

HOUSE JOURNAL

SIXTY-EIGHTH LEGISLATURE, SECOND CALLED SESSION

PROCEEDINGS

SEVENTEENTH DAY (CONTINUED) — FRIDAY, JUNE 29, 1984

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 120).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Carter; Cary; Cavazos; Ceverha; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Earley; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, O.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Lewis, N.; Luna; McDonald; McKenna; McKinney; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejada; Thompson, G.; Thompson, S.; Tidwell; Toomey; Tow; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wolens; Word; Wright.

Absent, Excused — Polumbo; Salinas; Simpson; Willis.

Absent — Hury; Wilson.

The invocation was offered by Father Fred Bomar, chaplain, as follows:

Almighty God and gracious Father, as we convene this day, we do so with reverence and in our spiritual faith. As we reflect on the good things in our lives, we thank you for our free society, for this land in which we can live and work and pursue our highest dreams. We thank you, Lord, for the generous men and women who have volunteered their lives and their work and their service to serve in this Texas House of Representatives and we are grateful, too, for the many dedicated men and women who serve their staffs and who so generously serve in state government. We ask you to especially bless them today and protect them and may the distinguished members of this house have wisdom and courage and zeal in their deliberations and in their work. We pray in the name of Christ our Lord, Amen.

LEAVES OF ABSENCE GRANTED

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

Willis on motion of Sutton.

Polumbo on motion of Fox.

Simpson on motion of Clark.

Salinas, temporarily for today, on motion of T. Hall.

MESSAGE FROM THE SENATE

Austin, Texas, June 29, 1984

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:

SB 12 by Farabee, relating to the issuance of bonds and other obligations by or on behalf of political subdivisions; and declaring an emergency.

SB 33 by Sharp, relating to the creation, administration, powers, duties, operations, financing and dissolution of road utility districts.

HCR 33 by Gilley, in memory of Billy Gene Smelley.

HCR 35 by Gilley, in memory of Colonel Farrell Sullivan.

HCR 44 by Russell, congratulating the Daingerfield High School football team.

HCR 46 by Jay Gibson, declaring the Odessa Shakespeare Globe Theatre to be a valuable cultural and heritage resource of the state.

HCR 52 by Willis, in memory of former State Senator Doss Hardin.

HCR 53 by McKinney, congratulating Don and Niky Mauro on the birth of Kyle Austin Mauro.

SCR 22 by Brooks, congratulating Harry H. Levy, Jr., on the occasion of his 80th birthday.

HCR 54 by R. Wilson, in memory of David Overstreet.

HCR 65 by Haley, authorizing the conference committee on **HB 72** to include certain matters in the conference report.

HCR 23 by Collazo, congratulating Ken Watson.

SCR 23 by Doggett, in memory of Dr. Herbert J. Croner.

SB 25 by Uribe and Sarpalius, relating to the application of the workers' compensation law to farm and ranch laborers.

SB 5 by Traeger, relating to an increase in the benefits to certain annuities of the Employees Retirement System of Texas.

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:

SCR 6, SCR 14

**PROCLAMATION BY THE GOVERNOR
OF THE STATE OF TEXAS**

The speaker laid before the house and had read the following proclamation by the governor:

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 8, and Article III, Section 40 of the Texas Constitution, I, Mark White, Governor of the State of Texas, submit the following

additional subjects for consideration by the 2nd Called Session of the 68th Legislature, now convened:

1. Application of the workers' compensation law to farm and ranch laborers;
2. Legislation relating to the requirement of the use of child passenger safety seat systems and child safety in an automobile;
3. Consideration of the receipt, allocation, disbursement, and management of state revenue and other state money and of the times and methods of payment of the corporate franchise tax;
4. Provision of telecommunications services to state government;
5. Improvement of staff-to-patient ratios at state mental hospitals by providing for the transfer and reappropriation of money previously appropriated to the Department of Mental Health and Mental Retardation and the appropriation of money received from the federal government for services rendered by the department before October 1, 1983;
6. Financing of the acquisition, construction, repair, renovation, or other improvement of buildings in Travis County for the use of state agencies and institutions;
7. Consideration of bidding procedures under the group insurance program for state employees;
8. Adjustment of appropriations to public junior colleges for the payment of insurance premiums for active and retired employees;
9. Consideration of the authority and duties of attorneys representing the state before the 75th, 253rd, 344th, and 355th District Courts;
10. Consideration of replenishment of the emergency contingency funds administered by the Office of the Governor;
11. Reassignment of duties relative to the Southern States Energy Board formerly performed by the Texas Energy and Natural Resources Advisory Council;
12. Legislation to carry forward from the current fiscal year the unexpended balance of money appropriated to the Texas Low-Level Radioactive Waste Disposal Authority for site development and construction so that the appropriation may be used for the same purpose in the 1984-85 fiscal years;
13. Transfer and allocation of money previously appropriated to the Texas Department of Corrections to comply with court orders in the case of Ruiz vs. Estelle;
14. Authorization of participation in cooperative associations by federally funded health-related institutions, including the Children's Nutrition Research Center;
15. Transfer of funds within the Employees Retirement System of Texas to finance an increase in current annuities;
16. Amendment of the Property Code, which was enacted at the Regular Session of the 68th Legislature, to incorporate into the code without substantive change the laws on the same subject as the code that were enacted at the Regular Session and to make technical corrections to conform the code to the laws that the code repealed;
17. Reappropriation of funds from the Public Utility Commission to the office of Public Utility Counsel;
18. Amendment of the Certificate of Obligation Act of 1971;
19. Legislation for the improvement of roads and highways in the state and to promote efficiency and economy in the operation, maintenance and construction of said roads and highways.

