

# HOUSE JOURNAL

SEVENTY-FIRST LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

FIFTY-FIRST DAY (CONT'D) — THURSDAY, APRIL 13, 1989

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

The roll of the house was called and a quorum was announced present (Record 134).

Present — Mr. Speaker; Alexander; Arnold; Barton; Beauchamp; Berlanga; Blackwood; Blair; Brimer; Cain; Campbell; Carter; Cavazos; Chisum; Clemons; Colbert; Collazo; Conley; Connelly; Counts; Craddick; Crawford; Criss; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Delco; Denton; Dutton; Earley; Eckels; Edge; Edwards; Evans; Finnell; Fraser; Garcia; Gavin; Gibson; Glossbrenner; Goolsby; Granoff; Grusendorf; Guerrero; Haggerty; Hammond; Harris, C.; Harris, J.; Harrison; Hellin; Hightower; Hilbert; Hilderbran; Hill, A.; Hill, F.; Hill, P.; Hinojosa; Hollowell; Holzheuser; Horn; Hudson, D.; Hudson, S.; Hunter, B.; Hunter, T.; Hury; Jackson; Johnson, J.; Johnson, S.; Jones; Junell; Kubiak; Kuempel; Laney; Larry; Lewis, R.; Linebarger; Lucio; Luna, A.; Madla; Marchant; Martinez; McCollough; McDonald; McKinney; McWilliams; Melton; Moreno, A.; Moreno, P.; Mowery; Oakley; Ovard; Park; Parker; Patterson; Pennington; Perry; Pierce; Price; Rangel; Repp; Richardson; Robinson; Robnett; Rodriguez; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Seidlits; Shea; Shelley; Shine; Smith, A.; Smith, D.; Smith, R.; Smith, T.; Smithee; Soileau; Stiles; Swift; Tallas; Taylor; Telford; Thomas; Thompson, G.; Thompson, S.; Turner; Uher; Valigura; VanderVoort; Vowell; Wallace; Waterfield; Watkins; Wentworth; Williamson; Willy; Wilson; Wolens; Wright; Yost.

Absent, Excused — Perez; Polumbo; Warner; Willis.

Absent — Luna, G.; Morales.

The invocation was offered by Reverend Peter Frey, St. Matthew's Episcopal Church, Austin, Texas, as follows:

Almighty God, as we gather together in your presence this morning, we ask that you would come and bless this gathering with your presence. We ask that those who have come here to serve the needs and affairs of this state may also realize that in serving others they also serve you.

Bless them, Lord, with the knowledge of your will. Bless them too, Lord, with patience and humour, and when they grow weary and tired, give them grace and strength. We most especially ask though, Lord, that at the end of today, each one here would somehow know that they have been your servant, and that you bless them with your peace. Amen.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Warner on motion of R. Cuellar.

Polumbo on motion of Jackson.

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

Perez on motion of Melton.

**MESSAGE FROM THE SENATE**

Austin, Texas, April 13, 1989

The Honorable Speaker of the House of Representatives  
House Chamber

The Honorable  
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

**SCR 114** by Uribe, commending the Confederate Air Force based at Rebel Field, Harlingen, Texas, for many years of great honor and credit upon the State of Texas.

**SB 222** by Caperton, appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government; and declaring an emergency.

**HCR 199** by Criss and Barton, in memory of State Representative Weldon Betts.

Respectfully,  
Betty King  
Secretary of the Senate

**RESOLUTIONS SIGNED BY THE SPEAKER**

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled resolutions:

**HCR 114, HCR 145**

**INTRODUCTION OF GUESTS**

The speaker introduced the Hawkins Industrial Arts Club and presented them with a copy of **HCR 6**, adopted in their honor.

**HR 595 - ADOPTED**

Representative T. Hunter moved that all necessary rules be suspended to take up and consider at this time, **HR 595**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By T. Hunter:

**HR 595**, Commending the participants of the Area 2 Special Olympics.

The resolution was adopted without objection.

**HR 565 - ADOPTED**

Representative Park moved that all necessary rules be suspended to take up and consider at this time, **HR 565**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Park:

**HR 565**, Congratulating Dr. Forrest E. Watson.

The resolution was adopted without objection.

#### **CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR**

The speaker laid before the house the following congratulatory and memorial resolutions:

**HCR 195** was withdrawn.

By Speaker Lewis:

**HR 273**, Congratulating Ray and Pauline Haley.

The resolution was adopted without objection.

By Speaker Lewis:

**HR 282**, Commending Don L. Armstrong, Jr.

The resolution was adopted without objection.

By Speaker Lewis:

**HR 283**, Congratulating Reverend John W. Douglass and Letha D. Douglass.

The resolution was adopted without objection.

By Speaker Lewis:

**HR 299**, Congratulating the Eagle Mountain Volunteer Fire Department.

The resolution was adopted without objection.

By H. Cuellar:

**HR 397**, Commending Aldo Tatangelo.

The resolution was adopted without objection.

By H. Cuellar:

**HR 398**, Commending Raul Vasquez.

The resolution was adopted without objection.

By H. Cuellar:

**HR 399**, Commending Jose Luis Rodriguez.

The resolution was adopted without objection.

By Rodriguez:

**HR 423**, Commending David Montejano.

The resolution was adopted without objection.

By Brimer:

**HR 444**, Commending the Southwest High School boys' basketball team.

The resolution was adopted without objection.

By T. Hunter:

**HR 449**, Congratulating the Nueces County Historical Commission.

The resolution was adopted without objection.

(Speaker pro tempore in the chair)

By Counts:

**HR 476**, Commending Kenneth Norman.

The resolution was adopted without objection.

By Counts:

**HR 492**, Commending Moulton Lee Wiggins.

The resolution was adopted without objection.

By Hollowell:

**HR 477**, Commending the Edgewood Bulldogs basketball team.

The resolution was adopted without objection.

On motion of Representative D. Hudson, the names of all the members of the house were added to **HR 477** as signers thereof.

By Crawford:

**HR 479**, Congratulating the Tascosa High School boys' basketball team.

The resolution was adopted without objection.

By Shine, et al.:

**HR 488**, Commending the Texas Army National Guardsmen who are preparing for the Sixth World Precision Helicopter Championships.

The resolution was adopted without objection.

On motion of Representative A. Smith, the names of all the members of the house were added to **HR 488** as signers thereof.

By Collazo:

**HR 491**, Congratulating the Port Arthur Lincoln High School Bumblebees basketball team and their coach, Joe Price.

The resolution was adopted without objection.

By Shelley:

**HR 493**, Commending Harriett Idell Anderson.

The resolution was read and was adopted without objection.

By Telford:

**HR 496**, Recognizing Bluegrass Music Month in Texas; commending the Strange family.

The resolution was adopted without objection.

By Schoolcraft:

**HR 501**, Commending the Texas Dental Association.

The resolution was adopted without objection.

On motion of Representative B. Hunter, the names of all the members of the house were added to **HR 501** as signers thereof.

**HR 502** was previously adopted.

By B. Hunter:

**HR 503**, Commending Jim Jennings.

The resolution was adopted without objection.

