

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-FOURTH DAY (CONTINUED) — FRIDAY, MAY 16, 1997

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 446).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

The invocation was offered by Bubba Stahl, pastor, First Baptist Church, Boerne, as follows:

Heavenly Father, we praise you, for you are worthy of all praise and adoration. We thank you for the privilege of being able to pray and to love and to be here today serving in our various responsibilities. We recognize our responsibilities as a great stewardship from you, and what we do, we do for others and for you.

Lord, we need wisdom. Everyday and every minute of the day, we need wisdom from you. Give these men and women your wisdom. Give them and us an eye for those who have been beat up and left on the side of the roads of life, the needy who are our neighbors. We are our brother's keepers. Give us compassionate hearts.

Oh God of all creation, create in us a clean heart and a right spirit. Give these leaders a spirit of cooperation, conviction, and compromise, with the insight to know what things can and must change and those absolutes that must never change. Give them and us courage, Lord, in making right decisions, and in carrying them out the right way.

And now, oh Keeper of Israel who is able to keep us from stumbling, and to present us faultless before the presence of your glory with exceeding joy, to God our Savior, who alone is wise, be glory and majesty, dominion and

power, both now and forever, his name is Jesus, the name above every name, and in whose name we pray. Amen.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 57).

CAPITOL PHYSICIAN

The speaker recognized Representative Roman who presented Dr. Haywood J. Robinson of Bryan as the "Doctor for the Day."

The house welcomed Dr. Robinson and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

HCR 265 - ADOPTED (by Uher, et al.)

Representative Uher moved to suspend all necessary rules to take up and consider at this time **HCR 265**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 265, Recognizing the Texas Czech Heritage and Cultural Center.

HCR 265 was read and was adopted without objection.

On motion of Representatives Janek, Kubiak, and Cook, the names of all the members of the house were added to **HCR 265** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Uher, who introduced a group from the Texas Czech Heritage and Cultural Center.

HR 973 - ADOPTED (by Clark)

Representative Clark moved to suspend all necessary rules to take up and consider at this time **HR 973**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 973, Recognizing the incorporation of the town of Bethel.

HR 973 was adopted without objection.

HR 974 - ADOPTED (by Clark)

Representative Clark moved to suspend all necessary rules to take up and consider at this time **HR 974**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 974, Congratulating the S&S High School current events team on winning the state championship.

HR 974 was adopted without objection.

HR 888 - ADOPTED
(by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 888**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 888, Congratulating the students at Jamison Middle School who participated in the Elementary Knowledge Master Open.

HR 888 was read and was adopted without objection.

On motion of Representative Pitts, the names of all the members of the house were added to **HR 888** as signers thereof.

HR 870 - ADOPTED
(by Howard)

Representative Howard moved to suspend all necessary rules to take up and consider at this time **HR 870**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 870, Congratulating Matthew and Melissa Morris on the occasion of their first wedding anniversary.

HR 870 was adopted without objection.

On motion of Representative Roman, the names of all the members of the house were added to **HR 870** as signers thereof.

LEAVE OF ABSENCE GRANTED

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

Oliveira on motion of Solis.

INTRODUCTION OF GUESTS

The speaker recognized Representative Edwards, who introduced Ramsay H. Gillman and his family.

Mr. Gillman addressed the house briefly.

HCR 244, commending Ramsay H. Gillman for his achievements in the automotive industry, having been previously adopted, was read.

HCR 256 - ADOPTED
(by Staples)

Representative Staples moved to suspend all necessary rules to take up and consider at this time **HCR 256**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 256, Designating Hearne the Sunflower Capital of Texas.

HCR 256 was adopted without objection.

HR 846 - ADOPTED
(by Hunter, Counts, B. Turner, and Keffer)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 846**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 846, Honoring the Chisholm Trail Council of the Boy Scouts of America for 75 years of service to the youth of the Big Country.

HR 846 was adopted without objection.

(Speaker pro tempore in the chair)

HR 970 - ADOPTED
(by Gray and Eiland)

Representative Gray moved to suspend all necessary rules to take up and consider at this time **HR 970**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

HR 970, Honoring Walter Hall on the occasion of his 90th birthday.

HR 970 was adopted without objection.

HR 880 - ADOPTED
(by Keffer)

Representative Keffer moved to suspend all necessary rules to take up and consider at this time **HR 880**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

HR 880, Commemorating the grand opening of the Ruth Terry Denney Library-Research Center in Ranger.

HR 880 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The chair recognized Representative Keffer, who introduced members of Ruth Terry Denney's family: Jack Terry, her nephew; his wife, Eden; and Ruth

Terry Denney's grand-nephew Jack III. Members of the Ranger Historical Preservation Society and a group from the Ruth Terry Denney Library-Research Center were also introduced.

HCR 270 - ADOPTED
(by Goodman)

Representative Goodman moved to suspend all necessary rules to take up and consider at this time **HCR 270**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

HCR 270

WHEREAS, **HB 1826** has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 75th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct **HB 1826** by striking Section 39 of the bill and renumbering subsequent sections of the bill accordingly.

HCR 270 was adopted without objection.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 27).

CONGRATULATORY AND MEMORIAL CALENDAR

The chair laid before the house the following memorial resolutions:

HCR 242 (by Counts), In memory of Glenn Hopkins.

SCR 79 (Averitt - House Sponsor), In memory of Dr. Marion Zetzman.

HR 691 was withdrawn.

HR 709 (by Solis, et al.), In memory of Rutilio R. "Rudy" Garza, Jr.

HR 762 (by Uher), In memory of Roger D. Wilson.

HR 809 (by Counts), In memory of Forrest Neil Perdue.

HR 810 was withdrawn.

HR 836 (by Place), In memory of Kurtis Gerdel.

The resolutions were unanimously adopted by a rising vote.

The chair laid before the house the following congratulatory resolutions:

HCR 230 (by Craddick), Commemorating the 100th anniversary of the dedication of Saint Ann's Catholic Church in Midland.

HCR 231 (by Van de Putte), Designating May 1997 as Older Americans Month.

HCR 232 (by Van de Putte), Designating May 8, 1997, Clinical Nutrition Day in Texas.

HCR 235 (by G. Lewis), Honoring the Texas Association of African American Chambers of Commerce and declaring May 5-9, 1997, as Chamber of Commerce Week in Texas.

HCR 236 (by Oliveira), Honoring Judge Jodie E. Stavinoha.

HCR 240 (by Davis and Goolsby), Honoring E. James Bowles for his many years of service with the American Association of Retired Persons.

HCR 241 (by Davis), Honoring Leo L. Baker for his service to senior citizens.

SCR 80 (Alexander - House Sponsor), Recognizing the exceptional accomplishments of the Texas Highway Department and Texas Department of Transportation.

SCR 82 (Tillery and E. Reyna - House Sponsors), Commending the Honorable Cathye Ray.

SCR 83 (Farrar - House Sponsor), Designating May 8, 1997, Clinical Nutrition Day in Texas.

SCR 84 (Olivo - House Sponsor), Honoring Judge Jodie E. Stavinoha.

SCR 86 (Rangel - House Sponsor), Commending Commissioner Kenneth H. Ashworth for his outstanding public service.

SCR 87 (Greenberg - House Sponsor), Commending the O. Henry Museum for its Opportunity-For-Youth Writing Clubs for Austin's inner-city youth.

HR 756 (by Delisi), Honoring Joe M. Pirtle on the occasion of his retirement from the Belton Independent School District.

HR 757 (by Tillery), Honoring Dixie Parris for her many years of service as an educator and administrator.

HR 761 (by Uher), Congratulating Sugar Land's Tara Lipinski on winning the 1997 World Figure Skating Championship.

HR 765 (by McClendon), Congratulating Patricia Stout on being inducted into the San Antonio Women's Hall of Fame.

HR 766 (by McClendon), Honoring Dr. Sandra Mayo for her induction into the San Antonio Women's Hall of Fame.

HR 767 (by McClendon), Congratulating Harriet O'Banion Kelley on her induction into the San Antonio Women's Hall of Fame.

HR 768 (by McClendon), Congratulating Luz Elena Day on her induction into the San Antonio Women's Hall of Fame.

HR 769 (by McClendon), Congratulating Barbie Hernandez on being inducted into the San Antonio Women's Hall of Fame.

HR 770 (by Hupp), Honoring Dale Dudley.

HR 773 (by Solis and Raymond), Honoring Joe Lopez for his artistic achievements and denouncing the Ernest and Julio Gallo Winery's lawsuit against him.

HR 778 (by Williams), Congratulating Roman and Lillian Arnoldy on the occasion of their 50th wedding anniversary.

HR 782 (by Kubiak), Congratulating John and Bonnie Mitchell on the occasion of their 60th wedding anniversary.

HR 786 (by Davis), Commemorating the grand opening of the Dallas Children's Advocacy Center.

HR 790 (by Oakley), Honoring Major James O. Ratliff.

HR 793 (by Holzheuser), Commemorating the 100th anniversary of St. Paul's Lutheran Church of Nordheim.

HR 795 was withdrawn.

HR 797 (by McClendon), Honoring the Reverend Jerry Dailey on his 11th anniversary as pastor of Macedonia Baptist Church.

HR 802 (by G. Lewis), Honoring the Southwest Metroplex Alliance and recognizing May 5-9, 1997, as Chamber of Commerce Week in Texas.

HR 806 (by Kubiak), Honoring the Brazos County Precinct 4 Fire Department.

HR 807 (by Kubiak), Honoring Buddy R. Dulin on his retirement as superintendent of the Cameron Independent School District.

HR 815 (by G. Lewis), Honoring the Women's Division of the Fort Worth Metropolitan Black Chamber of Commerce and recognizing May 5-9, 1997, as Chamber of Commerce Week in Texas.

HR 816 (by G. Lewis), Honoring the Everman Chamber of Commerce and recognizing May 5-9, 1997, as Chamber of Commerce Week in Texas.

HR 819 (by Clark), Honoring Johnny and Kathryn Watson on the occasion of their 50th wedding anniversary.

The resolutions were adopted without objection.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
LOCAL CALENDAR
SECOND READING

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

CSHB 2607 (by Ramsay), A bill to be entitled An Act relating to the juvenile board of Red River County.

HB 3605 (by Counts), A bill to be entitled An Act relating to the assignment of the judge of the County Court at Law of Nolan County.

HB 3608 was withdrawn.

**CONSENT CALENDAR
SECOND READING**

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

CSHB 328 (by Kamel), A bill to be entitled An Act relating to an exemption to the licensing requirements for irrigators.

HB 464 (by Zbranek), A bill to be entitled An Act relating to certain information that must be disclosed in political advertising.

HB 1153 (by Wise), A bill to be entitled An Act relating to the powers and duties of the missing children and missing persons information clearinghouse. (Finnell, Heflin, Horn, and Talton recorded voting no)

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Oakley, Representative Wise offered the following committee amendment to **HB 1153**:

Amend **HB 1153** as follows:

On page 1, line 7, insert "if money is appropriated for that purpose", between "shall", and ":".

Amendment No. 1 was adopted without objection.

