

# HOUSE JOURNAL

---

---

EIGHTY-FIRST LEGISLATURE, FIRST CALLED SESSION

---

---

## PROCEEDINGS

SECOND DAY — THURSDAY, JULY 2, 2009

The house met at 11 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 4).

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, 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; 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.

Absent, Excused — Eiland; Zerwas.

### MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

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

#### **HB 1 ON SECOND READING (by Pitts, Pickett, and Harper-Brown)**

**HB 1**, A bill to be entitled An Act relating to certain sources of revenue for the funding of highways and transportation projects.

#### **Amendment No. 1**

Representative Pitts offered the following amendment to **HB 1**:

Amend **HB 1** in SECTION 1 of the bill by striking added Section 222.004(f), Transportation Code, and substitute the following:

"(f) The bonds and the record of proceedings authorizing the bonds and any related credit agreements shall be submitted to the attorney general for approval as to their legality. If the attorney general finds that they will be issued in accordance with this section and other applicable law, the attorney general shall approve them and deliver them to the comptroller for registration. After approval by the attorney general, registration by the comptroller, and payment by the purchasers of the bonds in accordance with the terms of sale and after execution and delivery of the related credit agreements, the bonds and related credit agreements are incontestable for any cause."

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representatives Pitts, Chisum, and Giddings offered the following amendment to **HB 1**:

Amend **HB 1** (House committee printing) as follows:

(1) On page 2, at the end of line 27, add "and".

(2) Strike page 3, lines 7 through 11 and substitute "under a credit agreement.".

(3) Strike SECTION 2 of the bill (page 3, line 20 through page 13, line 26) and renumber subsequent SECTIONS accordingly.

(4) On page 14, strike lines 5 and 6 and substitute "Proposition 12 bonds [~~SB 263~~] and **SB 1350**".

(5) On page 14, line 25, strike "~~[SB 1350 or similar]~~" and substitute "**SB 1350** or similar".

(6) On page 15, lines 1 and 2, strike "or by a called session of the Eight-First Legislature.".

(7) On page 15, strike lines 7 through 12 and substitute "**SB 1350** or similar legislation. If **SB 1350** or similar legislation is not enacted, \$1 billion of the contingent appropriation from Proposition 12 General Obligation Bond proceeds in Strategy B.1.3, Construction Grants & Services, in subsection (a) of this rider shall be used to capitalize the State Infrastructure Bank for the purpose of making loans to public entities.".

### **Amendment No. 3**

Representatives Leibowitz, Peña, and Anderson offered the following amendment to Amendment No. 2:

Amend Floor Amendment No. 2 to **HB 1** on page 1 by striking line 21 and substituting the following:

making loans to public entities; provided that money in the State Infrastructure Bank may not be used for the purpose of converting a nontolled road or highway to a tolled road or highway.

Amendment No. 3 was adopted by (Record 5): 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; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Eiland; Zerwas.

Amendment No. 2, as amended, was adopted.

#### **Amendment No. 4**

Representatives England and Y. Davis offered the following amendment to **HB 1**:

Amend **HB 1** on page 15, line 13 by inserting a new SECTION 4 to read as follows and renumbering previous SECTION 4:

SECTION 4. Section 228.0111(p)(3), Transportation Code, is amended to read as follows:

(3) the bonds or other obligations may mature serially or otherwise not more than 40 [~~30~~] years from their date of issuance.

Amendment No. 4 was adopted.

#### **HB 1 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE LEIBOWITZ: Mr. Pitts, just to be sure, the way Mr. Chisum's amendment is directing the funds into the infrastructure bank, am I correct in understanding that the retirement funds of state employees and teachers cannot be used in that context?

REPRESENTATIVE PITTS: The teacher retirement and the employee retirement systems cannot deposit money into the infrastructure bank, and my helper here, Linda Harper-Brown, is reading the law, and it states that only federal funds, matching state funds, and proceeds from bonds can be put in. It has to be money that is controlled by TxDOT or appropriated by the legislature can go into these funds.

