

HR 673, Recognizing March 3, 2009, as Live Oak County Day at the State Capitol.

HR 673 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Gonzalez Toureilles who introduced a delegation from Live Oak County.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 9).

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

**HR 691 - ADOPTED
(by Gonzalez Toureilles)**

Representative Gonzalez Toureilles moved to suspend all necessary rules to take up and consider at this time **HR 691**.

The motion prevailed.

The following resolution was laid before the house:

HR 691, In memory of Mayor August Caron, Jr., of George West.

HR 691 was read and was unanimously adopted by a rising vote.

INTRODUCTION OF GUESTS

The chair recognized Representative Gonzalez Toureilles who introduced family members and friends of Mayor August Caron, Jr.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Phillips requested permission for the Committee on Transportation to meet while the house is in session, during bill referral today, in E2.014, to consider the remainder of the committee's agenda.

Permission to meet was granted.

Representative Hochberg requested permission for the Committee on Appropriations, Subcommittee on Education, to meet while the house is in session, during bill referral today, to continue the recessed meeting.

Permission to meet was granted.

Representative McClendon requested permission for the Committee on Rules and Resolutions to meet while the house is in session, during bill referral today, in the Agricultural Museum, 1W.14, to consider Thursday's congratulatory and memorial calendar.

Permission to meet was granted.

**HR 678 - ADOPTED
(by S. King and D. Howard)**

Representative S. King moved to suspend all necessary rules to take up and consider at this time **HR 678**.

The motion prevailed.

The following resolution was laid before the house:

HR 678, Recognizing March 3, 2009, as Nurse Day at the State Capitol.

HR 678 was read and was adopted.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Appropriations, Subcommittee on Criminal Justice, 8 a.m. tomorrow, E2.022, for a formal meeting, to consider LBB recommendations for Article IV and Article V.

Appropriations, Subcommittee on Criminal Justice, 8 a.m. Thursday, March 5, E1.022, for a formal meeting, to consider LBB recommendations for Article IV and Article V.

HR 667 - ADOPTED

(by Shelton, et al.)

Representative Shelton moved to suspend all necessary rules to take up and consider at this time **HR 667**.

The motion prevailed.

The following resolution was laid before the house:

HR 667, Welcoming participants in the First Tuesdays program of the Texas Medical Association and the Texas Medical Association Alliance.

HR 667 was adopted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, upon adjournment today, pursuant to the previous posting.

PROVIDING FOR ADJOURNMENT

Representative Herrero 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 Eduardo de Ases of Corpus Christi.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

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

(McClendon in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 1:29 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 815 (By Gonzales), Relating to the hours of sale for liquor.
To Licensing and Administrative Procedures.

HB 1361 (By Anchia), Relating to the imposition of a fee for certain plastic bags provided to customers by retailers.
To Ways and Means.

HB 1611 (By Vaught), Relating to possession of or access to a child in a suit affecting the parent-child relationship.
To Judiciary and Civil Jurisprudence.

HB 1612 (By B. Brown), Relating to restrictions on the purchase of certain regulated metals by metal recycling entities; providing a criminal penalty.
To Environmental Regulation.

HB 1613 (By B. Brown), Relating to the computation of taxable margin for purposes of the franchise tax by certain taxable entities.
To Ways and Means.

HB 1614 (By B. Brown), Relating to the punishment for the offense of criminal mischief.
To Criminal Jurisprudence.

HB 1615 (By Kuempel), Relating to the practice of veterinarians in certain mercantile establishments.
To Agriculture and Livestock.

HB 1616 (By Kuempel), Relating to prohibiting adverse action against a school district that does not consent to the payment of impact fees.
To Public Education.

HB 1617 (By Swinford), Relating to limited agricultural cooperatives; providing penalties.
To Agriculture and Livestock.

HB 1618 (By Peña), Relating to the civil and criminal prosecution of racketeering; providing penalties.
To Criminal Jurisprudence.