Amendment No. 2

On behalf of Representative Carter, Representative Wise offered the following amendment to **HB 1153**:

Amend **HB 1153** by deleting Section 2 in its entirety and renumbering Section 3 as Section 2.

Amendment No. 2 was adopted without objection.

CSHB 1645 (by Goolsby), A bill to be entitled An Act relating to cancellation of the voter registrations of persons who are not United States citizens; providing a penalty.

HB 1749 (by Kuempel), A bill to be entitled An Act relating to the right of certain lessees of real property to protest before an appraisal review board a determination of the appraised value of the property for ad valorem tax purposes.

CSHB 1914 (by Wise), A bill to be entitled An Act relating to the powers and duties of the Children's Trust Fund of Texas Council.

LEAVE OF ABSENCE GRANTED

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

Moreno on motion of Rangel.

CONSENT CALENDAR
(consideration continued)

CSHB 1922 (by Hawley), A bill to be entitled An Act relating to cancelling or prohibiting the issuance of certain original or renewal alcoholic beverage permits or licenses for nonpayment of ad valorem taxes.

CSHB 2155 (by Solis), A bill to be entitled An Act relating to the enforcement of possession orders by the Title IV-D agency.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CONSENT CALENDAR
(consideration continued)

CSHB 2198 (by Wise, Stiles, Hightower, Craddick, Thompson, et al.), A bill to be entitled An Act relating to the issuance of Texas Commission on Alcohol and Drug Abuse license plates.

CSHB 2380 (by Siebert), A bill to be entitled An Act relating to the abolition of unnecessary governmental entities.

CSHB 2731 (by Howard), A bill to be entitled An Act relating to the creation of the First Colony Management District.

CSHB 2736 (by Uher), A bill to be entitled An Act relating to risk pools established by political subdivisions to provide liability coverage. (Keffer recorded voting no)

HB 2750 (by Hinojosa), A bill to be entitled An Act relating to certain municipal firefighters and police officers entitled to additional wages; providing a civil penalty. (Finnell, Hartnett, Heflin, Horn, Solomons, and Talton recorded voting no)

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Ehrhardt, Representative Hinojosa offered the following committee amendment to **HB 2750**:

Amend **HB 2750** as follows:

At page 2, line 3, between "officer" and "is" the following:

"designated as a bilingual interpreter".

At page 2, after line 13, insert a new subparagraph (1) of Sec. 141.053 and renumber the following subparagraphs as appropriate:

(1) The number of designated bilingual interpreters needed by the department;

On page 2, delete lines 18 through 24 and replace with the following:

Sec. 141.054. CIVIL PENALTY. A department that fails to compensate a firefighter or police officer entitled and qualified to receive additional wages under this subchapter and the departmental guidelines established under Sec. 141.053 is liable to the firefighter or police officer for damages in the amount of lost wages plus interest at the rate of 5% per annum.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Hinojosa offered the following amendment to **HB 2750**:

Amend **HB 2750** as follows:

(1) On page 2, line 3, between the period and "A", insert "A fire or police department may designate a firefighter or police officer as a bilingual interpreter.".

(2) On page 2, line 3, between "officer" and "is" insert "who is designated as a bilingual interpreter under this section".

(3) On page 2, line 12, strike "The" and substitute "A".

(4) On page 2, line 13, between "department" and "shall", insert "that designates a firefighter or police officer as a bilingual interpreter under Section 141.052".

Amendment No. 2 was adopted without objection.

CSHB 3157 (by Hilbert), A bill to be entitled An Act relating to excepting certain legislative documents from required disclosure under the open records law.

CSHB 3249 (by Hawley), A bill to be entitled An Act relating to school buses; providing a penalty.

HB 3609 (by Place), A bill to be entitled An Act relating to the boundaries, powers, administration, duties, finances, contracts, and terms of directors of the Upper Leon River Municipal Water District.

HB 3610 was withdrawn.

SB 66 (Burnam - House Sponsor), A bill to be entitled An Act relating to notice to the public and to public officials concerning activities affecting certain community corrections facilities.

SB 85 (Naishtat - House Sponsor), A bill to be entitled An Act relating to surrogate decision making.

SB 96 was previously passed.

SB 113 (Burnam - House Sponsor), A bill to be entitled An Act relating to the duty of the pardons and paroles division of the Texas Department of Criminal Justice to notify law enforcement of a prisoner's pending release or transfer to a halfway house.

SB 208 (Hirschi - House Sponsor), A bill to be entitled An Act relating to disclosure of certain information regarding certain patients of a physician.

SB 213 (Coleman, Naishtat, Cuellar, Alvarado, and Dukes - House Sponsors), A bill to be entitled An Act relating to the establishment of a child-care training center pilot program for certain recipients of public assistance. (Finnell, Horn, and Talton recorded voting no)

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Yarbrough, Representative Naishtat offered the following committee amendment to **SB 213**:

Amend **SB 213** as follows:

(1) On page 1, lines 7-13, strike subsection (a) and substitute the following:

(a) The commission shall establish four pilot programs in which the division shall certify day-care facilities licensed under Chapter 42, Human Resources Code, as training centers that offer training and certification for recipients of public assistance in basic skills, child care, child-care vendor entrepreneurial training, and early childhood education. The commission shall determine the pilot sites, with at least one site in an urban area and at least one site in a rural area.

(2) On page 2, line 11, amend as follows:

diploma or the equivalent, or enrollment in a program leading to a high school diploma or the equivalent;

Amendment No. 1 was adopted without objection.

Amendment No. 2

On behalf of Representative Coleman, Representative Naishtat offered the following amendment to **SB 213**:

Amend **SB 213** as follows:

On page 2, line 24, strike proposed Subsection 302.003(g)(1) and substitute a new Subsection as follows:

(1) complete the person's Child Development Associate national credential, Certified Child-Care Professional Credential or other child-care certification, as determined by the commission;

Amendment No. 2 was adopted without objection.

SB 262 (Counts and Naishtat - House Sponsors), A bill to be entitled An Act relating to employment in a nursing home or other facility serving the elderly or disabled.

CSSB 273 (Cuellar, Raymond, and Naishtat - House Sponsors), A bill to be entitled An Act relating to development of a statewide consumer guide for senior citizens.

SB 320 (Cook - House Sponsor), A bill to be entitled An Act relating to exempting officers and employees of political subdivisions of this state from certain interest payments in regard to unclaimed property claims.

SB 394 was previously passed.

SB 412 (Maxey - House Sponsor), A bill to be entitled An Act relating to maximizing federal reimbursement for certain foster care program costs.

SB 483 (Hartnett - House Sponsor), A bill to be entitled An Act relating to the salary of an official court reporter.

LEAVE OF ABSENCE GRANTED

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

Serna on motion of Chavez.

CONSENT CALENDAR
(consideration continued)

SB 566 (Chavez and Hunter - House Sponsors), A bill to be entitled An Act relating to requiring the Texas Department of Transportation to conduct a study on the highway transportation needs of the state because of increased international trade under the North American Free Trade Agreement.

Representative Chavez moved to postpone consideration of **SB 566** until the end of the calendar.

The motion prevailed without objection.

SB 605 (Pitts - House Sponsor), A bill to be entitled An Act relating to the movement of portable building units and compatible cargo over a state highway.

SB 620 (Hilbert - House Sponsor), A bill to be entitled An Act relating to durable powers of attorney.

SB 682 (Eiland - House Sponsor), A bill to be entitled An Act relating to advertisements for certain health benefit plans.

SB 703 (Cuellar - House Sponsor), A bill to be entitled An Act relating to the consolidation of the fiscal and program audit functions of the Texas Department of Criminal Justice.

CSSB 712 (Goodman and Naishtat - House Sponsors), A bill to be entitled An Act relating to certain duties regarding family law proceedings performed by clerks of the court and certain law enforcement officers and parties to the suit.

SB 725 (Puente - House Sponsor), A bill to be entitled An Act relating to the qualification of a personal care facility as a community home.

SB 773 was previously passed.

SB 874 (Coleman - House Sponsor), A bill to be entitled An Act relating to certain reimbursements of expenses for members of the Texas State Board of Examiners of Marriage and Family Therapists.

SB 909 (Maxey - House Sponsor), A bill to be entitled An Act relating to certain electronic benefits transfer accounts that are inactive.

SB 910 was withdrawn.

SB 970 (Puente, et al. - House Sponsors), A bill to be entitled An Act relating to certain district courts in Bexar County.

SB 975 (Van de Putte - House Sponsor), A bill to be entitled An Act relating to the disclosure of health care information by certain health care providers.

SB 993 was previously passed.

SB 1017 (Talton - House Sponsor), A bill to be entitled An Act relating to training for members of appraisal review boards and to the qualifications of the members of appraisal review boards.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Stiles, Representative Talton offered the following committee amendment to **SB 1017**:

Amend **SB 1017** as follows:

Strike Subsection (f) of Section 1 of the bill and substitute the following:

(f) The comptroller may not advise a property owner, a property owner's agent, an appraisal district, or an appraisal review board on a matter that the comptroller knows is the subject of a protest to the appraisal review board.

Amendment No. 1 was adopted without objection.

CSSB 1040 (Cuellar - House Sponsor), A bill to be entitled An Act relating to programs of institutions of higher education that address small business research and development.

SB 1057 (Berlanga - House Sponsor), A bill to be entitled An Act relating to the composition of and certain services operated by the Texas Department of Mental Health and Mental Retardation.

SB 1163 (Berlanga - House Sponsor), A bill to be entitled An Act relating to information and training about Medicaid managed care.

Amendment No. 1 (Committee Amendment No. 1)

Representative Berlanga offered the following committee amendment to **SB 1163**:

Amend **SB 1163** in SECTION 1 of the bill, in the added Section 32.043(a), Human Resources Code, after "(a)" (page 1, line 6, Senate Engrossment Printing), by striking "The" and substituting "Subject to the availability of funds, the".

Amendment No. 1 was adopted without objection.

Amendment No. 2

On behalf of Representative Puente, Representative Berlanga offered the following amendment to **SB 1163**:

Amend **SB 1163** by striking Sec. 32.043(e).

Amendment No. 2 was adopted without objection.

SB 1164 (Berlanga - House Sponsor), A bill to be entitled An Act relating to Medicaid managed care contract compliance.

Amendment No. 1 (Committee Amendment No. 1)

Representative Berlanga offered the following committee amendment to **SB 1164**:

Amend **SB 1164** in SECTION 1 of the bill, in the added Section 32.043(b)(2), Human Resources Code (page 2, line 2, Senate Engrossment), by striking "five" and substituting "ten".

Amendment No. 1 was adopted without objection.

Amendment No. 2 (Committee Amendment No. 2)

Representative Berlanga offered the following committee amendment to **SB 1164**:

Amend **SB 1164** by adding the following appropriately numbered section to the bill and renumbering existing sections of the bill appropriately:

SECTION _____. (a) As part of the routine monitoring responsibilities of the Health and Human Services Commission, the commission shall evaluate the STAR + PLUS Medicaid managed care long-term care pilot project, including:

(1) consumer, family, and provider satisfaction with the project;
(2) funding, regulatory, and statutory adjustments needed to improve the project; and

(3) the overall quality of care provided by the project compared to the quality of care provided by the traditional fee-for-service Medicaid long-term care program.

