

THIRTIETH DAY

(CONTINUED)

THURSDAY, MARCH 11, 1999

PROCEEDINGS

AFTER RECESS

The Senate met at 9:00 a.m. and was called to order by Senator Harris.

SESSION HELD FOR LOCAL AND UNCONTESTED CALENDAR

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Harris yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions in the order listed were laid before the Senate, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on suspension of the Constitutional Sixty-day Rule, the Constitutional Three-day Rule, and final passage are indicated after each caption.

CSSB 11 (Zaffirini) Relating to the mental state applicable to certain violations under the state Medicaid program. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 70 (Brown) Relating to the statute of limitations for the purpose of prosecuting certain offenses under the Tax Code. (31-0) (30-1) Wentworth "Nay" (31-0)

CSSB 100 (Carona) Relating to the design of a quarter dollar coin commemorating the State of Texas. (31-0) (30-1) Wentworth "Nay" (31-0)

CSSB 133 (Brown) Relating to the offense of retaining of lightning whelks caught in shrimp trawls. (31-0) (30-1) Wentworth "Nay" (31-0)

(Senator Shapiro in Chair)

SB 153 (Harris) Relating to the payment of costs in a proceeding for court-ordered mental health services. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 171 (Carona) Relating to expanding the Legion of Valor license plate privilege to the unmarried surviving spouses of veterans. (31-0) (30-1) Wentworth "Nay" (31-0)

CSSB 212 (Duncan) Relating to entrance examinations for beginning positions in the police departments of certain municipalities. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 234 (Ellis) Relating to the filing of reports with the secretary of state regarding persons licensed by the state. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 254 (Madla) Relating to the authority of the director of the Department of Public Safety of the State of Texas to permit the use of triplicate or single prescription forms under the Texas Controlled Substances Act. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 283 (West) Relating to the requirement that a juvenile board adopt guidelines for the informal disposition of a child. (31-0) (30-1) Wentworth "Nay" (31-0)

Senator West offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 283** by adding the following at the end of Sec. 52.032 of SECTION 3 of the bill: "The guidelines adopted under this section shall not be considered mandatory."

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator West and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 315 (Ellis) Relating to authorizing certain prepaid tuition contracts to cover tuition for an additional period of attendance at an institution of higher education. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 334 (Sibley) Relating to unemployment compensation benefit eligibility of certain inmates. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 335 (Sibley) Relating to a disqualification for receipt of unemployment compensation benefits for a benefit period in which the applicant for benefits works at least 40 hours. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 338 (Madla) Relating to the time at which the commissioners court of a county must hold a hearing on a proposed budget. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 343 (Ellis) Relating to the creation of the self-sufficiency fund to develop job training for certain recipients of Temporary Assistance for Needy Families. (31-0) (30-1) Wentworth "Nay" (31-0)

CSSB 383 (Duncan) Relating to access to criminal history record information by a political subdivision for certain background checks. (30-0-1) West "Present-not voting" (29-1-1) Wentworth "Nay", West "Present-not voting" (30-0-1) West "Present-not voting"

(Senator Harris in Chair)

SB 395 (Carona) Relating to the employment of a person by counties with civil service systems. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 408 (Duncan) Relating to the fee for registration of certain vehicles used for charitable purposes. (31-0) (30-1) Wentworth "Nay" (31-0)

CSSB 413 (Madla) Relating to the regulation of the practice of marriage and family therapy. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 416 (Lindsay) Relating to parking privileges for vehicles of certain veterans or the surviving spouses of certain veterans. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 435 (Carona) Relating to the deadline for the adoption of an optional exemption from ad valorem taxation on residence homesteads. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 446 (Carona) Relating to procedures governing certain ad valorem tax refunds. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 463 (Ogden) Relating to the transfer of certain state property from the Texas Department of Criminal Justice to Walker County. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 468 (Moncrief on behalf of Harris) Relating to licensing requirements for certain persons providing abortion services. (31-0) (30-1) Wentworth "Nay" (31-0)

Senator Moncrief, on behalf of Senator Harris, offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 468** as follows:

On page 1, line 13, strike "10" and substitute "300".

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Moncrief and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 476 (Luna) Relating to inclusion of special education students in certain public education decisions. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 478 (Carona) Relating to filing of financing statements and certain other filings with the secretary of state. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 479 (Carona) Relating to the fee for the electronic filing of a financing statement with the secretary of state. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 511 (Madla) Relating to the definition of a dangerous drug. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 517 (Shapiro) Relating to automobile clubs. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 589 (Nelson) Relating to the creation of a municipal court of record in Farmers Branch. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 607 (Fraser) Relating to developing and maintaining a database of the state's defense contractors. (31-0) (30-1) Wentworth "Nay" (31-0)

Senator Fraser offered the following committee amendment to the bill:

Committee Amendment No. 1

1. Amend **SB 607** as follows:

a.) On page 1, line 8, strike "other relevant" and replace with "public business".

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Fraser and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 611 (Ogden) Relating to the appointment and duties of criminal magistrates for certain courts of Williamson County. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 612 (Ogden) Relating to the creation of a county court at law in Williamson County. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 640 (Fraser) Relating to display of the POW/MIA flag. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 641 (Fraser) Relating to the reference to the Korean Conflict in the statute authorizing special license plates for Korea veterans. (31-0) (30-1) Wentworth "Nay" (31-0)

SB 732 (Moncrief on behalf of Harris) Relating to authorizing certain governmental entities located in certain municipalities with a development corporation to assess fees with the approval of the municipality. (31-0) (30-1) Wentworth "Nay" (31-0)

SCR 6 (Moncrief on behalf of Harris) Requesting the governor, lieutenant governor, and speaker of the house to establish a Blue Ribbon Task Force to study the uninsured issue. (31-0) (viva voce vote)

SCR 15 (Ellis) Directing the Texas Judicial Council to examine the costs of increasing reimbursement of jurors' expenses to \$40 after the first day of trial and to examine the feasibility of allowing counties to offer incentives to jurors for service. (31-0) (viva voce vote)

SCR 23 (Ellis) Directing the Office of Court Administration to study and develop uniform guidelines for media pooling agreements for courtroom coverage. (31-0) (viva voce vote)

SCR 34 (Fraser) Supporting the Texas Lone Star Chapter of the Korean War Veterans Organization in their efforts to clarify that the Korean War was a war, not a conflict. (31-0) (viva voce vote)

Senator Fraser offered the following committee amendment to the resolution:

Committee Amendment No. 1

1. Amend **SCR 34** as follows:

- a.) On line 14, strike "Organization" and replace with "Association".
- b.) On line 23, strike "Organization" and replace with "Association".