LEIBOWITZ: So, the current state of the law is such that there is no way that those retirement funds can somehow be directed into this infrastructure bank to be used for the purposes for which we are discussing?

PITTS: I mean, I'm not going to tell you what may happen in future legislative sessions—

LEIBOWITZ: But as things stand right now?

PITTS: Under current law, the retirement funds cannot be used in the infrastructure.

LEIBOWITZ: It's definitive, you're quite confident?

PITTS: I'm very positive.

REPRESENTATIVE MORRISON: Chairman Pitts, my one question is, with the way this bill is structured now, is there any way that funds can be diverted into the Trans-Texas Corridor or something along that line?

PITTS: The last phrase in the amendment states that it can only be used for public entities.

MORRISON: Only public?

PITTS: It cannot be used for any CDAs or any type of thing like that.

MORRISON: So that would totally exempt Trans-Texas Corridor from getting these funds?

PITTS: That is correct. And it would also—of course there's \$2 billion we're talking about. The first billion goes into the highway funds that cannot be used for CDAs, and infrastructure bonds cannot be used for CDAs also.

MORRISON: For CDAs also.

### **REMARKS ORDERED PRINTED**

Representative Morrison moved to print remarks between Representative Leibowitz and Representative Pitts and between Representative Morrison and Representative Pitts.

The motion prevailed.

**HB 1**, as amended, was passed to engrossment.

### **HB 1 ON THIRD READING (by Pitts, Pickett, and Harper-Brown) CONSTITUTIONAL RULE SUSPENDED**

Representative Pitts moved to suspend the constitutional rule requiring bills to be read on three several days and to place **HB 1** on its third reading and final passage.

The motion prevailed by (Record 6): 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; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Eiland; Zerwas.

The speaker laid **HB 1** before the house on its third reading and final passage.

**HB 1** was read third time and was passed by (Record 7): 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; 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; 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, 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Eiland; Zerwas.

Absent — Miller, D.

The speaker stated that **HB 1** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

### STATEMENT OF VOTE

When Record No. 7 was taken, my vote failed to register. I would have voted yes.

D. Miller

### HB 1 - RULES SUSPENDED

Representative Pitts moved to suspend Rule 2, Section 1(a)(9) of the House Rules to permit **HB 1** to be sent to the senate in the form of engrossed riders in lieu of a full engrossment.

The motion prevailed.

### SB 2 ON SECOND READING

(Isett - House Sponsor)

**SB 2**, A bill to be entitled An Act relating to the governmental entities subject to the sunset review process.

**SB 2** was considered in lieu of **HB 2**.

**SB 2** was passed to third reading.

### HB 2 - LAID ON THE TABLE SUBJECT TO CALL

Representative Isett moved to lay **HB 2** on the table subject to call.

The motion prevailed.

### SB 2 ON THIRD READING

(Isett - House Sponsor)

### CONSTITUTIONAL RULE SUSPENDED

Representative Isett moved to suspend the constitutional rule requiring bills to be read on three several days and to place **SB 2** on its third reading and final passage.

The motion prevailed by (Record 8): 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; 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; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Eiland; Zerwas.

Absent — Gutierrez.

The speaker laid **SB 2** before the house on its third reading and final passage.

**SB 2** was read third time and was passed by (Record 9): 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, 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Eiland; Zerwas.

Absent — Chavez.

#### STATEMENT OF VOTE

When Record No. 9 was taken, I was in the house but away from my desk. I would have voted yes.

Chavez

**HCR 6 - ADOPTED**  
**(by Homer)**

Representative Homer moved to suspend all necessary rules to take up and consider at this time **HCR 6**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 6**, Congratulating Terrell Boyd of Paris, Texas, for being named a Chevalier of the Legion of Honor by the French Republic.