(b) Not later than January 1, 1999, the commission shall submit a report relating to the evaluation to the governor, lieutenant governor, the speaker of the house of representatives, the Senate Health and Human Services Committee, and the House Public Health Committee.

Amendment No. 2 was adopted without objection.

SB 1165 (Berlanga - House Sponsor), A bill to be entitled An Act relating to health care services under the state Medicaid program for children with special health care needs.

CSSB 1175 (Bosse - House Sponsor), A bill to be entitled An Act relating to recall elections to remove a member of the board of directors of a municipal utility district. (Corte, Galloway, Heflin, and Hupp recorded voting no)

SB 1177 (Hochberg - House Sponsor), A bill to be entitled An Act relating to the publication of the Texas Register.

SB 1273 (Carter - House Sponsor), A bill to be entitled An Act relating to the sale of alarm products or services and burglary detection devices.

SB 1284 was withdrawn.

SB 1290 (Marchant - House Sponsor), A bill to be entitled An Act relating to the authority of an insurance agent to sell insurance covering a vehicle that is security for a sale or lease contract.

SB 1310 (Janek - House Sponsor), A bill to be entitled An Act relating to historic structures, including the restoration and preservation of historic structures by municipalities.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Pitts, Representative Janek offered the following committee amendment to **SB 1310**:

Amend **SB 1310** as follows:

(1) On page 2, line 7 strike "with a population of more than 1.5 million".
(2) On page 2, between lines 7 and 8 insert a new subsection (7) to read as follows:

"(7) Nothing in this Chapter shall be construed as prohibiting or limiting operations at an airport or overflights by an aircraft; nor shall such operations or overflights be construed as adversely affecting historic structures or property."

Amendment No. 1 was adopted without objection.

SB 1313 was previously passed.

SB 1333 (Hunter - House Sponsor), A bill to be entitled An Act relating to reporting of representation before state agencies by state officers and employees.

SB 1334 (Hunter - House Sponsor), A bill to be entitled An Act relating to reporting concerning fundraising for governor for a day and speaker's reunion day ceremonies.

SB 1368 (Howard - House Sponsor), A bill to be entitled An Act relating to the enforcement of certain traffic laws by private institutions of higher education.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Oakley, Representative Howard offered the following committee amendment to **SB 1368**:

Amend **SB 1368**, in SECTION 1 of the bill, in proposed Section 600.003(c), Transportation Code (engrossed version, page 2, lines 14-15), by striking "on property of the institution" and substituting "only on the property of the institution that commissioned the campus security personnel under Section 51.212, Education Code".

Amendment No. 1 was adopted without objection.

Amendment No. 2 (Committee Amendment No. 2)

On behalf of Representative Oakley, Representative Howard offered the following committee amendment to **SB 1368**:

Amend **SB 1368** in SECTION 1 of the bill, in proposed Section 600.003, Transportation Code (engrossed version, page 2, between lines 19 and 20), by inserting the following subsection:

(e) The governing body of the municipality or the commissioners court of the county that approves the enforcement of traffic laws under Subsection (b) shall also determine the disposition of funds collected under this section from any fees or fines from the enforcement of a traffic law of this state.

Amendment No. 2 was adopted without objection.

SB 1385 (Clark - House Sponsor), A bill to be entitled An Act relating to the use of video conferencing technology by the office of the attorney general.

SB 1391 (R. Lewis - House Sponsor), A bill to be entitled An Act relating to establishing and maintaining a county road.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Alexander, Representative R. Lewis offered the following committee amendment to **SB 1391**:

SB 1391 is amended by adding a new Section 1 as follows and renumbering all following Sections appropriately.

SECTION 1. Subsection (a), Section 251.005, Transportation Code, is amended to read as follows:

(a) A county commissioner serving as a road supervisor shall make a sworn annual report during the ninth month of the fiscal year on a form approved by [~~to each regular term of~~] the commissioners court showing:

(1) the condition of each road or part of a road and of each culvert and bridge in the commissioner's precinct;

(2) the amount of money reasonably necessary for maintenance of [~~held by overseers available to be spent on~~] the roads in the precinct during the following fiscal year;

(3) the number of traffic control devices [~~mileposts and fingerboards~~] in the precinct defaced or torn down;

(4) any new road that should be opened in the precinct; and

(5) any bridges, culverts, or other improvements necessary to place the roads in the precinct in good condition, and the probable cost of the improvements[~~; and~~]

[~~(6) the name of each overseer who has failed to work on the roads or who in any way neglected to perform the overseer's duties~~].

Amendment No. 1 was adopted without objection.

SB 1517 (Davila - House Sponsor), A bill to be entitled An Act relating to the repeal of certain advisory committees of the Texas Department of Health.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Berlanga, Representative Davila offered the following committee amendment to **SB 1517**:

Amend **SB 1517** as follows:

(1) Strike SECTION 4 of the bill.

(2) Renumber subsequent sections appropriately.

Amendment No. 1 was adopted without objection.

SB 1544 (Place - House Sponsor), A bill to be entitled An Act relating to public access to certain personal information about employees of the Texas Department of Criminal Justice and certain law enforcement personnel.

CSSB 1568 (Van de Putte - House Sponsor), A bill to be entitled An Act relating to a retirement health trust for firefighters and police officers of certain municipalities.

SB 1574 (Van de Putte - House Sponsor), A bill to be entitled An Act relating to the health care provider network of the state Medicaid program health care delivery system.

SB 1609 (Staples - House Sponsor), A bill to be entitled An Act relating to the administration of the Uniform Act for out-of-state probationer and parolee supervision.

SB 1610 (Allen - House Sponsor), A bill to be entitled An Act relating to the county jail work release program and to participation by certain inmates of the Texas Department of Criminal Justice, with the approval of a sheriff, in that program.

CSSB 1622 (Isett and D. Jones - House Sponsors), A bill to be entitled An Act relating to the creation of the Lubbock Reese Redevelopment Authority.

Amendment No. 1

On behalf of Representative Puente, Representative D. Jones offered the following amendment to **CSSB 1622**:

Amend **CSSB 1622** by adding a new Section 2 to read as follows and renumber subsequent section as follows:

SECTION 2. Section 841.001, Government Code, is amended as follows:

(14) "Subdivision" means a county, a political unit that consists of all the geographical area of one county or of all or part of more than one county, a political unit of a county that has taxing authority, an authority created by the State of Texas to conduct redevelopment activities upon or related to closed military installations of the United States, a crime control and prevention district, the Texas Association of Counties, the Texas County and District Retirement System, or a city and county that jointly operate a city-county hospital under Subchapter B, Chapter 265, Health and Safety Code, but does not include an incorporated city or town, a school district, or a junior college district.

Amendment No. 1 was adopted without objection.

SB 1631 (Siebert - House Sponsor), A bill to be entitled An Act relating to the issuance of permits for the movement of oversize and overweight vehicles.

SB 1849 (Longoria - House Sponsor), A bill to be entitled An Act relating to the designating of a portion of United States Highway 281 in Bexar County as the Congressman Frank M. Tejada Memorial Highway.

RESOLUTIONS CALENDAR

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

HCR 151 (by Naishtat), Directing TDHS to take steps to expand community options for long-term care.

Amendment No. 1 (Committee Amendment No. 1)

Representative Naishtat offered the following committee amendment to **HCR 151**:

Amend **HCR 151** as follows:

1) Page 2, Line 16, between "TDHS" and "take" insert "and HHSC as appropriate,"

2) Page 2, Line 18 - 19, strike number 1) in its entirety and substitute "monitor expenditures by HHS agencies and to the extent possible transfer funds not needed by HHS agencies to fill the slots in the Community Based Alternatives program;"

3) Page 2, Line 22, after "care" strike "such that the program conforms to state and federal requirements of budget neutrality"

Amendment No. 1 was adopted without objection.

HCR 151, as amended, was adopted without objection.

SCR 57 (Carter - House Sponsor), Naming the Brachiosaur Sauropod, Pleurocoelus, the official Lone Star State Dinosaur.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Pitts, Representative Carter offered the following committee amendment to **SCR 57**:

Amend **SCR 57** as follows:

(1) On page 2, after line 24, insert the following:

BE IT FURTHER RESOLVED, That the 75th Legislature of the State of Texas hereby designates Glen Rose as the Dinosaur Capital of Texas in recognition of its historic tradition and legacy.

Representative Carter moved to table Amendment No. 1.

The motion to table prevailed.

Amendment No. 2

Representative Carter offered the following amendment to **SCR 57**:

Amend **SCR 57**, page 2 line 7 by adding after the word Pleurocoelus ", large quadrupedal sauropod"

Amendment No. 2 was adopted without objection.

SCR 57, as amended, was adopted without objection.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

**SB 566 - ON SECOND READING
(Chavez and Hunter - House Sponsors)**

SB 566, A bill to be entitled An Act relating to requiring the Texas Department of Transportation to conduct a study on the highway transportation needs of the state because of increased international trade under the North American Free Trade Agreement.

SB 566 was read second time on the consent calendar and was postponed until this time.

SB 566 was passed to third reading.

**HR 979 - ADOPTED
(by Hightower)**

Representative Hightower moved to suspend all necessary rules to take up and consider at this time **HR 979**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

HR 979, Honoring Texas Department of Criminal Justice personnel who helped to resolve the standoff at Fort Davis.

HR 979 was read and was adopted without objection.

On motion of Representatives Place and Gallego, the names of all the members of the house were added to **HR 979** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Hightower, who introduced Texas Department of Criminal Justice officers.

HR 837 - ADOPTED
(by Hernandez)

Representative Hernandez moved to suspend all necessary rules to take up and consider at this time **HR 837**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

HR 837, In memory of Virginia L. Garcia Pancake.

HR 837 was unanimously adopted by a rising vote.

HR 977 - ADOPTED
(by Greenberg)

Representative Greenberg moved to suspend all necessary rules to take up and consider at this time **HR 977**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

HR 977, Honoring employees of the Texas Real Estate Commission for their heroic efforts.

HR 977 was adopted without objection.

RULES SUSPENDED

Representative Wolens moved to suspend the 5-day posting rule to allow the Committee on State Affairs to consider **SB 965**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

State Affairs, on adjournment today, E2.010, Capitol Extension, to consider **SB 965**.

ADJOURNMENT

Speaker Laney moved that the house adjourn until 12:10 p.m. today.

The motion prevailed without objection.

The house accordingly, at 12:04 p.m., adjourned until 12:10 p.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 57

HB 1206, HB 1406, HB 1422, HB 1808, HB 1875, HB 1965, HB 1976, HB 2080, HB 2509, HB 2601, HB 2832, HB 3043, HB 3190, HB 3281,

HB 3456, HB 3457, HB 3507, HCR 16, HCR 40, HCR 66, HCR 73, HCR 74, HCR 84, HCR 195, HCR 197, HCR 200, HCR 201, HCR 253, HCR 263

Senate List No. 27

SB 94, SB 199, SB 231, SB 555, SB 657, SB 773, SB 781, SB 881, SB 1227, SB 1277, SB 1313, SB 1600, SB 1601, SB 1621, SB 1639

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 16, 1997

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 540 Serna SPONSOR: Shapleigh
Relating to educational programs offered to colonia residents by the Texas Department of Housing and Community Affairs.