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Fraser and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

**BILL REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Duncan requested in writing that **SB 271** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator Harris announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 9:34 a.m. adjourned until 10:00 a.m. today.

THIRTY-FIRST DAY

THURSDAY, MARCH 11, 1999

PROCEEDINGS

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bernsen, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Harris, Haywood, Jackson, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

The Reverend John Salvesen, Pastor, Bear Creek Bible Church, Keller, offered the invocation as follows:

Our Father and our God, thank You that You are a good God who has done no wrong. Father, we pray and thank You for our elected leaders. We pray, Father, that today You empower them for the decisions that they must make. We also thank You for our many state employees. We thank You for them, Lord, and for their good service to us. We also pray, Lord, for our Governor, for our courts, and for this body as well as the House, that they would all continue to draw closer together with respect and trust. We also thank You for the people of Texas, for their creativity and diversity. We thank You especially for our children. We also pray for the different issues that are before us of crime, education, the economy, and different social issues. We pray for Your wisdom upon these men and women here today. We also pray for the legislation that is before the Senate and the House and if those bills please You that they would pass; if they do not please You that they would not pass. We also, Lord, repent of our pride and greed and our disregard for our fellow humans. We also pray and trust that Your presence would be here with us this morning and You're guiding us. We pray all these things in the Master's name. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

CO-AUTHOR OF SENATE BILL 24

On motion of Senator Nelson and by unanimous consent, Senator Shapleigh will be shown as Co-author of **SB 24**.

CO-AUTHOR OF SENATE BILL 37

On motion of Senator Ellis and by unanimous consent, Senator Cain will be shown as Co-author of **SB 37**.

CO-AUTHOR OF SENATE BILL 192

On motion of Senator Ogden and by unanimous consent, Senator Moncrief will be shown as Co-author of **SB 192**.

CO-AUTHOR OF SENATE BILL 229

On motion of Senator Ellis and by unanimous consent, Senator Ratliff will be shown as Co-author of **SB 229**.

CO-AUTHOR OF SENATE BILL 445

On motion of Senator Moncrief and by unanimous consent, Senator Cain will be shown as Co-author of **SB 445**.

CO-AUTHOR OF SENATE BILL 597

On motion of Senator Moncrief and by unanimous consent, Senator Ratliff will be shown as Co-author of **SB 597**.

CO-AUTHOR OF SENATE BILL 636

On motion of Senator Bivins and by unanimous consent, Senator Madla will be shown as Co-author of **SB 636**.

CO-AUTHOR OF SENATE BILL 913

On motion of Senator Shapleigh and by unanimous consent, Senator Duncan will be shown as Co-author of **SB 913**.

CO-AUTHOR OF SENATE BILL 1041

On motion of Senator Wentworth and by unanimous consent, Senator Carona will be shown as Co-author of **SB 1041**.

CO-AUTHOR OF SENATE BILL 1062

On motion of Senator Haywood and by unanimous consent, Senator Lindsay will be shown as Co-author of **SB 1062**.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

Senator Truan moved to postpone the introduction of bills and resolutions on first reading until the end of today's session.

The motion prevailed without objection.

(Senator Bivins in Chair)

SENATE RESOLUTION 36

Senator Nelson offered the following resolution:

WHEREAS, The Senate of the State of Texas takes pride in recognizing Leadership Greater Keller, a community leadership development program created by the Greater Keller Chamber of Commerce in 1998; and

WHEREAS, Leadership Greater Keller will bring together a cadre of emerging community and business leaders to learn about and care for their community; a better understanding of Keller and northeast Tarrant County's characteristics will encourage participants to identify and address the area's needs, issues, and opportunities; and

WHEREAS, Each year in the fall a group of participants will meet together once a month to improve their knowledge of the community; and

WHEREAS, Lasting for eight months, these sessions will cover a variety of subjects such as community structure, education, economic development, arts and leisure, health care, and transportation; the participants will be given tours, problem-solving tasks, and leadership development activities; and

WHEREAS, The goals of Leadership Greater Keller are truly worthy of legislative recognition; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 76th Legislature, hereby extend best wishes to the participants of Leadership Greater Keller; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as an expression of esteem from the Texas Senate.

NELSON
HARRIS
MONCRIEF

The resolution was again read.

The resolution was previously adopted on Wednesday, January 20, 1999.

GUESTS PRESENTED

Senator Nelson, joined by Senators Harris and Moncrief, was recognized and introduced to the Senate members of Leadership Greater Keller.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate a group of students in the Best Friends Program from Ryan and Jackson middle schools in Houston.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Truan was recognized and introduced to the Senate a delegation of members and officers of the Texas Silver-Haired Legislature: Gaston West, Speaker; John W. Holtermann, Chair, Legislature Action Committee; Jim Cowgill, Speaker Pro Tempore; Thomas Perkins, Deputy Speaker Pro Tempore; Dolores Tousigant, Secretary; Oris Greever, Comptroller; Charlotte Parks, Vice-chair; and Bill Cummings, Secretary.

The Senate welcomed its guests.

CAPITOL PHYSICIAN

The "Doctor for the Day," Dr. I. L. Balkcom of Sulphur Springs, was introduced to the Senate by Senator Ratliff.

The Senate expressed appreciation and gratitude to Dr. Balkcom for participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

RESOLUTIONS SIGNED

The Presiding Officer, Senator Bivins in Chair, announced the signing of the following enrolled resolutions in the presence of the Senate:

HCR 65, HCR 85, HCR 90.

(President in Chair)

REPORT OF COMMITTEE ON NOMINATIONS

Senator Wentworth submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed.

Members, Texas Board of Health: Jesse Curtis "J. C." Chambers, Lubbock County; Beverly Claire Harris Robinson, Ph.D., Bexar County; Margo Sneller Scholin, Harris County.

Members, The Texas A&M University System Board of Regents: Lionel Sosa, Bexar County; R. H. "Steve" Stevens, Jr., Harris County; Susan Rudd Wynn, M.D., Tarrant County.