By B. Hunter:

**HR 504**, Congratulating Dr. R. Gerald Turner.

The resolution was adopted without objection.

By Hilbert:

**HR 509**, Commending Michael J. Krall.

The resolution was adopted without objection.

By Uher:

**HR 511**, Commending the El Maton Tidehaven High School boys' basketball team.

The resolution was adopted without objection.

By Uher:

**HR 512**, Congratulating Olympian Joe DeLoach, Jr.

The resolution was adopted without objection.

By Uher:

**HCR 183**, Designating the last Friday in April as Arbor Day.

The resolution was adopted without objection.

By Hightower:

**HR 515**, Commending Chief Kina, Robert Fulton Battise; extending birthday greetings to him.

The resolution was adopted without objection.

On motion of Representative Clemons, the names of all the members of the house were added to **HR 515** as signers thereof.

By Hightower:

**HR 533**, Congratulating members of the Texas Forestry Association.

The resolution was adopted without objection.

On motion of Representative Clemons, the names of all the members of the house were added to **HR 533** as signers thereof.

By Rudd:

**HR 517**, Congratulating the Levelland High School Loboettes basketball team.

The resolution was adopted without objection.

By Rudd:

**HR 518**, Commending the Andrews High School boys' basketball team.

The resolution was adopted without objection.

(G. Luna now present)

By Rudd:

**HR 525**, Commending the Brownfield High School boys' basketball team.

The resolution was adopted without objection.

By R. Smith:

**HR 537**, Commending Wayne T. Hamilton.

The resolution was adopted without objection.

By Eckels:

**HR 541**, Congratulating James J. and Vicki L. Johnson; commending Alisa Marie Johnson.

The resolution was adopted without objection.

By Eckels:

**HR 542**, Congratulating Roxanne Marie Moore and Jeffrey Dwayne Williams; commending Brittany Marie Williams.

The resolution was adopted without objection.

By Eckels:

**HR 543**, Congratulating Gary Randall and Deborah Arleen Barnes; commending Christopher James Barnes.

The resolution was adopted without objection.

By Eckels:

**HR 544**, Congratulating Jeanie V. and Jerry Svoboda, Jr.; commending Jerry Svoboda III.

The resolution was adopted without objection.

By Perry:

**HR 545**, Congratulating Stacey Wayne Martin.  
The resolution was adopted without objection.

By Perry:

**HR 546**, Congratulating James M. Johnston, Jr.  
The resolution was adopted without objection.

By Perry:

**HR 547**, Congratulating Rusty Len Stocks.  
The resolution was adopted without objection.

**SCR 96** (Hilbert - House Sponsor), Declaring Texas Law Officers Week;  
designating Law Officers Memorial Day.

The resolution was adopted without objection.

**SCR 67** (Counts - House Sponsor), In memory of Arthur Lance Sears.  
The resolution was unanimously adopted by a rising vote.

By Wentworth:

**HCR 191**, In memory of Eugene L. Ames.  
The resolution was unanimously adopted by a rising vote.

By Speaker Lewis:

**HR 277**, In memory of Doris Scranton Dorcy.  
The resolution was unanimously adopted by a rising vote.

By Goolsby:

**HR 450**, In memory of Bill Marshall.  
The resolution was read and was unanimously adopted by a rising vote.

On motion of Representative Goolsby, the names of all the members of the  
house were added to **HR 450** as signers thereof.

By Junell:

**HR 471**, In memory of Foster Sims Price.  
The resolution was unanimously adopted by a rising vote.

By Saunders:

**HR 485**, In memory of Elmo Minzenmeyer.  
The resolution was unanimously adopted by a rising vote.

By Saunders:

**HR 486**, In memory of Clarence E. Peters.  
The resolution was unanimously adopted by a rising vote.

By Kubiak:

**HR 508**, In memory of Jeffry Martin Toll.  
The resolution was unanimously adopted by a rising vote.

By Uher:

**HR 513**, In memory of Veronica White Franz.  
The resolution was unanimously adopted by a rising vote.

By Jackson:

**HR 527**, In memory of William James Metcalfe.  
The resolution was unanimously adopted by a rising vote.

By Yost, et al.:

**HR 532**, In memory of R. Leon Gibson.  
The resolution was unanimously adopted by a rising vote.

**PROVIDING FOR A CONGRATULATORY AND MEMORIAL  
RESOLUTIONS CALENDAR**

Representative Finnell moved to suspend all necessary rules to set a Congratulatory and Memorial Resolutions Calendar for Thursday, April 20, at 9 a.m.

The motion prevailed without objection.

**CONSENT BILLS CALENDAR ON SECOND READING**

The following bill was laid before the house, read second time, and passed to third reading: (Members registering votes are shown following the caption)

**SB 10** (Wright - House Sponsor), A bill to be entitled An Act relating to the maintenance and rental of safe deposit boxes by a bank, financial institution, or company and to the inventorying and auctioning of their contents.

**LOCAL BILLS CALENDAR ON SECOND READING**

The following bills were laid before the house, read second time, and passed to engrossment: (Members registering votes are shown following the caption)

**HB 153**, A bill to be entitled An Act relating to the jurisdiction of the Webb County Court at Law.

**CSHB 780**, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Northeast Growth Corridor Water, Sewer, Irrigation, and Drainage District No. 2.

**HB 1234**, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Isaacson Municipal Utility District.

**HB 1700**, A bill to be entitled An Act relating to the powers and duties of the Dallas County Utility and Reclamation District and the terms of office of the district directors.

**CONSENT BILLS CALENDAR ON SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading: (Members registering votes are shown following the caption)

**CSHB 301**, A bill to be entitled An Act relating to the name, boundaries, board of directors, powers, and duties of the Cuero Hospital District of DeWitt County, Texas.

Representative Robinson offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 1**

Amend **CSHB 301** as follows:

(1) On page 6, strike lines 12-23 and substitute the following:

(c) The seven candidates receiving the highest number of votes at the initial election of directors are directors for the district. The four directors receiving the highest number of votes at the initial election serve for a term of two years. The remaining directors serve for a term of one year.

(2) On page 7, strike lines 11-14 and substitute "31st day before the date of the election."

(3) On page 7, strike lines 17-19 and substitute "or a fixed place of habitation in the District. An employee of the".

Committee Amendment No. 1 was adopted without objection.

**HB 1955**, A bill to be entitled An Act relating to the boundaries of the Lavaca Hospital District of Lavaca County, Texas.

**CSHB 306**, A bill to be entitled An Act relating to the prohibition of certain disbursements from a county fund to a person with an outstanding debt to the state or county.

**CSHB 462**, A bill to be entitled An Act relating to the requirement of notice to the county clerk of municipal boundary changes and to the updating of the official county map.

**CSHB 487**, A bill to be entitled An Act relating to the use of funds contributed by or for a participant in the optional retirement program for faculty members of state institutions of higher education.

**HB 526**, A bill to be entitled An Act relating to expunction of criminal records.

**SB 847** (Junell - House Sponsor), in lieu of **HB 1267**, A bill to be entitled An Act relating to grants from the Texas Water Development Board for the purchase of equipment for water quality testing.