HB 1200 Cuellar SPONSOR: Brown
Relating to the period of validity of and fees for a driver's license or personal identification certificate.
(COMMITTEE SUBSTITUTE/AMENDED)

HB 1203 Turner, Sylvester SPONSOR: Gallegos, Jr.
Relating to credit in, benefits from, and administration of certain municipal retirement systems for police officers.

HB 2179 Lewis, Ron SPONSOR: Galloway
Relating to competitive bidding in connection with certain contracts made by counties.

HB 2918 Place SPONSOR: Whitmire
Relating to the extension of a period of supervision under community supervision for a defendant charged with or convicted of certain sexual or sexually assaultive offenses, to the publication of notice under the sex offender registration program, and to the classification of inmates in the custody of the Texas Department of Criminal Justice on the basis of need for treatment.
(AMENDED)

HCR 244 Edwards SPONSOR: Brown
Commending Ramsay H. Gillman for his achievements in the automotive industry.

HCR 257 Holzheuser SPONSOR: Bivins
Instructing the enrolling clerk of the house to make technical corrections
to **HB 3490**.

Respectfully,

Betty King
Secretary of the Senate

Page 2662

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HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-FIFTH DAY — FRIDAY, MAY 16, 1997

The house met at 12:10 p.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 447).

Present — Mr. Speaker; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Alexander; Junell; Moreno; Oliveira; Serna.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today to attend a meeting of the conference committee on **HB 1**:

Junell on motion of R. Lewis.

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

Alexander on motion of R. Lewis.

On motion of Representative Carter 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 Carter 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, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed without objection.

MOTION FOR ONE RECORD VOTE

On motion of Representative Carter and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

**LOCAL CALENDAR
CONSENT CALENDAR
THIRD READING**

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

HB 2607**HB 3605****HB 464****HB 1645****HB 1749****HB 1914****HB 1922****HB 2155****HB 2198****HB 2380****HB 2736** (Keffer - no)**HB 2750** (Finnell, Hartnett, Heflin, Horn, Solomons, and Talton - no)**HB 3157****HB 3249****HB 3609****SB 66****SB 85****SB 113****SB 208****SB 213** (Finnell, Horn, and Talton - no)**SB 262****SB 273****SB 320**

SB 412

SB 483

SB 605

SB 620

SB 682

SB 703

SB 712

SB 725

SB 909

SB 970

SB 975

SB 1017

SB 1040

SB 1177

SB 1273

SB 1290

SB 1310

SB 1333

SB 1334

SB 1368

SB 1385

SB 1517

SB 1568

SB 1574

SB 1610

SB 1631

SB 1849

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by (Record 448): 141 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

Yeas — Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins;

Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

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

Absent, Excused — Alexander; Junell; Moreno; Oliveira; Serna.

Absent — Hinojosa.

HB 328 (141-0-2)

HB 1153 (Finnell, Heflin, Horn, and Talton - no) (137-4-2)

HB 2731 (141-0-2)

SB 874 (141-0-2)

SB 1057 (141-0-2)

SB 1163 (141-0-2)

SB 1164 (141-0-2)

SB 1165 (141-0-2)

SB 1175 (Corte, Galloway, Heflin, and Hupp - no) (137-4-2)

SB 1391 (141-0-2)

SB 1544 (141-0-2)

SB 1609 (141-0-2)

SB 1622 (141-0-2)

SB 566 (141-0-2)

LEAVE OF ABSENCE GRANTED

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

Marchant on motion of Hunter.

(Speaker in the chair)

HCR 238 - ADOPTED (by Merritt, et al.)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HCR 238**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 238, Conferring the Texas Legislative Medal of Honor on Technical Sergeant James M. Logan.

HCR 238 was adopted without objection.

**HB 906 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative McCall called up with senate amendments for consideration at this time,

HB 906, A bill to be entitled An Act relating to approval by a lienholder required for payment of an insurance claim; providing a civil penalty.

On motion of Representative McCall, the house concurred in the senate amendments to **HB 906**.

Senate Amendment No. 1

Amend **HB 906**, Section 1, by inserting the word "business" after "14th" and before "day".

**HB 1112 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Hawley called up with senate amendments for consideration at this time,

HB 1112, A bill to be entitled An Act relating to certain hearings concerning the revocation of the release status of persons under the supervision of the pardons and paroles division of the Texas Department of Criminal Justice and the housing of those persons pending the hearings.

On motion of Representative Hawley, the house concurred in the senate amendments to **HB 1112**.

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 1112** in SECTION 2 of the bill, in proposed Section 14, Article 42.18, Code of Criminal Procedure, as follows:

(1) In proposed Subsection (d)(3) (house engrossment, page 4, lines 17-19), strike "the prisoner or person is granted a continuance by a parole panel or a designee of the board in the prisoner's or person's hearing under Subsection (a)" and substitute "a parole panel or designee of the board determines that a continuance in the hearing under Subsection (a) is necessary".

(2) In proposed Subsection (f) (house engrossment, page 5, line 23), between "conditions" and the comma, insert "or when a summons is issued for a hearing under this section".

(3) In proposed Subsection (h) (house engrossment, page 6, lines 13-15), strike "and a summons is issued under Section 13(a) requiring the prisoner or person to appear for a hearing under this section".

(4) Immediately after proposed Subsection (i) (house engrossment, page 6, between lines 22 and 23), insert the following:

(j) If a warrant for a prisoner or person issued under Section 13(a) is withdrawn, a summons may be issued requiring the prisoner or person to appear for a hearing under this section.

Senate Amendment No. 2

Amend **HB 1112** by adding an appropriately numbered SECTION _____ to read as follows, and renumber the subsequent sections accordingly:

SECTION _____. Section 13(a), Article 42.18, Code of Criminal Procedure, is amended to read as follows:

(a) A warrant for the return of a paroled prisoner, a prisoner released to mandatory supervision, a prisoner released although not eligible for release, a resident released to a preparole or work program, a prisoner released on emergency reprieve or on furlough, or a person released on a conditional pardon to the institution from which the person was paroled, released, or pardoned may be issued by the director or a designated agent of the director in cases of parole or mandatory supervision, or by the board on order by the governor in other cases, if there is reason to believe that the person has been released although not eligible for release, if the person has been arrested for an offense, if there is a document that is self-authenticating as provided by Rule 902, Texas Rules of Criminal Evidence ~~[verified complaint]~~ stating that the person violated a rule or condition of release, or if there is reliable evidence that the person has exhibited behavior during the person's release that indicates to a reasonable person that the person poses a danger to society that warrants the person's immediate return to custody. The person may be held in custody pending a determination of all facts surrounding the alleged offense, violation of a rule or condition of release, or dangerous behavior. A designated agent of the director acts independently from a parole officer and must receive specialized training as determined by the director. Such warrant shall authorize all officers named therein to take actual custody of the prisoner and detain and house the prisoner until a parole panel orders the return of the prisoner to the institution from which he was released. Pending hearing, as hereinafter provided, upon any charge of parole violation, ineligible release, or violation of the conditions of mandatory supervision, a prisoner returned to custody shall remain incarcerated. If the director, a board member, or a designated agent of the director or the board is otherwise authorized to issue a warrant under this subsection, the division may instead issue to a prisoner a summons requiring the prisoner to appear for a hearing under Section 14 of this article. The summons must state the time, place, date, and purpose of the hearing.

HB 1550 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

Representative Goodman called up with senate amendments for consideration at this time,

HB 1550, A bill to be entitled An Act relating to the juvenile justice system.

Representative Goodman moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 1550**.

The motion prevailed without objection.

The speaker announced the appointment of the following conference committee, on the part of the house, on **HB 1550**: Goodman, chair, Hightower, Naishtat, McClendon, and Williams.

**HB 2510 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Hilderbran called up with senate amendments for consideration at this time,

HB 2510, A bill to be entitled An Act relating to the regulation of certain personal care facilities.

On motion of Representative Hilderbran, the house concurred in the senate amendments to **HB 2510**.

Senate Committee Substitute

CSHB 2510, A bill to be entitled An Act relating to the regulation of certain personal care facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 247, Health and Safety Code, is amended by adding Section 247.029 to read as follows:

Sec. 247.029. FACILITIES FOR PERSONS WITH ALZHEIMER'S DISEASE. (a) The board by rule shall establish a classification and license for a facility that advertises, markets, or otherwise promotes that the facility provides personal care services to residents who have Alzheimer's disease or related disorders. A facility is not required to be classified under this section to provide care or treatment to residents who have Alzheimer's disease or related disorders.

(b) A personal care facility classified under this section may not keep residents in a locked room or other locked environment except as allowed by department rules applicable to a personal care facility.

(c) A personal care facility classified under this section may not chemically or physically restrain a resident except in an emergency.

(d) The board shall adopt minimum standards for a personal care facility classified under this section for:

(1) staff-resident ratios and staff training requirements;

(2) required personnel and duties, including the availability of a licensed social worker who serves as a community-family support coordinator;

(3) activity and social programs for residents;

(4) provision of care to and performance of assessments of residents with dementia;

(5) admissions;

(6) operations;

(7) record-keeping;

(8) assistance with or supervision of the administration of medications;

(9) advertising; and

(10) building facilities.

SECTION 2. This Act takes effect September 1, 1997. The Texas Board

of Human Services shall adopt rules required under Section 247.029, Health and Safety Code, as added by this Act, not later than December 1, 1997.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Senate Amendment No. 1

Amend **CSHB 2510** as follows:

- 1) Strike subsection (b).
- 2) Strike subsection (c).
- 3) Amend subsection (d) to read as follows:

(d) The board shall adopt minimum standards for a personal care facility classified under this section.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

POSTPONED BUSINESS

The following bill was laid before the house as postponed business:

SB 1286 ON SECOND READING (Talton - House Sponsor)

SB 1286, A bill to be entitled An Act relating to civil service for firefighters and police officers in certain municipalities.

SB 1286 was read second time on May 15 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Talton offered the following amendment to **SB 1286**:

Amend **SB 1286** as follows:

(1) Insert the following appropriately numbered SECTION in the bill:
SECTION _____. Chapter 143, Local Government Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. LOCAL CONTROL OF POLICE OFFICER EMPLOYMENT MATTERS IN MUNICIPALITIES WITH POPULATION OF 1.5 MILLION OR MORE

Sec. 143.351. APPLICABILITY. This subchapter applies only to a municipality with a population of 1.5 million or more, but does not apply to a municipality that has adopted Chapter 174.

Sec. 143.352. DEFINITIONS. In this subchapter:

(1) "Majority bargaining agent" means the police employee group selected under Section 143.354 or 143.355 to represent all police officers employed by the municipality during negotiations with the public employer.

(2) "Police employee group" means an organization:

(A) in which at least three percent of the police officers of the municipality participate and pay dues via automatic payroll deduction; and
(B) that exists for the purpose, in whole or part, of dealing

with the municipality concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work affecting police officers.