Members, Texas Higher Education Coordinating Board: Kevin Paul Eltife, Smith County; Adair Wakefield Margo, El Paso County.

Commissioners, Texas Animal Health Commission: Quincy Barnes, Bexar County; Tommy Bozka, Lavaca County; Charles Richard Sherron, Jefferson County; Richard C. Traylor, Zavala County.

Members, Texas Commission on the Arts: Sue Schrier Bancroft, Denton County; Celso M. Gonzalez-Falla, Nueces County; C. Anthony "Tony" Sherman, Fort Bend County; Kathleen Birkner Stevens, Tarrant County; Catherine Blaffer Taylor, Midland County.

Members, Texas Department of Housing and Community Affairs Board: Michael E. Jones, Smith County; Lydia Rangel Saenz, Dimmit County; Marsha L. Williams, Dallas County.

Members, Texas Water Development Board: Jack Hunt, Harris County; Wales H. Madden, Jr., Potter County.

Member, Texas State Library and Archives Commission: Sandra Pickett, Liberty County.

Members, North Texas Tollway Authority Board of Directors: Donald D. Dillard, Dallas County; Jere W. Thompson, Jr., Dallas County; Marilyn Kay Walls, Johnson County.

Members, Nueces River Authority Board of Directors: Scott Bledsoe III, Live Oak County; John William Howell, San Patricio County; August Linnartz, Jr., Dimmit County; Thomas M. Reding, Jr., San Patricio County; Patricia Keane Sutton, Real County; Lawrence H. Warburton, Jr., Jim Wells County.

Members, On-site Wastewater Treatment Research Council: Therese M. Baer, P.E., Travis County; Barry D. Bedwell, Randall County; John Robert Blount, Harris County; Thomas Edward Dreiss, Bexar County; Franz K. Hiebert, Ph.D., Travis County; Lois Jordan Kooock, Mason County; Maurice P. Short, P.E., Bowie County; Glenn A. Turner, Jefferson County; Brenton L. Wade, Tom Green County.

Members, Texas Underground Facility Notification Corporation Board of Directors: Ralph Edward Alonzo, Bexar County; Charles Anthony "Tony" Boyd, Dallas County; Sheila Wilkes Brown, Travis County; Edgar Leon Carter, Collin County; Janet W. Holland, Palo Pinto County; David Hooper, San Patricio County; Lois W. Kolkhorst, Washington County; Steven F. Landon, Tarrant County; Howard T. Pebley, Jr., Hidalgo County; E. Ashley Smith, Harris County; Nancy Lou Sullivan, Mitchell County; Jose L. Valenciano, Lubbock County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Wentworth gave notice that he would on Monday, March 15, 1999, at the conclusion of morning call submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

CONCLUSION OF MORNING CALL

The President at 10:25 a.m. announced the conclusion of morning call.

(Senator Truan in Chair)

(President in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 445 ON SECOND READING

Senator Moncrief moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **CSSB 445** be taken up for consideration at this time:

CSSB 445, Relating to a child health plan for certain low-income children.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time.

Senator Moncrief offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 445** in SECTION 1 (Committee Printing page 3, line 52), by inserting the following sentence at the end of Subsection (d), Section 62.101: "An adjustment to an income limit made under this subsection shall not remove health insurance coverage from a child already insured under this chapter."

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Moncrief and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 445 ON THIRD READING**

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 445** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

CSSB 445 was read third time and was passed by the following vote: Yeas 31, Nays 0.

(Senator Ellis in Chair)

(President in Chair)

SENATE RESOLUTION 366

Senator Truan offered the following resolution:

WHEREAS, The Senate of the State of Texas takes pride in recognizing Stephen Justus "Tio" Kleberg, an outstanding citizen of our state and a distinguished South Texas rancher and board member of the famed King Ranch, on the occasion of his visit to the Capitol on March 11, 1999; and

WHEREAS, Born March 17, 1946, Tio Kleberg is the great-great-grandson of ranch founder Captain Richard King; he is a 1964 graduate of the Texas Military Institute, and he earned his bachelor of science degree in 1969 from Texas Tech University; and

WHEREAS, Founded in 1853, the King Ranch is divided into four sections and covers 825,000 acres in South Texas; about 60,000 acres of the ranch is in farmland, half cotton and half grain sorghum, and the ranch has about 50,000 head of cattle; and

WHEREAS, A man well known for his intelligence and insight, Tio Kleberg possesses the vision of his forebears, and he followed in their footsteps in learning the King Ranch operations firsthand; beginning with his days as a youth, he worked under the tutelage of his father, R. M. Kleberg, Jr., and his heroes, the Kineños, or King Ranch cowboys, whose families have lived on the ranch for generations; and

WHEREAS, Since he was named head of the ranches in 1977 at the age of 31, Tio Kleberg has consistently brought the most modern innovations to the ranch's cattle and farming operations, and his love of the land and its heritage has been manifest in every aspect of his work; and

WHEREAS, Tio knows the location of the ranch's 100 pastures and 320 windmills; he has ridden horseback through every pasture and has never missed a roundup, and he is beloved and respected by the Kineños for his hands-on approach to ranching and his dedication and hard work; and

WHEREAS, In 1988, Tio became vice president of agribusiness for King Ranch, Incorporated, a position that added to his already far-reaching responsibilities; the ranch's agribusiness controls about one million acres of property; the company's agribusiness division includes a cattle operation in Brazil, a Lexington, Kentucky, horse farm, a Saint Augustine sod, citrus, and sugarcane operation in Florida, and a 6,000-acre irrigated alfalfa, onion, and honeydew melon farm in Arizona; and

WHEREAS, Under Mr. Kleberg's leadership, the ranch introduced a new breed of cattle in 1994, the King Ranch Santa Cruz; the breed is half Santa Gertrudis, a quarter Red Angus, and a quarter Gelbvieh and is marketed as having improved meat quality, as well as improved reproduction and fertility; and

WHEREAS, In addition to his extensive work on the seven-generation family ranch, Tio Kleberg is a highly respected community leader who is active in numerous organizations and philanthropic endeavors; he has played a major role in the establishment of grants and programs for youths at Texas A&M University—Kingsville and is a trustee of the Texas Tech University Foundation; he was named South Texan of the Year in 1997; and

WHEREAS, Tio has served as a trustee of the Center for Reproduction of Endangered Species of the San Diego Zoo, a president of the American Quarter Horse Association, a trustee for the Caesar Kleberg Wildlife Foundation, and a committeeman for the National Cattleman's Association; and

WHEREAS, A talented and resourceful individual, Tio Kleberg is a hardworking gentleman whose integrity, modesty, perseverance, and generosity are inspirational, and his dedication to his work and his many accomplishments are a source of much pride to his family, community, and state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 76th Legislature, hereby commend Stephen Justus "Tio" Kleberg on his exceptional achievements on behalf of the King Ranch and on his many contributions to his state; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Tio Kleberg as an expression of esteem from the Texas Senate.