**HCR 6** was adopted.

**HR 61 - ADOPTED**  
**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 61**.

The motion prevailed.

The following resolution was laid before the house:

**HR 61**, Congratulating the Danbury High School baseball team on winning the University Interscholastic League 2A state championship for 2009.

**HR 61** was adopted.

**HCR 2 - ADOPTED**  
**(by Martinez Fischer and Jones)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HCR 2**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 2**, In memory of former state representative Leopoldo Alvarado, Jr.

**HCR 2** was read and was unanimously adopted by a rising vote.

On motion of Representative Raymond, the names of all the members of the house were added to **HCR 2** as signers thereof.

**HR 62 - ADOPTED**  
**(by J. Davis)**

Representative J. Davis moved to suspend all necessary rules to take up and consider at this time **HR 62**.

The motion prevailed.

The following resolution was laid before the house:

**HR 62**, Honoring Adelaide Horn on her retirement as commissioner of the Texas Department of Aging and Disability Services.

**HR 62** was adopted.



On motion of Representative Coleman, the names of all the members of the house were added to **HR 62** as signers thereof.

**HR 64 - ADOPTED**  
**(by J. Davis)**

Representative J. Davis moved to suspend all necessary rules to take up and consider at this time **HR 64**.

The motion prevailed.

The following resolution was laid before the house:

**HR 64**, Congratulating Albert Hawkins on his retirement as executive commissioner of the Texas Health and Human Services Commission.

**HR 64** was adopted.

On motion of Representative Coleman, the names of all the members of the house were added to **HR 64** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative J. Davis who introduced Addie Horn and Albert Hawkins.

(Gattis in the chair)

**HCR 5 - ADOPTED**  
**(by Smithee)**

Representative Smithee moved to suspend all necessary rules to take up and consider at this time **HCR 5**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 5**, Honoring the musical drama TEXAS in Palo Duro Canyon on the occasion of its 44th season.

**HCR 5** was adopted.

(Speaker in the chair)

**RECESS**

At 12:49 p.m., the speaker announced that the house would stand recessed until 2:45 p.m. today.

**AFTERNOON SESSION**

The house met at 2:45 p.m. and was called to order by the speaker.

**HOUSE AT EASE**

At 3:06 p.m., the speaker announced that the house would stand at ease.

The speaker called the house to order at 4:42 p.m.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for the remainder of today because of important business in the district:

Deshotel on motion of Peña.

Gutierrez on motion of Ortiz.

(Phillips in the chair)

### RESOLUTIONS ADOPTED

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 1 - HR 14, HR 16, HR 19, HR 22 - HR 24, HR 26 - HR 32, HR 34, HR 36 - HR 41, HR 43 - HR 47, HR 49 - HR 51, HR 53 - HR 55, HR 57, HR 58, HR 60, HR 66 - HR 71, HR 73, HR 75 - HR 81, HR 83 - HR 86, HR 88 - HR 94, HR 96 - HR 99, and HR 101 - HR 107.**

The motion prevailed.

The following resolutions were laid before the house:

**HR 1** (by Craddick), Congratulating Ellsworth and Mary Rae Boswell of Midland on their 50th wedding anniversary.

**HR 2** (by Craddick), Congratulating Harold and Mae Ervin of Midland on their 60th wedding anniversary.

**HR 3** (by Craddick), Honoring Bob and Betty Gaines of Midland on their 60th wedding anniversary.

**HR 4** (by Craddick), Congratulating W. J. "Robby" and Lila Roberson of Midland on their 65th wedding anniversary.

**HR 5** (by Craddick), Congratulating Patricia Mouser on her retirement as the child nutrition services director for the Midland Independent School District.

**HR 6** (by Craddick), Honoring Shelly and Randall Hicks of Midland on their 30th wedding anniversary.

**HR 7** (by Craddick), Congratulating Brad and Ramona Daley of Midland on their 25th wedding anniversary.

**HR 8** (by Craddick), Congratulating Samuel Dowlen of Midland on his participation in the 2009 Scripps National Spelling Bee.