(3) "Public employer" means any municipality or agency, board, commission, or political subdivision controlled by a municipality that is required to establish the wages, salaries, rates of pay, hours, working conditions, and other terms and conditions of employment of police officers. The term includes, under appropriate circumstances, a mayor, manager, administrator of a municipality, municipal governing body, director of personnel, personnel board, or one or more other officials, regardless of the name by which they are designated.

Sec. 143.353. GENERAL PROVISIONS RELATING TO AGREEMENTS, RECOGNITION, AND STRIKES. (a) A municipality may not be denied local control over the wages, salaries, rates of pay, hours of work, and other terms of employment, or other state-mandated personnel issues, if the public employer and the majority bargaining agent come to a mutual agreement on any of the terms of employment. If an agreement is not reached, the state laws, local ordinances, and civil service rules remain unaffected. All agreements shall be written. Nothing in this subchapter requires either party to meet and confer on any issue or reach an agreement.

(b) A public employer may only meet and confer if the majority bargaining agent does not advocate the illegal right to strike by public employees.

(c) Police officers of a municipality may not engage in strikes or organized work stoppages against this state or a political subdivision of this state. A police officer who participates in a strike or work stoppage forfeits all civil service rights, reemployment rights, and any other rights, benefits, or privileges the police officer enjoys as a result of employment or prior employment.

Sec. 143.354. SELECTION OF MAJORITY BARGAINING AGENT. (a) Not later than January 31, 1998, representatives from each police employee group shall meet to select the majority bargaining agent. The majority bargaining agent must be selected unanimously.

(b) If the representatives of the police employee groups fail to meet or are unable to reach a unanimous consensus as to a majority bargaining agent before January 31, 1998, the selection of a majority bargaining agent will be governed by Section 143.355.

Sec. 143.355. ELECTION OF MAJORITY BARGAINING AGENT. (a) This section does not apply if a majority bargaining agent is selected under Section 143.354.

(b) The governing body of a police employee group, by resolution, may call for an election to select a majority bargaining agent. The election shall be held not earlier than the 60th day and not later than the 90th day after the date the resolution is adopted.

(c) All police officers employed by the municipality are entitled to vote in the election.

(d) The police employee group receiving a majority of the votes cast shall be the majority bargaining agent.

(e) If no police employee group receives a majority of the votes cast, the two police employee groups receiving the highest number of votes shall participate in a runoff election. The runoff election shall be held not later than the 30th day after the date of the initial election.

(f) If the police employee groups participating in the election are unable to agree on the procedures for the election, any group may request that the American Arbitration Association conduct the election and certify the results. Certification of the results of an election resolves the question of the selection of the majority bargaining agent.

(g) All police employee groups participating in the election shall share equally the expenses of the election. A police employee group that fails to pay its share of the election expenses forfeits the right to participate on the bargaining team under Section 143.356.

Sec. 143.356. BARGAINING TEAM; NEGOTIATIONS. (a) A bargaining team shall be created to advise the majority bargaining agent.

(b) The governing body of a police employee group may appoint one person to serve on the bargaining team.

(c) The majority bargaining agent will represent all police officers and negotiate with the public employer in an effort to reach an agreement. The bargaining team shall review any agreement reached between the majority bargaining agent and the public employer. A majority of the members of the bargaining team must approve the agreement before a ratification election can be held under Section 143.360.

(d) All police employee groups that are represented on the bargaining team shall share equally the expenses associated with the negotiation of an agreement by the majority bargaining agent. A police employee group that fails to reimburse the majority bargaining agent for the reasonable expenses incurred before the 30th day after the date the police employee group is notified of the expense forfeits all rights expressly granted to the police employee group under this subchapter, including its right to representation on the bargaining team.

Sec. 143.357. PAYROLL DUES DEDUCTIONS. After a majority bargaining agent is recognized, the public employer may not stop or prevent automatic payroll deductions for dues paid to a police employee group because the group is or is not the majority bargaining agent.

Sec. 143.358. OPEN RECORDS REQUIRED. All documents relating to an agreement between a majority bargaining agent and a public employer shall be available to the public in accordance with state statutes.

Sec. 143.359. ENFORCEABILITY OF AGREEMENT. (a) A written agreement made under this subchapter between a public employer and a majority bargaining agent and approved by the bargaining team is enforceable and binding on the public employer, the majority bargaining agent, police employee groups, and the police officers covered by the agreement if:

(1) the municipality's governing body ratified the agreement by a majority vote; and

(2) the agreement is ratified under Section 143.360.

(b) A state district court of the judicial district in which a majority of the population of the municipality is located has full authority and jurisdiction on the application of either party aggrieved by an action or omission of the other party when the action or omission is related to a right, duty, or obligation provided by any written agreement ratified as required by this subchapter. The court may issue proper restraining orders, temporary and permanent injunctions, and any other writ, order, or process, including contempt orders, that are

appropriate to enforcing any written agreement ratified as required by this subchapter.

Sec. 143.360. ELECTION TO RATIFY AGREEMENT. (a) The majority bargaining agent shall call an election to ratify any agreement reached with the public employer if the agreement has been approved by a majority of the bargaining team.

(b) All police officers of the municipality are eligible to vote in the election.

(c) The bargaining team shall establish procedures of the election by unanimous consensus.

(d) If the bargaining team is unable to agree on procedures for the election, any group represented on the bargaining team may request that the American Arbitration Association conduct the election and certify the results. Certification of the results of an election resolves the question concerning ratification of an agreement. All police employee groups represented on the bargaining team shall share equally the expenses of the election.

(e) A majority of all votes cast is required to ratify an agreement.

Sec. 143.361. AGREEMENT SUPERSEDES CONFLICTING PROVISIONS. (a) A written agreement ratified under this subchapter between a public employer and the majority bargaining agent supersedes a previous statute concerning wages, salaries, rates of pay, hours of work, and other terms of employment to the extent of any conflict with the previous statute.

(b) A written agreement ratified under this subchapter preempts all contrary local ordinances, executive orders, legislation, or rules adopted by the state or a political subdivision or agent of the state, such as a personnel board, a civil service commission, or a home-rule municipality.

(c) An agreement under this subchapter may not diminish or qualify any right, benefit, or privilege of an employee under this chapter or other law unless approved by a majority of the votes cast at the secret ballot election held by the majority bargaining agent to ratify the agreement.

Sec. 143.362. REPEAL OF AGREEMENT BY ELECTORATE. Within 45 days after the date an agreement is ratified and signed by the municipality and the majority bargaining agent, a petition signed by a number of registered voters equal to 10 percent of the votes cast at the most recent mayoral general election in the municipality may be presented to the municipal secretary calling an election for the repeal of the agreement, in which event the governing body shall reconsider the agreement, and, if it does not repeal the agreement, it shall call an election of the qualified voters to determine if they desire to repeal the agreement. The election shall be held as part of the next regularly scheduled municipal election or at a special election called by the governing body for that purpose. If at the election a majority of the votes are cast in favor of the repeal of the adoption of the agreement, the agreement becomes void. The ballot shall be printed to provide for voting for or against the proposition:

"Repeal of the adoption of the agreement ratified by the municipality and the police officers of the municipality concerning wages, salaries, rates of pay, hours of work, and other terms of employment."

Sec. 143.363. PROTECTED RIGHTS OF INDIVIDUAL EMPLOYEES. (a) For the purpose of any disciplinary appeal to either the civil service

commission or a hearing examiner, all police officers have the right to choose to be represented by any person of their choice or by the police employee group selected as the majority bargaining agent.

(b) An agreement may not interfere with the right of a member of a police employee group to pursue allegations of discrimination based on race, creed, color, national origin, religion, age, sex, or disability with the Commission on Human Rights or the Equal Employment Opportunity Commission or to pursue affirmative action litigation.

(2) Renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 2

Representative Bailey offered the following amendment to Amendment No. 1:

Amend the Talton amendment to **SB 1286** as follows:

On page 4, line 13, between "advise" and "the", insert "and give direction to".

Amendment No. 2 was adopted without objection.

Amendment No. 1, as amended, was adopted without objection.

Amendment No. 3

Representative Talton offered the following amendment to **SB 1286**:

Amend **SB 1286** as follows:

In Section 1 of the bill, add the following to Sec. 143.103(c):

"This subsection does not apply to the transfer of police officers."

Amendment No. 3 was adopted without objection.

SB 1286, as amended, was passed to third reading. (Corte and Heflin recorded voting no)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Stiles requested permission for the Committee on Calendars to meet while the house is in session.

Permission to meet was granted without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meetings were announced:

Calendars, 12:45 p.m. today, speakers committee room.

MAJOR STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 2321 ON THIRD READING (by Palmer and Wohlgemuth)

HB 2321, A bill to be entitled An Act relating to nursing home bed certification and decertification.

HB 2321 was passed.

HB 1800 ON THIRD READING
(by Hochberg)

HB 1800, A bill to be entitled An Act relating to state-administered assessment instruments for students in special education programs.

HB 1800 was passed.

HB 3428 ON THIRD READING
(by Naishtat, Davila, et al.)

HB 3428, A bill to be entitled An Act relating to financial assistance and related services for victims of family violence.

HB 3428 was passed.

HB 3019 ON THIRD READING
(by Allen)

HB 3019, A bill to be entitled An Act relating to permit exemptions under the Texas Clean Air Act for construction or modification of certain facilities.

HB 3019 was passed.

HB 2103 ON THIRD READING
(by S. Turner and McClendon)

HB 2103, A bill to be entitled An Act relating to restrictions on the siting of solid waste facilities and to the Texas Natural Resource Conservation Commission's consideration of cumulative risks in certain administrative proceedings.

HB 2103 was passed.

HB 2169 ON THIRD READING
(by Kubiak and Longoria)

HB 2169, A bill to be entitled An Act relating to the liability of emergency service organizations.

HB 2169 was passed.

HB 2887 ON THIRD READING
(by Dutton)

HB 2887, A bill to be entitled An Act relating to promotional or educational activities of title insurance entities.

HB 2887 was passed.

HB 3339 ON THIRD READING
(by Hilbert)

HB 3339, A bill to be entitled An Act relating to dismissal of a condemnation proceeding.

HB 3339 was passed.

HB 2837 ON THIRD READING
(by Thompson)

HB 2837, A bill to be entitled An Act relating to certain filing fees and salaries of judges in the statutory county courts of certain counties.

HB 2837 was passed.

HB 3544 ON THIRD READING
(by Thompson)

HB 3544, A bill to be entitled An Act relating to the justice of the peace courts of Harris County.

HB 3544 was passed.

HB 1465 ON THIRD READING
(by Haggerty)

HB 1465, A bill to be entitled An Act relating to the regulation of staff leasing services companies; providing penalties.

HB 1465 was passed.

MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING

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

SB 932 ON THIRD READING
(Oliveira, Patterson, and Marchant - House Sponsors)

SB 932, A bill to be entitled An Act relating to abolishing the Texas Department of Commerce and the Texas Agricultural Finance Authority and transferring the powers and duties of the agencies to the newly created Texas Economic Development Agency to administer state agency loan and loan guarantee programs and to engage in capital formation initiatives to further the state's economic and agricultural development goals.

