

HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FOURTH DAY (CONTINUED) -- THURSDAY, APRIL 1, 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 133).

Present -- Mr. Speaker; Alexander; Allen; Alonzo; 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; 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; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Lewis; Linebarger; Longoria; Madden; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Rudd; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Vowell; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Absent, Excused -- Alvarado; Davila; Hilderbran; Hunter, T.; Puente; Solis; Van de Putte.

Absent -- Greenberg; Hudson; Kuempel; Marchant; Smithee.

The invocation was offered by Ardene Wuthrich, pastor, Zion Lutheran Church, Fredericksburg, Texas.

LEAVES OF ABSENCE GRANTED

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

Van de Putte on motion of Hernandez.

T. Hunter on motion of Alexander.

Hilderbran on motion of McCall.

Solis on motion of Gutierrez.

Puente on motion of Martin.

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

Davila on motion of Gallegos.

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

Alvarado on motion of Alonzo.

CAPITOL PHYSICIAN

Speaker Laney presented Dr. Greg Muns of Rockwall, Texas, as the "Doctor for the Day."

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

SIGNED BY SPEAKER

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

HB 1013, SB 33, SB 90, HCR 5, HCR 7, HCR 12, HCR 38, HCR 54, HCR 63, HCR 64

HCM 90 - ADOPTED

Representative Chisum moved to suspend all necessary rules to take up and consider at this time, **HCM 90**.

The motion prevailed without objection.

The speaker laid before the house the following motion:

By Chisum:

HCM 90, Congratulating Jim Morris on the occasion of his retirement.

The motion was adopted without objection.

HR 483 - ADOPTED

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time, **HR 483**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Alonzo:

HR 483, Honoring Gilbert Aranza for his many achievements as a businessman.

The resolution was adopted without objection.

HR 484 - ADOPTED

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time, **HR 484**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Alonzo:

HR 484, Congratulating the Hispanic Association for Culture and Education on the occasion of its second annual Youth Educational Success Forum.

The resolution was adopted without objection.

HR 485 - ADOPTED

Representative Carter moved to suspend all necessary rules to take up and consider at this time, **HR 485**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Carter:

HR 485, Congratulating the City of Richland Hills on the grand opening of the Richland Hills Law Enforcement Center.

The resolution was adopted without objection.

SB 248 - ORDERED NOT PRINTED

Representative Earley moved to suspend Rule 12, Section 1(a)(1), of the house rules to not print the committee report on **SB 248**.

The motion prevailed without objection.

(Speaker pro tempore in the chair)

CONSENT BILLS CALENDAR ON SECOND READING

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

SB 135 (Gallegos - House Sponsor), A bill to be entitled An Act relating to commissions for honorably retired inspectors and representatives of the Texas Alcoholic Beverage Commission.

SB 267 (Rodriguez - House Sponsor), A bill to be entitled An Act relating to the certification of births and to birth certificates.

SB 22 (Giddings - House Sponsor), in lieu of **HB 232**, A bill to be entitled An Act relating to performance bonds required of county contractors.

Representative Giddings offered the following amendment to the bill:

Amend **SB 22** on page 1, line 10, by inserting the following after the period: "This subsection does not apply to a performance bond required to be furnished by Article 5160, Revised Statutes."

The Giddings amendment was adopted without objection.

HB 232 - LAID ON THE TABLE SUBJECT TO CALL

Representative Giddings moved to lay **HB 232** on the table subject to call.

The motion prevailed without objection.

HB 638, A bill to be entitled An Act relating to combining certain county election precincts.

Committee Amendment No. 1 was adopted without objection.

CSHB 872, A bill to be entitled An Act relating to child care for public school students.

CSHB 895, A bill to be entitled An Act relating to the registration and exemption from the sales and use tax of certain vehicles owned or leased by certain emergency medical services providers.

HB 910, A bill to be entitled An Act relating to designation of a portion of Farm-to-Market Road 1765 in Galveston County as the Martin Luther King, Jr., Memorial Highway.

(Kuempel now present)

HB 1077, A bill to be entitled An Act relating to the use of corporate revenue of certain industrial development corporations for promotional purposes. (Corte, Heflin and Horn - no)

HB 1095 was withdrawn.

HB 1146, A bill to be entitled An Act relating to statistical reporting by aquatic products dealers.