#### **HB 1267 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Junell moved that **HB 1267** be laid on the table subject to call.

The motion prevailed without objection.

**CSHB 541**, A bill to be entitled An Act relating to the establishment of the office of the long-term care ombudsman in the Texas Department on Aging; providing a criminal penalty.

**CSHB 602**, A bill to be entitled An Act relating to the disposition of fees collected by a county tax assessor-collector under the Certificate of Title Act. (Speaker in the chair)

**HB 654**, A bill to be entitled An Act relating to the compensation of certain crime victims.

Representative Yost moved that consideration of **HB 654** be postponed until Thursday, April 20, at 9 a.m.

The motion prevailed without objection.

#### **LEAVE OF ABSENCE GRANTED**

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

Berlanga on motion of T. Hunter.

#### **CONSENT BILLS CALENDAR - (consideration continued)**

**HB 684**, A bill to be entitled An Act relating to mandatory retirement ages for tenured faculty at institutions of higher education.

**HB 1064**, A bill to be entitled An Act relating to relief from civil damages for real estate licensees and real estate boards disclosing real property sales prices and terms.



**HB 1064 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Gibson moved that **HB 1064** be laid on the table subject to call.

The motion prevailed without objection.

**HB 1077**, A bill to be entitled An Act relating to the procedure for amending a county budget in certain counties.

**HB 1153**, A bill to be entitled An Act relating to an expelled student who enrolls in another school district.

**HB 1190**, A bill to be entitled An Act relating to approval by the Texas Water Commission of levee improvement district bonds.

**HB 1191**, A bill to be entitled An Act relating to approval by the Texas Water Commission of drainage district bonds.

**CSHB 1271**, A bill to be entitled An Act relating to an increase in benefits and cost-of-living adjustments in certain retirement systems for fire fighters.

**HB 1325**, A bill to be entitled An Act relating to the entrance examination for a beginning position in the fire or police department of certain cities. (Rudd - no)

**HB 1344**, A bill to be entitled An Act relating to the regulation of funeral directing and embalming.

Representative Hilderbran offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 1**

Amend **HB 1344** as follows:

On page 1, line 12, strike the word "an", and insert the words "a licensed" between "as" and "employee".

On page 1, line 13, replace the word "an" with "a".

On page 1, line 14, insert the word "licensed" before "agent".

On page 17, line 17, insert the word "Intentional" before "misappropriation".

On page 21, line 22, after "employment", strike the period, and add ", or by the direction of the funeral establishment management."

Committee Amendment No. 1 was adopted without objection.

Representative Eckels offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 2**

Amend **HB 1344** as follows:

On page 1, line 16 after the period, add the following:

This section does not apply to a person who engages exclusively in the business of transporting human remains from the place of first call directly to a crematorium.

Committee Amendment No. 2 was adopted without objection.

**HB 1364**, A bill to be entitled An Act relating to authority of the commissioners court of a county to authorize a fee for certain fire inspections. (D. Smith - no)

**HB 1393**, A bill to be entitled An Act relating to the validation of certain municipal consolidations.

**HB 1394**, A bill to be entitled An Act relating to the validation of certain municipal annexations.

**HB 1400**, A bill to be entitled An Act relating to certain powers and duties that may be exercised by a doctor of osteopathic medicine.

**HB 1547**, A bill to be entitled An Act relating to the expiration date of licenses to operate crab meat picking or pasteurization plants.

**CSHB 1678**, A bill to be entitled An Act relating to the delivery of the key to the ballot box containing voted ballots in certain elections.

Representative Park offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 1**

Amend **CSHB 1678**, Section 1, line 15 by striking the words "district clerk" and inserting the words "county auditor or to a designated member of the commissioners court who is not on the ballot and appointed by the court if the county does not have a county auditor."

Committee Amendment No. 1 was adopted without objection.

**HB 1684**, A bill to be entitled An Act relating to the authority of the Commissioners Court of Hidalgo County and Commissioners Court of Cameron County to pay an automobile allowance to the district judges having jurisdiction in Hidalgo County and Cameron County.

**SB 1136** (Harrison - House Sponsor), in lieu of **HB 1826**, A bill to be entitled An Act relating to notes issued by a conservation district.

**HB 1826 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Harrison moved that **HB 1826** be laid on the table subject to call.

The motion prevailed without objection.

**HB 1852**, A bill to be entitled An Act relating to the vote required to approve certain contracts of the Lower Colorado River Authority.

**HB 1991**, A bill to be entitled An Act relating to the board of directors of the Lower Colorado River Authority.

**HB 1885**, A bill to be entitled An Act relating to membership in, benefits from, and administration of the Texas Municipal Retirement System.

Representative Kuempel offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 1**

Amend Section 4 of **HB 1885** by striking out and deleting the sentence on lines 22, 23, and 24, page 4 of the bill which reads as follows:  
"Such application must be filed before the first anniversary of the members' reemployment by the municipality following the military service."

Committee Amendment No. 1 was adopted without objection.

Representative Kuempel offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 2**

Amend Section 4 of **HB 1885** by striking out and deleting from lines 26, 27, 28, and 29, on page 4 of the bill the words:

“before the first anniversary of the effective date of the ordinance adopted under Section 63.502, or before the first anniversary of the date the member becomes eligible to establish such credit, whichever is later”.

Committee Amendment No. 2 was adopted without objection.

**SB 954** (Smithee - House Sponsor), in lieu of **HB 1931**, A bill to be entitled An Act relating to the composition, operation, and dissolution of the Deaf Smith County Hospital District.

Representative Smithee moved that consideration of **SB 954** be postponed until Monday, April 17, at 2 p.m.

The motion prevailed without objection.

#### **HB 1931 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Smithee moved that **HB 1931** be laid on the table subject to call.

The motion prevailed without objection.

**HB 1946**, A bill to be entitled An Act relating to the creation of the Gulf Coast Environmental Research Consortium.

**HB 2170**, A bill to be entitled An Act relating to a certificate of title on a “homemade boat”.

**HB 2171**, A bill to be entitled An Act relating to the rights of a buyer of a new motorboat or outboard motor.

#### **RESOLUTIONS CALENDAR**

The speaker laid before the house the following resolution on committee report:

By Barton, et al.:

**HCR 84**, Expressing support for the continuation and expansion of programs that provide health care and personal care services for the elderly.

The resolution was adopted without objection.

#### **HR 596 - ADOPTED**

Representative Craddick moved that all necessary rules be suspended to take up and consider at this time, **HR 596**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Craddick, et al.:

**HR 596**, Extending birthday greetings to Governor William P. Clements, Jr.

The resolution was read and was adopted without objection.

On motion of Representative D. Hudson, the names of all the members of the house were added to **HR 596** as signers thereof.

#### **SENATE BILL ON FIRST READING**

The following senate bill was today laid before the house, read first time, and referred to committee:

**SB 222** to Committee on Appropriations.

**RULE SUSPENDED**

Representative Rudd moved to suspend the 5-day posting rule to allow the Committee on Appropriations to consider **SB 222, SB 227, HB 95, HB 2211, HB 1842, HB 799, and SB 872.**

The motion prevailed without objection.