Amendment No. 1

Representative Stiles offered the following amendment to **SB 932**:

Amend **SB 932** on third reading, in SECTION 7.01 of the bill (House Committee Report page 11, lines 26 and 27), by striking Subdivision (1) and renumbering the subsequent subdivisions accordingly.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Wise offered the following amendment to **SB 932**:

Amend **SB 932**, on third reading, by adding the following new section, appropriately numbered, to read as follows, and renumbering subsequent sections of the bill accordingly:

SECTION _____. Subchapter B, Chapter 67, Education Code, is amended by adding Section 67.28 to read as follows:

Sec. 67.28. BUREAU FOR ECONOMIC DEVELOPMENT AND HISPANIC STUDIES. (a) The University of Texas at Austin shall establish

within the Lyndon Baines Johnson School of Public Affairs a Bureau for Economic Development and Hispanic Studies.

(b) The bureau shall:

(1) develop proposals for maximizing trade between this state, the Republic of Mexico, and Latin America;

(2) undertake research to encourage the analysis of public economic policies affecting Hispanic citizens;

(3) conduct studies and develop policy proposals on economic issues of particular interest and importance to Hispanic citizens, including studies and policies relating to:

(A) educational issues; and

(B) employment opportunities, including means by which opportunities created by foreign trade agreements and federal funds may be used to prevent loss of jobs by Hispanic citizens;

(4) distribute the results of its studies and policy proposals to appropriate federal, state, and local governmental agencies and officials, community organizations, private leaders, and the public;

(5) identify and study economic issues important to Hispanics in this state;

(6) develop information and produce reports to increase public awareness of important economic policy issues;

(7) sponsor independent studies of public economic policy issues;

(8) provide objective analysis of current legislative proposals and programs related to economic development;

(9) publish reports and papers that focus on the effect of proposed economic development policies, plans, and programs on the Hispanic community;

(10) establish primary communications links and informational forums for state leaders, legislators, and other important interests through briefings, meetings, and conferences;

(11) create opportunities to educate the public and, especially, leaders and potential leaders about important economic issues; and

(12) provide advice and counsel to public economic policy and decision makers with particular focus on the Hispanic community.

(c) The university shall maintain the main office of the bureau at Weslaco.

(d) The Texas Economic Development Agency and state institutions of higher education shall assist the bureau in carrying out its duties.

(e) The bureau may accept gifts and grants from any source to be used to carry out the bureau's duties.

Amendment No. 2 was adopted without objection. (Hartnett recorded voting no)

SB 932, as amended, was passed. (Finnell, and Horn recorded voting no)

SB 1304 ON THIRD READING
(Thompson - House Sponsor)

SB 1304, A bill to be entitled An Act relating to funds tendered into the registry of the court.

SB 1304 was passed.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 3475 ON THIRD READING
(by Alvarado and Greenberg)**

HB 3475, A bill to be entitled An Act relating to facilitating the organization and availability of government information.

HB 3475 was passed.

**HB 3151 ON THIRD READING
(by Hilbert)**

HB 3151, A bill to be entitled An Act relating to optional contracts by certain conservation and reclamation districts to make payments in exchange for a deferral of annexation to cities with a population in excess of 1,600,000 to be used for the supply of treated surface water and providing for alternatives for non-participating districts.

HB 3151 was passed. (Torres, Woolley, and Yarbrough recorded voting no)

**HB 1693 ON THIRD READING
(by Hinojosa)**

HB 1693, A bill to be entitled An Act relating to authorizing the state jail division of the Texas Department of Criminal Justice to house county jail inmates in a state jail felony facility.

HB 1693 was passed.

**HB 1292 ON THIRD READING
(by Solomons)**

HB 1292, A bill to be entitled An Act relating to the custody of certain children who commit traffic or other offenses punishable by fine only.

HB 1292 was passed.

**HB 998 ON THIRD READING
(by Hunter)**

HB 998, A bill to be entitled An Act relating to the conflict-of-interests prohibition applying to a local official who has a substantial interest in a business entity.

HB 998 was passed.

**HB 1726 ON THIRD READING
(by Hirschi)**

HB 1726, A bill to be entitled An Act relating to an integrated pest management program at an institution of higher education or school district.

HB 1726 was passed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Conference committee on **HB 4** and **HJR 4** postponed until 3 p.m. today, appropriations room.

**HB 2250 ON THIRD READING
(by Wise and Greenberg)**

HB 2250, A bill to be entitled An Act relating to child protective services provided by the Department of Protective and Regulatory Services.

A record vote was requested.

HB 2250 was passed by (Record 449): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Mowery; Naishtat; Nixon; Oakley; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alexander; Junell; Marchant; Moreno; Oliveira; Serna.

**HB 3258 ON THIRD READING
(by Coleman and Naishtat)**

HB 3258, A bill to be entitled An Act relating to the implementation of the Medicaid managed care program.

HB 3258 was passed.

**HB 2213 ON THIRD READING
(by Delisi)**

HB 2213, A bill to be entitled An Act relating to municipal and county policies regarding enforcement of certain drug laws.

HB 2213 was passed.

HB 137 ON THIRD READING
(by West)

HB 137, A bill to be entitled An Act relating to the qualifications of certain charitable organizations for an exemption from ad valorem taxation.

HB 137 was passed.

HB 297 ON THIRD READING
(by Driver, et al.)

HB 297, A bill to be entitled An Act relating to certain signs controlling use of traffic lanes.

HB 297 was passed.

HB 978 ON THIRD READING
(by Hupp)

HB 978, A bill to be entitled An Act relating to the eligibility of certain higher education employees to participate in group programs under the Texas Employees Uniform Group Insurance Benefits Act.

HB 978 was passed.

HB 306 ON THIRD READING
(by Elkins)

HB 306, A bill to be entitled An Act relating to the law that applies to activities conducted over the Internet.

HB 306 was passed.

HB 489 ON THIRD READING
(by Allen, Woolley, Culberson, and McClendon)

HB 489, A bill to be entitled An Act relating to the applicability of a sexual offender registration program to certain defendants and to the procedures used to register and monitor sex offenders.

Amendment No. 1

Representative Allen offered the following amendment to **HB 489**:

Amend **HB 489** on 3rd reading as follows:

(1) In SECTION 3 of the bill, at the end of proposed Section 3(f), Article 6252-13c.1, Revised Statutes, strike the language appearing after "superintendent of" on page 8, lines 12-14, and substitute the following:

"the public [~~schools of the~~] school district and to the administrator of any private primary or secondary school located in the public school district in which the person subject to registration intends to reside by mail to the [~~district~~] office of the superintendent or administrator, as applicable. Not later than the 14th day after receipt of a notice under this subsection, the superintendent or administrator shall release the information contained in the notice to appropriate school district or private school personnel, as applicable, including any peace officers and security personnel, principals, nurses, and counselors."

(2) In SECTION 4 of the bill, at the end of amended Section 4(f), Article

6252-13c.1, Revised Statutes, strike the language appearing after "superintendent of" on page 11, lines 6-8, and substitute the following:

"the public [~~schools of the~~] school district and to the administrator of any private school located in the public school district in which the person subject to registration intends to reside by mail to the [~~district~~] office of the superintendent or administrator, as applicable. Not later than the 14th day after receipt of a notice under this subsection, the superintendent or administrator shall release the information contained in the notice to appropriate school district or private school personnel, as applicable, including any peace officers and security personnel, principals, nurses, and counselors."

(3) In SECTION 5 of the bill, between "Section 5" and the first comma on page 11, line 9, strike "(a)".

(4) In SECTION 5 of the bill, between "amended" and "to read" on page 11, line 10, insert "by amending Subsection (a) and adding Subsection (f)".

(5) In SECTION 5 of the bill, after amended Section 5(a), Article 6252-13c.1, Revised Statutes, on page 11, between lines 14 and 15, insert the following:

"(f) A private primary or secondary school or administrator of a private primary or secondary school may release to the public information regarding a person required to register if the information is public information under this article and is released to the administrator under Section 3 or Section 4 of this article. A private primary or secondary school or administrator of a private primary or secondary school is not liable under any law for damages arising from conduct authorized by this subsection."

(6) In SECTION 7 of the bill, proposed Section 8(a)(1)(A), Article 6252-13c.1, Revised Statutes, on page 12, line 10, strike "43.02".

(7) Add an appropriately numbered SECTION to the bill, to read as follows, and renumber the existing SECTIONS of the bill accordingly:

SECTION __. Article 6252-13c.1, Revised Statutes, is amended by adding Section 6 to read as follows:

Sec. 6. ANNUAL VERIFICATION OF REGISTRATION INFORMATION. A person subject to registration under this article shall report to the local law enforcement authority with whom the person is registered not later than January 15 of each year to verify the information in the registration form maintained by the authority for that person. The authority shall require the person to produce proof of the person's identity and residence before the authority gives the registration form to the person for verification. If the information in the registration form is accurate, the person shall verify registration by signing the form. If the information is not accurate, the person shall make any necessary corrections before signing the form.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Allen offered the following amendment to **HB 489**:

Amend **HB 489** on 3rd reading as follows:

(1) On page 2, line 26, immediately after "another state", add "or the Uniform Code of Military Justice".

(2) On page 3, line 4, between "another state" and "for", insert "or the Uniform Code of Military Justice".

(3) On page 8, line 14, immediately after the period, add the following:

"Regardless of the basis on which a person is subject to registration, if the authority knows that the person subject to registration intends to work at an address in a school district other than the school district in which the person intends to reside, the authority shall immediately provide notice to the superintendent of public schools of the school district in which the person intends to work by mail to the district office."

(4) On page 11, line 8, immediately after the period, add the following:

"Regardless of the basis on which a person is subject to registration, if the authority knows that the person subject to registration intends to work at an address in a school district other than the school district in which the person intends to reside, the authority shall immediately provide notice to the superintendent of public schools of the school district in which the person intends to work by mail to the district office."

(5) Add an appropriately numbered SECTION to read as follows and renumber existing SECTIONS accordingly:

SECTION _____. Section 5, Article 6252-13c.1, Revised Statutes, is amended by adding Subsections (d) and (e) to read as follows:

(d) On the written request of a licensing authority that identifies an individual and states that the individual is an applicant for or a holder of a license issued by the authority, the department shall release any information described by Subsection (a) of this section to the licensing authority.

(e) For the purposes of Subsection (d) of this section:

(1) "License" means a license, certificate, registration, permit, or other authorization that:

(A) is issued by a licensing authority; and

(B) a person must obtain to practice or engage in a particular business, occupation, or profession.

(2) "Licensing authority" means a department, commission, board, office, or other agency of the state or a political subdivision of the state that issues a license.

Amendment No. 2 was adopted without objection.

HB 489, as amended, was passed.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1765 ON THIRD READING
(Counts - House Sponsor)**

SB 1765, A bill to be entitled An Act relating to certification of certain persons who practice acupuncture.

SB 1765 was passed.

SB 1406 ON THIRD READING
(Gallego - House Sponsor)

SB 1406, A bill to be entitled An Act relating to the duties and operations of a watermaster's office, reimbursement of the Texas Natural Resource Conservation Commission for the compensation and necessary expenses of a watermaster's office, and creation of the watermaster fund.

SB 1406 was passed.

SB 1878 ON THIRD READING
(Krusee - House Sponsor)

SB 1878, A bill to be entitled An Act relating to authorizing certain municipal utility districts to repair and maintain streets and to issue bonds for that purpose.