HB 1619 (By Farrar), Relating to format, appearance, and contents of a driver's license, commercial driver's license, or personal identification certificate issued by the Department of Public Safety.

To Public Safety.

HB 1620 (By S. Turner), Relating to the procedure by which prices are established in competitive wholesale electric energy and capacity markets.

To State Affairs.

HB 1621 (By Giddings), Relating to notification of certain members of the legislature if a school district fails to file its annual audit report in a timely manner.

To Public Education.

HB 1622 (By Giddings), Relating to a grant program to provide children at risk of hunger or obesity with increased access to nutritious foods.

To Agriculture and Livestock.

HB 1623 (By Hernandez), Relating to exempting certain fraternal and veterans organizations from certain bond requirements to obtain an alcoholic beverage permit or license.

To Licensing and Administrative Procedures.

HB 1624 (By Creighton), Relating to creating a recognition day in honor of Charles Bellinger Stewart.

To Culture, Recreation, and Tourism.

HB 1625 (By Naishtat), Relating to the exclusion of certain resources in determining eligibility for the financial assistance, medical assistance, and food stamp programs.

To Human Services.

HB 1626 (By Naishtat), Relating to the eligibility of certain persons for the food stamp program.

To Human Services.

HB 1627 (By Naishtat), Relating to Low-Income Home Energy Assistance Program payments to assist certain households receiving food stamp benefits.

To Human Services.

HB 1628 (By Naishtat), Relating to the ability of a county, public hospital, or hospital district to purchase or arrange for the purchase of certain health coverage or benefits for eligible residents.

To County Affairs.

HB 1629 (By Naishtat), Relating to the care and protection of foster children committed to or released under supervision by the Texas Youth Commission.

To Human Services.

HB 1630 (By Naishtat), Relating to the eligibility of certain individuals for child health plan coverage or medical assistance on placement, detention, or commitment in and release from certain facilities or other settings.

To Human Services.

HB 1631 (By Harless), Relating to certain notice requirements regarding possessory liens on certain motor vehicles, motorboats, vessels, or outboard motors; providing a criminal penalty.

To Business and Industry.

HB 1632 (By Christian), Relating to the exemption from certain construction requirements for volunteer fire departments in certain counties.

To County Affairs.

HB 1633 (By Walle), Relating to certain conditions imposed on defendants convicted of an offense of graffiti or juveniles adjudicated as having engaged in conduct involving graffiti.

To Criminal Jurisprudence.

HB 1635 (By T. Smith), Relating to the abolition of the Texas Residential Construction Commission.

To Business and Industry.

HB 1636 (By C. Turner), Relating to the accrual of vacation and sick leave for certain state employees on a military leave of absence.

To Defense and Veterans' Affairs.

HB 1637 (By C. Turner), Relating to normal weekly hours of work under the shared work unemployment compensation program.

To Technology, Economic Development, and Workforce.

HB 1638 (By F. Brown), Relating to state compensation for certain election expenses.

To Elections.

HB 1639 (By Hopson), Relating to certain peace officers commissioned by the Texas State Board of Pharmacy.

To Public Safety.

HB 1640 (By Sheffield), Relating to the purposes and powers of the Temple Health and Bioscience Economic Development District.

To County Affairs.

HB 1641 (By Burnam), Relating to the eligibility requirements for voting by persons convicted of a felony.

To Elections.

HB 1642 (By S. Miller), Relating to the extent and management of the John Graves Scenic Riverway.

To Natural Resources.

HB 1643 (By Farabee), Relating to net metering for retail electric service customers and compensation for excess electricity generated by certain renewable energy technology generators.

To State Affairs.

HB 1644 (By Dukes), Relating to admonishments given to a person charged with a misdemeanor.

To Criminal Jurisprudence.

HB 1645 (By Hochberg), Relating to funding for multi-disciplinary approaches to combat gang violence.

To Corrections.

HB 1646 (By Burnam), Relating to electric utility energy efficiency goals and programs and demand reduction targets; creating an office of energy efficiency deployment in the state energy conservation office.