**HB 1606 - RULE SUSPENDED**

Representative Yost moved to suspend the 5-day posting rule to allow the Committee on Natural Resources to consider **HB 1606.**

The motion prevailed without objection.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Human Services, Subcommittee on **HB 2694**, on first adjournment today, Back Hall, to consider **HB 2694.**

Natural Resources, Subcommittee on **HB 1189**, on first adjournment today, Desk 98, to consider **HB 1189.**

State Affairs, Subcommittee on State Land, on first adjournment today, Desk 6, to consider **HB 1362, HB 1363, HB 2243, and HB 2404.**

County Affairs, on first adjournment today, Desk 55, to consider **HB 2252.**

Business and Commerce, Subcommittee on **CSHB 1486**, on first adjournment today, Desk 19, to consider **CSHB 1486.**

Natural Resources, Subcommittee on Water Districts, 1:00 p.m. April 17, Room 246, Reagan Building, to consider **HB 1606.**

Government Organization, Subcommittee on **HB 715**, on first adjournment today, Desk 91, to consider **HB 715.**

Rules and Resolutions, 11 a.m. Monday, April 17, Room 355, Capitol, to consider calendar.

State Affairs, on first adjournment today, Desk 97, to consider **HB 1766.**

Judicial Affairs, Subcommittee on **CSHB 1669**, on first adjournment today, Desk 118, to consider **CSHB 1669.**

Public Education, Subcommittee on **HB 1226**, on adjournment today, Reagan Building, to consider **HB 1226.**

**ADJOURNMENT**

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

The motion prevailed without objection.

The house accordingly, at 10:43 a.m., adjourned until 11 a.m. today.

# HOUSE JOURNAL

SEVENTY-FIRST LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

FIFTY-SECOND DAY — THURSDAY, APRIL 13, 1989

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 135).

Present — Mr. Speaker; Alexander; Arnold; Barton; Beauchamp; Blackwood; Blair; Brimer; Cain; Campbell; Carter; Cavazos; Chisum; Clemons; Colbert; Conley; Connelly; Counts; Craddick; Crawford; Criss; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Delco; Denton; Dutton; Earley; Eckels; Edge; Edwards; Evans; Finnell; Fraser; Garcia; Gavin; Gibson; Glossbrenner; Goolsby; Granoff; Grusendorf; Guerrero; Haggerty; Hammond; Harris, C.; Harris, J.; Harrison; Heflin; Hightower; Hilbert; Hilderbran; Hill, A.; Hill, F.; Hill, P.; Hinojosa; Hollowell; Holzheuser; Horn; Hudson, D.; Hudson, S.; Hunter, B.; Hunter, T.; Hury; Jackson; Johnson, J.; Johnson, S.; Jones; Junell; Kubiak; Kuempel; Laney; Larry; Lewis, R.; Linebarger; Lucio; Luna, A.; Luna, G.; Madla; Marchant; Martinez; McCollough; McDonald; McKinney; McWilliams; Melton; Moreno, A.; Moreno, P.; Mowery; Oakley; Ovard; Park; Parker; Patterson; Pennington; Perry; Pierce; Price; Rangel; Repp; Richardson; Robinson; Robnett; Rodriguez; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Seidlits; Shea; Shelley; Shine; Smith, A.; Smith, D.; Smith, R.; Smith, T.; Smithee; Soileau; Stiles; Swift; Tallas; Taylor; Telford; Thomas; Thompson, G.; Thompson, S.; Turner; Uher; Valigura; VanderVoort; Vowell; Wallace; Waterfield; Watkins; Wentworth; Williamson; Willy; Wilson; Wolens; Wright; Yost.

Absent, Excused — Berlanga; Collazo; Perez; Polumbo; Warner; Willis.

Absent — Morales.

### LEAVE OF ABSENCE GRANTED

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

Collazo on motion of Lucio.

### MESSAGE FROM THE SENATE

Austin, Texas, April 13, 1989

The Honorable Speaker of the House of Representatives  
House Chamber

The Honorable  
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

### Local and Uncontested Bill Calendar

**SB 207** by Brooks, Relating to the regulation of vehicle storage facilities; providing penalties.

**SB 224** by Krier, Relating to written material that state law requires to be set out in boldface or boldfaced print.

**SB 247** by Krier, Relating to the jurisdiction of the county courts at law of Bexar County.

**SB 396** by Krier, Relating to the transfer of gifts to individuals under the age of 21 years.

**SB 400** by Krier, Relating to personal property exempt from seizure.

**SB 620** by Montford, Relating to the sale of alcoholic beverages at certain airports.

**SB 622** by Johnson, Relating to mandatory continuing education for registered nurses and licensed vocational nurses.

**SB 690** by Green, Relating to grievance procedures in certain municipalities.

**SB 736** by Armbrister, Relating to the training of certain peace officers.

**SB 779** by Caperton, Relating to the continuation of the County Court at Law of Austin County.

**SB 784** by Sims, Relating to the delivery of free wine for certain purposes by the holder of a winery permit.

**SB 815** by Leedom, Relating to participation and payment of certain premiums by state employees in cafeteria plan insurance coverage.

**SB 839** by Dickson, Relating to the inspection of certain juvenile files and records.

**SB 844** by Brooks, Relating to the authority of the board of a harbor and port facility to employ public security officers.

**SB 873** by Caperton, Relating to the Texas Engineering Experiment Station.

**SB 889** by Whitmire, Relating to the determination of fair market value for certain real property interests dedicated or conveyed by a political subdivision.

**SB 921** by Green, Relating to residence of inmates of the Texas Department of Corrections for educational purposes.

**SB 970** by Henderson, Relating to the duration of certain leases made by certain municipalities.

**SB 1006** by Johnson, Relating to certain employees of a county civil service system.

**SB 1060** by Henderson, Relating to the authority of a person to stand in a roadway to solicit charitable contributions.

**SB 1093** by Brooks, Relating to the boards of directors of drainage districts in Galveston County.

**SB 1133** by Brown, Relating to the use of certain funds dedicated to the compensation of crime victims.

**SB 1142** by Leedom, Relating to the transferability of certain amounts appropriated to the State Pension Review Board.

**SB 1287** by Tejada, Relating to part-time juvenile law masters for the 289th District Court in Bexar County.

**SB 1307** by Montford, Relating to authorizing mass transit departments in certain cities to issue bonds and notes for the construction, reconstruction or maintenance of municipal streets and to expend sales tax funds for such purposes.

**SB 1400** by Armbrister, Amending Art. 717p, Tex. Civ. Stats. Ann.; relating to programs to achieve conservation of electric energy, and declaring an emergency.

**SB 1445** by Sims, Relating to the increase of the fee required of garagekeepers when reporting an abandoned vehicle in their possession to a police department.

**SB 1568** by Sims, Relating to the renaming of the Public Interest Advocate and the Office of Public Interest of the Texas Water Commission.