SB 1878 was passed.

SB 1630 ON THIRD READING
(Siebert - House Sponsor)

SB 1630, A bill to be entitled An Act relating to motor vehicle registrations.

SB 1630 was passed.

SB 1899 ON THIRD READING
(Zbranek - House Sponsor)

SB 1899, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Pine Island Bayou Stormwater Control District; granting the authority to issue bonds and impose taxes; granting the power of eminent domain.

SB 1899 was passed.

SB 1248 ON THIRD READING
(Coleman - House Sponsor)

SB 1248, A bill to be entitled An Act relating to intermediate care facilities for the mentally retarded; imposing civil and criminal penalties.

Amendment No. 1

Representative Coleman offered the following amendment to **SB 1248**:

Amend **SB 1248** as follows:

(1) In Section 252.002, Health and Safety Code, as added by SECTION 1 of the bill, strike Subdivision (4) and substitute:

(4) "Facility" means a home or an establishment that:

(A) furnishes food, shelter, and treatment or services to four or more persons unrelated to the owner;

(B) is primarily for the diagnosis, treatment, or rehabilitation of persons with mental retardation or related conditions; and

(C) provides in a protected setting continuous evaluation, planning, 24-hour supervision, coordination, and integration of health or

rehabilitative services to help each resident function at the resident's greatest ability.

(2) In Section 252.066(b), Health and Safety Code, as added by SECTION 1 of the bill, strike "A penalty must be appropriate to the violation and may be imposed only when a violation presents an immediate and serious threat to the health and safety of a resident." and substitute "A penalty must be appropriate to the violation.".

(3) In Section 252.094, Health and Safety Code, as added by SECTION 1 of the bill, strike Subsection (b) and substitute the following:

(b) The trustee may petition the court to order the release to the trustee of any payment owed the trustee for care and services provided to the residents if the payment has been withheld, including a payment withheld by a governmental agency or other entity during the appointment of the trustee, such as payments:

(1) for Medicaid or insurance;

(2) by a third party; or

(3) for medical expenses borne by the residents.

(4) In Section 252.096, Health and Safety Code, as added by SECTION 1 of the bill, strike Subsection (d) and substitute:

(d) The amount that remains unreimbursed on the first anniversary of the date on which the money is received is delinquent and the Texas Department of Mental Health and Mental Retardation may determine that the facility is ineligible for a Medicaid provider contract.

(5) Strike Section 252.151, Health and Safety Code, as added by SECTION 1 of the bill, and substitute:

Sec. 252.151. ADMINISTRATION OF MEDICATION. The department shall adopt rules relating to the administration of medication in facilities.

(6) Strike Section 252.152, Health and Safety Code, as added by SECTION 1 of the bill, and substitute:

Sec. 252.152. REQUIRED MEDICAL EXAMINATION. (a) The department shall require each resident to be given at least one medical examination each year.

(b) The department shall specify the details of the examination.

Sec. 252.153. EMERGENCY MEDICATION KIT. (a) A facility licensed under this chapter is entitled to maintain a supply of controlled substances in an emergency medication kit for a resident's emergency medication needs.

(b) The controlled substances shall be labeled in accordance with all applicable state and federal food and drug laws, including Chapter 481 (Texas Controlled Substances Act).

(c) The board shall adopt rules governing the amount, type, and procedure for use of the controlled substances in the emergency medication kit. The storage of the controlled substances in the kit is under the supervision of the consultant pharmacist.

(d) The administration of the controlled substances in the emergency medication kit shall comply with all applicable laws.

Amendment No. 1 was adopted without objection.

SB 1248, as amended, was passed.

RESOLUTIONS CALENDAR

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

HCR 5 (by McClendon), Designating picante sauce as the Official State Sauce of Texas.

HCR 5 was adopted without objection.

On motion of Representative A. Reyna, the names of all the members of the house were added to **HCR 5** as signers thereof.

HCR 83 (by Hochberg), Designating buckminsterfullerene the official State Molecule of Texas.

HCR 83 was adopted without objection.

HCR 137 (by Chavez), Memorializing Congress to create a NAFTA Trade Impact Fund.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Pitts, Representative Chavez offered the following committee amendment to **HCR 137**:

Amend **HCR 137**, on page 2, line 11, by striking "40" and substituting "33".

Amendment No. 1 was adopted without objection.

HCR 137, as amended, was adopted without objection.

HCR 144 (by Crabb), creating a special committee to designate Texas State Artists.

HCR 144 was adopted without objection.

CSHCR 118 (by Hilbert), granting Dick Corporation permission to sue the State of Texas and the Texas Department of Criminal Justice.

Amendment No. 1

On behalf of Representative Eiland, Representative Hilbert offered the following amendment to **CSHCR 118**:

Amend **CSHCR 118** as follows:

(1) On page 1, line 22, between "\$10,000,000" and "and", insert ",including attorney fees and costs of court,".

(2) On page 2, line 4, between "\$10,000,000," and "and", insert "including attorney fees and costs of court,".

Amendment No. 1 was adopted without objection.

HCR 118, as amended, was adopted without objection. (Horn recorded voting no)

CSHCR 182 (by R. Lewis), Granting Todd Shipyards Corporation permission to sue the state of Texas and the Texas Parks and Wildlife Department.

Representative R. Lewis moved to lay **CSHCR 182** on the table subject to call.

The motion prevailed without objection.

HCR 26 (by Maxey), Granting The Burnett Companies, doing business as Burnett Personnel Services, permission to sue the State of Texas and the Texas Department of Banking.

Amendment No. 1

On behalf of Representative Eiland, Representative Maxey offered the following amendment to **HCR 26**:

Amend **HCR 26** as follows:

(1) On page 1, line 24, between "Banking" and "subject", insert "on all claims related to the indemnity agreement and the accident involving Cedric Tasby that occurred on November 9, 1994,".

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

RESOLVED, That the suit authorized by this resolution shall be brought in Travis County; and, be it further

RESOLVED, That the total of all damages awarded in the suit authorized by this resolution, including any court costs, attorney's fees, and prejudgment interest awarded under law, may not exceed \$16,000, and that the Burnett Companies may not plead an amount in excess of that amount in a suit authorized by this resolution; and be it further

Amendment No. 1 was adopted without objection.

HCR 26, as amended, was adopted.

HCR 96 (by Bonnen), Granting Benita Fogarty permission to sue the state.

HCR 96 was adopted.

HCR 132 (by Counts, et al.), Encouraging the Texas Board of Criminal Justice, Texas Youth Commission, Juvenile Probation Commission, county commissioners, and sheriffs to support faith-based correctional programming and facilities.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Gray, Representative Counts offered the following committee amendment to **HCR 132**:

Amend **HCR 132** on page 2, line 15, by striking ", church-centered", and on page 3, line 16, by striking ", church-and".

Amendment No. 1 was adopted without objection.

HCR 132, as amended, was adopted without objection.

HCR 217 (by Denny, Carter, Berlanga, S. Turner, Hochberg, et al.), Memorializing Congress to restore the federal income tax deductibility of state sales taxes.

HCR 217 was adopted without objection.

HR 490 (by Hawley), Granting the Capitol Scholars program permission to use the house chamber on July 18, 1997.

HR 490 was adopted without objection.

HR 484 (by Oliveira), Expressing support for the Brownsville Weir and Reservoir Project.

HR 484 was adopted without objection.

HR 984 - ADOPTED
(by Flores)

Representative Flores moved to suspend all necessary rules to take up and consider at this time **HR 984**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 984, Commemorating the incorporation of Sullivan City and honoring its first elected officials.

HR 984 was adopted without objection.

HCR 271 - ADOPTED
(by Zbranek)

Representative Zbranek moved to suspend all necessary rules to take up and consider at this time **HCR 271**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 271

WHEREAS, **HB 606** has been adopted by the house of representatives and the senate; and

WHEREAS, The bill contains a grammatical error that needs correction; now, therefore, be it

RESOLVED, That the enrolling clerk of the house of representatives be hereby instructed to make the following correction:

In added Section 32.0246(d), Human Resources Code, strike "may not exceed more than 500" and substitute "may not exceed 500".

HCR 271 was adopted without objection.

HCR 275 - ADOPTED
(by West)

Representative West moved to suspend all necessary rules to take up and consider at this time **HCR 275**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 275, Congratulating Lori Bennington on being named the 1997 Educator of the Year by the Midland Association for Retarded Citizens.

HCR 275 was adopted without objection.

On motion of Representative Hunter, the names of all the members of the house were added to **HCR 275** as signers thereof.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

HCR 273 - ADOPTED
(by Berlanga)

Representative Eiland moved to suspend all necessary rules to take up and consider at this time **HCR 273**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 273

WHEREAS, **HB 3** has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 75th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 3 as follows:

(1) Strike Section 109.063(d), Health and Safety Code, as added by Senate Floor Amendment No. 2, and substitute the following:

"(d) The participation criteria for authorized insurers, health service organizations, health maintenance organizations, and other entities that provide coverage under the health benefit program shall not allow an eligible coverage provider to establish a school-based clinic for the provision of covered treatment services, except for routine health screening and preventive measures including, but not limited to, immunizations, inoculations, or hearing and vision testing."

(2) Strike Section 154.182(b), Family Code, as amended by SECTION 2 of the bill and Senate Floor Amendment Nos. 3 and 4, and substitute the following:

"(b) Except as provided for by Subdivision (6), in [¶] determining the manner in which health insurance for the child is to be ordered, the court shall render its order in accordance with the following priorities, unless a party shows good cause why a particular order would not be in the best interest of the child:

(1) if health insurance is available for the child through the obligor's employment or membership in a union, trade association, or other organization, the court shall order the obligor to include the child in the obligor's health insurance;

(2) if health insurance is not available for the child through the obligor's employment but is available for the child through the obligee's employment or membership in a union, trade association, or other organization, the court may order the obligee to provide health insurance for the child, and, in such event, shall order the obligor to pay additional child support to be withheld from earnings under Chapter 158 to the obligee for the actual cost of the health insurance for the child; [¶]

(3) if health insurance is not available for the child under Subdivision (1) or (2), the court shall order the obligor to provide health insurance for the

child if the court finds that health insurance is available for the child from another source and that the obligor is financially able to provide it;

(4) if health insurance is not available for the child under Subdivision (1), (2), or (3), the court shall order the obligor to apply for coverage through the Texas Healthy Kids Corporation established under Chapter 109, Health and Safety Code;

(5) if health coverage is not available for the child under Subdivision (1), (2), (3), or (4), the court shall order the obligor to pay the obligee, in addition to any amount ordered under the guidelines for child support, a reasonable amount each month as medical support for the child to be withheld from earnings under Chapter 158; or

(6) notwithstanding Subdivisions (1) through (3), an obligor whose employer, union, trade association, or other organization does not offer a child/children coverage option in lieu of a spouse/child/children option of health insurance coverage may elect to apply for coverage through the Texas Healthy Kids Corporation. An obligor required to pay additional child support to an obligee for health insurance coverage may elect to apply for coverage through the Texas Healthy Kids Corporation if the obligee's employer, union, trade association, or other organization does not offer a child/children coverage option in lieu of a spouse/child/children option of health insurance coverage."