To Energy Resources.

HB 1647 (By Menendez), Relating to certain judicial findings required before a court may order a person to receive extended outpatient mental health services.

To Public Health.

HB 1648 (By Menendez), Relating to the investigation of firefighters and police officers.

To Urban Affairs.

HB 1649 (By Menendez), Relating to the operation of a motor vehicle by a person under 18 years of age while using a wireless communications device; providing a penalty.

To Transportation.

HB 1651 (By Swinford), Relating to the expiration of certain parts of the Texas Economic Development Act.

To Ways and Means.

HB 1652 (By Ortiz), Relating to use of money from the Texas Enterprise Fund or the Texas emerging technology fund to promote alternative energy sources and energy efficiency technologies.

To Technology, Economic Development, and Workforce.

HB 1653 (By Veasey), Relating to issuance of an optional license for certain builders.

To Business and Industry.

HB 1654 (By Anchia), Relating to the appointment of high school deputy registrars.

To Elections.

HB 1655 (By Anchia), Relating to the rights of distributed renewable generation owners and certain parties who provide distributed renewable generation to retail electric customers.

To State Affairs.

HB 1656 (By Guillen), Relating to the authority of certain municipalities and counties to regulate platting requirements near an international border.

To Border and Intergovernmental Affairs.

HB 1657 (By Giddings), Relating to workers' compensation insurance coverage regarding certain contractors.

To Business and Industry.

HB 1658 (By P. King), Relating to an exemption from the sales tax for certain telecommunications equipment.

To Ways and Means.

HB 1659 (By P. King), Relating to creating an exception to the offense of unlawful installation of a tracking device.

To Public Safety.

HB 1660 (By P. King), Relating to the composition of the board of directors of an appraisal district.

To Ways and Means.

HB 1661 (By P. King), Relating to an exemption from ad valorem taxation of \$60,000 of the appraised value of the residence homesteads of military servicemembers who are serving on active duty.

To Ways and Means.

HB 1662 (By P. King), Relating to the availability of certain Upper Trinity Groundwater Conservation District financial information on the district's Internet website.

To Natural Resources.

HB 1663 (By P. King), Relating to the issuance of a search warrant for a blood specimen from a person arrested for certain intoxication offenses.

To Criminal Jurisprudence.

HB 1664 (By P. King), Relating to an exemption for groundwater used for certain purposes from production fees assessed by the Upper Trinity Groundwater Conservation District.

To Natural Resources.

HB 1665 (By P. King), Relating to the penalty imposed on defaulting jurors.

To Judiciary and Civil Jurisprudence.

HB 1666 (By Edwards), Relating to the tax imposed on certain tobacco products.

To Ways and Means.

HB 1667 (By Edwards), Relating to the computation and rates of the franchise tax.

To Ways and Means.

HB 1668 (By Edwards), Relating to changing the name of certain school campuses.

To Public Education.

HB 1669 (By Callegari), Relating to certificates of public convenience and necessity for water or sewer services.

To Natural Resources.

HB 1670 (By McReynolds), Relating to the composition of the board of trustees of the Teacher Retirement System of Texas.

To Pensions, Investments, and Financial Services.

HB 1671 (By Crownover), Relating to mutual aid agreements for newborn screening laboratory services.

To Public Health.

HB 1672 (By Crownover), Relating to the confidentiality of newborn screening information.

To Public Health.

HB 1673 (By Crownover), Relating to funding of the Communities In Schools program.

To Public Education.

HB 1674 (By Villarreal), Relating to funding for county transportation needs.

To Transportation.

HB 1675 (By McClendon), Relating to the transportation of hazardous materials in high-threat areas; providing a penalty.

To Transportation.

HB 1676 (By Eissler), Relating to the automatic admission of undergraduate students to a general academic teaching institution that is a component institution of a university system.

To Higher Education.

HB 1677 (By W. Smith), Relating to notice by a governmental entity regarding certain geospatial data products.

To State Affairs.