**HR 9** (by Craddick), Congratulating Charles and Sandra Bolinger of Midland on their 50th wedding anniversary.

**HR 10** (by Craddick), Congratulating Tommy Sikes of Midland College on winning the 2009 National Junior College Athletic Association Division I men's golf championship.

**HR 11** (by Craddick), Congratulating Marion and Patsy Causey of Midland on their 50th wedding anniversary.

**HR 12** (by Craddick), Honoring Cliff and Jean Summers of Midland on their 57th wedding anniversary.

**HR 13** (by Craddick), Congratulating Permian Basin Community Centers on its 40th anniversary.

**HR 14** (by Kleinschmidt), Honoring Chief Warrant Officer Charles Kieth Christian for his service in Iraq.

**HR 16** (by Hodge), Congratulating Nathaniel Quarterman on his retirement as director of the Correctional Institutions Division of the Texas Department of Criminal Justice.

**HR 19** (by Marquez), Commemorating the 60th anniversary of the Bowie High School 1949 baseball team's championship season.

**HR 22** (by Hughes), Congratulating the Elite Team of Dance Dimensions in Mineola on being named National Grand Champions.

**HR 23** (by Hughes), Congratulating Reverend Adrian and Mrs. Grace Bird on their 70th wedding anniversary.

**HR 24** (by Bonnen), Honoring the 40th anniversary of the Angleton Danbury Medical Center Auxiliary.

**HR 26** (by Fletcher), Honoring Rolling Thunder, Inc., Texas Chapter 1, for its work in behalf of veterans and their families.

**HR 27** (by Pitts), Congratulating Dinah Weable of Waxahachie on her selection as the 2009 Grape Myrtle Queen.

**HR 28** (by Peña), Honoring Deputy Chief Ubaldo Perez of the Edinburg Volunteer Fire Department on his selection as the 2009 Firefighter of the Year by the State Firemen's and Fire Marshals' Association of Texas.

**HR 29** (by Hughes), Congratulating Jerry Cargill on being named the 2008 Outstanding Citizen by the Greater Marshall Chamber of Commerce.

**HR 30** (by Hughes), Congratulating Bennie Cornutt on being named the Man of the Year in 2009 by the Gladewater Chamber of Commerce.

**HR 31** (by Hodge), Congratulating David L. Stacks on his retirement from the Texas Department of Criminal Justice.

**HR 32** (by Hodge), Congratulating Pamela Williams on her retirement as deputy director of support operations in the correctional institutions division of the Texas Department of Criminal Justice.

**HR 34** (by Hughes), Congratulating Gloria M. Turner and Robert L. Turner, Jr., on their receipt of the John M. Holman Museum Excellence Award.

**HR 36** (by Hughes), Congratulating Richard and Ina Taylor of Pittsburg, Texas, on their 45th wedding anniversary.

**HR 37** (by Hughes), Congratulating Carol Harder of Mineola for receiving the M Award from Southern Methodist University.

**HR 38** (by Craddick), Congratulating Charles Greenawalt of Midland on his retirement as executive director of Region 18 Education Service Center.

**HR 39** (by Craddick), Congratulating Dr. Walter S. Parks, Jr., and Jeanie Parks of Austin on their 65th wedding anniversary.

**HR 40** (by Martinez Fischer), Honoring Dr. Joseph Garza of San Antonio for his work as a specialist in fertility care.

**HR 41** (by Martinez Fischer), Congratulating Diana Arevalo on being crowned Miss Central Texas Latina.

**HR 43** (by Gallego), Congratulating Captain Chad Schafer on being named the 2008 Firefighter of the Year by the Val Verde County Rural Volunteer Fire Department.

**HR 44** (by Gallego), Commending Tony Markowitz for his decade of service with the Val Verde County Rural Volunteer Fire Department.