The resolution was read.

On motion of Senator Ogden and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Truan, the resolution was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Truan was recognized and introduced to the Senate Stephen Justus "Tio" Kleberg, his wife, Junell, and other members of his family.

The Senate welcomed its guests.

(Senator West in Chair)

GUESTS PRESENTED

Senator Barrientos was recognized and introduced to the Senate a group of fifth-grade students and their teacher, Leo Aguirre, from Kiker Elementary School in Austin.

The Senate welcomed its guests.

(President in Chair)

HOUSE CONCURRENT RESOLUTION 9 ON SECOND READING

Senator Ratliff moved to suspend all necessary rules to take up **HCR 9** for consideration at this time on its second reading.

The motion prevailed by a viva voce vote.

RECORD OF VOTE

Senator Wentworth asked to be recorded as voting "Nay" on the suspension of all necessary rules.

HCR 9, Memorializing Congress to not make federal claims against the proceeds of the Texas tobacco settlement.

The resolution was read second time and was adopted by a viva voce vote.

(Senator Armbrister in Chair)

SENATE RESOLUTION 332

Senator Gallegos offered the following resolution:

WHEREAS, The Senate of the State of Texas congratulates 14-year-old Kristin Hart on her phenomenal success as a country western singer; and

WHEREAS, Although she always enjoyed singing, Kristin's professional training first began in 1991 with Humphrey's School of Musical Theatre at Theatre Under The Stars, and her style was improved by Jessica Shepard of Debbie Beinhorn's Singers Workshop Studios when she was on tour with Encore Youth Performers in 1994 through 1996; she continues her training with Debbie Beinhorn's talented coaches today; and

WHEREAS, Even though Kristin maintains a demanding performance schedule, her first priority is her school work, which fortunately comes easily for her, and she continues to also excel as an honor student and enjoy school-related activities with her friends; and

WHEREAS, Kristin's invitation to sing at the Houston Livestock Show and Rodeo was an enviable achievement because almost any professional country western performer several times her age would accept such an opportunity; and

WHEREAS, Other performances to her credit include Johnnie High Country Music Revue in Arlington, Texas; Texas Opry Jamboree in Magnolia, Texas; and Disney World in Orlando, Florida; and

WHEREAS, Kristin's resume is long for such a new entertainer, and in addition to her many other credits, it includes her performances for charity events which she considers as an important part of her life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 76th Legislature, hereby commend Kristin Hart for her success as a talented country western singer and as an exemplary young Texan; and, be it further

RESOLVED, That a copy of this Resolution be presented to Kristin as an expression of esteem by the Texas Senate.

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Gallegos, the resolution was adopted by a viva voce vote.

GUEST PRESENTED

Senator Gallegos was recognized and introduced to the Senate Kristin Hart of Houston.

The Senate welcomed Kristin.

GUESTS PRESENTED

Senator Wentworth was recognized and introduced to the Senate a group of students and their teacher from Lyndon Baines Johnson High School in Austin.

The Senate welcomed its guests.

SENATE BILL 187 ON SECOND READING

Senator Lucio moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 187** be taken up for consideration at this time:

SB 187, Relating to the release of certain information relating to a juvenile offender suspected of fleeing after committing certain violent crimes.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time.

Senator Lucio offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 187** in SECTION 1 of the bill, (Section 58.106, Family Code), page 1, introduced version), as follows:

(1) On line 11, between "state" and "that", insert "that the law enforcement agency has been issued a directive to apprehend the offender or an arrest warrant for the offender or the law enforcement agency is otherwise authorized to arrest the offender and".

(2) On line 13, strike "an offense" and substitute "a felony offense".

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Lucio and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 187 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 187** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 187 was read third time and was passed by a viva voce vote.

SENATE BILL 262 ON SECOND READING

Senator Brown moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 262** be taken up for consideration at this time:

SB 262, Relating to the reimbursement of landowners or developers prior to annexation of a water-related special district.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time.

Senator Brown offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 262** as follows:

On page 1, line 20, before the word "the", insert "the effective date of"

The committee amendment was read and was adopted by a viva voce vote.

Senator Brown offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 262** as follows: on page 1, lines 39 through 47, strike all of existing Subsection (c) and insert the following new Subsections (c) and (d):

"(c) At the time notice of the municipality's intent to annex the land within the district is first published in accordance with Section 43.052 of this Code, the municipality shall proceed to initiate and complete a report for each developer conducted in accordance with the format approved by the TNRCC for audits. In the event the municipality is unable to complete the report prior to the effective date of the annexation, the municipality shall obtain from the district the estimated costs of each project previously undertaken by a developer which are eligible for reimbursement. The amount of such costs, as estimated by the district, shall be escrowed by the municipality for the benefit of the persons entitled to receive payment in an insured, interest bearing account with a financial institution authorized to do business in the state. To compensate the developer for the municipality's use of the infrastructure facilities pending the determination of the reimbursement amount or federal pre-clearance, all interest accrued on the escrowed funds shall be paid to the developer whether or not the annexation is valid. Upon placement of the funds in the escrow account, the annexation may become effective. In the event a municipality timely escrows all reimbursable amounts as required by this subsection, and all such amounts, including interest, are subsequently disbursed to the developer as required by this section, no penalties or interest shall accrue during the pendency of the escrow.

(d) A delinquent sum incurs a penalty of six percent of the amount of the sum for the first calendar month it is delinquent plus one percent for each additional month or portion of a month the sum remains unpaid. For an annexation occurring prior to the effective date of the changes in law made by this Act in amending Subsection (b), a delinquent sum begins incurring a penalty on the first day of the eighth month following the month in which the municipality enacted its annexation ordinance. For an annexation occurring after the effective date of this Act, a delinquent sum begins incurring a penalty on the first day after the date the municipality enacts its annexation ordinance."

