

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-NINTH DAY — WEDNESDAY, APRIL 15, 2009

The house met at 12:35 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 150).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Chavez; Herrero.

LEAVES OF ABSENCE GRANTED

On motion of Representative Thompson and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative Thompson moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative Thompson and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following bill number).

(Record 151): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Chavez; Herrero.

SB 731

HB 118

HB 348

HB 389

HB 407

HB 523

HB 558

HB 582 (Flynn - no) (146 - 1 - 1)

HB 590

HB 719

HB 750

HB 765 (Aycock and Kolkhorst - no) (145 - 2 - 1)

HB 780

HB 817

HB 890

HB 1060

HB 1476

HB 1722

HB 1757

HB 1802

HB 1919

HB 1947

HB 2062

HB 2113

HB 2172 (Darby - no) (146 - 1 - 1)

HB 2173

HB 2324

HB 2353

HB 2569

HB 2570

HB 2814

HB 2906

HB 3073

HB 3113

HB 3456

HB 3519

HB 4004

HB 4291

HB 4339

HB 4344

HB 4359**HB 4540****REGULAR ORDER OF BUSINESS SUSPENDED**

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

(Speaker in the chair)

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 1454 ON THIRD READING
(by Naishtat, Lucio, Guillen, Leibowitz, et al.)**

HB 1454. A bill to be entitled An Act relating to the establishment of a volunteer-supported decision-making advocate pilot program for persons with intellectual and developmental disabilities and persons with other cognitive disabilities.

HB 1454 was passed by (Record 152): 116 Yeas, 27 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chisum; Christian; Cohen; Coleman; Corte; Crabb; Craddick; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hartnett; Heflin; Hernandez; Hilderbran; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Keffer; Kent; King, S.; King, T.; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Ortiz; Parker; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Aycock; Berman; Callegari; Cook; Crownover; Darby; Elkins; Gattis; Geren; Hancock; Hardcastle; Harless; Harper-Brown; Howard, C.; Jackson; Jones; King, P.; Kleinschmidt; Miller, D.; Miller, S.; Morrison; Orr; Otto; Patrick; Sheffield; Shelton; Smith, W..

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

Absent — Creighton; Edwards; Hochberg; Veasey.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 152. I intended to vote no.

B. Brown

I was shown voting yes on Record No. 152. I intended to vote no.

Eissler

I was shown voting yes on Record No. 152. I intended to vote no.

Flynn

I was shown voting yes on Record No. 152. I intended to vote no.

Taylor

When Record No. 152 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

**HB 2074 ON THIRD READING
(by Bonnen, Lucio, and Leibowitz)**

HB 2074, A bill to be entitled An Act relating to the designation by the commissioner of the General Land Office of critical coastal erosion areas for purposes of the coastal erosion response plan.

HB 2074 was passed by (Record 153): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

HB 2387 ON THIRD READING
(by Bonnen, Lucio, and Leibowitz)

HB 2387, A bill to be entitled An Act relating to the authority of the General Land Office to undertake coastal erosion studies and projects in conjunction with qualified project partners.

HB 2387 was passed by (Record 154): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

Absent — King, S.

STATEMENT OF VOTE

When Record No. 154 was taken, my vote failed to register. I would have voted yes.

S. King

HB 987 ON THIRD READING
(by Creighton)

HB 987, A bill to be entitled An Act relating to competitive procurement and change order requirements for local governments.

HB 987 was passed by (Record 155): 146 Yeas, 1 Nays, 1 Present, not voting.

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

Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Kolkhorst.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

HB 609 ON THIRD READING

(by Castro)

HB 609, A bill to be entitled An Act relating to the composition of the jury in certain adjudication hearings in juvenile court.

HB 609 was passed by (Record 156): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

HB 2914 ON THIRD READING
(by McReynolds, Gonzalez Toureilles, and Guillen)

HB 2914, A bill to be entitled An Act relating to the establishment of a fuel mitigation pilot grant program for fire departments.

HB 2914 was passed by (Record 157): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hochberg; Hodge; Homer; 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; McCleendon; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

Absent — Hopson.

STATEMENT OF VOTE

When Record No. 157 was taken, I was in the house but away from my desk. I would have voted yes.

Hopson

HB 2542 ON THIRD READING
(by Eissler, Guillen, and Cohen)

HB 2542, A bill to be entitled An Act relating to excused absences in public schools for students visiting institutions of higher education.

HB 2542 was passed by (Record 158): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

HB 1615 ON THIRD READING (by **Kuempel**)

HB 1615, A bill to be entitled An Act relating to the practice of veterinarians in certain mercantile establishments.