Done at Austin, Texas, this the 28th day of June, 1984, under the Seal of this State properly attested by the Secretary of State.

IN TESTIMONY WHEREOF, I have hereto signed my name officially and caused the Seal of State to be affixed hereto at Austin, the 28th day of June, A.D., 1984.

(SEAL)

MARK WHITE
Governor of Texas

C. Ed Davis
Assistant Secretary of State

(Wilson now present)

HR 87 - ADOPTED

Representative E. Barton moved that all necessary rules be suspended to take up and consider at this time, **HR 87**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By E. Barton:

HR 87, Paying tribute to the pioneer families who founded Dubina.

The resolution was adopted without objection.

HR 84 - ADOPTED

Representative Oliveira moved that all necessary rules be suspended to take up and consider at this time, **HR 84**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Oliveira:

HR 84, Recognizing August, 1984, as Child Support Enforcement Month in Texas.

The resolution was adopted without objection.

HR 86 - ADOPTED

Representative Uher moved that all necessary rules be suspended to take up and consider at this time, **HR 86**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Uher:

HR 86, In memory of Eugene Herbert Henry.

The resolution was unanimously adopted by a rising vote.

HR 81 - ADOPTED

Representative Hilbert moved that all necessary rules be suspended to take up and consider at this time, **HR 81**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Hilbert, et al.:

HR 81, In memory of George A. DeMontrond.

The resolution was unanimously adopted by a rising vote.

HR 83 - ADOPTED

Representative Robinson moved that all necessary rules be suspended to take up and consider at this time, **HR 83**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Robinson:

HR 83, Commending Mrs. Bea Steen.

The resolution was adopted without objection.

On motion of Speaker Lewis, the names of all the members of the house were added to **HR 83** as signers thereof.

HCR 73 - ADOPTED

Representative Wilson moved that all necessary rules be suspended to take up and consider at this time, **HCR 73**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Wilson:

HCR 73, Honoring Mrs. Lula Mae McDaniel.

The resolution was adopted without objection.

On motion of Representative Criss, the names of all the members of the house were added to **HCR 73** as signers thereof.

HCR 67 - ADOPTED

Representative Cain moved that all necessary rules be suspended to take up and consider at this time, **HCR 67**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Cain:

HCR 67, Commending Leslie Benitez.

The resolution was adopted without objection.

HCR 58 - ADOPTED

Representative Criss moved that all necessary rules be suspended to take up and consider at this time, **HCR 58**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Criss:

HCR 58, Congratulating Harry H. Levy, Jr.

The resolution was adopted without objection.

On motion of Representative Rudd, the names of all the members of the house were added to **HCR 58** as signers thereof.

HR 80 - ADOPTED

Representative Connelly moved that all necessary rules be suspended to take up and consider at this time, **HR 80**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Connelly:

HR 80, Congratulating Dr. Karl Bleyl Junior High School.

The resolution was adopted without objection.

SENATE BILLS ON FIRST READING

The following senate bills were today laid before the house, read first time and referred to committees:

SB 5 to Committee on Retirement and Aging.

SB 25 to Committee on Business and Commerce.

SB 33 to Committee on Transportation.

HOUSE BILLS ON FIRST READING

The following house bills were today laid before the house, read first time and referred to committees:

By Oliveira:

HB 130, A bill to be entitled An Act relating to an appropriation to the Platoro, Kenon and Purvis Fund for payment of a claim against the state.

To Committee on Appropriations.

By Hanna:

HB 131, A bill to be entitled An Act relating to creation of the office of district attorney of the 355th Judicial District.

To Committee on Judicial Affairs.

By Hanna:

HB 132, A bill to be entitled An Act relating to eligibility for appointment to and payment of dues to the Southern States Energy Board and making an appropriation.

To Committee on Appropriations.

By C. Evans:

HB 133, A bill to be entitled An Act relating to the provision of telecommunications services by the State Purchasing and General Services Commission.

To Committee on House Administration.

By Messer:

HB 134, A bill to be entitled An Act relating to conforming the Property Code and related statutes to the laws from which that code is derived and to laws enacted after the date of enactment of all or part of that code or laws.

To Committee on State Affairs.

RESOLUTIONS REFERRED TO COMMITTEE

The following resolutions were laid before the house and referred to committee:

By C. Evans:

HR 82, Expressing appreciation to Leland Lentz, Roy E. Simpson, and W. D. Stewart.

To Committee on Rules and Resolutions.

By D. Lee:

HR 85, Congratulating Miss Shannon McEowen.

To Committee on Rules and Resolutions.

SCR 22, Congratulating Harry H. Levy, Jr.

To Committee on Rules and Resolutions.

SCR 23, In memory of Dr. Herbert J. Croner.

To Committee on Rules and Resolutions.

RULES SUSPENDED

Representative Armbrister moved to suspend the 5-day posting rule to allow the Committee on Judicial Affairs to consider **HCR 17**, **HCR 34**, **HCR 31**, **HCR 16**, **HCR 47**, **SCR 13**, **SCR 15**, and **SCR 19**.

The motion prevailed without objection.

RULES SUSPENDED

Representative Rudd moved to suspend the 5-day posting rule to allow the Committee on Appropriations to consider **HB 93**, **HB 82**, and **HB 124**.

The motion prevailed without objection.

SB 25 AND HB 127 - RULES SUSPENDED

Representative Jackson moved to suspend all necessary rules to allow the Committee on Business and Commerce to consider **SB 25** and **HB 127**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Transportation, on recess today, Desk 43, to consider **SB 24**.