The amendment was read and was adopted by a viva voce vote.

VOTE RECONSIDERED

On motion of Senator Brown and by unanimous consent, the vote by which Floor Amendment No. 1 was adopted was reconsidered.

Question—Shall Floor Amendment No. 1 to **SB 262** be adopted?

Senator Barrientos offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

Amend Floor Amendment No. 1 to **SB 262** as follows: Amend new Subsection (c), second sentence, by inserting the following between "annexation," and "as":

"as a result of the developer's failure to provide information to the municipality which cannot be obtained from other sources."

The amendment to Floor Amendment No. 1 was read and was adopted by a viva voce vote.

Question recurring on the adoption of Floor Amendment No. 1 as amended, the amendment as amended was adopted by a viva voce vote.

Senator Barrientos offered the following amendment to the bill:

Floor Amendment No. 3

Amend **SB 262** as follows: on page 1, line 38, insert the following after the word "annexation.":

"For an annexation that is subject to pre-clearance by a federal authority, a payment will be considered timely if the municipality (i) escrows the reimbursable amounts determined in accordance with subsection (c), below, prior to the effective date of the annexation; and (ii) subsequently causes the escrowed funds and accrued interest to be disbursed to the developer within five (5) business days after the municipality receives notice of the pre-clearance."

The amendment was read and was adopted by a viva voce vote.

Senator Brown offered the following amendment to the bill:

Floor Amendment No. 4

Amend **SB 262** as follows: on page 1, lines 48 through 51, strike SECTION 2 and substitute the following SECTION 2:

SECTION 2. The changes in law made by this Act in amending Subsection (a) and adding Subsection (d), Section 43.0715, Local Government Code, apply to any sum that is delinquent on the effective date of this Act.

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Brown and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 262 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 262** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 262 was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 74 ON SECOND READING

Senator Truan moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 74** be taken up for consideration at this time:

SB 74, Relating to the designation of a portion of State Highway 44 as the Cesar Chavez Memorial Highway.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time.

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 1

Amend the Committee Report for **SB 74** on lines 13 through 16 by striking subsection (a) in its entirety and substituting a new subsection (a) to read as follows:

(a) State Highway 44 in Nueces County and Jim Wells County outside the city limits of Corpus Christi and exclusive of the segments of State Highway 44 that lie within the city limits of Robstown, Banquete, Agua Dulce, and Alice is designated as the Cesar Chavez Memorial Highway.

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Truan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 74 ON THIRD READING

Senator Truan moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 74** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 74 was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 174 ON SECOND READING

Senator Ratliff moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **CSSB 174** be taken up for consideration at this time:

CSSB 174, Relating to codification of certain state employment matters currently prescribed by the General Appropriations Act.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 174 ON THIRD READING**

Senator Ratliff moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 174** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

CSSB 174 was read third time and was passed by a viva voce vote.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
March 11, 1999

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 77, Commending Bobbie Duncan for her contributions to education in the State of Texas.

SB 290, Relating to a temporary exemption from the severance tax for oil and gas produced from wells under certain market conditions.

SB 472, Relating to making an emergency general appropriations.
(Committee Substitute/Amended)

SCR 46, Declaring March 9, 1999, as International Adopt-a-Highway Day in the State of Texas.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

SENATE BILL 175 ON SECOND READING

Senator Ratliff moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 175** be taken up for consideration at this time:

SB 175, Relating to codification of certain travel provisions in the General Appropriations Act that are applicable to state officers and employees.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 175 ON THIRD READING

Senator Ratliff moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 175** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 175 was read third time and was passed by a viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 176 ON SECOND READING

Senator Ratliff moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **CSSB 176** be taken up for consideration at this time:

CSSB 176, Relating to codification of certain reporting and accounting requirements in the General Appropriations Act that are applicable to state agencies.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 176 ON THIRD READING

Senator Ratliff moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 176** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

CSSB 176 was read third time and was passed by a viva voce vote.

SENATE BILL 116 ON SECOND READING

Senator Bivins moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 116** be taken up for consideration at this time:

SB 116, Relating to the disposition of the fines collected from persons arrested or issued citations for certain offenses by a school district peace officer.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

RECORD OF VOTE

Senator Luna asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

(President in Chair)**SENATE BILL 116 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 116** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Armbrister, Barrientos, Bernsen, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Harris, Haywood, Jackson, Lindsay, Lucio, Madla, Moncrief, Nelson, Nixon, Ogden, Ratliff, Shapiro, Shapleigh, Sibley, Truan, West, Whitmire, Zaffirini.

Nays: Luna, Wentworth.

SB 116 was read third time and was passed by a viva voce vote.

RECORD OF VOTE

Senator Luna asked to be recorded as voting "Nay" on the final passage of the bill.

**COMMITTEE SUBSTITUTE
SENATE BILL 192 ON SECOND READING**

Senator Ogden moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **CSSB 192** be taken up for consideration at this time:

CSSB 192, Relating to contracts with and compensation of administrators of public institutions of higher education.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 192 ON THIRD READING**

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 192** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

CSSB 192 was read third time and was passed by a viva voce vote.

SENATE BILL 487 ON SECOND READING

Senator Brown moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 487** be taken up for consideration at this time:

SB 487, Relating to the timing of an application for a solid waste permit.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 487 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 487** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 487 was read third time and was passed by a viva voce vote.

SENATE BILL 613 ON SECOND READING

Senator Carona moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 613** be taken up for consideration at this time:

SB 613, Relating to the disclosure of certain records maintained or obtained by the comptroller of public accounts of the State of Texas.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time.

Senator Carona offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 613** as follows:

Substitute the following for SECTION 1 of the introduced bill:

SECTION 1. Section 2101.037, Government Code, is amended by adding Subsection (c) to read as follows:

(c) It is an affirmative defense to prosecution under Section 552.352(a) that the comptroller, the project director, another officer or employee of the comptroller, or an independent contractor of the comptroller acted in reliance upon a determination made by a state agency about the confidentiality of information supplied by the agency to the project director under Subsection (b).

The committee amendment was read and was adopted by a viva voce vote.

