

HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTEENTH DAY (CONTINUED) — THURSDAY, FEBRUARY 11, 1993

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 40).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Absent, Excused — Rudd; Smithee; Williamson.

Absent — Cavazos; Granoff; Hudson.

The invocation was offered by Scott Stodghill, minister of outreach, Riverbend Baptist Church, Austin, Texas, as follows:

Dear God, we've got promises to keep, and miles to go before we sleep. So, help us today as we face the difficulty of deciding which promises carry the weight of your wisdom. Amen.

LEAVES OF ABSENCE GRANTED

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

Smithee on motion of Swinford.

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

Rudd on motion of Ramsay.

Williamson on motion of Lewis.

CAPITOL PHYSICIAN

Speaker Laney presented Dr. Wilford V. Morris of Sealy, Texas, as the "Doctor for the Day."

The house welcomed Dr. Morris and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

INTERPRETER FOR THE DEAF

The interpretation of the proceedings of the house is provided today by Sandra Rouse.

MESSAGE FROM THE SENATE

Austin, Texas, February 11, 1993

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 3 by Whitmire, granting permission to the Texas DeMolay Association to use the Senate Finance Committee Room in the Capitol Extension and the chamber of the house. . . .

SB 17 by Carriker and Rosson, relating to the exemption of property in this state. . . .

Respectfully,
Betty King
Secretary of the Senate

SIGNED BY SPEAKER

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

SCR 20

HR 140 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 140**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 140, Commending Lederle Laboratories for its involvement in educating the public about folic acid.

The resolution was read and was adopted without objection.

HR 137 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 137**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 137, Commending Parke-Davis Managed Health Care for its involvement in the campaign to educate the public about folic acid.

The resolution was adopted without objection.

HR 138 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 138**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 138, Commending the Council for Responsible Nutrition for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 139 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 139**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 139, Commending Marion Merrell Dow, Inc., for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 141 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 141**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 141, Commending Pfizer Pharmaceuticals for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 142 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 142**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 142, Commending General Nutrition Products, Inc., for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 143 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 143**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 143, Commending Abbott Laboratories for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 144 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 144**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 144, Commending Bristol-Myers Squibb Company for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 145 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 145**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 145, Commending Pharmavite Corporation for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 146 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 146**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 146, Commending Food Hold USA, Inc., for its involvement in educating the public about folic acid.

The resolution was adopted without objection.

HR 149 - ADOPTED

Representative Glaze moved to suspend all necessary rules to take up and consider at this time, **HR 149**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glaze:

HR 149, Commending CIBA-GEIGY Pharmaceuticals Division for its involvement in educating the public on folic acid.

The resolution was adopted without objection.

HR 110 - ADOPTED

Representative Linebarger moved to suspend all necessary rules to take up and consider at this time, **HR 110**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Linebarger:

HR 110, Granting the Boy Scouts of America permission to use the speaker's committee room for official photographs and the chamber of the Texas House of Representatives in the State Capitol for the "Boy Scout Annual Report to the State," on February 13, 1993.

The resolution was adopted without objection.

(Granoff now present)

REGULAR ORDER OF BUSINESS SUSPENDED

By unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

**SB 130 ON SECOND READING
(Oliveira - House Sponsor)**

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

SB 130, A bill to be entitled An Act relating to the establishment, operation, and funding of an employment training program; reducing the entry level and replenishment unemployment tax rates; imposing an assessment for employment training purposes.

The bill was read second time and was passed to third reading. (Hartnett and D. Jones recorded voting yes; Heflin, no.)

SB 171 ON SECOND READING
(Hightower - House Sponsor)

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

SB 171, A bill to be entitled An Act relating to the issuance of general obligation bonds for projects relating to state prisons and to an emergency appropriation to the Texas Department of Criminal Justice for the operation of state prisons and intermediate sanction facilities, discretionary grants, and payments to counties.

The bill was read second time.

Representative Telford offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1.

Amend **SB 171** by adding a new Section 3 to the bill to read as follows and by renumbering the existing Section 3 of the bill as Section 4:

SECTION 3. If at any time after the effective date of this Act and before May 31, 1993, the attorney general determines that the Texas Department of Criminal Justice is not required to make court-ordered payments to counties, for which funds are appropriated to the department by Section 2(c)(4) of this Act, the attorney general shall notify the comptroller of public accounts of that fact. On notification by the attorney general, the amount appropriated under Section 2(c) of this Act is reduced by \$18.6 million and the comptroller of public accounts shall transfer that amount from the sum appropriated under Section 2(c) to the credit of the general revenue fund.