HB 1149, A bill to be entitled An Act relating to title to real estate interests and real property interests transferred by a receiver or conservator of a failed depository institution.

Representative Uher offered the following amendment to the bill:

Amend **HB 1149** by Uher in the following manner:

- 1) On page 1, line 16, delete "party", and in its place insert "person".
- 2) On page 2, line 1, after "record owner or" insert "of the affidavit memorandum, or agreement".

The Uher amendment was adopted without objection.

HB 1180, A bill to be entitled An Act relating to assignment and docketing of civil cases in the 49th District Court.

Representative Puente offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend **HB 1180** as follows:

- (1) On page 1, line 9, between "civil" and "case" insert "and criminal".
- (2) On page 1, line 15 by striking "criminal case and" and inserting "~~criminal case and~~".

Committee Amendment No. 1 was adopted without objection.

HB 1302, A bill to be entitled An Act relating to the authority of the Texas Agricultural Finance Authority to issue bonds.

HB 1320, A bill to be entitled An Act relating to the authority of the State Seed and Plant Board to hold board meetings telephonically.

HB 1476, A bill to be entitled An Act relating to administration of retirement systems supervised by the fire fighters' pension commissioner.

Representative Romo offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend **HB 1476** as follows:

In SECTION 12 of the bill, strike added Subsection (h) of Section 28, Texas Local Fire Fighters Retirement Act (page 9, lines 2-3) and substitute the following:

(h) A retirement system established under this Act is exempt from Subchapter C, Chapter 802, Government Code, except Sections 802.205 and 802.207.

Committee Amendment No. 1 was adopted without objection.

HB 1703, A bill to be entitled An Act relating to the contracting authority of the Midland County Hospital District.

RESOLUTIONS CALENDAR

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

By Black:

HCR 101, Authorizing the lieutenant governor and speaker of the house of representatives to create by mutual agreement such joint committees as they consider necessary during the term of this legislature.

The resolution was adopted without objection.

By Edwards:

HR 405, Granting the Legislative Black Caucus permission to use the House Chamber on May 8, 1993.

The resolution was adopted without objection.

By Hochberg:

HR 410, Granting the Bluebonnet Girls State Program permission to use the house chamber on June 20 and June 21, 1993.

The resolution was adopted without objection.

SENATE BILL ON FIRST READING

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

SB 1313 to Committee on Transportation.

ADJOURNMENT

Representative Culberson moved that the house adjourn until 11 a.m.

The motion prevailed without objection.

The house accordingly, at 10:56 a.m., adjourned until 11 a.m.

HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FIFTH DAY — THURSDAY, APRIL 1, 1993

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

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

Present — Mr. Speaker; Alexander; Allen; Alonzo; 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; 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; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Rudd; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Vowell; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Absent, Excused — Alvarado; Davila; Hilderbran; Hunter, T.; Puente; Smithee; Solis; Van de Putte.

Absent — Hudson; Moffat.

LEAVES OF ABSENCE GRANTED

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

The motion prevailed without objection.

MESSAGE FROM THE SENATE

Austin, Texas, April 1, 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:

SB 177 by Parker, relating to tuition charged certain resident students. . . .

SB 254 by Turner, et al., relating to representation of students on governing boards. . . .

SB 400 by Harris of Tarrant, relating to regulation of debt collectors.

SB 593 by Turner, relating to participation and credit in . . . the Texas Municipal Retirement System.

SB 615 by Rosson, relating to a recreational facility fee. . . .

SB 680 by Henderson, relating to allowing a limited partnership to operate as a common carrier. . . .

SB 681 by Barrientos, relating to employees of certain state schools.

SB 832 by Zaffirini, relating to a recreational facility fee. . . .

SB 931 by Sibley, relating to conveyance of certain real property. . . .

SB 1196 by Carriker, relating to certain expenditures. . . .

SB 1271 by Montford, relating to establishment of an intercept program. . . .

HB 744 by Telford, relating to a contract to provide a justice center on the state line. (amended)

Respectfully,

Betty King

Secretary of the Senate

CONSENT BILL CALENDAR ON THIRD READING

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

SB 267

SB 22

HB 790

HB 1596

HB 32 (Heflin and Horn - no)

HB 84

HB 198

HB 365

HB 367

HB 600

HB 781

HB 872

HB 895

HB 910

HB 1077 (Corte, Heflin, and Horn - no)

HB 1146

HB 1180

HB 1302

HB 1476

The following bills which were considered on second reading on the previous legislative day on the consent bills calendar were laid before the house, read third time, and passed by (Record 135): (Members registering votes and the results of the vote are shown following bill number) 133 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Averitt; Bailey; Black; Blackwood; Bomer; Brady; Brimer; Cain; Campbell; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; 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; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Rudd; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Vowell; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

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

Absent, Excused — Alvarado; Davila; Hilderbran; Hunter, T.; Puente; Smithee; Solis; Van de Putte.