On motion of Senator Carona and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 613 ON THIRD READING

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 613** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 613 was read third time and was passed by a viva voce vote.

(Senator Sibley in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 306 ON SECOND READING**

Senator Lucio moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **CSSB 306** be taken up for consideration at this time:

CSSB 306, Relating to the eligibility of certain defendants convicted of felonies for release on bail pending appeal.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Armbrister, Barrientos, Bernsen, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Harris, Haywood, Jackson, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, Zaffirini.

Nays: Gallegos, West, Whitmire.

The bill was read second time and was passed to engrossment by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 306 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 306** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Armbrister, Barrientos, Bernsen, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Harris, Haywood, Jackson, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Zaffirini.

Nays: Gallegos, Wentworth, West, Whitmire.

CSSB 306 was read third time and was passed by a viva voce vote.

RECORD OF VOTES

Senators Gallegos, West, and Whitmire asked to be recorded as voting "Nay" on the final passage of the bill.

GUESTS PRESENTED

Senator Gallegos was recognized and introduced to the Senate a group of seventh-grade students and their teachers from Patrick Henry Middle School in Houston.

The Senate welcomed its guests.

(President in Chair)

SENATE BILL 310 ON SECOND READING

Senator Cain moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 310** be taken up for consideration at this time:

SB 310, Relating to the regulation of occupational therapists; providing for administrative penalties.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 310 ON THIRD READING

Senator Cain moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 310** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 310 was read third time and was passed by a viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 486 ON SECOND READING

Senator Brown moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **CSSB 486** be taken up for consideration at this time:

CSSB 486, Relating to the processing or disposing of solid waste.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 486 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 486** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

CSSB 486 was read third time and was passed by a viva voce vote.

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **SB 290**.

COMMITTEE SUBSTITUTE SENATE BILL 79 ON SECOND READING

Senator Carona moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **CSSB 79** be taken up for consideration at this time:

CSSB 79, Relating to the selection and supervision of the executive director of the Texas Department of Housing and Community Affairs.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 79 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 79** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

CSSB 79 was read third time and was passed by a viva voce vote.

SENATE BILL 450 ON SECOND READING

Senator Armbrister moved that Senate Rule 7.13, Section 5, Article III of the Texas Constitution, and the regular order of business be suspended and that **SB 450** be taken up for consideration at this time:

SB 450, Relating to markings required on certain vehicles; creating an offense.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time.

Senator Armbrister offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 450** as follows:

(1) In SECTION 2 (Committee printing page 1, line 48), strike "This Act takes effect July 1, 1999."

(2) In SECTION 3 (Committee printing page 1, lines 61-62), strike "according to its terms" and substitute "from and after its passage"

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Armbrister and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 450 ON THIRD READING

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 450** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

SB 450 was read third time and was passed by a viva voce vote.

VOTE RECONSIDERED

On motion of Senator Armbrister and by unanimous consent, the vote by which **SB 450** was finally passed was reconsidered.

Question—Shall **SB 450** be finally passed?

SB 450 was again finally passed by the following vote: Yeas 31, Nays 0.

SENATE RULE 11.13 SUSPENDED

On motion of Senator Truan and by unanimous consent, Senate Rule 11.13 was suspended to grant all committees permission to meet while the Senate is meeting.

MOTION TO ADJOURN

On motion of Senator Truan and by unanimous consent, the Senate at 12:40 p.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 1:30 p.m. Monday, March 15, 1999.

(Senator Sibley in Chair)

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

SB 372 by Brown

Relating to the continuation and functions of the Health and Human Services Commission.

To Committee on Human Services.

SB 373 by Harris

Relating to the continuation and functions of the Texas Board of Private Investigators and Private Security Agencies; providing a penalty.

To Committee on Criminal Justice.

SB 374 by Zaffirini

Relating to the creation of and transfer of certain programs to a long-term care agency on human services, aging, health, and rehabilitation and the transfer of certain functions from the Department on Aging to the Independent Aging Policy Council.

To Committee on Human Services.

SB 1063 by Fraser

Relating to the operation of a statewide rural health care system.

To Committee on Economic Development.

SB 1064 by Fraser

Relating to the appointment of an advisory committee to study unjustified double recovery in certain civil actions.

To Subcommittee on Technology and Business Growth.

SB 1065 by Fraser

Relating to the application of the franchise tax to banking corporations and savings and loan associations.

To Committee on Finance.

SB 1066 by Fraser

Relating to certain proceedings under the Texas Code of Military Justice.
To Committee on Veteran Affairs and Military Installations.

SB 1067 by Fraser

Relating to the appraisal for ad valorem tax purposes of property located in more than one appraisal district.
To Committee on Intergovernmental Relations.

SB 1068 by Fraser

Relating to the disposition of revenue from the motor vehicle sales tax by certain counties.
To Committee on Finance.

SB 1069 by Fraser

Relating to the annexation procedures for certain areas covered by a court-ordered trust agreement.
To Committee on Intergovernmental Relations.

SB 1070 by Bivins

Relating to the creation of an administrative penalty for certain violations relating to the production of oil and gas.
To Committee on Natural Resources.

SB 1071 by Fraser

Relating to contracts for the development of aeronautics.
To Subcommittee on Technology and Business Growth.

SB 1072 by Fraser

Relating to the use of certain tax revenue for airports.
To Committee on Finance.

SB 1073 by Gallegos

Relating to restrictions on and notice of the location of a shelter for the homeless.
To Committee on Intergovernmental Relations.

SB 1074 by Carona

Relating to the licensing of mortgage brokers; providing civil and administrative penalties.
To Committee on Economic Development.

SB 1075 by Carona

Relating to powers of certain nonprofit cooperative corporations.
To Committee on Economic Development.

SB 1076 by Carona

Relating to certain types of noncredit insurance and other products offered in connection with a consumer loan.
To Committee on Economic Development.

SB 1077 by Carona

Relating to the regulation of funeral directing and embalming.
To Committee on State Affairs.

SB 1078 by Shapleigh

Relating to qualifications of jurors serving in the El Paso municipal courts of record.

To Committee on Intergovernmental Relations.

SB 1079 by Shapleigh

Relating to the establishment and duties of the position of public information advocate within the office of the attorney general.

To Committee on State Affairs.

SB 1080 by Shapleigh

Relating to the tuition charged certain foreign students attending a public junior college in a county bordering a foreign nation.