HB 1678 (By Hilderbran), Relating to the Hill Country local mental health authority crisis stabilization unit.

To Public Health.

HB 1679 (By Gallego), Relating to limiting the liability of space flight entities.

To Judiciary and Civil Jurisprudence.

HB 1680 (By Gallego), Relating to an application filed with a county commissioners court to revise a subdivision plat.

To Land and Resource Management.

HB 1681 (By Gallego), Relating to the authority of general-law municipalities to restrict sex offenders from child safety zones in the municipality.

To Criminal Jurisprudence.

HB 1682 (By Cook), Relating to the creation of a county court at law in Navarro County.

To Judiciary and Civil Jurisprudence.

HB 1683 (By Cook), Relating to the election, and validation of acts, of members of the board of directors of Anderson County Underground Water Conservation District.

To Natural Resources.

HB 1684 (By B. Brown), Relating to the creation and administration of the rural veterinarian loan repayment program.

To Agriculture and Livestock.

HB 1685 (By Hardcastle), Relating to the sale of certain alcoholic beverages to private club registration permit holders.

To Licensing and Administrative Procedures.

HB 1686 (By Hardcastle), Relating to the Muenster Hospital District.

To County Affairs.

HB 1687 (By Cohen), Relating to the definition of an electric bicycle for purposes related to the use, registration, and licensing of electric bicycles.

To Transportation.

HB 1688 (By Castro), Relating to the rules governing a motion for new trial in juvenile cases.

To Corrections.

HB 1689 (By Castro), Relating to the creation of additional judicial districts in Bexar County.

To Judiciary and Civil Jurisprudence.

HB 1690 (By Swinford), Relating to the appointment of a master in chancery for certain appeals to district court from an order of an appraisal review board or from certain orders of the comptroller of public accounts.

To Ways and Means.

HB 1691 (By Zerwas), Relating to the creation of the Waller County Municipal Utility District No. 14; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

HB 1692 (By Hochberg), Relating to accountability for gifted and talented programs.

To Public Education.

HB 1693 (By Hochberg), Relating to the adoption of standards for school financial accounting software.

To Public Education.

HB 1694 (By Strama), Relating to the improvement of women's health by providing certain services and information related to unintended pregnancies and sexually transmitted diseases.

To Public Education.

HB 1695 (By S. Turner), Relating to the requirement that electric utilities create and implement a plan for infrastructure improvement and maintenance.

To State Affairs.

HJR 53 (By Homer), Proposing a constitutional amendment to replace the attorney general on the legislative redistricting board with the commissioner of agriculture.

To Redistricting.

HJR 69 (By P. King), Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation not more than \$60,000 of the assessed value of the residence homesteads of military servicemembers who are serving on active duty.

To Ways and Means.

List No. 2

HB 1593 (By Anchia), Relating to tax credits for qualified low-income community investments.

To Ways and Means.

HB 1634 (By T. Smith), Relating to the release of a motor vehicle accident report or certain information in a motor vehicle accident report; providing penalties.

To Transportation.

HB 1650 (By McClendon), Relating to the continuation and functions of the Texas State Affordable Housing Corporation; providing penalties.

To Urban Affairs.

HB 1696 (By Isett), Relating to the regulation of pharmacy benefit managers and to payment of claims to pharmacies and pharmacists.

To Insurance.

HB 1697 (By Martinez), Relating to a solar energy technology generation incentive program to be administered by electric utilities.

To Energy Resources.

HB 1698 (By Martinez), Relating to reconstituting the system benefit fund as a trust fund and to uses of the fund.

To State Affairs.

HB 1699 (By Martinez), Relating to the child health plan program.

To Human Services.

HB 1700 (By Laubenberg), Relating to the use of funds awarded by the Cancer Prevention and Research Institute of Texas.

To Public Health.

HB 1701 (By Laubenberg), Relating to the regulation of certain activities on a public highway or road, the right-of-way of a public highway or road, or a parking lot.

To Transportation.