HB 1615 was passed by (Record 159): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

HB 709 ON THIRD READING
(by Rose and Guillen)

HB 709, A bill to be entitled An Act relating to the award of stipends to nationally certified classroom teachers under the educator excellence awards program.

HB 709 was passed by (Record 160): 139 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; 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; Peña; Phillips; Pickett; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Kleinschmidt; Laubenberg; Sheffield.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

Absent — Burnam; Edwards; Hughes; Paxton; Pierson.

HB 4794 - PERMISSION TO INTRODUCE

Representative McReynolds requested permission to introduce and have placed on first reading **HB 4794**.

Permission to introduce was granted by (Record 161): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; 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.; Vaught; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

Absent — Callegari; Hernandez; Veasey.

STATEMENT OF VOTE

When Record No. 161 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

HJR 7 - PERMISSION TO INTRODUCE

Representative Flores requested permission to introduce and have placed on first reading **HJR 7**.

Permission to introduce was granted by (Record 162): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; 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.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Chavez; Herrero.

Absent — Edwards.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Elections, 2 p.m. today.

FIVE-DAY POSTING RULE SUSPENDED

Representative Strama moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Technology, Economic Development, and Workforce to consider pending bills and invited testimony at 8 a.m. tomorrow in E2.016.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, upon final adjournment today.

FIVE-DAY POSTING RULE SUSPENDED

Representative Miklos moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Criminal Jurisprudence to consider **HB 3148** and **HB 3886** at 2 p.m. or upon final adjournment today.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Business and Industry, 1:45 p.m. today, JHR 120, for a formal meeting, to consider pending business.

Technology, Economic Development, and Workforce, 8 a.m. tomorrow, E2.016, for a public hearing, to consider pending business and invited testimony.

County Affairs, upon final adjournment today, Desk 44, for a formal meeting, to consider pending business.

Business and Industry, Subcommittee on TRCC, Property, and Landlord and Tenant Issues, 2 p.m. today, JHR 120, for a public hearing, to consider posted bills.

Criminal Jurisprudence, 2 p.m. or upon final adjournment today, E2.028, for a public hearing, to consider **HB 3148**, **HB 3886**, and the previously posted schedule.

Human Services, 10:30 a.m. or upon final adjournment tomorrow, E2.036, for a public hearing, to consider **HB 3225** and posted bills.

Border and Intergovernmental Affairs, 2 p.m. today.

FIVE-DAY POSTING RULE SUSPENDED

Representative Rose moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Human Services to consider **HB 3225** and posted bills.

The motion prevailed.

PROVIDING FOR ADJOURNMENT

Representative Bonnen 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 Captain James Harlow, Sr. and Probationary Firefighter Damion Hobbs of Houston, who were killed in the line of duty.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

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. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Harper-Brown in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 1:17 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

HCR 175 (By Homer), Recognizing March 25, 2009, as Mount Pleasant Day at the State Capitol.

To Rules and Resolutions.

HCR 176 (By Edwards), Expressing continued support for the establishment of a Juneteenth memorial monument on the grounds of the State Capitol at the location previously approved by the State Preservation Board.

To House Administration.

HJR 7 (By Flores), Proposing a constitutional amendment to require partnering with the United States Department of Veterans Affairs and other federal agencies to establish a veterans hospital in the Rio Grande Valley region of the state.

To Defense and Veterans' Affairs.

HR 1247 (By Farabee), Encouraging Texas employers to hire veterans.

To Rules and Resolutions.

HR 1322 (By Sheffield), Recognizing April 22, 2009, as Texas Charity Advocates Day at the State Capitol.

To Rules and Resolutions.

HR 1323 (By Weber), In memory of Mary Doris Cammack Hall of Beaumont.

To Rules and Resolutions.

HR 1324 (By Menendez), Congratulating Dora Carvajal Ramos on her retirement from the office of State Representative Jose Menendez.

To Rules and Resolutions.

HR 1326 (By Harcastle), Congratulating Rusty Riddle on his induction into the Texas Rodeo Cowboy Hall of Fame.

To Rules and Resolutions.

HR 1328 (By Gonzalez Toureilles), Honoring U.S. Army Specialist Mario Luis Lopez, Jr., for his service in Afghanistan.

To Rules and Resolutions.

HR 1330 (By Gonzalez Toureilles), Commending U.S. Marine Corporal Daniel J. Garcia of Ben Bolt for his service to his country.

To Rules and Resolutions.

HR 1331 (By Gonzalez Toureilles), Honoring U.S. Army Private First Class Gilbert Segura of Alice for his service to his country.