To Committee on Border Affairs - Special.

SB 1081 by Shapleigh

Relating to report cards on the performance of public school campuses.

To Committee on Education.

SB 1082 by Haywood

Relating to the appraisalment of real property securing a mortgage loan; providing a criminal penalty.

To Committee on Economic Development.

SB 1083 by Harris

Relating to forming a professional association for the practice of dentistry.

To Committee on Health Services.

SB 1084 by Harris

Relating to the assignment of benefits for dental care services.

To Committee on Health Services.

SB 1085 by Harris

Relating to forming a professional association for the practice of dentistry.

To Committee on Health Services.

SB 1086 by Lindsay

Relating to allowing the creation of a new class of pharmacy.

To Committee on Health Services.

SB 1087 by Lindsay

Relating to the maintenance of dangerous drugs and controlled substances at a convalescent or nursing home or at an intermediate care facility for the mentally retarded.

To Committee on Health Services.

SB 1088 by Duncan

Relating to the creation of the Texas Tech University System.

To Subcommittee on Higher Education.

SB 1089 by Duncan

Relating to the investment of debt service funds by school districts, junior college districts, and community college districts.

To Committee on Education.

SB 1090 by Duncan

Relating to the treatment of certain contracts for purposes of determining the rollback tax rate of a taxing unit.

To Committee on Intergovernmental Relations.

SB 1091 by Duncan

Relating to the issuance and sale of bonds and time warrants by school districts and the issuance of obligations and execution of credit agreements by certain school districts and junior college districts.

To Committee on Education.

SB 1092 by Brown, Truan

Relating to the establishment of a spaceport authority; granting the power of eminent domain and the right to issue bonds.

To Committee on State Affairs.

SB 1093 by Lucio

Relating to the authorization of satellite bingo games.

To Committee on State Affairs.

SB 1094 by Lucio

Relating to the subpoena authority of certain licensing agencies.

To Committee on State Affairs.

SB 1095 by Zaffirini

Relating to nutritional assistance for certain legal immigrants.

To Committee on Human Services.

SB 1096 by Nixon

Relating to the consolidation of the Angelina and Neches River Authority with, and the administration, powers, duties, operation, and financing of, the Lower Neches Valley Authority and the Upper Neches River Authority.

To Committee on Natural Resources.

SB 1097 by Nixon

Relating to the authority of this state or a political subdivision of this state to participate in a challenge, protest, or appeal regarding the ad valorem tax appraisal of a taxable leasehold or other possessory interest in real property owned by this state or the political subdivision.

To Committee on State Affairs.

SB 1098 by Cain

Relating to crew requirements for railroads.

To Committee on State Affairs.

SB 1099 by Cain

Relating to excavation operations of employees of the Texas Department of Transportation.

To Committee on State Affairs.

SB 1100 by Cain, Shapleigh, Moncrief, West

Relating to the use of certain controlled substances to facilitate the commission of the offense of aggravated sexual assault; providing a penalty.

To Committee on Criminal Justice.

SB 1101 by Cain

Relating to the use of competitive bidding by an airport governed jointly by two municipalities.

To Committee on Intergovernmental Relations.

SB 1102 by Cain

Relating to the permissible concentration of alcohol in certain beverages sold or held by persons permitted to sell such beverages.

To Committee on Economic Development.

SB 1103 by Cain

Relating to requiring an on-site, full-time manager at certain apartment complexes.

To Committee on State Affairs.

SB 1104 by Brown

Relating to authorizing the board of regents of The University of Texas System to acquire certain properties for campus expansion and other university purposes.

To Subcommittee on Higher Education.

SB 1105 by Ratliff, Barrientos

Relating to repair and resale of certain data processing equipment.

To Committee on Criminal Justice.

SB 1106 by Harris

Relating to a statement of facts concerning the identity of heirs.

To Committee on Jurisprudence.

SB 1107 by Shapleigh

Relating to information on assistance under the federal Community Adjustment and Investment Program.

To Committee on Economic Development.

SB 1108 by Shapleigh, Lucio, Truan, Zaffirini

Relating to the disposition of the proceeds of fines collected for overweight vehicles.

To Committee on Border Affairs - Special.

SB 1109 by Shapleigh

Relating to the selection of the disposal site designated by the Texas Low-Level Radioactive Waste Disposal Authority.

To Committee on Natural Resources.

SB 1110 by Shapleigh

Relating to the location of the headquarters of the Low-level Radioactive Waste Disposal Authority.

To Committee on Natural Resources.

SB 1111 by Shapleigh

Relating to the identification of real property owned by the state that is suitable for the development of affordable housing.

To Committee on Natural Resources.

SB 1112 by Shapleigh, Ellis, Lucio

Relating to the allocation of programs maintained by the Texas Department of Housing and Community Affairs to the state planning regions based on population.

To Committee on Intergovernmental Relations.

SB 1113 by Shapleigh

Relating to home ownership counseling services for low income homeowners and homebuyers.

To Committee on Intergovernmental Relations.

SB 1114 by Armbrister

Relating to certain promotional activities for certain alcoholic beverage permit holders and licensees.

To Committee on Economic Development.

SB 1115 by Armbrister, Lucio

Relating to employee organization consultation policies adopted by the boards of trustees of school districts.

To Committee on Education.

SB 1116 by Armbrister

Relating to an exception to the offense of contributing to the delinquency of a narcotic addict.

To Committee on Criminal Justice.

SB 1117 by Armbrister

Relating to the payment of certain lottery prizes.

To Committee on Finance.

SB 1118 by Armbrister

Relating to the date by which the governing body of a taxing unit must adopt an ad valorem tax rate for that taxing unit.

To Committee on Intergovernmental Relations.

SB 1119 by Armbrister

Relating to the publication of certain tax and financial information required prior to the adoption of an ad valorem tax rate by a taxing unit.

To Committee on Intergovernmental Relations.

SB 1120 by Armbrister, Bernsen

Relating to a statewide group insurance program for employees and retirees of school districts.

To Committee on State Affairs.

SB 1121 by Armbrister

Relating to certain promotional activities for certain alcoholic beverage permit holders.

To Committee on Economic Development.

SB 1122 by Armbrister

Relating to circumstances in which cigarettes may not be affixed with stamps or sold; providing penalties.

To Committee on Human Services.