Representative Junell moved to table Committee Amendment No. 1.

The motion to table prevailed.

Representative Junell offered the following amendment to the bill:

Amend **SB 171** by adding a new Section 3 to the bill to read as follows and by renumbering the existing Section 3 of the bill as Section 4:

SECTION 3. If at any time after the effective date of this Act and before May 31, 1993, the attorney general determines that the Texas Department of Criminal Justice is not required to make court-ordered payments for which funds are appropriated to the department by Section 2(c)(4) of this Act, the attorney general shall notify the comptroller of public accounts of that fact. On notification by the attorney general: (1) the amount appropriated under Section 2(c) of this Act is reduced by \$18.6 million; (2) the appropriations from general revenue made to the Texas Department of Criminal Justice by H.B. No. 1, Acts of the 72nd Legislature, 1st Called Session, 1992, for item 4.b., security, is reduced by \$18.6 million; and (3) there is appropriated from

the economic stabilization fund to the Texas Department of Criminal Justice, in addition to other amounts appropriated for this biennium, the sum of \$18.6 million for security.

The Junell amendment was adopted without objection.

SB 171, as amended, was passed to third reading. (D. Jones recorded voting yes; Conley, no.)

SJR 7 ON THIRD READING
(Linebarger - House Sponsor)

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

SJR 7 A joint resolution proposing a constitutional amendment relating to the support and maintenance of public schools.

SJR 7 was read third time.

Representative Carona offered the following amendment to the resolution:

Amend **SJR 7** on third reading by adding the following appropriately numbered section:

SECTION _____. Article VIII of the Texas Constitution is amended by adding Section 24 to read as follows:

Sec. 24. A general law enacted by the legislature that imposes a tax on the net incomes of natural persons must provide that a taxpayer who lives in a school district from which property taxes are redistributed is entitled to a credit on the amount of income tax paid in an amount equal to the taxpayer's proportional share of the district's redistributed revenue. The credit shall be available for property tax redistributions made on or after January 1, 1991.

A record vote was requested.

The Carona amendment failed of adoption by (Record 41): 52 Yeas, 89 Nays, 1 Present, not voting.

Yeas — Allen; Averitt; Blackwood; Brady; Brimer; Carona; Chisum; Combs; Corte; Crabb; Craddick; Culberson; Driver; Duncan; Eckels; Finnell; Goodman; Goolsby; Grusendorf; Haggerty; Hamric; Harris; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Jackson; James; Kamel; Krusee; Kuempel; Madden; Marchant; McCall; Moffat; Mowery; Ogden; Park; Pitts; Rabuck; Shields; Siebert; Smith, A.; Smith, D.; Swinford; Tallas; West; Wilson; Yost.

Nays — Alexander; Alonzo; Alvarado; Bailey; Berlanga; Black; Bomer; Bosse; Cain; Carter; Clemons; Coleman; Conley; Cook; Counts; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Dutton; Earley; Edwards; Erickson; Flores; Gallego; Gallegos; Giddings; Glaze; Granoff; Gray; Greenberg; Gutierrez; Hernandez; Hightower; Hirschi; Hochberg; Hunter, B.; Hunter, T.; Johnson; Jones, D.; Jones, J.; Junell; Kubiak; Lewis; Linebarger; Longoria; Martin; Maxey; McDonald; Moreno; Munoz; Naishtat; Nieto; Oakley; Oliveira; Parra; Patterson; Place; Price; Puente; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Solis; Stiles; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Willis; Wolens; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Rudd; Smithee; Williamson.

Absent — Campbell; Cavazos; Hudson; McCoulskey; Vowell.

STATEMENT BY REPRESENTATIVE B. HUNTER

I was shown voting no on Record No. 41. I intended to vote yes.

B. Hunter

Representative A. Smith offered the following amendment to the resolution:

Amend on third reading the floor substitute to **SJR 7** adopted on second reading as follows:

(1) On page 1, line 4, strike "Section 3-c" and substitute "Sections 3-c and 3-d".