Appropriations, 1:30 p.m. today, Room 309, Capitol Building, to consider **HB 93**, **HB 82**, and **HB 124**.

Appropriations, on recess today, Desk 46, to consider **SB 27** and **SCR 21**.

Calendars, on recess today, Desk 15.

Business and Commerce, on recess today, Desk 95, to consider **SB 25** and **HB 127**.

Retirement and Aging, on recess today, Desk 14, to consider **SB 5**.

RECESS

Representative Uher moved that the house recess until 5:30 p.m. today.

The motion prevailed without objection.

The house accordingly, at 11:53 a.m., recessed until 5:30 p.m. today.

AFTERNOON SESSION

The house met at 5:30 p.m. and was called to order by the speaker.

(Salinas now present)

LEAVES OF ABSENCE GRANTED

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

Price on motion of McKenna.

Robnett on motion of Whaley.

MESSAGE FROM THE SENATE

Austin, Texas, June 29, 1984

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:

SB 42 by Lyon, relating to the jurisdiction of the County Court of Dallas County at Law No. 1.

SCR 24 by Doggett, in memory of Richard H. Craig.

SCR 21 by Brooks, allowing the Texas Department of Human Resources to transfer funds.

SB 36 by Brown and Sharp, relating to the creation of the Brazosport Water Authority.

SB 40 by Sharp, relating to the creation of the constitutional office of criminal district attorney of Fayette County.

Respectfully,
Betty King
Secretary of the Senate

(Polumbo now present)

**PROCLAMATION BY THE GOVERNOR
OF THE STATE OF TEXAS**

The speaker laid before the house and had read the following proclamation by the governor:

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 8, and Article III, Section 40 of the Texas Constitution, I, Mark White, Governor of the State of Texas, submit the following additional subjects for consideration by the 2nd Called Session of the 68th Legislature, now convened:

1. Legislation relating to adoption of a nonsubstantive revision of the statutes relating to civil procedure and civil remedies and liabilities;
2. Legislation relating to seeking a credit from the federal government for the overpayment of social security taxes and to adjusting dates on which social security payments are made to conform with federal requirements;
3. Legislation authorizing the creation of special districts to provide coordinated emergency telephone service;
4. Legislation relating to the terms of the 356th District Court;
5. Legislation relating to expenditures from the municipal court judges and personnel training fund;
6. Legislation relating to regulation of office of district attorney of the 349th Judicial District;
7. Legislation relating to the tabulation of ballots;
8. Legislation relating to certain transactions involving sales, service and repair of certain business machines;
9. Legislation relating to the jurisdiction of County Court at Law No. 1 of Dallas County.

Done at Austin, Texas, this the 29th day of June, 1984, under the Seal of this State properly attested by the Secretary of State.

IN TESTIMONY WHEREOF, I have hereto signed my name officially and caused the Seal of State to be affixed hereto at Austin, the 29th day of June, A.D., 1984.

(SEAL)

MARK WHITE
Governor of Texas

John W. Fainter, Jr.
Secretary of State

HOUSE BILLS ON FIRST READING

The following house bills were today laid before the house, read first time and referred to committees:

By P. Hill:

HB 135, A bill to be entitled An Act relating to the exemption from property taxation for charitable organizations.

To Committee on Ways and Means.

By E. F. Lec:

HB 136, A bill to be entitled An Act relating to the counting of straight-ticket ballots.

To Committee on Elections.

By Barrientos, et al.:

HB 137, A bill to be entitled An Act relating to appropriations to the Board of Pardons and Paroles and the Commission on Human Rights.

To Committee on Appropriations.

SENATE BILLS ON FIRST READING

The following senate bills were today laid before the house, read first time and referred to committees:

SB 42 to Committee on Judicial Affairs.

SB 40 to Committee on Judicial Affairs.

SB 36 to Committee on Natural Resources.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Affairs, on adjournment today, Desk 97.

House Administration, on adjournment today, Desk 67, to consider **HR 74**, **HB 133**, and **HCR 11**.

Elections, on adjournment today, Desk 115, to consider **HJR 8** and **HB 136**.

Public Health, on adjournment today, Desk 65, to consider **HB 105**.

Appropriations, on adjournment today, Room 309, Capitol Building, to consider **HB 14**, **HB 132**, **HB 93**, **HB 82**, **HB 124**, and all bills announced this morning.

Judicial Affairs, on adjournment today, Desk 102, to consider **SB 26** and **SB 42**.

Urban Affairs, on adjournment today, Desk 9, to consider **HB 106** and **HB 96**.

Business and Commerce, on adjournment today, Desk 95.

ADJOURNMENT

Representative Kemp moved that the house adjourn until 7 p.m. today.

The motion prevailed without objection.

The house accordingly, at 6:19 p.m., adjourned until 7 p.m. today.

HOUSE JOURNAL

SIXTY-EIGHTH LEGISLATURE, SECOND CALLED SESSION

PROCEEDINGS

EIGHTEENTH DAY — FRIDAY, JUNE 29, 1984

The house met at 7 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 121).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Carter; Cary; Cavazos; Ceverha; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddick; Crockett; Danburg; Davis; DeLay; Delco; Denton; Earley; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, O.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Lee, D.; Lee, E. F.; Leonard; Lewis, N.; Luna; McDonald; McKenna; McKinney; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polumbo; Ragsdale; Rangel; Robinson; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Tidwell; Toomey; Tow; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wilson; Wolens; Word; Wright.

Absent, Excused — Price; Robnett; Willis.