**HB 618** by Laney, Relating to the creation, administration, powers, duties, operation, and financing of the Lamb County Hospital District; authorizing a tax; granting the authority to issue bonds; and granting the power or eminent domain.

**CSHB 1467** by Laney, Relating to the creation, administration, powers, duties, operation, and financing of the Muleshoe Area Hospital District; authorizing

a tax; granting the authority to issue bonds; and granting the power of eminent domain.

Respectfully,  
Betty King  
Secretary of the Senate

#### LEAVES OF ABSENCE GRANTED

On motion of Representative Hinojosa, 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 Hinojosa moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the local and consent calendars which were considered on the previous legislative day.

The motion prevailed without objection.

#### LOCAL AND CONSENT BILLS CALENDARS ON THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local and consent bills calendars were laid before the house, read third time, and passed by (Record 136): (Members registering votes and the results of the vote are shown following bill number) 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Arnold; Barton; Beauchamp; Blackwood; Blair; Brimer; Cain; Campbell; Carter; Cavazos; Chisum; Clemons; Colbert; Conley; Connelly; Counts; Craddick; Crawford; Criss; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Delco; Denton; Dutton; Earley; Eckels; Edge; Edwards; Evans; Finnell; Fraser; Garcia; Gavin; Gibson; Glossbrenner; Goolsby; Granoff; Grusendorf; Guerrero; Haggerty; Hammond; Harris, C.; Harris, J.; Harrison; Heflin; Hightower; Hilbert; Hilderbran; Hill, A.; Hill, F.; Hill, P.; Hinojosa; Hollowell; Holzheuser; Horn; Hudson, D.; Hudson, S.; Hunter, B.; Hunter, T.; Hury; Jackson; Johnson, J.; Johnson, S.; Jones; Junell; Kubiak; Kuempel; Laney; Larry; Lewis, R.; Linebarger; Lucio; Luna, A.; Luna, G.; Madla; Marchant; Martinez; McCollough; McDonald; McKinney; McWilliams; Melton; Moreno, A.; Moreno, P.; Mowery; Oakley; Ovard; Park; Parker; Patterson; Pennington; Perry; Pierce; Price; Rangel; Repp; Richardson; Robinson; Robnett; Rodriguez; Rudd; Russell; Saunders; Schlucter; Schoolcraft; Seidlits; Shea; Shelley; Shine; Smith, A.; Smith, D.; Smith, R.; Smith, T.; Smithee; Soileau; Stiles; Swift; Tallas; Taylor; Telford; Thomas; Thompson, G.; Thompson, S.; Turner; Uher; Valigura; VanderVoort; Vowell; Wallace; Waterfield; Watkins; Wentworth; Williamson; Willy; Wilson; Wolens; Wright; Yost.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berlanga; Collazo; Perez; Polumbo; Warner; Willis.

Absent — Morales.

**SB 10** (141-0-1)

**HB 780** (141-0-1)

**HB 1234** (141-0-1)

**HB 1700** (141-0-1)

**HB 301** (141-0-1)

HB 487 (141-0-1)  
SB 847 (141-0-1)  
HB 602 (141-0-1)  
HB 684 (141-0-1)  
HB 1077 (141-0-1)  
HB 1153 (141-0-1)  
HB 1271 (141-0-1)  
HB 1325 (Rudd - no) (140-1-1)  
HB 1364 (D. Smith - no) (140-1-1)  
HB 1394 (141-0-1)  
HB 1400 (141-0-1)  
HB 1684 (141-0-1)  
SB 1136 (141-0-1)  
HB 1852 (141-0-1)  
HB 1991 (141-0-1)

The following bills which were considered on second reading on the previous legislative day on the local and consent bills calendars were laid before the house, read third time, and passed by a division vote: (Members registering votes are shown following bill number)

HB 153  
HB 1955  
HB 306  
HB 462  
HB 526  
HB 541  
HB 1190  
HB 1191  
HB 1344  
HB 1393  
HB 1547  
HB 1678  
HB 1885  
HB 1946  
HB 2170  
HB 2171



On motion of Representative Hinojosa, and by unanimous consent, the captions of all senate bills passed on the local and consent calendars, were ordered amended to conform with the body of the bills.

**SB 12 ON THIRD READING**  
(Junell - House Sponsor)

The speaker laid before the house on its third reading and final passage,

**SB 12**, A bill to be entitled An Act relating to the creation of the offense of arson of open-space land.

The bill was read third time and was passed.

On motion of Representative Junell and by unanimous consent, the caption of **SB 12** was ordered amended to conform to the body of the bill.

**SB 294 ON THIRD READING**  
(Gibson - House Sponsor)

The speaker laid before the house on its third reading and final passage,

**SB 294**, A bill to be entitled An Act relating to the creation of the Texas preservation trust fund and the preservation of historic property.

The bill was read third time and was passed.

On motion of Representative Hury and by unanimous consent, the caption of **SB 294** was ordered amended to conform to the body of the bill.

**SB 785 ON THIRD READING**  
(Hury - House Sponsor)

The speaker laid before the house on its third reading and final passage,

**SB 785**, A bill to be entitled An Act relating to securities exempt from The Securities Act.

A record vote was requested.

The bill was read third time and was passed by (Record 137): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Arnold; Barton; Beauchamp; Blackwood; Blair; Brimer; Cain; Campbell; Carter; Cavazos; Chisum; Clemons; Colbert; Conley; Connelly; Counts; Craddick; Crawford; Criss; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Delco; Denton; Earley; Eckels; Edge; Edwards; Finnell; Fraser; Garcia; Gavin; Gibson; Glossbrenner; Grusendorf; Guerrero; Haggerty; Hammond; Harris, C.; Harris, J.; Harrison; Heflin; Hightower; Hilbert; Hilderbran; Hill, A.; Hill, F.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hunter, B.; Hunter, T.; Hury; Jackson; Johnson, J.; Johnson, S.; Jones; Junell; Kubiak; Kuempel; Laney; Larry; Lewis, R.; Linebarger; Lucio; Luna, A.; Luna, G.; Madla; Marchant; Martinez; McCollough; McDonald; McKinney; McWilliams; Melton; Moreno, A.; Moreno, P.; Mowery; Oakley; Ovard; Park; Parker; Patterson; Pennington; Perry; Pierce; Rangel; Repp; Richardson; Robinson; Robnett; Rodriguez; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Seidlits; Shea; Shelley; Shine; Smith, A.; Smith, D.; Smith, R.; Smith, T.; Smithee; Soileau; Stiles; Swift; Tallas; Taylor; Telford; Thomas; Thompson, G.; Thompson, S.; Turner; Uher; Valigura; VanderVoort; Vowell; Wallace; Waterfield; Watkins; Wentworth; Williamson; Willy; Wolens; Wright; Yost.

Present, not voting — Mr. Speaker(C).

Absent. Excused — Berlanga; Collazo; Perez; Polumbo; Warner; Willis.

Absent — Dutton; Evans; Goolsby; Granoff; Holzheuser; Morales; Price; Wilson.

**STATEMENT BY REPRESENTATIVE MCWILLIAMS**

I was shown voting yes on Record No. 137. I intended to vote no.