(2) On page 2, between lines 1 and 2, insert the following:

Sec. 3-d. A statute enacted by the legislature to provide for an efficient system of public free schools or to provide for its support and maintenance is presumed to meet the requirements of this constitution if:

(1) each school district will have substantially equal access to similar revenues per pupil at similar levels of tax effort; and

(2) the statute rationally furthers a legitimate state purpose or interest such as efficiency or local control.

A record vote was requested.

The A. Smith amendment failed of adoption by (Record 42): 65 Yeas, 76 Nays, 1 Present, not voting.

Yeas — Allen; Averitt; Black; Blackwood; Bomer; Brady; Brimer; Carona; Carter; Chisum; Clemons; Combs; Corte; Crabb; Craddick; Cuellar, H.; Culberson; Delisi; Driver; Duncan; Eckels; Erickson; Finnell; Goodman; Goolsby; Grusendorf; Haggerty; Hamric; Harris; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Hunter, B.; Jackson; James; Jones, D.; Junell; Kamel; Krusee; Kubiak; Kuempel; Madden; Marchant; McCall; Moffat; Ogden; Park; Patterson; Pitts; Rabuck; Schechter; Shields; Siebert; Smith, A.; Smith, D.; Swinford; Tallas; Talton; Uher; West; Yost.

Nays — Alexander; Alonzo; Alvarado; Bailey; Bosse; Cain; Coleman; Conley; Cook; Counts; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Denton; Dutton; Earley; Edwards; Flores; Gallego; Gallegos; Giddings; Glaze; Granoff; Gray; Greenberg; Gutierrez; Hernandez; Hightower; Hirschi; Hochberg; Hunter, T.; Johnson; Jones, J.; Lewis; Linebarger; Longoria; Martin; Maxey; McCoulskey; McDonald; Moreno; Munoz; Naishtat; Nieto; Oakley; Oliveira; Parra; Place; Price; Puente; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Seidlits; Solis; Stiles; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Van de Putte; Vowell; Willis; Wilson; Wolens; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Rudd; Smithee; Williamson.

Absent — Berlanga; Campbell; Cavazos; Hudson; Mowery.

Representative Chisum offered the following amendment to the resolution:

Amend **SJR 7** on third reading as follows:

(1) In Subsection (c) of Article VII, Section 3-c, of the Texas Constitution, as added by Section 1 of the floor substitute adopted on second reading, strike the last sentence and substitute the following: "For purposes of this section, state revenue does not include revenue from ad valorem taxes, revenue for the provision of free textbooks, or contributions to a retirement system."

(2) In Article VII, Section 3-c, of the Texas Constitution, as added by Section 1 of the floor substitute adopted on second reading, add a new Subsection (d) to read as follows:

(d) This section does not affect the distribution of the available school fund under Section 5 of this Article.

The Chisum amendment was adopted without objection.

A record vote was requested.

The vote of the house was taken on **SJR 7** and the vote was announced yeas 102, nays 43.

A verification of the vote was requested and was granted.

The roll of those voting yea was again called and the verified vote resulted, as follows (Record 43): 102 Yeas, 43 Nays, 0 Present, not voting.

Yeas — Mr. Speaker(C); Alexander; Alonzo; Alvarado; Bailey; Berlanga; Black; Bomer; Bosse; Brimer; Cain; Chisum; Clemons; Coleman; Conley; Cook; Counts; Crabb; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Duncan; Dutton; Earley; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Granoff; Gray; Greenberg; Gutierrez; Hernandez; Hightower; Hilbert; Hilderbran; Hirschi; Hochberg; Holzheuser; Hunter, B.; Hunter, T.; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Kubiak; Lewis; Linebarger; Longoria; Martin; Maxey; McCoulskey; McDonald; Moreno; Munoz; Naishtat; Nieto; Oakley; Oliveira; Parra; Patterson; Place; Puente; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Solis; Stiles; Swinford; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Nays — Allen; Averitt; Blackwood; Brady; Campbell; Carona; Carter; Combs; Corte; Craddick; Culberson; Driver; Eckels; Goolsby; Grusendorf; Haggerty; Hamric; Harris; Hartnett; Heflin; Hill; Horn; Jackson; James; Krusee; Kuempel; Madden; Marchant; McCall; Moffat; Mowery; Ogden; Park; Pitts; Price; Rabuck; Shields; Siebert; Smith, A.; Smith, D.; Tallas; Talton; West.