HCR 273 was adopted without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Human Services, on adjournment today, Desk 41, to consider new and pending business.

Higher Education, on adjournment today, Desk 118.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

Representatives Davis and Luna moved that the house adjourn until 10 a.m. Monday, May 19.

The motion prevailed without objection.

The house accordingly, at 1:52 p.m., adjourned until 10 a.m. Monday, May 19.

ADDENDUM

REFERRED TO COMMITTEES

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

today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HR 897 (by Place), Congratulating the Hamilton High School golf team on winning the 1997 Class 2A State Championship.

To Rules & Resolutions

HR 898 (by Isett), Congratulating Gloria Zapata on her noteworthy performance at the Texas Career and Technology Education Awards Program.

To Rules & Resolutions.

HR 899 (by Isett), Congratulating Michael Hewett on his noteworthy performance at the Texas Career and Technology Education Awards Program.

To Rules & Resolutions.

HR 900 (by Isett), Congratulating John Shaw on his receipt of an award from the Texas Career and Technology Education Awards Program.

To Rules & Resolutions.

HR 901 (by Isett), Congratulating Corey Nunley on his noteworthy performance at the Texas Career and Technology Education Awards Program.

To Rules & Resolutions.

HR 910 (by Gray and Eiland), Congratulating Joe C. Blackshear on his receipt of the 1997 People of Vision Award.

To Rules & Resolutions.

HR 911 (by Gray and Eiland), Congratulating Dr. Janice K. Smith on her receipt of the Rabbi Henry Cohen Humanitarian Award.

To Rules & Resolutions.

HR 912 (by Kuempel), Recognizing Ruth Fertel as an Honorary Texan.

To Rules & Resolutions.

HR 913 (by G. Lewis), Honoring Michelle Clark.

To Rules & Resolutions.

HR 914 (by G. Lewis), Congratulating Dr. Jennifer Giddings Brooks on receiving the 1997 Outstanding Women of Fort Worth award.

To Rules & Resolutions.

HR 915 (by G. Lewis), Honoring Estellar Lee Embry Belcher.

To Rules & Resolutions.

HR 916 (by G. Lewis), Honoring Shannon Fletcher.

To Rules & Resolutions.

HR 917 (by G. Lewis), Congratulating Opal Roland Lee on being named one of 1997's Outstanding Women of Fort Worth.

To Rules & Resolutions.

HR 918 (by G. Lewis), Congratulating Anna Diaz on her completion of Phillips Academy's Math and Science for Minority Students (MS)² program.

To Rules & Resolutions.

HR 919 (by G. Lewis), Congratulating Karina Hernandez on her completion of Phillips Academy's Math and Science for Minority Students (MS)2 program.

To Rules & Resolutions.

HR 920 (by G. Lewis), Congratulating Carrie Jean Tunson on being named an Outstanding Woman of Fort Worth by the Fort Worth Commission on the Status of Women.

To Rules & Resolutions.

HR 921 (by Corte), In memory of Letha I. James Enderle.

To Rules & Resolutions.

HR 922 (by Kamel), Recognizing the many achievements of the Life Organ Bank of East Texas.

To Rules & Resolutions.

HR 924 (by Kubiak), Honoring Major General John H. Bailey II on the occasion of his retirement from the Texas State Guard.

To Rules & Resolutions.

HR 925 (by Serna), Honoring Ruth Kern for her contributions to the community.

To Rules & Resolutions.

HR 927 (by Clark), Honoring Mary Ethel Praetz for her service as a member of the Silver-Haired Legislature.

To Rules & Resolutions.

HR 928 (by McClendon), Congratulating Cindy Wirz on her graduation from Our Lady of the Lake University.

To Rules & Resolutions.

HR 929 (by McClendon), In memory of Adell Doan Van de Putte.

To Rules & Resolutions.

HR 930 (by McClendon), Honoring Sergeant Eddie Pinchback on receiving the Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 931 (by McClendon), Honoring Charles C. Andrews, Jr., on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 932 (by McClendon), Commending Superintendent Clem W. Steward and Carrie N. Steward.

To Rules & Resolutions.

HR 933 (by McClendon), Congratulating Willie A. Mitchell on receiving the Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 934 (by McClendon), Celebrating the birth of Marissa Brooke Elder.

To Rules & Resolutions.

HR 935 (by McClendon), Honoring Robert A. Herrera.

To Rules & Resolutions.

HR 936 (by McClendon), Honoring Bill Thornton.
To Rules & Resolutions.

HR 937 (by McClendon), Congratulating Lorraine Reagan on her receipt of an Outstanding Texan Award for professional service from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 938 (by McClendon), Congratulating Betty Lewis Williams on her receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 939 (by McClendon), Honoring David Arevalo.
To Rules & Resolutions.

HR 940 (by McClendon), Honoring Oscar L. Vicks.
To Rules & Resolutions.

HR 941 (by McClendon), Honoring Joel V. Williams.
To Rules & Resolutions.

HR 942 (by McClendon), Honoring Dolores Lott.
To Rules & Resolutions.

HR 943 (by McClendon), Honoring Mario Salas.
To Rules & Resolutions.

HR 944 (by McClendon), Honoring Byron Miller.
To Rules & Resolutions.

HR 945 (by McClendon), Honoring Nancy S. Bohman.
To Rules & Resolutions.

HR 946 (by McClendon), Honoring Bob Ross.
To Rules & Resolutions.

HR 947 (by McClendon), Honoring Jo Ann McCall on receiving the Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 949 (by Bonnen), Congratulating Winston and Nell Fuller on the occasion of their birthdays and their 33rd wedding anniversary.

To Rules & Resolutions.

HR 950 (by Raymond), Honoring Leonel "Muy" Garza and the Muy Grande deer hunting contest.

To Rules & Resolutions.

SB 105 to Revenue & Public Education Funding, Select.

SB 1611 to Corrections.

SB 1757 to Public Health.

SB 1766 to State, Federal & International Relations.

SCR 81 to State Affairs.

MESSAGES FROM THE SENATE

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

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

SENATE CHAMBER

Austin, Texas

Friday, May 16, 1997 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 107 Giddings SPONSOR: Ratliff

Relating to specialized license plates to support the diagnosis of reading development and comprehension at certain grade levels in public school and to requirements concerning that diagnosis.

(COMMITTEE SUBSTITUTE)

HB 546 Bosse SPONSOR: Whitmire

Relating to the civil liability of charitable organizations providing neighborhood crime prevention or patrol services.

HB 770 Haggerty SPONSOR: Shapleigh

Relating to the acquisition by the Parks and Wildlife Department of real property owned by the permanent school fund.

HB 1091 Goodman SPONSOR: Zaffirini

Relating to the parent-child relationship, including suits affecting the parent-child relationship, the establishment of paternity, the termination of the parent-child relationship, and the adoption of children; providing penalties.

(COMMITTEE SUBSTITUTE/AMENDED)

HB 1345 Uher SPONSOR: Armbrister

Relating to the issuance of certain permits to move certain heavy equipment over a state highway.

(AMENDED)

HB 1855 Eiland SPONSOR: Ratliff

Relating to sales tax exemption for items used in manufacturing tangible personal property for ultimate sale.

(AMENDED)

HB 2064 King SPONSOR: Madla

Relating to the authority of certain counties to impose a county hotel occupancy tax.

HB 2141 Keel, Terry SPONSOR: Wentworth
Relating to the seizure and sale of certain property by certain municipalities.

HB 2300 Serna SPONSOR: Shapleigh
Relating to the creation, administration, powers, duties, operation, and financing of the Paseo del Este Municipal Utility District and to the authorization of bonds and the levy of taxes; providing civil penalties.

HB 2519 Gallego SPONSOR: Madla
Relating to special license plates benefitting Big Bend National Park.
(AMENDED)

HB 2683 Dukes SPONSOR: Wentworth
Relating to subdivision descriptions in contracts to convey real property.
(AMENDED)

Respectfully,

Betty King
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 16, 1997 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 621 Jackson SPONSOR: Patterson
Relating to the establishment of the Texas Chiropractic College as a public institution of higher education.

HCR 231 Van de Putte SPONSOR: Luna
Designating May 1997 as Older Americans Month.

HCR 238 Merritt SPONSOR: Patterson
Conferring the Texas Legislative Medal of Honor on Technical Sergeant James M. Logan.

THE SENATE HAS CONCURRED IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 500 (29 YEAS, 1 NAYS)

SB 925 (viva-voce vote)

SB 1380 (viva-voce vote)

SB 1403 (viva-voce vote)

SB 1506 (viva-voce vote)
SB 1656 (30 YEAS, 0 NAYS)
SB 1906 (viva-voce vote)
SCR 35 (viva-voce vote)

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 15

County Affairs - **SB 10, SB 19, SB 395**

Criminal Jurisprudence - **SB 143, SB 548, SB 857, SB 907, SB 1001, SB 1218, SB 1579, SB 1728, SB 1827, SB 1835**

Economic Development - **SB 1262**

Energy Resources - **SB 1911, SB 1912**

Higher Education - **SB 961, SB 1311, SB 1419, SB 1808, SCR 75**

Insurance - **SB 258**

Juvenile Justice & Family Issues - **SB 1232, SB 1478, SB 1594, SB 1938**

Land & Resource Management - **SB 1339, SB 1389, SB 1558**

Natural Resources - **SB 15, SB 16, SB 23, SB 899, SB 1316, SB 1450, SB 1793, SB 1888**

Pensions & Investments - **SB 397**

Public Health - **SB 938, SB 1248, SB 1297, SB 1699, SB 1824**

Public Safety - **SB 12, SB 187, SB 1546, SB 1676**

Revenue & Public Education Funding, Select - **SB 841, SJR 43**

State Affairs - **SB 55, SB 897, SB 937, SB 1036, SB 1624, SB 1715**

Transportation - **SB 370**

Urban Affairs - **SB 823, SB 1134**

Ways & Means - **SB 102, SB 581, SB 1425, SB 1451, SB 1805, SJR 45**

ENGROSSED

May 15 - **HB 772, HB 1175, HB 2254, HB 2520, HB 2948, HB 3373**

ENROLLED

May 15 - **HB 1406, HB 1808, HB 2601, HB 2832, HB 3043, HB 3457, HCR 263**

SENT TO THE GOVERNOR

May 15 - **HB 463, HB 870, HB 963, HB 1300, HB 1387, HB 1482, HB 1487, HB 1630, HB 1747, HB 2074, HB 2123, HB 2126, HB 2201, HB 2348, HB 3354, HCR 250**

SIGNED BY THE GOVERNOR

May 15 - **HB 243, HB 376, HB 527, HB 565, HB 567, HB 634, HB 707, HB 799, HB 901, HB 991, HB 1143, HB 1190, HB 1403, HB 1475, HB 1567, HB 2066, HB 2274, HB 2277, HB 2826, HCR 9, HCR 10, HCR 15, HCR 17, HCR 18, HCR 20, HCR 39, HCR 90, HCR 122, HCR 138, HCR 159, HCR 160, HCR 170, HCR 178, HCR 199, HCR 208, HCR 221, HCR 234**