McWilliams

**SB 95 ON THIRD READING  
(Berlanga - House Sponsor)**

The speaker laid before the house on its third reading and final passage,

**SB 95**, A bill to be entitled An Act relating to school guidance counselors.

The bill was read third time and was passed.

On motion of Representative Glossbrenner and by unanimous consent, the caption of **SB 95** was ordered amended to conform to the body of the bill.

**SB 229 ON THIRD READING  
(Polumbo - House Sponsor)**

The speaker laid before the house on its third reading and final passage,

**SB 229**, A bill to be entitled An Act relating to assignment pay for certain police personnel in municipalities with a population of 1.2 million or more.

The bill was read third time and was passed.

**MESSAGE FROM THE SENATE**

Austin, Texas, April 13, 1989

The Honorable Speaker of the House of Representatives  
House Chamber

The Honorable  
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

**SCR 111** by Ratliff, proclaiming April 13, 1989, as Mount Pleasant Day in Texas.

Respectfully,  
Betty King  
Secretary of the Senate

**SB 453 ON THIRD READING  
(Stiles - House Sponsor)**

The speaker laid before the house on its third reading and final passage,

**SB 453**, A bill to be entitled An Act relating to use of compensatory time by fire fighters and police officers in certain cities.

The bill was read third time.

Representative Eckels offered the following amendment to the bill:

Amend **SB 453** on third reading by striking Subsection (a) of the added Section 142.0016 and substituting the following:

(a) This section applies only in a municipality with a population of less than 1.5 million that is eligible to adopt state civil service under Chapter 143.

The amendment was adopted without objection.

**SB 453**, as amended, was passed. (Blackwood recorded voting no.)

On motion of Representative Stiles and by unanimous consent, the caption of **SB 453** was ordered amended to conform to the body of the bill.

#### **SB 96 ON SECOND READING**

The speaker laid before the house, in lieu of **HB 14**, on its second reading and passage to third reading,

**SB 96**, A bill to be entitled An Act relating to the period for which a foreign exchange teacher may teach in public schools.

The bill was read second time and was passed to engrossment.

#### **HB 14 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Glossbrenner moved that **HB 14** be laid on the table subject to call.

The motion prevailed without objection.

#### **HB 1154 ON SECOND READING**

The speaker laid before the house, as postponed business, on its second reading and passage to engrossment,

**HB 1154**, A bill to be entitled An Act relating to the regulation of the practice of dentistry.

The bill was read second time on April 6 and was postponed until 9 a.m. today.

Representative Earley moved that consideration of **HB 1154** be postponed until Wednesday, April 19, at 10 a.m.

The motion prevailed without objection.

#### **HJR 69 ON THIRD READING**

The speaker laid before the house on its third reading and final passage,

**HJR 69**, A joint resolution proposing a constitutional amendment relating to the office of attorney general.

The bill was read third time.

Representative Schlueter moved that consideration of **HJR 69** be postponed until Monday, April 24, at 11 a.m.

The motion prevailed without objection.

#### **HB 1099 ON THIRD READING**

The speaker laid before the house on its third reading and final passage,

**HB 1099**, A bill to be entitled An Act relating to issuance of emergency cease and desist orders by the commissioner of insurance; authorizing the imposition of a civil penalty.

(Schlueter in the chair)

A record vote was requested.

The bill was read third time and was passed by (Record 138): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Arnold; Barton; Beauchamp; Blackwood; Blair; Brimer; Cain; Campbell; Carter; Cavazos; Chisum; Clemons; Colbert; Conley; Connelly; Counts; Craddick; Crawford; Criss; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Delco; Denton; Dutton; Earley; Eckels; Edge; Edwards; Finnell; Fraser; Garcia; Gavin; Gibson; Glossbrenner; Goolsby; Granoff; Grusendorf; Guerrero; Haggerty; Hammond; Harris, C.; Harris, J.; Harrison; Heflin; Hightower; Hilbert; Hilderbran; Hill, A.; Hill, F.; Hill, P.; Hinojosa; Hollowell; Holzheuser; Horn; Hudson, D.; Hunter, B.; Hunter, T.; Hury; Jackson; Johnson, J.; Johnson, S.; Jones; Junell; Kubiak; Kuempel; Laney; Larry; Lewis, R.; Linebarger; Lucio; Luna, A.; Luna, G.; Madla; Marchant; Martinez; McCollough; McDonald; McKinney; McWilliams; Melton; Moreno, A.; Moreno, P.; Mowery; Ovard; Park; Parker; Patterson; Pennington; Perry; Pierce; Rangel; Repp; Richardson; Robinson; Robnett; Rodriguez; Rudd; Russell; Saunders; Schlueter(C); Schoolcraft; Shea; Shelley; Shine; Smith, A.; Smith, D.; Smith, R.; Smith, T.; Smithee; Soileau; Stiles; Swift; Tallas; Taylor; Telford; Thomas; Thompson, G.; Thompson, S.; Turner; Uher; VanderVoort; Vowell; Wallace; Waterfield; Watkins; Wentworth; Willy; Wilson; Wolens; Wright; Yost.

Present, not voting — Mr. Speaker.

Absent, Excused — Berlanga; Collazo; Perez; Polumbo; Warner; Willis.

Absent — Evans; Hudson, S.; Morales; Oakley; Price; Seidlits; Valigura; Williamson.

#### HB 1211 ON THIRD READING

The chair laid before the house on its third reading and final passage,

**HB 1211**, A bill to be entitled An Act relating to the provision of services by podiatrists under the Indigent Health Care and Treatment Act.

The bill was read third time and was passed.

#### HB 1408 ON THIRD READING

The chair laid before the house on its third reading and final passage,

**HB 1408**, A bill to be entitled An Act relating to the establishment of motor vehicle emission inspection and maintenance programs.

A record vote was requested.

The bill was read third time and was passed by (Record 139): 123 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Alexander; Arnold; Barton; Beauchamp; Blackwood; Blair; Brimer; Cain; Campbell; Carter; Cavazos; Chisum; Clemons; Colbert; Conley; Connelly; Counts; Craddick; Crawford; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Delco; Denton; Earley; Eckels; Edge; Edwards; Evans; Finnell; Fraser; Garcia; Gavin; Gibson; Glossbrenner; Goolsby; Granoff; Grusendorf; Guerrero; Haggerty; Hammond; Harris, C.; Harrison; Heflin; Hightower; Hilbert; Hilderbran; Hill, A.; Hill, F.; Hill, P.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hunter, B.; Hunter, T.; Hury; Jackson; Johnson, J.; Johnson, S.; Junell; Kubiak; Kuempel; Larry; Lewis, R.; Linebarger; Lucio; Luna, A.; Luna, G.; Madla; Marchant; Martinez; McCollough; McDonald; McKinney; Melton; Moreno, P.; Mowery; Ovard; Park; Parker; Patterson; Pennington; Perry; Pierce; Rangel; Repp;

Richardson; Robinson; Rodriguez; Rudd; Russell; Saunders; Schoolcraft; Seidlits; Shea; Shelley; Shine; Smith, A.; Smith, R.; Smith, T.; Smithee; Soileau; Stiles; Swift; Tallas; Taylor; Telford; Thomas; Thompson, G.; Thompson, S.; Turner; Valigura; VanderVoort; Vowell; Wallace; Waterfield; Watkins; Wentworth; Wilson; Wolens; Wright.