HB 1702 (By Laubenberg), Relating to the posting on the comptroller's Internet website certain information related to bonds issued by local governments.

To Ways and Means.

HB 1703 (By Laubenberg), Relating to a biennial report on the cost to the state of services provided to illegal aliens.

To State Affairs.

HB 1704 (By Laubenberg), Relating to the punishment of the offense of cruelty to animals.

To Criminal Jurisprudence.

HB 1705 (By Geren), Relating to the Department of Information Resources, including the abolition of the telecommunications planning and oversight council, the electronic commerce network, and the electronic procurement marketplace.

To State Affairs.

HB 1706 (By Geren), Relating to the licensing and regulation of identity recovery service providers and the inclusion of identity recovery service agreements in certain service contracts and vehicle protection products; providing penalties.

To Licensing and Administrative Procedures.

HB 1707 (By Geren), Relating to the required disclosure under the public information law of information pertaining to an employee or trustee of a public employee pension system.

To State Affairs.

HB 1708 (By Martinez), Relating to the provision and evaluation of comprehensive substance abuse treatment under the state Medicaid program.

To Public Health.

HB 1709 (By Martinez), Relating to the random assignment of criminal and civil cases in district courts in Hidalgo County.

To Judiciary and Civil Jurisprudence.

HB 1710 (By S. Turner), Relating to requiring certain facilities located in certain areas prone to severe weather to have emergency generators.

To Defense and Veterans' Affairs.

HB 1711 (By S. Turner), Relating to requiring the Texas Department of Criminal Justice to establish a comprehensive reentry and reintegration plan for offenders released or discharged from a correctional facility.

To Corrections.

HB 1712 (By S. Miller), Relating to the extent and management of the John Graves Scenic Riverway.

To Environmental Regulation.

HB 1713 (By Creighton), Relating to the creation of the Blaketree Municipal Utility District No. 1 of Montgomery County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

HB 1714 (By Dutton), Relating to the repeal of the authority of a county to contract with a private entity for jail facilities.

To Corrections.

HB 1715 (By Gonzalez Toureilles), Relating to the establishment of the Texas Rural Development Fund and to the establishment, operation, and funding of certain programs for rural economic development.

To Agriculture and Livestock.

HB 1716 (By Gonzalez Toureilles), Relating to optional fees on the registration of a vehicle imposed by a county.

To Transportation.

HB 1717 (By Pierson), Relating to the regulation of metal recycling entities.

To Environmental Regulation.

HB 1718 (By Thibaut), Relating to safeguards for certain customers of retail public utilities in the electric power market.

To State Affairs.

HB 1719 (By Thibaut), Relating to the date on which certain voters may be removed from a county's voter registration list and related requirements.

To Elections.

HB 1720 (By Bohac), Relating to the use of public funds by a political subdivision for communications that contain false information relating to a ballot measure; providing a criminal penalty.

To Elections.

HB 1721 (By Bohac), Relating to taking or attempting to take a weapon from an employee or official of a correctional facility that is operated by a county or municipality.

To Criminal Jurisprudence.

HB 1722 (By Castro), Relating to the proceedings that may be referred to and the powers of a criminal law magistrate in Bexar County.

To Criminal Jurisprudence.

HB 1723 (By Castro), Relating to a requirement that higher education students wear reflective clothing or gear while participating in nighttime athletic events or activities; providing a penalty.

To Higher Education.

HB 1724 (By Menendez), Relating to the authorization and regulation of casino and slot gaming in this state, the creation, powers, and duties of the Texas Gaming Commission, and the powers and duties of the Texas Racing Commission; providing penalties.

To Licensing and Administrative Procedures.

HB 1725 (By Chavez), Relating to an allotment under the foundation school program for certain students who are military dependents.

To Public Education.

HB 1726 (By Chavez), Relating to the exemption from ad valorem taxation of certain tangible personal property stored temporarily at a location in this state.

To Ways and Means.

HB 1727 (By W. Smith), Relating to the transport of fireworks within a municipality.