Absent — Criss; Hury; Laney; Uher.

(Laney now present)

LEAVES OF ABSENCE

By unanimous consent, members granted leaves of absence for the previous legislative day were granted leaves of absence for this legislative day.

(Criss and Uher now present)

SB 27 ON SECOND READING (Rudd - House Sponsor)

The speaker laid before the house, in lieu of **HB 102**, on its second reading and passage to third reading.

SB 27, A bill to be entitled An Act relating to the receipt, allocation, disbursement, and management of state revenue and other state money and to the times, amounts, and methods of payment of the corporate franchise tax; creating the Public Junior College Reimbursement Fund and the Medical and Dental College Reimbursement Fund; providing a penalty; amending Article 4364a, Revised Statutes; amending the Tax Code by amending Subsection (b), Section 153.501; Subsection (a), Section 153.502; Sections 153.503, 153.504, and 153.505; Subsections (d) and (e), Section 153.123; Subsection (c), Section 171.152; Subsection (c), Section 171.153; Subsection (b), Section 171.202; and Sections

171.251 and 171.309; and adding Subsections (c) and (d), Section 171.202 and Subsections (d) and (e), Section 171.362; adding to the Education Code Sections 15.011, 16.260, and 130.0031 and Subsections (c) and (d), Section 61.093.

The bill was read second time.

Representative Rudd offered the following amendment to the bill:

Amend SB 27 on page 13, between lines 11 and 12, by adding Section 8 to Article 1 to read as follows:

SECTION 8. (a) This Section is effective only if H.B. 72, Acts of the 68th Legislature, Second Called Session, 1984, becomes law. If that bill does not become law, this section has no effect.

(b) Subsections (b), (c), and (d), Section 16.260, Education Code, as added by this Act, are revised to read as follows:

(c) Payments from the foundation school fund to each category 1 school district shall be made as follows:

(1) 21 percent of the yearly entitlement of the district shall be paid in two equal installments to be made on or before the 25th day of September and October of a fiscal year;

(2) 57 percent of the yearly entitlement of the district shall be paid in six equal installments to be made on or before the 25th day of November, December, January, February, March and July; and

(3) 22 percent of the yearly entitlement of the district shall be paid in two equal installments to be made on or before the 25th day of April and May.

(d) Payments from the foundation school fund to each category 2 school district shall be made as follows:

(1) 21 percent of the yearly entitlement of the district shall be paid in two equal installments to be made on or before the 25th day of September and October of a fiscal year;

(2) 38 percent of the yearly entitlement of the district shall be paid in four equal installments to be made on or before the 25th day of November, December, March and July;

(3) Seven percent of the yearly entitlement of the school district shall be paid in two equal installments to be made on or before the 25th day of January and February;

(4) 22 percent of the yearly entitlement of the school district shall be paid in two equal installments to be made on or before the 25th day of April and May; and

(5) 12 percent of the yearly entitlement of the school district shall be paid in two equal installments to be made on or before the 25th day of June and August.

(e) Payments from the foundation school fund to each category 3 school district shall be made as follows:

(1) 21 percent of the yearly entitlement of the school shall be paid in two equal installments to be made on or before the 25th day of September and October of a fiscal year;

(2) 57 percent of the yearly entitlement of the school shall be paid in six equal installments to be made on or before the 25th day of November, December, March, June, July and August; and

(3) 22 percent of the yearly entitlement of the school district shall be paid in two equal installments to be made on or before the 25th day of April and May.

The amendment was adopted without objection.

SB 27, as amended, was passed to third reading.

HB 102 - LAID ON THE TABLE SUBJECT TO CALL

Representative Rudd moved that **HB 102** be laid on the table subject to call.

The motion prevailed without objection.

SB 25 ON SECOND READING

(Hinojosa - House Sponsor)

The speaker laid before the house, in lieu of **HB 76**, on its second reading and passage to third reading,

SB 25, A bill to be entitled An Act relating to the application of the worker's compensation law to certain farm and ranch laborers and to subscribers to a workers' compensation insurance policy and the coverage of the policy; amending Article 8306, Revised Statutes, by amending Section 2 and by adding Section 2b.

A record vote was requested.

The bill was read second time and was passed to third reading by (Record 122): 89 Yeas, 56 Nays, 1 Present, not voting.

Yeas — Armbrister; Barrientos; Barton, B.; Barton, E.; Berlanga; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Clemons; Colbert; Collazo; Connelly; Coody; Criss; Crockett; Danburg; Davis; Delco; Denton; Edwards; Emmett; English; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, O.; Gavin; Gibson, B.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Hall, W.; Hammond; Harrison, D.; Hernandez; Hill, A.; Hill, P.; Hinojosa; Hudson, D.; Hudson, S.; Jackson; Jones; Kemp; Lee, D.; Lee, E. F.; Leonard; Luna; McDonald; McKinney; Madla; Martinez, R.; Martinez, W.; Messer; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patronella; Peveto; Pierce; Polumbo; Ragsdale; Rangel; Salinas; Saunders; Schlueter; Shaw; Smith, T.; Staniswalis; Sutton; Tejada; Thompson, G.; Thompson, S.; Tidwell; Tow; Valles; Vowell; Wallace; Watson; Whaley; Wilson; Wolens.