Nays — Harris, J.; Horn; Jones; Laney; Robnett; Smith, D.; Uher; Willy; Yost.

Present, not voting — McWilliams; Schluter(C).

Absent, Excused — Berlanga; Collazo; Perez; Polumbo; Warner; Willis.

Absent — Mr. Speaker; Criss; Dutton; Holzheuser; Morales; Moreno, A.; Oakley; Price; Williamson.

#### HB 1155 ON THIRD READING

The chair laid before the house on its third reading and final passage,

**HB 1155**, A bill to be entitled An Act relating to the imposition, administration, collection, and enforcement of motor fuel taxes; prescribing penalties.

The bill was read third time and was passed. (Hilderbran, Rudd, Finnell, Stiles, Telford, Junell, Chisum, Willy, J. Harris, Robnett, Laney, Uher, Jones, Counts, Patterson, Linebarger, and Robinson recorded voting no.)

#### HB 966 ON THIRD READING

The chair laid before the house on its third reading and final passage,

**HB 966**, A bill to be entitled An Act relating to receivership for and liquidation of insurance companies.

The bill was read third time and was passed.

#### HB 1029 ON THIRD READING

The chair laid before the house on its third reading and final passage,

**HB 1029**, A bill to be entitled An Act relating to the collection of judgments through court proceedings.

A record vote was requested.

The bill was read third time and was passed by (Record 140): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Arnold; Barton; Beauchamp; Blackwood; Blair; Brimer; Cain; Campbell; Carter; Cavazos; Chisum; Clemons; Colbert; Conley; Connelly; Counts; Craddick; Crawford; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Delco; Denton; Dutton; Earley; Eckels; Edge; Edwards; Evans; Finnell; Fraser; Garcia; Gavin; Gibson; Glossbrenner; Goolsby; Granoff; Grusendorf; Guerrero; Haggerty; Hammond; Harris, C.; Harris, J.; Harrison; Heflin; Hightower; Hilbert; Hilderbran; Hill, A.; Hill, F.; Hill, P.; Hinojosa; Hollowell; Holzheuser; Horn; Hudson, D.; Hudson, S.; Hunter, B.; Hunter, T.; Hury; Jackson; Johnson, J.; Johnson, S.; Jones; Junell; Kubiak; Kuempel; Laney; Larry; Lewis, R.; Linebarger; Lucio; Luna, A.; Luna, G.; Madla; Marchant; Martinez; McCollough; McDonald; McKinney; McWilliams; Melton; Moreno, A.; Mowery; Ovard; Park; Parker; Patterson; Pennington; Perry; Pierce; Rangel; Repp; Richardson; Robinson; Robnett; Rodriguez; Rudd; Russell; Saunders; Schoolcraft; Seidlits; Shea; Shelley; Shine; Smith, A.; Smith, D.; Smith, R.; Smith, T.; Smithee; Soileau; Stiles; Swift;

Tallas; Taylor; Telford; Thomas; Thompson, G.; Thompson, S.; Turner; Uher; Valigura; VanderVoort; Vowell; Wallace; Waterfield; Wentworth; Williamson; Willy; Wilson; Wolens; Wright; Yost.

Present, not voting — Schlueter(C).

Absent, Excused — Berlanga; Collazo; Perez; Polumbo; Warner; Willis.

Absent — Mr. Speaker; Criss; Morales; Moreno, P.; Oakley; Price; Watkins.

#### **HB 1229 ON THIRD READING**

The chair laid before the house on its third reading and final passage,

**HB 1229**, A bill to be entitled An Act relating to certain unlawful methods of taking game and fish; providing penalties.

The bill was read third time and was passed. (Robinson recorded voting no.)

#### **HB 879 ON SECOND READING**

The chair laid before the house on its second reading and passage to engrossment,

**HB 879**, A bill to be entitled An Act relating to the preparation of a social study in certain suits affecting the parent-child relationship.

The bill was read second time.

Representative Barton offered the following amendment to the bill:

Amend **HB 879** on page 1, line 8 by striking the word “may” and substituting in lieu therefor the word “shall”.

The amendment was adopted without objection.

Representative Denton offered the following amendment to the bill:

Amend Page 1, Line 17 by striking “must” and inserting “shall”.

Amend Page 1, Line 20 by striking “.” and adding the following:

“or the criteria established by the court. This social study shall contain any history of physical, sexual, or emotional abuse suffered by the child.”

The amendment was adopted without objection.

Representative Denton offered the following amendment to the bill:

Amend Page 1, Line 24 by adding the following:

“In all adoptions a copy of the social study shall be made available to the prospective adoptive parents prior to a final decree of adoption.”

The amendment was adopted without objection.

**HB 879**, as amended, was passed to engrossment.

#### **SB 529 ON SECOND READING** (Finnell - House Sponsor)

The chair laid before the house, in lieu of **HB 1117**, on its second reading and passage to third reading,

**SB 529**, A bill to be entitled An Act relating to the continuation, name change, and operation of the Natural Fibers and Food Protein Commission.

The bill was read second time and was passed to third reading.

**HB 1117 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Finnell moved that **HB 1117** be laid on the table subject to call.

The motion prevailed without objection.

**HB 596 ON SECOND READING**

The chair laid before the house on its second reading and passage to engrossment,

**HB 596**, A bill to be entitled An Act relating to the appointment of a permanent guardian for a minor.

The bill was read second time and was passed to engrossment.

**HB 1556 ON SECOND READING**

The chair laid before the house on its second reading and passage to engrossment,

**HB 1556**, A bill to be entitled An Act relating to the appointment of an inmate as a trusty of the Texas Department of Corrections.

The bill was read second time and was passed to engrossment. (D. Smith recorded voting no.)

**HB 1992 ON SECOND READING**

The chair laid before the house on its second reading and passage to engrossment,

**HB 1992**, A bill to be entitled An Act relating to contracts between counties and the Texas Board of Corrections and between counties and private vendors for the provision of correctional facilities.

The bill was read second time.

Representative Shine offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 1**

Amend **HB 1992** as follows:

(1) On page 1, Section 1(d) by adding the following after "(d)" and before "A": "Before the commissioners court of a county enters into a contract under this article, the commissioners court of the county must receive the written approval of the sheriff of the county, which written approval shall not be unreasonably withheld."

(2) On page 2, line 4, after the "." insert the following: "Before the commissioners court of a county enters into a contract under this section, the commissioners court of the county must receive the written approval of the sheriff of the county, which written approval shall not be unreasonably withheld."

Committee Amendment No. 1 was adopted without objection.