To Urban Affairs.

HB 1728 (By Madden), Relating to the authority of the inspector general of the Texas Department of Criminal Justice to issue administrative subpoenas for certain communication records.

To Corrections.

HB 1729 (By Madden), Relating to certain requirements regarding the provision of home and community-based services under the Medicaid program.

To Human Services.

HB 1730 (By Pitts), Relating to authorizing the issuance of bonds for the reimbursement of the cost of public improvements located in public improvement districts in certain counties.

To County Affairs.

HB 1731 (By Pitts), Relating to money available for consumer incentive or rebate programs for alternatively fueled appliances or equipment.

To Energy Resources.

HB 1732 (By Chavez), Relating to the lease of certain state parking facilities to other persons.

To State Affairs.

HB 1733 (By Vo), Relating to prohibiting inducements to employees of a public institution of higher education for requiring or recommending textbooks or instructional materials.

To Higher Education.

HB 1734 (By Walle), Relating to the rates charged by water and sewer utilities.

To Natural Resources.

HB 1735 (By Burnam), Relating to the imposition of an income tax on income that exceeds \$100,000 to provide property tax relief and fund public education; providing penalties.

To Ways and Means.

HB 1736 (By Anchia), Relating to compensation of persons wrongfully imprisoned.

To Criminal Jurisprudence.

HB 1737 (By Gonzales), Relating to the formula funding for public institutions of higher education for certain credit hours that do not count toward a degree.

To Higher Education.

HB 1738 (By D. Howard), Relating to a study of nursing educational programs that require a single clinical competency assessment.

To Public Health.

HB 1739 (By D. Howard), Relating to a recognition day to celebrate Texas native plants.

To Culture, Recreation, and Tourism.

HB 1740 (By D. Howard), Relating to the authorization of physicians and therapeutic optometrists to dispense therapeutic contact lenses.

To Public Health.

HB 1741 (By T. King), Relating to recharge of the Edwards Aquifer.

To Natural Resources.

HB 1742 (By Raymond), Relating to coverage for prostate cancer screenings for men 40 years of age or older.

To Insurance.

HB 1743 (By Raymond), Relating to the transportation of certain mental health patients.

To Public Health.

HB 1744 (By Jackson), Relating to employer liability for the cost of health care services provided to certain indigent employees.

To Public Health.

HB 1745 (By Jackson), Relating to the prosecution of the offenses of sexual assault and aggravated sexual assault.

To Criminal Jurisprudence.

HB 1746 (By Jackson), Relating to the regulation of the towing and storage of vehicles.

To Transportation.

HB 1747 (By T. Smith), Relating to the release of motor vehicle accident report information.

To Transportation.

HB 1748 (By T. Smith), Relating to the cancellation of a health benefit plan on the basis of misrepresentation or a preexisting condition; providing penalties.

To Insurance.

HB 1749 (By Bonnen), Relating to the issuance of marine conservation specialty license plates.

To Transportation.

HB 1750 (By Bonnen), Relating to the creation of criminal law magistrates for Brazoria County.

To Criminal Jurisprudence.

HB 1751 (By Leibowitz), Relating to an exemption from ad valorem taxation of a renewable energy device, structure, facility, or system installed or constructed on residential property, land designated for agricultural use, or open-space land devoted to farm or ranch purposes for the generation of energy for use in connection with the property.

To Ways and Means.

HB 1752 (By Leibowitz), Relating to county regulation of fireworks during severe drought conditions.

To County Affairs.

HB 1753 (By Leibowitz), Relating to the criminal penalties and civil consequences for defendants convicted of an offense of graffiti and for juveniles adjudicated as having engaged in conduct involving graffiti.

To Criminal Jurisprudence.

HB 1754 (By Leibowitz), Relating to the Texas Education Agency's online clearinghouse of information concerning best practices for public schools.

To Public Education.

HB 1755 (By Flores), Relating to the training of appraisal review board members.

To Ways and Means.