**HR 45** (by Gallego), Commending Cassie De Luna for her decade of service to the Val Verde County Rural Volunteer Fire Department.

**HR 46** (by Gallego), Congratulating Lieutenant Larry Nelson on being named the 2007 Firefighter of the Year by the Val Verde County Rural Volunteer Fire Department.

**HR 47** (by Gallego), Commending Mario Gonzalez for his decade of service with the Val Verde County Rural Volunteer Fire Department.

**HR 49** (by Hughes), Congratulating Barbara Smith Mackey on being named the Woman of the Year in 2009 by the Gladewater Chamber of Commerce.

**HR 50** (by Merritt), Congratulating Dr. James Wilcox on being named Region 7 Superintendent of the Year.

**HR 51** (by Merritt), Congratulating Rogers Pope, Sr., on earning the 50-Year Banker Award from the Texas Bankers Association.

**HR 53** (by Merritt), Honoring U.S. Air Force Master Sergeant Ken Huhman of San Antonio on his receipt of two Bronze Stars with Valor.

**HR 54** (by Merritt), Congratulating Judy Brown on her retirement from the Texas Department of Public Safety.

**HR 55** (by Merritt), Congratulating Reed Hilary Ellis Johnson on his graduation from Westlake High School.

**HR 57** (by Ortiz), Honoring retired U.S. Army Brigadier General Reyes Rodriguez, Jr., on his 90th birthday.

**HR 58** (by Ortiz), Recognizing Gloria Hicks for her service to students in the Corpus Christi Independent School District on the occasion of a new campus being named in her honor.

**HR 60** (by Farias), Congratulating Jason John Goodwin on achieving the rank of Eagle Scout.

**HR 66** (by J. Davis), Recognizing December 20, 2009, the 20th anniversary of the beginning of Operation Just Cause in Panama, as a Day of Remembrance at Fort Hood.

**HR 67** (by Farrar), Honoring Leonor Villanueva of Houston on her 90th birthday.

**HR 68** (by Rodriguez), Recognizing the Bad Precedents as the official band of the Regular and 1st Called Session of the 81st Texas Legislature.

**HR 69** (by D. Miller), Congratulating the Smithson Valley High School softball team on winning the 2009 University Interscholastic League 5A state championship.

**HR 70** (by D. Miller), Congratulating the Canyon High School Cougarettes softball team on winning the 2009 UIL 4A state championship.

**HR 71** (by D. Miller), Congratulating Andrea Hannasch on her high school career.

**HR 73** (by Alonzo), Directing the Texas Higher Education Coordinating Board to study whether bilingual education should be designated as a critical field in postsecondary education and to explore the feasibility of providing scholarships, grants, and other forms of financial assistance to encourage college students in bilingual education to pursue teaching careers in areas of Texas with a shortage of bilingual education teachers.

**HR 75** (by Ortiz), Honoring the baseball team from Moody High School in Corpus Christi on its achievements during the 2009 season.

**HR 76** (by Gallego), Congratulating fire rescue officer Fred Fite of the Del Rio Fire and Rescue Department on receiving his certification from the Texas Commission on Fire Protection.

**HR 77** (by Gallego), Congratulating assistant chief Pablo Padilla on his 30 years of service with the Del Rio Fire and Rescue Department.

**HR 78** (by Lucio), Honoring Dr. Asim Zamir of Brownsville on his receipt of a Patients' Choice award.

**HR 79** (by Paxton), Honoring the North Texas Enterprise Center for Medical Technology on its receipt of the 2009 Health Care Heroes–Innovator Award from the Dallas Business Journal.

**HR 80** (by Paxton), Congratulating Kevin Lofgren of Farstar in Frisco on his nomination for the 2009 Small Business of the Year Award from the Texas Association of Business.

**HR 81** (by Paxton), Honoring Tamme Harty on her nomination for the Texas Small Business of the Year Award from the Texas Association of Business.