Absent, Excused — Rudd; Smithee; Williamson.

Absent — Cavazos; Hudson.

By unanimous consent, the house dispensed with the verification of those voting nay.

The speaker stated that **SJR 7** was adopted by the above vote.

REASON FOR VOTE

My vote on **SJR 7** is cast with reluctance because recapturing no more than 2.75 percent of the sum of the state revenue appropriated for public schools may not solve the school finance problems with which Texas is faced.

Raymond

REASON FOR VOTES

My vote on **SJR 7** is with great reluctance because recapture should have no limit. My sense of responsibility to our schools and the school children of Texas has forced my support for **SJR 7**.

Gutierrez
Moreno
Rangel
Rodriguez

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Appropriations, 1:30 p.m. today, to consider public testimony.

Calendars, on adjournment today, speakers committee room.

Human Services, on adjournment today, Room E2.010, Capitol Extension.

ADJOURNMENT

Representative Edwards moved that the house adjourn until 11:50 a.m. today.

The motion prevailed without objection.

The house accordingly, at 11:49 a.m., adjourned until 11:50 a.m. today.

HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTEENTH DAY — THURSDAY, FEBRUARY 11, 1993

The house met at 11:50 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 44).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Granoff; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Absent, Excused — Rudd; Smithee; Williamson.

Absent — Cavazos; Hudson.

LEAVES OF ABSENCE GRANTED

On motion of Representative Edwards, 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 Edwards moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, **SB 130** and **SB 171**, which were considered on the previous legislative day.

The motion prevailed without objection.

SB 130 ON THIRD READING (Oliveira - House Sponsor)

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

SB 130, A bill to be entitled An Act relating to the establishment, operation, and funding of an employment training program; reducing the entry level and replenishment unemployment tax rates; imposing an assessment for employment training purposes.

The bill was read third time.

Representative Horn offered the following amendment to the bill:

Amend **SB 130** on third reading as follows:

On page 9, line 7 after "bargaining agreements" insert "of the employer applying for the grant".

Representative Duncan moved to table the Horn amendment.

The motion to table prevailed. (Horn recorded voting no.)

SB 130 was passed. (Horn recorded voting no; Hartnett, yes.)

REASON FOR VOTE

I voted yes for **SB 130** based on the understanding that open shop employers will be eligible to receive grants under this legislation regardless of any third party collective bargaining agreements.

Hartnett

SB 171 ON THIRD READING (Hightower - House Sponsor)

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

SB 171, A bill to be entitled An Act relating to the issuance of general obligation bonds for projects relating to state prisons and to an emergency appropriation to the Texas Department of Criminal Justice for the operation of state prisons and intermediate sanction facilities, discretionary grants, and payments to counties.

The bill was read third time.

Representative Junell offered the following amendment to the bill:

Amend **SB 171** on third reading by amending the Junell amendment as adopted on second reading to read as follows:

Amend **SB 171** by adding a new Section 3 to the bill to read as follows and by renumbering the existing Section 3 of the bill as Section 4:

SECTION 3. If at any time after the effective date of this Act and before May 31, 1993, the attorney general determines that the Texas Department of Criminal Justice is not required to make court-ordered payments for fines for which funds are appropriated to the department by Section 2(c)(4) of this Act, the attorney general shall notify the comptroller of public accounts of that fact. On notification by the attorney general: (1) the amount appropriated under Section 2(c) of this Act is reduced by \$18.6 million; (2) the appropriations from general revenue made to the Texas Department of Criminal Justice by **HB 1**, Acts of the 72nd Legislature, 1st Called Session, 1992, for item 4.b., security, is reduced by \$18.6 million; and (3) there is appropriated from the economic stabilization fund to the Texas Department of Criminal Justice, in addition to other amounts appropriated for this biennium, the sum of \$18.6 million for security.

The Junell amendment was adopted without objection.

Representative Coleman offered the following amendment to the bill:

Amend **SB 171** on third reading as follows:

(1) On page 1, line 16, strike "attempt" and substitute "make a good faith effort".

(2) On page 1, line 21, strike "attempt" and substitute "make a good faith effort".

The Coleman amendment was adopted without objection.

A record vote was requested.

SB 171, as amended, was passed by (Record 45): 136 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Coleman; Combs; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Driver; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Granoff; Gray; Greenberg; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Puente; Ransay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Willis; Wilson; Wolens; Yarbrough; Yost; Zbrank.