Absent — Berlanga; Bosse; Carona; Haggerty; Hudson; Moffat.

SB 135 (133-0-2)

HB 638 (133-0-2)

HB 132 (133-0-2)

HB 241 (133-0-2)

HB 1149 (133-0-2)

HB 1320 (133-0-2)

HB 1703 (133-0-2)

On motion of Representative Rodriguez and by unanimous consent, the captions of all senate bills passed on the consent calendar were ordered amended to conform to the bodies of the bills.

HOUSE BILLS ON FIRST READING

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

By Puente:

HB 2823, A bill to be entitled An Act relating to the liability of certain persons for the conduct of a child.

To Committee on State Affairs.

By Zbranek:

HB 2824, A bill to be entitled An Act relating to the creation, administration, powers, and authority of the Chambers County Improvement District No. 1; granting the authority to issue bonds.

To Committee on Natural Resources.

SENATE BILLS ON FIRST READING

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

SB 16 to Committee on Urban Affairs.

SB 128 to Committee on State Affairs.

SB 160 to Committee on Public Health.

SB 286 to Committee on Public Health.

SB 297 to Committee on Public Education.

SB 368 to Committee on Public Health.

SB 404 to Committee on Investments and Banking.

SB 487 to Committee on International and Cultural Relations.

SB 529 to Committee on Investments and Banking.

SB 609 to Committee on Environmental Regulation.

SB 654 to Committee on Public Education.

SB 670 to Committee on County Affairs.

SB 736 to Committee on Investments and Banking.

SB 780 to Committee on Appropriations.

SB 834 to Committee on Public Health.

SB 857 to Committee on Judicial Affairs.

RESOLUTIONS REFERRED TO COMMITTEES

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

SCR 1, Urging the electronic benefit transfer project under the guidance of the citizens task force and the various cooperating state agencies, to set 1995 as the goal for the statewide implementation of the electronic benefit transfer system.

To Committee on Human Services.

By S. Thompson, H. Cuellar, Edwards, and Rangel:

HR 477, Allowing the at-large election system for the state district courts in the nine affected counties to be replaced by a phased-in plan.

To Committee on Judicial Affairs.

By B. Hunter:

HR 478, Honoring Judy Berry for being named Teacher of the Year by the Texas Association of Literacy and Adult Education.

To Committee on Rules and Resolutions.

By Coleman:

HR 482, Honoring the La family of Houston for its extraordinary achievements.

To Committee on Rules and Resolutions.

(Speaker in the chair)

HB 2827 - PERMISSION TO INTRODUCE

Representative McDonald moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 2827**.

The motion prevailed without objection.

HB 744 WITH SENATE AMENDMENT

Representative Telford called up with a senate amendment for consideration at this time,

HB 744, A bill to be entitled An Act relating to a contract to provide a justice center on the state line.

Representative Telford moved to suspend all necessary rules and concur in the senate amendment to **HB 744**.

A record vote was requested.

The motion prevailed by (Record 136): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Averitt; Bailey; 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; 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; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria;

Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Rudd; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Vowell; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Davila; Hilderbran; Hunter, T.; Puente; Smithee; Solis; Van de Putte.

Absent — Berlanga; Hudson; Moffat.

HB 744 - TEXT OF SENATE AMENDMENT

Amend **HB 744** by amending the caption to read as follows:

"relating to a contract to provide that a justice center on the state line contain a jail annex for which the county in this state and the county in the other state are jointly responsible."

LEAVE OF ABSENCE GRANTED

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

Moffat on motion of Uher.

HR 463 - ADOPTED

Representative Davis moved to suspend all necessary rules to take up and consider at this time, **HR 463**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Davis:

HR 463, Honoring all the participants in the Ms. Texas Senior America Pageant.

The resolution was adopted without objection.

SB 81 ON THIRD READING

(Junell - House Sponsor)

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

SB 81, A bill to be entitled An Act relating to contributions to and benefits provided by certain statewide retirement systems.