**HR 83** (by Gonzalez Tourelles), Honoring U.S. Air Force Technical Sergeant Adrian David Saenz of Alice for his service to this country.

**HR 84** (by Merritt), Honoring Principal Jamie Holder of Lindale High School for being named Region 7 Secondary Principal of the Year by the Texas Education Agency.

**HR 85** (by Merritt), Congratulating Second Lieutenant David Andrew Shore on his graduation from the United States Military Academy at West Point.

**HR 86** (by Merritt), Honoring the City of Longview on being named the Fittest City in Texas.

**HR 88** (by Taylor), Honoring Derek Ryan for his service to the Republican Party of Texas.

**HR 89** (by B. Brown), Congratulating the City of Terrell on receiving national recognition for its model for sustainable development.

**HR 90** (by Madden), Commending Dispute Mediation Service and Foreclosure Mediation Service for their efforts to help North Texas confront the current foreclosure crisis.

**HR 91** (by Peña), Commemorating the 10th anniversary of the founding of Victor's Chicken restaurant in Edinburg.

**HR 92** (by Rios Ybarra), Commending Edward Gonzales for his service as chief of staff for State Representative Tara Rios Ybarra.

**HR 93** (by Rios Ybarra), Honoring Rogelio Ernesto Chanes for his service as legislative director in the office of State Representative Tara Rios Ybarra.

**HR 94** (by Rios Ybarra), Honoring Cesar de Leon Zendejas for his service as a legislative aide in the office of State Representative Tara Rios Ybarra.

**HR 96** (by Hughes), Congratulating Dr. Mavis De La Rosa on her retirement from Mineola ISD.

**HR 97** (by Hughes), Congratulating Ray and Peggy Hulse of Quitman on the occasion of their 50th wedding anniversary.

**HR 98** (by Hughes), Congratulating Garnet and Ida Stokes of Pine Mills on the occasion of their 50th wedding anniversary.

**HR 99** (by Hughes), Congratulating Bill and Glenda Scott on the occasion of their 50th wedding anniversary.

**HR 101** (by Hughes), Congratulating William Ray and Tommie Bradshaw of Quitman on the occasion of their 50th wedding anniversary.

**HR 102** (by Flynn), Congratulating John William Burns Moody on achieving the rank of Eagle Scout.

**HR 103** (by Gallego), Congratulating Lieutenant Scot Carcasi on being named the 2008 Firefighter of the Year by the Del Rio Fire and Rescue Department.

**HR 104** (by Herrero), Commending Leo Estrada for his advocacy efforts and contributions in behalf of the residents of Corpus Christi and Robstown.

**HR 105** (by Smithee), Honoring Jack Sorenson for his professional achievements as an artist.

**HR 106** (by Riddle), Commemorating the 65th wedding anniversary of Sam and Strelsa Burks of Austin.

**HR 107** (by Eissler), Congratulating Dr. Raymond Hawkins on his retirement as president of Lone Star College-Tomball.

The resolutions were adopted.

### **RESOLUTIONS ADOPTED**

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 20, HR 21, HR 35, HR 42, HR 48, HR 52, HR 56, HR 59, HR 63, HR 65, HR 72, HR 74, HR 87, HR 95,** and **HR 100.**

The motion prevailed.

The following resolutions were laid before the house:

**HR 20** (by Martinez Fischer), In memory of Henry James Gonzales, Jr., of San Antonio.

**HR 21** (by Jones, et al.), In memory of former state representative Leopoldo "Leo" Alvarado, Jr.

**HR 35** (by Hughes, et al.), In memory of Kyle Franklin Conover of Coppell.

**HR 42** (by Gallego), Honoring the life of Virginia Francis Webb Shahan of Brackettville.

**HR 48** (by Hughes, et al.), In memory of Bobby Eugene Holmes of Buna.

**HR 52** (by Merritt), In memory of Walden P. "Red" Little of Tyler.

**HR 56** (by D. Howard), Honoring the life of Erin Krielow Lahr of Austin.

**HR 59** (by Farias), In memory of John A. Hall of San Antonio.

**HR 63** (by Ortiz, et al.), In memory of Farrah Fawcett.

**HR 65** (by Madden), In memory of Jimmie Hall Kester of Austin.

**HR 72** (by Paxton), In memory of Anita Rhea Newman Roach of Frisco.

**HR 74** (by Ortiz), In memory of Mary Bernadete Rendon Arellano of Corpus Christi.

**HR 87** (by Cohen), In memory of Eleanor Hall "Puddie" Pitcock of Houston.

**HR 95** (by Hughes), In memory of Marion Maurice Wilson of Mineola.

**HR 100** (by Hughes), In memory of Dan Peacock of Mineola.

The resolutions were unanimously adopted by a rising vote.

**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. 1).

**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).

(Speaker in the chair)

**HR 108 - ADOPTED  
(by Branch)**

Representative Branch moved to suspend all necessary rules to take up and consider at this time **HR 108**.

The motion prevailed.

The following resolution was laid before the house:

**HR 108**, In memory of Norman Brinker of Dallas.

**HR 108** was unanimously adopted by a rising vote.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of illness in the family:

Gattis on motion of Kolkhorst.

**PROVIDING FOR ADJOURNMENT SINE DIE**

Representatives Branch and Swinford moved that, at the conclusion of the receiving of messages from the senate and the signing of bills and resolutions, the house stand adjourned sine die in memory of Norman Brinker and the Honorable James Albon Mattox of Dallas, and in honor of the birth of Charles Carter Semple.

The motion prevailed.

(Swinford in the chair)

**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, House List No. 1).

**ADJOURNMENT SINE DIE**

In accordance with a previous motion, Representative Swinford, at 6:35 p.m., pronounced the House of Representatives of the First Called Session of the Eighty-First Legislature adjourned sine die.



---

**ADDENDUM**

---

**SIGNED BY THE SPEAKER**

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

**House List No. 1****HB 1****HCR 2****HCR 3****HCR 5****HCR 6****Senate List No. 1****SB 2****MESSAGES FROM THE SENATE**

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

**Message No. 2****MESSAGE FROM THE SENATE****SENATE CHAMBER**

Austin, Texas

Thursday, July 2, 2009 - 2

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:

**HB 1** Pitts SPONSOR: Carona  
Relating to certain sources of revenue for the funding of highways and transportation projects.

**HCR 2** Martinez Fischer SPONSOR: Van de Putte  
In memory of former state representative Leopoldo Alvarado, Jr.

**HCR 3** Hodge SPONSOR: Whitmire  
In memory of former Texas Attorney General Jim Mattox.

**HCR 5** Smithee SPONSOR: Seliger

Honoring the musical drama TEXAS in Palo Duro Canyon on the occasion of its 44th season.

**HCR 6** Homer SPONSOR: Eltife  
 Congratulating Terrell Boyd of Paris, Texas, for being named a Chevalier of the Legion of Honor by the French Republic.

Respectfully,  
 Patsy Spaw  
 Secretary of the Senate

---

**APPENDIX**

---

**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**July 1**

Appropriations - **HB 1**

State Affairs - **HB 2**

**July 2**

State Affairs - **SB 2**

**ENGROSSED**

**July 2 - HB 1**

**ENROLLED**

**July 2 - HB 1, HCR 2, HCR 3, HCR 5, HCR 6**

**SENT TO THE GOVERNOR**

**July 2 - HCR 2, HCR 3, HCR 5, HCR 6**

**July 8 - HB 1**

**SENT TO THE COMPTROLLER**

**July 7 - HB 1**

**SIGNED BY THE GOVERNOR**

**July 10 - HB 1, HCR 2, HCR 3, HCR 5, HCR 6**