Nays — Conley; Denton; Price; Rabuck.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Rudd; Smithee; Williamson.

Absent — Berlanga; Cavazos; Duncan; Grusendorf; Hudson; Moreno.

On motion of Representative Hightower and by unanimous consent, the caption of **SB 171** was ordered amended to conform to the body of the bill.

The speaker stated that **SB 171** was passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas.

SCR 2 - ADOPTED
(Finnell - House Sponsor)

Representative Finnell moved to suspend all necessary rules to take up and consider at this time, **SCR 2**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

SCR 2, Granting the Texas YMCA Youth and Government Program permission to use the House Chamber of the State Capitol on February 25, 26, and 27 in 1993 and February 17, 18, and 19 in 1994.

The resolution was adopted without objection.

**PERMANENT OFFICERS
OF THE HOUSE OF REPRESENTATIVES**

The speaker recognized the reading clerk who announced the permanent officers for the House of Representatives of the Seventy-Third Legislature:

Chief Clerk	Betty Murray
Sergeant-at-Arms	Rod Welsh
Parliamentarian	Robert I. Kelly
Assistant Parliamentarian	Sharon Carter
Journal Clerk	Alice Finley
Reading Clerk	Christina Sepulveda
Reading Clerk	Chris Tiensch
Doorkeeper	Pete Peterson
Voting Machine Operator	Mike Fickel
Chaplain	Gerald Mann

RULES SUSPENDED

Representative Place moved to suspend the 5-day posting rule to allow the Committee on Criminal Jurisprudence to consider **HB 51**, **HB 82**, **HB 122**, **HB 197**, and **HB 773**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Safety, on adjournment today, Room E2.026, Capitol Extension, to consider **HB 27** and **HB 116**.

PROVIDING FOR ADJOURNMENT

Speaker Laney moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. Monday, February 15, in memory of Quentin Redinger.

The motion prevailed without objection.

HOUSE BILLS ON FIRST READING

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

By Saunders:

HB 751, A bill to be entitled An Act relating to special license plates relating to the armed forces.

To Committee on Transportation.

By Saunders:

HB 752, A bill to be entitled An Act relating to the adoption of a

nonsubstantive revision of the statutes relating to labor and employment, including conforming amendments, repeals, and penalties.

To Committee on State Affairs.

By Chisum:

HB 753, A bill to be entitled An Act relating to the duties of the district attorney for the 31st Judicial District.

To Committee on Judicial Affairs.

By Zbranek:

HB 754, A bill to be entitled An Act relating to the reservation of minerals by the state in sales of land dedicated to the permanent school fund.

To Committee on Energy Resources.

By Greenberg:

HB 755, A bill to be entitled An Act relating to restrictions on the sale of certain cleaning agents that contain phosphorus; providing a penalty.

To Committee on Environmental Regulation.

By McDonald:

HB 756, A bill to be entitled An Act relating to the regulation of the practice of professional nursing.

To Committee on Public Health.

By Goodman:

HB 757, A bill to be entitled An Act relating to the parties entitled to citation in a suit affecting the parent-child relationship.

To Committee on Judicial Affairs.

By Goodman, et al.:

HB 758, A bill to be entitled An Act relating to the accrual of interest on delinquent child support.

To Committee on Judicial Affairs.

By Goodman:

HB 759, A bill to be entitled An Act relating to the making of a record in a child support or access enforcement proceeding.

To Committee on Judicial Affairs.

By Goodman:

HB 760, A bill to be entitled An Act relating to the notice of a hearing in a case that may be referred to a master.

To Committee on Judicial Affairs.

By Hudson:

HB 761, A bill to be entitled An Act relating to restrictions on the issuance of permits for certain hazardous, chemical, or medical waste disposal facilities.

To Committee on Environmental Regulation.

By Bailey:

HB 762, A bill to be entitled An Act relating to the dismissal of certain school employees.

To Committee on Public Education.

By Bailey:

HB 763, A bill to be entitled An Act relating to the appraisal of public school teachers for career ladder purposes.

To Committee on Public Education.

By Maxey:

HB 764, A bill to be entitled An Act relating to average daily attendance in certain school districts.

To Committee on Public Education.

By Eckels:

HB 765, A bill to be entitled An Act relating to challenges for cause to jurors in a criminal case.