Nays — Agnich; Arnold; Blanton; Bomer; Buchanan; Carter; Ceverha; Clark; Craddick; DeLay; Earley; Eckels; Eikenburg; Evans, C.; Finnell; Fox; Geistweidt; Gibson, J.; Haley; Hall, T.; Hanna; Harrison, W.; Heflin; Hightower; Hilbert; Hollowell; Horn; Keller; Khoury; Kubiak; Kuempel; Laney; Lewis, N.; McKenna; McWilliams; Mankins; Millsap; Parker; Patrick; Patterson; Pennington; Robinson; Rudd; Russell; Schoolcraft; Shea; Short; Simpson; Smith, A.; Smith, C.; Stiles; Toomey; Uher; Waldrop; Word; Wright.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Price; Robnett; Willis.

Absent — Hury.

HB 76 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hinojosa moved that **HB 76** be laid on the table subject to call.

The motion prevailed without objection.

SB 3 ON SECOND READING

(Gandy - House Sponsor)

The speaker laid before the house, in lieu of **HB 18**, on its second reading and passage to third reading,

SB 3, A bill to be entitled An Act relating to child passenger safety seat systems; providing a penalty; adding Section 107B to Article XIII, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes).

The bill was read second time.

Representative Patterson offered the following amendment to the bill:

Amend **SB 3** by deleting lines 23 through 25 on page 1, and lines 1 through 6 on page 2, and relettering subsequent subsections.

Representative Gandy moved to table the Patterson amendment.

A record vote was requested.

The motion to table prevailed by (Record 123): 93 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Buchanan; Burnett; Bush; Cain; Cary; Cavazos; Clemons; Colbert; Collazo; Connelly; Coody; Criss; Crockett; Danburg; Davis; Delco; Earley; Edwards; Emmett; English; Evans, C.; Evans, L.; Finnell; Gandy; Garcia, A.; Garcia, O.; Gavin; Gibson, B.; Gilley; Glossbrenner; Granoff; Green; Hackney; Hall, W.; Hammond; Harrison, D.; Harrison, W.; Heflin; Hernandez; Hill, A.; Hill, P.; Hinojosa; Hudson, D.; Hudson, S.; Jackson; Jones; Kemp; Laney; Lee, D.; Lee, E. F.; Lewis, N.; Luna; McDonald; McKinney; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Pennington; Peveto; Pierce; Polumbo; Ragsdale; Rangel; Salinas; Schoolcraft; Shaw; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejada; Thompson, S.; Tidwell; Toomey; Tow; Valles; Vowell; Wallace; Wilson; Wolens; Wright.

Nays — Agnich; Blanton; Bomer; Carriker; Carter; Clark; Craddick; DeLay; Denton; Eikenburg; Fox; Gamez; Geistweidt; Gibson, J.; Grisham; Haley; Hall, T.; Hanna; Hightower; Hilbert; Hollowell; Horn; Keller; Khoury; Kubiak; Kuempel; Leonard; McKenna; McWilliams; Mankins; Parker; Patrick; Patronella; Patterson; Robinson; Rudd; Russell; Saunders; Shea; Short; Simpson; Smith, C.; Thompson, G.; Uher; Waldrop; Watson; Whaley; Word.

Present, not voting — Mr. Speaker(C); Madla.

Absent, Excused — Price; Robnett; Willis.

Absent — Ceverha; Eckels; Hury; Schlueter.

Representative Khoury offered the following amendment to the bill:

Amend **SB 3** by adding the following between lines 20 and 21, page 2:

(i) No state funds shall be appropriated for or used for the purchase of the devices or appliances called for herein.

Representative Gandy moved to table the Khoury amendment.

A record vote was requested.

The motion to table prevailed by (Record 124): 76 Yeas, 59 Nays, 2 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Bush; Cain; Cary; Cavazos; Colbert; Collazo; Coody; Criss; Crockett; Danburg; Davis; Delco; Earley; Edwards; English; Evans, L.; Finnell; Gandy; Garcia, A.; Garcia, O.; Gavin; Gibson, B.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Hall, W.; Harrison, D.; Harrison, W.; Heflin; Hernandez; Hill, A.; Hinojosa; Hudson, D.;

Hudson, S.; Jones; Kemp; Lee, E. F.; Lewis, N.; Luna; McDonald; McKinney; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patronella; Peveto; Polumbo; Ragsdale; Rangel; Salinas; Shaw; Staniswalis; Sutton; Tejeda; Thompson, S.; Tidwell; Tow; Valles; Vowell; Wallace; Watson; Wilson; Wolens; Word.

Nays — Agnich; Blanton; Bomer; Buchanan; Burnett; Carter; Clark; Connelly; Craddick; DeLay; Denton; Eikenburg; Emmett; Evans, C.; Fox; Gamez; Geistweidt; Gibson, J.; Haley; Hall, T.; Hanna; Hightower; Hilbert; Hill, P.; Hollowell; Horn; Keller; Kubiak; Kuempel; Lee, D.; Leonard; McKenna; McWilliams; Mankins; Messer; Millsap; Parker; Patrick; Patterson; Pennington; Pierce; Robinson; Rudd; Russell; Saunders; Schoolcraft; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Stiles; Thompson, G.; Toomey; Uher; Waldrop; Whaley; Wright.

Present, not voting — Mr. Speaker(C); Madla.

Absent, Excused — Price; Robnett; Willis.

Absent — Carriker; Ceverha; Clemons; Eckels; Hammond; Hury; Jackson; Khoury; Laney; Schlueter.

Representative Simpson offered the following amendment to the bill:

Amend **SB 3** by striking lines 9 through 13 on page 2, and relettering the remaining paragraphs accordingly.

Representative Gandy moved to table the Simpson amendment.

The motion to table prevailed.

Representative Schoolcraft offered the following amendment to the bill:

Amend **SB 3** by deleting lines 14 and 15 on page 2.

