

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, FIRST CALLED SESSION

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## PROCEEDINGS

FIRST DAY (CONTINUED) — THURSDAY, JULY 2, 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 3).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycok; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte, V.; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; 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; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; 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; 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.

Absent, Excused — Eiland; Zerwas.

Absent — Peña.

The invocation was offered by Don R. Long of Austin, as follows:

Almighty and glorious Heavenly Father, on this day we thank you for those men in 1776 who declared their allegiance to freedom and liberty by preparing and signing the Declaration of Independence. May we never forget. And we thank you for the young men and women who are, on this very day, in harm's way protecting those privileges and freedom our forefathers gave us over 230 years ago.

Guide these elected representatives in this special session to enact such legislation that will be beneficial to all of the citizens of Texas. We thank you for their service to this great state.

Let those of us who call on your name remember your words to that wise king of Israel, Solomon, and the Hebrew nation: "If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways, then will I hear from heaven, and will forgive their sin, and will heal their land." (2 Chronicles 7:14) Amen.

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

#### **MESSAGE FROM THE SENATE**

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

#### **CAPITOL PHYSICIAN**

The speaker recognized Representative Hilderbran who presented Dr. H. David Pope of Kerrville as the "Doctor for the Day."

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

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

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

Zerwas on motion of Parker.

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

Eiland on motion of McCall.

#### **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 No. 1.)

(Peña now present)

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

State Affairs, upon first adjournment today, 3W.9, for a formal meeting, to consider **SB 2**.

#### **HCR 3 - ADOPTED (by Hodge)**

Representative Hodge moved to suspend all necessary rules to take up and consider at this time **HCR 3**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 3**, In memory of former Texas Attorney General Jim Mattox.

**HCR 3** was read and was unanimously adopted by a rising vote.

On motion of Representative Y. Davis, the names of all the members of the house were added to **HCR 3** as signers thereof.

**HR 33 - ADOPTED**

**(by Y. Davis)**

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 33**.

The motion prevailed.

The following resolution was laid before the house:

**HR 33**, Congratulating Joe M. Spigner on his retirement from the Dallas Fire-Rescue Department.

**HR 33** was adopted.

On motion of Representative Hodge, the names of all the members of the house were added to **HR 33** as signers thereof.

**HR 25 - ADOPTED**

**(by Quintanilla, Chavez, and Moody)**

Representative Quintanilla moved to suspend all necessary rules to take up and consider at this time **HR 25**.

The motion prevailed.

The following resolution was laid before the house:

**HR 25**, Congratulating the Socorro High School baseball team on winning the 2009 University Interscholastic League 5A state championship.

**HR 25** was read and was adopted.

On motion of Representative Moody, the names of all the members of the house were added to **HR 25** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Quintanilla who introduced coaches and players of the Socorro High School baseball team.

**ADJOURNMENT**

Representative Bonnen moved that the house adjourn until 11 a.m. today.

The motion prevailed.

The house accordingly, at 10:38 a.m., adjourned until 11 a.m. today.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**SB 2** to State Affairs.

**MESSAGES FROM THE SENATE**

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

**Message No. 1**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, July 2, 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:**

**SB 2** Hegar SPONSOR: Isett  
Relating to the governmental entities subject to the sunset review process.

Respectfully,  
Patsy Spaw  
Secretary of the Senate