To Committee on Criminal Jurisprudence.

By Eckels:

HB 766, A bill to be entitled An Act relating to the punishment and sentencing of a defendant who uses a firearm during the commission of a felony or during immediate flight after the commission of the felony.

To Committee on Criminal Jurisprudence.

By Eckels:

HB 767, A bill to be entitled An Act relating to certain joint elections held by political subdivisions.

To Committee on Elections.

By Eckels:

HB 768, A bill to be entitled An Act relating to the right of redemption of real property sold at a tax sale.

To Committee on Ways and Means.

By Hochberg, Danburg, et al.:

HB 769, A bill to be entitled An Act relating to the consolidation of school districts.

To Committee on Public Education.

By Haggerty:

HB 770, A bill to be entitled An Act relating to the additional tax imposed on a change of use of agricultural land.

To Committee on Ways and Means.

By Naishtat, Junell, Schechter, et al.:

HB 771, A bill to be entitled An Act relating to treatment and care of persons with mental retardation.

To Committee on Public Health.

By Stiles:

HB 772, A bill to be entitled An Act relating to the disposition of abandoned or unclaimed property.

To Committee on Criminal Jurisprudence.

By Danburg:

HB 773, A bill to be entitled An Act relating to the creation of the offense of harassment, terroristic threat, and stalking, to conditions for release on bond

for that offense, and to conditions for probation, parole, or release on mandatory supervision for a person convicted of that offense.

To Committee on Criminal Jurisprudence.

By Culberson:

HB 774, A bill to be entitled An Act relating to the ability to recover damages for injuries to a convicted criminal arising from the commission of the offense.

To Committee on State Affairs.

By Oliveira:

HB 775, A bill to be entitled An Act relating to the organization and regulation of state savings banks; providing penalties.

To Committee on Investments and Banking.

By Goolsby:

HB 776, A bill to be entitled An Act relating to the student union building fees at The University of Texas at Dallas.

To Committee on Higher Education.

By McDonald, et al.:

HB 777, A bill to be entitled An Act relating to the management, coordination, supervision, and provision of public school health services.

To Committee on Public Education.

By Alexander, et al.:

HB 778, A bill to be entitled An Act relating to the disposition of interest received from investments of money in the funds and accounts in the charge of the state treasurer.

To Committee on Appropriations.

By H. Cuellar, Hilderbran, et al.:

HB 779, A bill to be entitled An Act relating to AFDC benefits for certain families.

To Committee on Human Services.

By Hilderbran, H. Cuellar, et al.:

HB 780, A bill to be entitled An Act relating to tuition and fee exemptions at public institutions of higher education for certain students.

To Committee on Higher Education.

By Erickson and Rabuck:

HB 781, A bill to be entitled An Act relating to the inspection of certain electronic products under the Texas Radiation Control Act.

To Committee on Public Health.

By Rabuck, Erickson, et al.:

HB 782, A bill to be entitled An Act relating to inventories of solid waste delivered to a county landfill for storage, processing, or disposal; providing a criminal penalty.

To Committee on Environmental Regulation.

By Counts:

HB 783, A bill to be entitled An Act relating to the powers and duties of the Automobile Theft Prevention Authority.

To Committee on State Affairs.

By Rabuck and Junell:

HB 784, A bill to be entitled An Act relating to notification to the legislature of proposed state agency rules.

To Committee on State Affairs.

By Uher:

HB 785, A bill to be entitled An Act relating to certain violations involving improper influence, lobbying, and political contributions in connection with the state lottery.

To Committee on Licensing and Administrative Procedures.

By Uher and Saunders,:

HB 786, A bill to be entitled An Act relating to the application of the professional prosecutors law to the district attorney for the 23rd Judicial District.

To Committee on Judicial Affairs.

By Junell:

HB 787, A bill to be entitled An Act relating to the purchase of certain service credit in the Employees Retirement System of Texas.

To Committee on Investments and Banking.

By Junell:

HB 788, A bill to be entitled An Act relating to venue for redistricting suits.

To Committee on Redistricting.

By J. Jones, et al.:

HB 789, A bill to be entitled An Act relating to the creation of the offense of improper storage of a firearm and the civil liability of a person who negligently stores a firearm.

To Committee on Public Safety.

By Hochberg:

HB 790, A bill to be entitled An Act relating to the date of the local canvass in a primary election.