Representative Gandy moved to table the Schoolcraft amendment.

The motion to table prevailed.

A record vote was requested.

The bill was passed to third reading by (Record 125): 98 Yeas, 42 Nays, 4 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Buchanan; Burnett; Bush; Cain; Cary; Cavazos; Clemons; Colbert; Collazo; Connelly; Coody; Criss; Crockett; Danburg; Davis; DeLay; Delco; Earley; Edwards; Emmett; English; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, O.; Gavin; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Hall, W.; Hammond; Harrison, D.; Harrison, W.; Hernandez; Hill, A.; Hill, P.; Hinojosa; Hudson, D.; Hudson, S.; Jackson; Jones; Kemp; Kubiak; Lee, E. F.; Lewis, N.; Luna; McDonald; McKinney; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patronella; Pennington; Peveto; Pierce; Polumbo; Ragsdale; Rangel; Salinas; Schlueter; Shaw; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, S.; Tidwell; Toomey; Tow; Valles; Vowell; Wallace; Watson; Wilson; Word; Wright.

Nays — Agnich; Blanton; Bomer; Carter; Clark; Craddick; Denton; Eikenburg; Fox; Geistweidt; Haley; Hall, T.; Hanna; Hightower; Hilbert; Hollowell; Horn; Keller; Khoury; Kuempel; Laney; Lee, D.; Leonard; McKenna; McWilliams; Mankins; Parker; Patrick; Patterson; Robinson; Rudd; Russell; Saunders; Schoolcraft; Shea; Short; Simpson; Thompson, G.; Uher; Waldrop; Whaley; Wolens.

Present, not voting — Mr. Speaker(C); Carriker; Heflin; Madla.

Absent, Excused — Price; Robnett; Willis.

Absent — Ceverha; Eckels; Hury.

HB 18 - LAID ON THE TABLE SUBJECT TO CALL

Representative Gandy moved that **HB 18** be laid on the table subject to call.

The motion prevailed without objection.

STATEMENT BY REPRESENTATIVE MADLA

On Record Vote No. 125 on Senate Bill No. 3 my machine malfunctioned in that I was recorded Present Not Voting when in fact I voted "yes".

Madla

STATEMENT BY REPRESENTATIVE HEFLIN

I inadvertently voted Present Not Voting. My intent was to vote for **SB 3**.

Heflin

HB 35 ON SECOND READING

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

HB 35, A bill to be entitled An Act relating to bidding procedures under the state employees group insurance program.

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

HB 35 ON THIRD READING

Representative Madla moved that the constitutional rule requiring bills to be read on three several days be suspended and that **HB 35** be placed on its third reading and final passage.

A record vote was requested.

The motion prevailed by (Record 126): 127 Yeas, 8 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Carriker; Carter; Cary; Cavazos; Ceverha; Clark; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Earley; Emmett; English; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, O.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Green; Grisham; Hackney; Haley; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hilbert; Hill, A.; Hill, P.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Jackson; Jones; Keller; Kemp; Khoury; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Lewis, N.; Luna; McDonald; McKenna; McKinney; McWilliams; Madla; Mankins; Martinez, R.; Messer; Moreno, A.; Moreno, P.; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polumbo; Ragsdale; Rangel; Rudd; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejada; Thompson, G.; Thompson, S.; Tidwell; Toomey; Tow; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wilson; Wolens; Word; Wright.

Nays — Agnich; Eikenburg; Fox; Horn; Millsap; Russell; Smith, C.; Uher.
Present, not voting — Mr. Speaker(C).

Absent, Excused — Price; Robnett; Willis.

Absent — Cain; Clemons; Eckels; Edwards; Granoff; Hernandez; Hury; Kubiak; Martinez, W.; Oliveira; Robinson.

The speaker then laid **HB 35** before the house on third reading and final passage.

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

SB 5 ON SECOND READING
(T. Smith - House Sponsor)

The speaker laid before the house, in lieu of **HB 46**, on its second reading and passage to third reading.

SB 5, A bill to be entitled An Act relating to an increase in the benefits to certain annuities of the Employees Retirement System of Texas.

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

HB 46 - LAID ON THE TABLE SUBJECT TO CALL

Representative T. Smith moved that **HB 46** be laid on the table subject to call.

The motion prevailed without objection.

HB 123 ON SECOND READING

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

HB 123, A bill to be entitled An Act relating to adoption of a nonsubstantive revision of the statutes relating to civil procedure and civil remedies and liabilities.

The bill was read second time and was passed to engrossment. (Green, Patterson, Short, and Russell recorded voting no)

HB 123 ON THIRD READING

Representative Messer moved that the constitutional rule requiring bills to be read on three several days be suspended and that **HB 123** be placed on its third reading and final passage.

A record vote was requested.

The motion prevailed by (Record 127): 115 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Cary; Cavazos; Ceverha; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Danburg; Davis; DeLay; Delco; Denton; Earley; Eckels; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, O.; Gavin; Geistweidt; Gibson, B.; Glossbrenner; Granoff; Green; Grisham; Halcy; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hilbert; Hill, A.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Jackson; Jones; Keller; Kemp; Kuempet; Laney; Lee, D.; Lee, E. F.; Leonard; Lewis, N.; McKenna; McKinney; McWilliams; Madla; Mankins; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Pennington; Pierce; Polumbo; Ragsdale; Rangel; Rudd;

Saunders; Schlueter; Schoolcraft; Shaw; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejada; Thompson, S.; Tidwell; Toomey; Tow; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wilson; Wolens; Word; Wright.