To Rules and Resolutions.

HR 1332 (By Branch), Honoring the life of Trammell Crow of Dallas.

To Rules and Resolutions.

HR 1333 (By Woolley), In memory of Julia Louise "Connie" Pratka of Houston.

To Rules and Resolutions.

HR 1334 (By Woolley), In memory of Jeanette Epstein Oshman of Houston.
To Rules and Resolutions.

HR 1335 (By Flynn), Congratulating Johnny and Unita Courts of Greenville on the occasion of their 50th wedding anniversary.
To Rules and Resolutions.

HR 1336 (By Keffer), Congratulating Chris Ward on his selection for promotion to the rank of major in the U.S. Air Force.
To Rules and Resolutions.

HR 1337 (By Craddick), Congratulating Gene Allen of Kerrville on his appointment to the Texas Funeral Service Commission.
To Rules and Resolutions.

HR 1338 (By Craddick), Honoring Gene Rush of Levelland on his retirement as Hockley County auditor.
To Rules and Resolutions.

HR 1339 (By Craddick), Congratulating the Upton County commissioners on opening a new MHMR Mental Health Center in McCamey.
To Rules and Resolutions.

HR 1341 (By J. Davis), Honoring the members of Bay Area Republican Women for their contributions to their communities.
To Rules and Resolutions.

HR 1342 (By McClendon), Honoring the Bowden Chapter of Business and Professional Women for 65 years of community service and congratulating L. Vernice Warner on being named the chapter's 2007 Woman of the Year.
To Rules and Resolutions.

HR 1343 (By Herrero), Welcoming Ariel Natalie Monte, the reigning queen of Feria de las Flores, and the 2009 pageant contestants to the State Capitol.
To Rules and Resolutions.

HR 1344 (By Alvarado), Commending the faculty, staff, and students from Houston Community College–Southeast who participated in the relief efforts following Hurricane Ike.
To Rules and Resolutions.

HR 1345 (By Alvarado), In memory of Roman Martinez of Houston.
To Rules and Resolutions.

HR 1346 (By Alvarado), Commending Johnny L. Sessums of Houston for his outstanding service to his community.
To Rules and Resolutions.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 14

Border and Intergovernmental Affairs - **HB 4353**

County Affairs - **HB 2835**

Higher Education - **HB 51, HB 184**

Human Services - **HB 704, HB 705, HB 1630, HB 1905, HB 2225, HB 2876**

Judiciary and Civil Jurisprudence - **HB 494, HB 1488, HB 1682**

Land and Resource Management - **HB 28, HB 774, HB 1424, HB 1473, HB 2436, HB 2726, HB 3306, HB 3340, HB 3438, HB 3461, HB 3464, HB 3632, HB 4438**

Licensing and Administrative Procedures - **HB 222, HB 1411, HB 1474, HB 1631, HB 1706, HB 1973, HB 2548, HB 2591, HB 2697, HB 2757, HB 2821, HB 3114**

Natural Resources - **HB 809, HB 811, HB 1518, HB 2063, HB 2123, HB 2124, HB 2340, HB 3521, HB 3610, HB 4110, HB 4231, HB 4316, HB 4712**

Public Education - **HB 1365, HB 1387, HB 3076, HB 3841, HB 4302**

Public Health - **HB 492, HB 497, HB 1924, HB 2938, HB 3450, HB 3597**

Public Safety - **HB 115, HB 120, HB 207, HB 384, HB 454, HB 530, HB 917, HB 1093, HB 1492, HB 1498, HB 1639, HB 1659, HB 1893, HB 2068, HB 2168, HB 2347, HB 2523, HB 2580, HB 2664, HB 2791, HB 2862, HB 2991, HB 3068**

State Affairs - **HB 90, HB 977, HB 995, HB 1799, HB 2515**

Transportation - **HB 82, HB 1687**

Ways and Means - **HB 406, HB 422, HB 742, HB 986, HB 1205, HB 1257, HB 1337, HB 1465, HB 1509, HB 1789, HB 3454, HB 3899, HB 3900**

SENT TO THE GOVERNOR

April 14 - HCR 123, HCR 138, HCR 163

RECOMMENDATIONS FILED WITH THE SPEAKER

April 14 - HB 2861, HB 4226, HB 4321, HB 4376, HB 4460, HB 4463, HB 4710, HB 4711, HB 4712, HB 4713, HB 4714, HB 4715, HB 4716, HB 4717, HB 4719, HB 4720, HB 4721, HB 4722, HB 4724, HB 4725, HB 4727, HB 4728, HB 4729