The bill was read third time.

Representative Junell offered the following amendment to the bill:

Amend **SB 81** on third reading by striking Amendment No. 1 adopted on second reading.

The Junell amendment was adopted without objection.

A record vote was requested.

SB 81, as amended, was passed by (Record 137): 131 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Davila; Hilderbran; Hunter, T.; Moffat; Puente; Smithee; Solis; Van de Putte.

Absent — Bomer; Campbell; Giddings; Hudson; Lewis; Saunders; Schechter; Williamson.

On motion of Representative McDonald and by unanimous consent, the caption of **SB 81** was ordered amended to conform to the body of the bill.

SB 266 ON THIRD READING
(McDonald - House Sponsor)

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

SB 266, A bill to be entitled An Act relating to mandatory immunizations and to the provision of those immunizations.

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

On motion of Representative McDonald and by unanimous consent, the caption of **SB 266** was ordered amended to conform to the body of the bill.

SB 468 ON SECOND READING
(West - House Sponsor)

The speaker laid before the house, in lieu of **CSHB 843**, on its second reading and passage to third reading,

SB 468, A bill to be entitled An Act relating to the regulation of the transportation of carbon dioxide.

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

CSHB 843 - LAID ON THE TABLE SUBJECT TO CALL

Representative West moved to lay **CSHB 843** on the table subject to call.
The motion prevailed without objection.

HB 752 ON THIRD READING

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

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.

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

HB 22 ON THIRD READING

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

HB 22, A bill to be entitled An Act relating to the creation and duties of a crime control and prevention district.

The bill was read third time.

Representative Allen offered the following amendment to the bill:

Amend **HB 22**, Second Reading Engrossment, by striking SECTION 2 of the bill and substituting the following:

SECTION 2. The Crime Control and Prevention District Act (Article 2370c-4, Vernon's Texas Civil Statutes) is amended by adding Section 1.05A to read as follows:

Sec. 1.05A. CREATION OF DISTRICT BY CERTAIN MUNICIPALITIES. A municipality that is partially or wholly located in a county with a population of more than 1.5 million may create a crime control district in its jurisdiction in the same manner as a county under this Act. A crime control district created by a municipality under this section has the same relationship with the municipality as a crime control district created by the county under this Act has with the county. A municipality creating a district under this section shall pay the entire cost of creating the district but may be reimbursed for its costs under Section 3.10(d) of this Act.

The Allen amendment was adopted without objection.

A record vote was requested.

HB 22, as amended, was passed by (Record 138): 129 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; 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; Hernandez; Hightower; Hilbert; Hill; Hirschi; Hochberg; Holzheuser; Hunter, B.; Jackson;

James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Rabuck; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Smith, A.; Smith, D.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, S.; Uher; Vowell; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Nays — Corte; Heflin; Horn; Siebert.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Davila; Hilderbran; Hunter, T.; Moffat; Puente; Smithee; Solis; Van de Putte.

Absent — Blackwood; Bomer; Hudson; Ramsay; Rudd; Turner, B.

HB 475 ON THIRD READING

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

HB 475, A bill to be entitled An Act relating to the selection of a guardian by a minor.

The bill was read third time and was passed.

HB 810 ON THIRD READING

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

HB 810, A bill to be entitled An Act relating to removing the Texas Youth Commission from the list of health and human services agencies.

The bill was read third time and was passed.

HB 1209 ON THIRD READING

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

HB 1209, A bill to be entitled An Act relating to components of net income used in establishing rates of a gas utility.

The bill was read third time and was passed. (Bailey, Davis, Finnell, and Kubiak recorded voting no.)

HB 1173 ON THIRD READING

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

HB 1173, A bill to be entitled An Act relating to venue for trust company liquidations and exemptions for trust companies from certain provisions of the state banking code.

The bill was read third time and was passed.

HB 1021 ON THIRD READING

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

HB 1021, A bill to be entitled An Act relating to application to the Texas Water Commission for a waste discharge permit.

The bill was read third time and was passed.

HB 933 ON THIRD READING

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

HB 933, A bill to be entitled An Act relating to the regulation of the practice of dentistry.

A record vote was requested.

The bill was read third time and was passed by (Record 139): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Averitt; Bailey; 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; 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; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hunter, B.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Vowell; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Davila; Hilderbran; Hunter, T.; Moffat; Puente; Smithee; Solis; Van de Putte.