Nays — Agnich; Barton, B.; Carriker; Carter; Clark; Clemons; Edwards; Fox; Gibson, J.; Gilley; Hackney; Khoury; Kubiak; Luna; McDonald; Martinez, R.; Patterson; Russell; Salinas; Shea; Short; Simpson; Smith, C.; Thompson, G.; Uher.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Price; Robnett; Willis.

Absent — Crockett; Hernandez; Hury; Martinez, W.; Peveto; Robinson.

The speaker then laid **HB 123** before the house on third reading and final passage.

The bill was read third time and was passed. (Green, Patterson, Short, and Russell recorded voting no)

SCR 7 - ADOPTED
(Parker - House Sponsor)

The speaker laid before the house, in lieu of **HCR 1**, the following resolution on committee report:

SCR 7

WHEREAS, Dorothy Fay Dickey alleges that:

(1) she is the owner of a certain tract of land located in Palo Pinto County, Texas;

(2) the Veterans' Land Board, Jakie Lincoln Long, and Mrs. Jakie Lincoln Long have obtained title to the land through fraudulent conveyances;

(3) various deeds and instruments establishing the chain of title through which the state and others claim an interest were obtained through those fraudulent conveyances; and

(4) as a result of those fraudulent actions, the title to the property should be divested out of the state and others and placed in the name of Dorothy Fay Dickey, as her sole and separate property, all in accordance with the judgment of divorce rendered in the suit between Dorothy Fay Dickey and Howard D. Dickey in Brown County, Texas; now, therefore, be it

RESOLVED by the 68th Legislature of the State of Texas, That Dorothy Fay Dickey be and is hereby granted permission to sue the State of Texas and the Veterans' Land Board for any relief to which she may be entitled as a result of this claim; and, be it further

RESOLVED, That in the event suit is filed, service of citation and other required process be made on the Attorney General of the State of Texas and on the Commissioner of the General Land Office and that the suit be tried as other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as an admission by the State of Texas or by any of its employees, agents, departments, agencies, or political subdivisions of liability or of the truth of any allegation asserted by the claimant, but the alleged cause of action must be proved under the law of this state as in other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as a waiver of any defense of law or fact available to the State of Texas or to any of its employees, agents, departments, agencies, or political subdivisions, but every defense is specifically reserved.

The resolution was adopted without objection. (Fox recorded voting no)

HCR 1 - LAID ON THE TABLE SUBJECT TO CALL

Representative Parker moved that **HCR 1** be laid on the table subject to call.

The motion prevailed without objection.

SCR 8 - ADOPTED
(Parker - House Sponsor)

The speaker laid before the house, in lieu of **HCR 2**, the following resolution on committee report:

SCR 8

WHEREAS, Dorothy Fay Dickey alleges that:

- (1) she is the owner of a certain tract of land located in Palo Pinto County, Texas;
- (2) the Veterans' Land Board, Ray Passons, and Mrs. Ray Passons have obtained title to the land through fraudulent conveyances;
- (3) various deeds and instruments establishing the chain of title through which the state and others claim an interest were obtained through those fraudulent conveyances; and
- (4) as a result of those fraudulent actions, the title to the property should be divested out of the state and others and placed in the name of Dorothy Fay Dickey, as her sole and separate property, all in accordance with the judgment of divorce rendered in the suit between Dorothy Fay Dickey and Howard D. Dickey in Brown County, Texas; now, therefore, be it

RESOLVED by the 68th Legislature of the State of Texas, That Dorothy Fay Dickey be and is hereby granted permission to sue the State of Texas and the Veterans' Land Board for any relief to which she may be entitled as a result of this claim; and, be it further

RESOLVED, That in the event suit is filed, service of citation and other required process be made on the Attorney General of the State of Texas and on the Commissioner of the General Land Office and that the suit be tried as other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as an admission by the State of Texas or by any of its employees, agents, departments, agencies, or political subdivisions of liability or of the truth of any allegation asserted by the claimant, but the alleged cause of action must be proved under the law of this state as in other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as a waiver of any defense of law or fact available to the State of Texas or to any of its employees, agents, departments, agencies, or political subdivisions, but every defense is specifically reserved.

The resolution was adopted without objection. (Fox recorded voting no)

HCR 2 - LAID ON THE TABLE SUBJECT TO CALL

Representative Parker moved that **HCR 2** be laid on the table subject to call.

The motion prevailed without objection.

SCR 15 - ADOPTED
(T. Smith - House Sponsor)

The speaker laid before the house, in lieu of **HCR 4**, the following resolution on committee report:

SCR 15

WHEREAS, Linda W. Kinney alleges that:

(1) she was a permanent-status employee of the Texas Employment Commission at all times relevant to her complaint;

(2) the commission, in violation of the commission's personnel rules, the merit system rules, and state and federal constitutional and statutory standards, failed to consider her for promotion to a new position that would pay her a higher salary;

(3) upon appeal of the denial of promotion to the Texas Merit System Council, the council found that improper influence was brought to bear on the personnel selection;

(4) even though the council recommended that the commission vacate the position, reopen applications, and allow Linda W. Kinney to compete fairly for the position, this was not done and she was not allowed to compete fairly for the position;

(5) in a state district court trial against individual employees of the Texas Employment Commission, a jury found that the employees had improperly influenced the selection procedure;

(6) as a result of the actions of the commission Linda W. Kinney has suffered a loss of income and mental anguish in the past and will suffer a loss of income and mental anguish in the future; and

(7) in order to protect her rights it was necessary that she retain the services of an attorney; now, therefore, be it

RESOLVED by the Legislature of the State of Texas, That Linda W. Kinney is granted permission to sue the State of Texas and the Texas Employment Commission for any relief to which she may be entitled as a result of this claim; and, be it further

RESOLVED, That in the event suit is filed, service of citation and other required process be made on the Attorney General of the State of Texas and on the chairman and executive director of the Texas Employment Commission and that the suit be tried as other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as an admission by the State of Texas or by any of its employees, agents, departments, agencies, or political subdivisions of liability or of the truth of any allegation asserted by the claimant, but the alleged cause of action must be proved under the law of this state as in other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as a waiver of any defense of law or fact available to the State of Texas or to any of its employees, agents, departments, agencies, or political subdivisions, but every defense is specifically reserved.