Representative Shine offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 2**

Amend **HB 1992** by inserting the following subsections (7) and (8) at line 6 page 3 and renumbering the sections accordingly, as follows:

"(7) if the contract involves conversion of an existing county facility to private vendor operation, require the private vendor to give preferential consideration in hiring to employees at the existing facility who meet or exceed the company's qualifications and standards for employment in available positions;"

“(8) require the private vendor to provide health care benefits comparable to that of the county;”

Committee Amendment No. 2 was adopted without objection.

Representative Shine offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 3**

Amend **HB 1992** by striking section (3) at line 17 page 2 in its entirety and substituting the following:

“(3) if the contract includes construction, require a performance bond approved by the commissioner’s court that is adequate and appropriate for the construction portion of the contract;”

Committee Amendment No. 3 was adopted without objection.

**HB 1992**, as amended, was passed to engrossment.

**HB 2079 ON SECOND READING**

The chair laid before the house on its second reading and passage to engrossment,

**HB 2079**, A bill to be entitled An Act relating to acts of public agencies that jointly own one or more airports pursuant to joint action agreements.

The bill was read second time.

Representative C. Harris offered the following amendment to the bill:

Amend **HB 2079** as follows:

(1) On page 3, line 14 between “solely” and “from”, insert “(A)”.

(2) On page 3, line 18 delete the period and substitute a comma and insert the following language:

“and (B) from such revenues of the Airport as the joint board may commit and pledge thereto pursuant to agreements between the joint board and the corporation as authorized below.”

(3) Insert a new Section 5 to read as follows:

SECTION 5. Section 14 of Chapter 114, Acts of the 50th Legislature (Article 46d-14, Vernon’s Texas Civil Statutes), as amended, is amended by adding subsection (j) thereto to read as follows:

(j) A joint Board is authorized to utilize the terminal buildings and other land and properties of the jointly-owned airport for the purposes of displaying, demonstrating, and marketing and selling aircraft, aircraft and airport-related, and aviation-related goods, properties, merchandise, and equipment, and to lease or rent to, or permit the use of same by, manufacturers, suppliers, concessionaires, and other providers thereof. The revenues of the jointly-owned airport and the proceeds of any bonds authorized by this or any other law may be utilized for such purposes.

(4) Renumber the current SECTION 5 as SECTION 6.

The amendment was adopted without objection.

**HB 2079**, as amended, was passed to engrossment.

**HB 1407 ON SECOND READING**

The chair laid before the house on its second reading and passage to engrossment,

**HB 1407**, A bill to be entitled An Act relating to the financing of the Texas Low-Level Radioactive Waste Disposal Authority.

The bill was read second time and was passed to engrossment.



**SB 444 ON SECOND READING**  
**(Holzheuser - House Sponsor)**

The chair laid before the house, in lieu of **HB 985**, on its second reading and passage to third reading.

**SB 444**, A bill to be entitled An Act relating to coding of certain plastic containers to facilitate recycling; providing a civil penalty.

The bill was read second time and was passed to third reading.

**HB 985 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Holzheuser moved that **HB 985** be laid on the table subject to call.

The motion prevailed without objection.

**HB 1594 ON SECOND READING**

The chair laid before the house on its second reading and passage to engrossment.

**HB 1594**, A bill to be entitled An Act relating to the regulation of managing general agents.

The bill was read second time and was passed to engrossment.

**RESOLUTIONS CALENDAR**

The chair laid before the house the following resolution on committee report:

By Grusendorf:

**HCR 41**, Directing the State Board of Education to amend the essential elements in government studies for students and to develop curriculum materials based on this directive.

The resolution was adopted.

(Speaker in the chair)

**SCR 111 - ADOPTED**  
**(Russell - House Sponsor)**

Representative Russell moved that all necessary rules be suspended to take up and consider at this time, **SCR 111**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

**SCR 111**, Proclaiming Mount Pleasant Day in Texas.

The resolution was adopted without objection.

**HR 510 - ADOPTED**

Representative Brimer moved that all necessary rules be suspended to take up and consider at this time, **HR 510**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Brimer:

**HR 510**, Commending Gretchen Polhemus.

The resolution was adopted without objection.

On motion of Representative Mowery, the names of all the members of the house were added to **HR 510** as signers thereof.

#### **HR 597 - ADOPTED**

Representative S. Thompson moved that all necessary rules be suspended to take up and consider at this time, **HR 597**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By S. Thompson:

**HR 597**, Extending birthday greetings to Bessie Bell Melton.

The resolution was adopted without objection.

#### **BILL AND RESOLUTION SIGNED BY THE SPEAKER**

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled bill and resolution:

**SB 41, SCR 104**

#### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Judiciary, Subcommittee on **CSHB 647**, on adjournment today, Desk 59, to consider **CSHB 647**.

State Affairs, on adjournment today, Desk 97, to consider pending legislation.

Financial Institutions, Subcommittee on **HB 948**, on adjournment today, Desk 33, to consider **HB 948**.

Retirement and Aging, Subcommittee on **HB 1515**, on adjournment today, Desk 62, to consider **HB 1515**.

Cultural and Historical Resources, Subcommittee on **HB 2660**, on adjournment today, Desk 87, to consider **HB 2660**.

#### **ADJOURNMENT**

Representative Rangel moved that the house adjourn until 2 p.m. Monday.

The motion prevailed without objection.

The house accordingly, at 11:51 a.m., adjourned until 2 p.m. Monday.

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#### **APPENDIX**

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#### **STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees on bills and a resolution, as follows:

County Affairs - **HB 2657**

Elections - **HB 759**

Environmental Affairs - **HB 2166**

Financial Institutions - **HB 2963**  
Higher Education - **HB 3, HB 638, SB 78**  
Insurance - **HB 173**  
Judiciary - **HB 600**  
Labor and Employment Relations - **HB 195, HB 1809, HB 1941**  
Natural Resources - **SB 534, SB 847**  
Public Education - **HB 2040, SB 246, SB 367**  
Public Health - **HB 403, HB 885, SB 302, SB 515**  
Retirement and Aging - **SB 58**  
Science and Technology - **HB 1182**  
State, Federal, and International Relations - **SB 391**  
Transportation - **HB 121, HB 269, HB 940, HB 1768, HB 2552, HB 2681, HR 522**

**ENGROSSED**

April 13 - **HB 153, HB 780, HB 1234, HB 1700, HB 301, HB 1955, HB 306, HB 462, HB 487, HB 526, HB 541, HB 602, HB 684, HB 1077, HB 1153, HB 1190, HB 1191, HB 1271, HB 1325, HB 1344, HB 1364, HB 1393, HB 1394, HB 1400, HB 1547, HB 1678, HB 1684, HB 1852, HB 1991, HB 1885, HB 1946, HB 2170, HB 2171, HB 966, HB 1029, HB 1099, HB 1155, HB 1211, HB 1229, HB 1408**

**ENROLLED**

April 13 - **HCR 199, HB 618**

**SENT TO GOVERNOR**

April 13 - **HB 1279, HB 1477, HCR 114, HCR 145**

**BILLS TRANSMITTED TO GOVERNOR  
UNDER ARTICLE XVI, SECTION 59**

The following house bills were transmitted by the chief clerk to the governor:

April 12 - **HB 3122**