Absent — Berlanga; Hudson; Rudd.

HB 696 ON THIRD READING

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

HB 696, A bill to be entitled An Act relating to depositories for municipal funds.

The bill was read third time and was passed.

HB 1084 ON THIRD READING

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

HB 1084, A bill to be entitled An Act relating to the offense of overtaking and passing a school bus; providing a penalty.

The bill was read third time.

Representative Denton moved to postpone consideration of **HB 1084** until the end of the calendar today.

The motion prevailed without objection.

HB 800 ON THIRD READING

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

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

The bill was read third time.

Representative Eckels offered the following amendment to the bill:

Amend **HB 800** as follows:

On line 11 after "athletic club" insert "located in the United States"

The Eckels amendment was adopted without objection.

HB 800, as amended, was passed. (Horn and Heflin recorded voting no.)

HB 324 ON THIRD READING

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

HB 324, A bill to be entitled An Act relating to the removal procedure applying to county officers.

The bill was read third time and was passed.

HB 887 ON THIRD READING

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

HB 887, A bill to be entitled An Act relating to witness fees, privileges, and appearances in court.

The bill was read third time and was passed.

HB 1084 ON THIRD READING

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

HB 1084, A bill to be entitled An Act relating to the offense of overtaking and passing a school bus; providing a penalty.

HB 1084 was read third time earlier today, and was postponed until this time.

Representative Chisum offered the following amendment to the bill:

Amend **HB 1084**, second reading, engrossment as follows:

Page 2, line 2, strike "a Class C misdemeanor" and substitute "is punishable by a fine of not less than \$200 and not more than \$1500."

Page 2, line 10, strike all of subsection (e) on lines 10 and 11.

The Chisum amendment was adopted without objection.

Representative De La Garza offered the following amendment to the bill:

Amend **HB 1084** on third reading on page 2, between lines 9 and 10, by inserting the following:

(e) In lieu of imposing a fine on a conviction under this section, the court may order the person to perform community service. The court shall set the number of hours of service under this subsection.

The De La Garza amendment was adopted without objection.

HB 1084, as amended, was passed.

INTRODUCTION OF GUESTS

The speaker recognized Representative H. Cuellar, who introduced Richard Morales, outstanding high school senior from St. Augustine High School; and his parents, Richard and Lula Morales.

HR 489 - ADOPTED

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time, **HR 489**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Alonzo:

HR 489, Honoring Lamar Elementary School on the occasion of its Parents' Day Seminar.

The resolution was adopted without objection.

RULES SUSPENDED

Representative Counts moved to suspend the 48-hour subcommittee report rule to allow the Committee on Insurance to consider **HB 889**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Corrections, on adjournment today, Desk 45, to consider **SB 1069**.

Local and Consent Calendars, on adjournment today, Desk 81, to consider **HB 937**, **HB 1095**, and **SB 249**.

Higher Education, on adjournment today, Desk 89, to consider pending business and subcommittee reports.

Ways and Means, on adjournment today, Desk 58, to consider **HB 737**.

Public Safety, Subcommittee on **HB 1155**, on adjournment today, Desk 81, to consider **HB 1155**.

Insurance, Subcommittee on **HB 889**, on adjournment today, Desk 9, to consider **HB 889**.

Transportation, on adjournment today, Desk 74, to consider **HB 493**, **SB 348**, and **SB 1313**.

Agriculture and Wildlife Management, on adjournment today, Desk 17, to consider **HB 1309**.

Licensing and Administrative Procedures, on adjournment today, Desk 66.

County Affairs, Subcommittee on Smoking Bans, on adjournment today, Desk 75, to consider **HB 1127**.

Environmental Regulation, Subcommittee on **HB 130**, on adjournment today, Desk 12, to consider **HB 130**.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Stiles moved to suspend all necessary rules to allow committees and subcommittees to meet today while the house is in session.

The motion prevailed without objection.

PROVIDING FOR ADJOURNMENT

Representative Black moved that, at the conclusion of the signing of bills, the house adjourn until 10 a.m. Monday, April 5.

The motion prevailed without objection.

SIGNED BY SPEAKER

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

HB 744

ADJOURNMENT

In accordance with a previous motion, the house, at 12:05 p.m., adjourned until 10 a.m. Monday, April 5.