The resolution was adopted without objection. (Fox recorded voting no)

HCR 4 - LAID ON THE TABLE SUBJECT TO CALL

Representative T. Smith moved that **HCR 4** be laid on the table subject to call

The motion prevailed without objection.

HCR 24 - ADOPTED

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

By Simpson:

HCR 24

WHEREAS, Pursuant to the Nuclear Waste Policy Act of 1982 (42 U.S.C. Sec. 10101 et seq.), the U.S. Department of Energy has identified nine sites, including two in Texas in Deaf Smith and Swisher counties, as potentially acceptable sites for the nation's and world's first repository for the permanent isolation of high-level nuclear wastes; and

WHEREAS, Those nine sites will be narrowed to one, which shall be recommended by the president to the congress as a site qualified for the construction of a repository; and

WHEREAS, The Nuclear Waste Policy Act of 1982 grants to states affected by the repository selection program specified powers of consultation and review, which in Texas by agreement between the legislative presiding officers and the governor are centered currently in the Nuclear Waste Programs Office of the Governor's Office of General Counsel; and

WHEREAS, The governor's office is conducting a continuous, well-reasoned, and factually sound review of the U.S. Department of Energy site selection process in order that the state, when appropriate, will be able to render an informed and analytically substantiated judgment as to the merits of a high-level nuclear waste repository site in Texas; and

WHEREAS, The governor's office has coordinated its activities with appropriate state agencies and has developed a healthy working relationship with the House-Senate Joint Study Committee on Hazardous Waste Disposal that is monitoring the issue towards a report to the 69th Legislature; and

WHEREAS, On June 1, 1984, the governor's office submitted to the U.S. Department of Energy an official state comment critiquing in substantial detail the screening documents used by the department to narrow the Deaf Smith County and Swisher County locations to nine square miles each; and

WHEREAS, The legislature finds the occasion timely to clarify its position with respect to the review program of the governor's office; now, therefore, be it

RESOLVED, That the 68th Legislature of the State of Texas, 2nd Called Session, hereby commend the Nuclear Waste Programs Office, Governor's Office of General Counsel, for its careful and objective deliberation and for its vigilance in behalf of the state in the matter of proposed high-level nuclear waste disposal in Deaf Smith and Swisher counties; and, be it further

RESOLVED, That the legislature lend its full support and unified backing to the official state comment submitted by the governor's office in response to the recent screening documents of the U.S. Department of Energy; and, be it further

RESOLVED, That a copy of this resolution be transmitted to the U.S. Secretary of Energy as an attestation that the Texas Legislature stands solidly behind the Nuclear Waste Programs Office in that comment and in its other consultative and review activities to date.

The resolution was adopted without objection. (Fox recorded voting no)

On motion of Representative Polumbo, the names of all the members of the house were added to **HCR 24** as signers thereof.

HCR 30 - ADOPTED

Representative Vowell moved that all necessary rules be suspended to take up and consider at this time, **HCR 30**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Vowell:

HCR 30, Recognizing General Bernardo de Galvez.

The resolution was adopted without objection.

HOUSE BILL ON FIRST READING

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

By Millsap:

HB 138, A bill to be entitled An Act relating to seeking a credit from the federal government for the overpayment of social security taxes.

To Committee on Appropriations.

RESOLUTION REFERRED TO COMMITTEE

The following resolution was laid before the house and referred to committee:

SCR 21, Authorizing the Texas Department of Human Resources to exercise its authority to transfer funds by transferring any lapsed funds from appropriations made for the biennium beginning September 1, 1983.

To Committee on Appropriations.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Appropriations, on recess today, Room 309, Capitol Building, to consider bills previously announced.

Transportation, on recess today, Desk 43, to consider **SB 33**.

RECESS

Representative E. F. Lee moved that the house recess until 11 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 9:07 p.m., recessed until 11 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Appropriations - **SB 27**, **SCR 21**

Business and Commerce - **SB 25**

Criminal Jurisprudence - **HB 90**

Judicial Affairs - **HCR 16**, **HCR 17**, **HCR 31**, **HCR 34**, **SCR 13**, **SCR 15**, **SCR 19**, **HCR 27**, **HCR 39**, **SCR 7**, **SCR 8**

Retirement and Aging - **SB 5**

Transportation - **SB 24**, **HB 89**, **HB 101**, **HB 116**, **HB 120**, **HB 121**, **HB 125**, **SB 3**

Ways and Means - **HB 122, HB 128**

**RECOMMENDATION OF THE TEXAS WATER COMMISSION
FILED WITH SPEAKER**

The following recommendation of the Texas Water Commission was filed with the speaker:

June 28 - **HB 114**

COAUTHORS AUTHORIZED

The following members were granted permission by the authors to sign a bill and a resolution as coauthors:

HB 18 - Barrientos

HB 137 - Wilson

HR 81 - Connelly, Emmett, Polumbo, Green