To Committee on Elections.

By S. Thompson:

HB 791, A bill to be entitled An Act relating to the execution of wills and codicils to wills.

To Committee on Judicial Affairs.

By S. Thompson:

HB 792, A bill to be entitled An Act relating to the administration of a statewide plan for the collection of child support by the attorney general's office.

To Committee on Judicial Affairs.

By Goodman:

HB 793, A bill to be entitled An Act relating to persons who may bring an original suit affecting the parent-child relationship.

To Committee on Judicial Affairs.

By Goodman:

HB 794, A bill to be entitled An Act relating to the grounds for a modification of an order appointing a managing conservator of a child in certain circumstances.

To Committee on Judicial Affairs.

By Rodriguez:

HB 795, A bill to be entitled An Act relating to the contracting authority and procedures of certain hospital districts.

To Committee on County Affairs.

By Hilderbran:

HB 796, A bill to be entitled An Act relating to the interception of certain communications and the use of those communications as evidence; creating a defense to prosecution for unlawful use of certain interception devices.

To Committee on Criminal Jurisprudence.

By Martin:

HB 797, A bill to be entitled An Act relating to the assignment of certain judges and justices as visiting judges.

To Committee on Judicial Affairs.

By Gallego, et al.:

HB 798, A bill to be entitled An Act relating to sentencing procedures in capital felony cases for offenses committed before September 1, 1991, and to the reformation of a sentence or an award of a new trial in a capital felony case.

To Committee on Criminal Jurisprudence.

By Gallego:

HB 799, A bill to be entitled An Act relating to a permit requirement for the land application of sludge.

To Committee on Environmental Regulation.

By Gallego, et al.:

HB 800, A bill to be entitled An Act relating to school district use of a discriminatory athletic club for extracurricular activities.

To Committee on Public Education.

SENATE BILLS ON FIRST READING

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

SB 111 to Committee on Public Safety.

SB 120 to Committee on Public Health.

SB 127 to Committee on Investments and Banking.

SB 146 to Committee on Criminal Jurisprudence.

HOUSE JOINT RESOLUTIONS ON FIRST READING

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

By Hartnett and Hirschi:

HJR 52, A joint resolution proposing a constitutional amendment relating to the period for redemption of property sold for delinquent ad valorem taxes.
To Committee on Ways and Means.

By Junell:

HJR 53, A joint resolution proposing a constitutional amendment relating to legislative and other redistricting.
To Committee on Redistricting.

By Bomer:

HJR 54, A joint resolution proposing a constitutional amendment relating to garnishment of wages for court-ordered restitution in a criminal judgment.
To Committee on Criminal Jurisprudence.

RESOLUTIONS REFERRED TO COMMITTEES

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

SCR 3, Granting the Texas DeMolay Association permission to use the Senate Finance Committee Room in the Capitol Extension and the chamber of the house of representatives in the State Capitol on February 20 and 21, 1993, and February 26 and 27, 1994, for its legislative seminar.
To Committee on House Administration.

SCR 17, Declaring February 7 through 13, 1993, as Burn Awareness Week.
To Committee on Rules and Resolutions.

SCR 21, Paying tribute to the life of Iva Lee Graham.
To Committee on Rules and Resolutions.

By Wilson:

HR 233, Paying tribute to the life of Earl Podolnick.
To Committee on Rules and Resolutions.

By Hudson:

HR 234, Congratulating Melanie Marie Belt on her presentation as a Cotillion Idlewild Debutante.
To Committee on Rules and Resolutions.

By Hudson:

HR 235, Congratulating Edwina Nicole Mendenhall on her presentation as a Cotillion Idlewild Debutante.
To Committee on Rules and Resolutions.

By Hudson:

HR 236, Congratulating Jamila Aziza Roos on her presentation as a Cotillion Idlewild Debutante.
To Committee on Rules and Resolutions.

By Hudson:

HR 237, Congratulating Ursula Woods on her presentation as a Cotillion Idlewild Debutante.
To Committee on Rules and Resolutions.

By Hudson:

HR 238, Congratulating Latosha Herron on her presentation as a Cotillion Idlewild Debutante.

To Committee on Rules and Resolutions.

ADJOURNMENT

In accordance with a previous motion, the house, at 1:01 p.m., adjourned until 10 a.m. Monday, February 15.