HB 1756 (By Eissler), Relating to the functions performed by the comptroller in connection with applications and agreements under the Texas Economic Development Act.

To Ways and Means.

HB 1757 (By Thompson), Relating to review of certain license examinations for insurance agents.

To Insurance.

HB 1758 (By Thompson), Relating to the requirements for a plumber's apprentice to obtain a plumber's license.

To Licensing and Administrative Procedures.

HB 1759 (By Thompson), Relating to health benefit plan coverage for certain orally administered anticancer medications.

To Insurance.

HB 1760 (By Thompson), Relating to the filing of an action in connection with foreclosure of a lien on residential real property.

To Business and Industry.

HB 1761 (By Thompson), Relating to the reserve requirements for credit life and credit accident and health insurance.

To Insurance.

HB 1762 (By Chavez), Relating to improving state energy conservation, including through the use of thermostat settings.

To Energy Resources.

HB 1763 (By Flynn), Relating to the organization of the adjutant general's department.

To Defense and Veterans' Affairs.

HB 1764 (By Woolley), Relating to the regulation of the use of human cells and tissue, including a ban on human cloning; providing penalties.

To State Affairs.

HB 1765 (By Woolley), Relating to the concurrent jurisdiction of certain municipal courts in certain criminal cases punishable by fine only.

To Judiciary and Civil Jurisprudence.

HB 1766 (By Rodriguez), Relating to exempting prepaid wireless telecommunications devices from the 9-1-1 emergency service fee.

To Public Safety.

HB 1767 (By Rodriguez), Relating to the use of motion sensor technology in certain state buildings, public school facilities, and higher education facilities.

To State Affairs.

HB 1768 (By Branch), Relating to the elimination of straight-party voting.

To Elections.

HB 1769 (By S. Turner), Relating to the child health plan program.

To Human Services.

HB 1770 (By Miklos), Relating to the designation of an area as a reinvestment zone under the Tax Increment Financing Act.

To Ways and Means.

HB 1771 (By Chavez), Relating to the reduction in value or abandonment of stored value cards.

To Business and Industry.

HB 1772 (By Solomons), Relating to the regulation of certain licensing agents; providing penalties.

To Licensing and Administrative Procedures.

HB 1773 (By Fletcher), Relating to the confidentiality of certain personal information concerning current and former employees of certain divisions of the office of the attorney general.

To State Affairs.

HB 1774 (By Giddings), Relating to the enrollment required for the University of North Texas System to issue revenue bonds to fund facilities at the University of North Texas Dallas Campus.

To Higher Education.

HB 1775 (By Guillen), Relating to extension of water and sewer utility services to certain public school facilities or hospital facilities to supplement services provided by the holder of a certificate of public convenience and necessity.

To Natural Resources.

HB 1776 (By Guillen), Relating to reimbursement for health care services provided at certain times to persons enrolled in the Medicaid managed care program.

To Public Health.

HB 1777 (By Deshotel), Relating to a loan program to encourage the use of cleaner hydrogen fuel; providing for the issuance of bonds.

To Energy Resources.

HB 1778 (By Deshotel), Relating to exceptions to certain disqualifications from receiving unemployment benefits.

To Business and Industry.

HB 1779 (By T. Smith), Relating to education and examination requirements for the issuance of a driver's license to certain persons.

To Public Safety.

HB 1780 (By Hochberg), Relating to the use of a driver's license or identification card issued by the Department of Public Safety in voter registration.

To Elections.

HB 1781 (By Driver), Relating to the establishment of the Texas Forensic Science Academy as a program of the Texas Engineering Extension Service of The Texas A&M University System.

To Higher Education.

HJR 70 (By Menendez), Proposing a constitutional amendment authorizing and regulating slot machines and casino games by licensed operators and certain Indian tribes to provide additional money to fund transportation in this state and to provide additional financial aid for higher education students.

To Licensing and Administrative Procedures.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

Senate List No. 9

SCR 32

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, March 3, 2009

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SCR 28

Duncan