SB 1123 by Armbrister

Relating to the punishment for assaults committed against certain sports officials.

To Committee on Criminal Justice.

SB 1124 by Armbrister

Relating to mediation in family violence cases.

To Committee on Criminal Justice.

SB 1125 by Armbrister

Relating to mediation in criminal cases.

To Committee on Criminal Justice.

SB 1126 by Armbrister

Relating to the provision of services at state schools to persons with mental retardation.

To Committee on Human Services.

SB 1127 by Armbrister

Relating to the purchase of goods and services by the state.

To Committee on State Affairs.

SB 1128 by Armbrister, Barrientos, Bernsen

Relating to systems and programs administered by the Teacher Retirement System of Texas.

To Committee on State Affairs.

SB 1129 by Armbrister

Relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System.

To Committee on State Affairs.

SB 1130 by Armbrister, Barrientos

Relating to programs and systems administered by the Employees Retirement System of Texas.

To Committee on State Affairs.

SB 1131 by Madla

Relating to advanced practice nurses and physician assistants; providing penalties.

To Committee on Health Services.

SB 1132 by Madla

Relating to due process requirements for renewal, modification, or revocation of medical staff membership and privileges.

To Committee on Health Services.

SB 1133 by Madla

Relating to the inclusion of nursing in the definition of professional services for purposes of the Professional Services Procurement Act.

To Committee on Health Services.

SB 1134 by Madla

Relating to the practice of acupuncture.

To Committee on Health Services.

SB 1135 by Ellis

Relating to the creation and composition of certain district courts.

To Committee on Jurisprudence.

SB 1136 by Shapleigh, Duncan, Lucio, Madla, Truan, Zaffirini
Relating to a border commerce coordinator in the governor's office.
To Committee on Border Affairs - Special.

SB 1137 by Wentworth
Relating to attendance in public schools of persons over 18 years of age.
To Committee on Education.

SB 1138 by Wentworth
Relating to assistance funds for mandatory health care services provided in certain counties.
To Committee on Human Services.

SB 1139 by Wentworth
Relating to the taxable value of property of a school district that does not offer each grade level from kindergarten to 12th grade.
To Committee on Education.

SB 1140 by Wentworth, Zaffirini
Relating to eligibility for public prekindergarten classes.
To Committee on Education.

SB 1141 by Zaffirini
Relating to surrogate parents for certain public education students with disabilities.
To Committee on Human Services.

SB 1142 by Zaffirini
Relating to consequences of appointment of trustee or expenditure of emergency assistance funds for a nursing or convalescent home.
To Committee on Human Services.

SB 1143 by Zaffirini
Relating to requiring certain convalescent and nursing homes to execute a surety bond.
To Committee on Human Services.

SB 1144 by Fraser, Duncan, Sibley
Relating to retirement benefits payable for service as a district or criminal district attorney or a county attorney performing the duties of a district attorney.
To Committee on State Affairs.

SB 1145 by Ellis, Bernsen, Gallegos, Lindsay, Whitmire
Relating to review by the comptroller of certain hospital districts.
To Committee on Finance.

SB 1146 by Wentworth
Relating to exemption from regulation of certain bus manufacturers.
To Committee on State Affairs.

SB 1147 by Wentworth
Relating to the establishment of an inactive status for registered architects.
To Committee on State Affairs.

SB 1148 by Wentworth

Relating to the requirement that a child support obligor provide certain financial information to the court.

To Committee on Jurisprudence.

SB 1149 by Wentworth

Relating to the application of the open meetings law to certain gatherings at which a governmental body receives information from third persons, including government employees.

To Committee on State Affairs.

SB 1150 by Wentworth

Relating to the statutory probate court jurisdiction.

To Committee on Jurisprudence.

SB 1151 by Bivins

Relating to a disqualification from unemployment compensation benefits for certain persons engaged in seasonal employment.

To Committee on Human Services.

SB 1152 by Bivins

Relating to the authority of the state to obtain electricity and to sell or convey that electricity.

To Committee on Natural Resources.

SB 1153 by Bivins

Relating to fraternal benefit societies.

To Committee on Economic Development.

SB 1154 by Bernsen

Amending Chapter 43, Subchapter D, Local Government Code, by adding Section 43.0752 relating to the authority of certain districts and municipalities to enter into regional development agreements and related agreements; containing legislative findings; and declaring an emergency.

To Committee on Natural Resources.

SB 1155 by Carona

Relating to the allocation and reservation system for certain tax-exempt private activity bonds.

To Committee on Intergovernmental Relations.

SB 1156 by Carona

Relating to regional injury prevention centers.

To Committee on Health Services.

SB 1157 by Carona

Relating to the reporting of certain convictions to the Department of Public Safety.

To Committee on Criminal Justice.

SB 1158 by Carona

Relating to fraudulent conduct with respect to TANF benefits.

To Committee on Human Services.

SB 1159 by Carona

Relating to compliance with certain requirements of the responsibility agreement by recipients of Temporary Assistance for Needy Families benefits.
To Committee on Human Services.

SB 1160 by Carona

Relating to the Texas Uniform Condominium Act.
To Committee on Economic Development.

SB 1161 by Duncan

Relating to standards and specifications applicable to certain buildings subject to requirements relating to architectural barriers.
To Committee on State Affairs.

SB 1162 by Wentworth

Relating to the administration and funding of certain marital education courses, including courses required to obtain a marriage license.
To Committee on Jurisprudence.

SB 1163 by Wentworth

Relating to the jurisdiction of statutory probate courts.
To Committee on Jurisprudence.

SB 1164 by Wentworth

Relating to the interest rate on delinquent child support accounts.
To Committee on Jurisprudence.

SB 1165 by Wentworth

Relating to water quality protection zones.
To Committee on Natural Resources.

SB 1166 by Wentworth

Relating to the purposes for which certain municipalities may use revenue from the municipal hotel occupancy tax.
To Committee on Intergovernmental Relations.

SB 1167 by Wentworth

Relating to the use of recording devices to preserve court proceedings.
To Committee on Jurisprudence.

SB 1168 by Wentworth

Relating to the transfer of certain state property to the Upper Guadalupe River Authority.
To Committee on Natural Resources.

SB 1169 by Wentworth

Relating to advertising in the Texas driver's handbook.
To Committee on State Affairs.

SB 1170 by Wentworth

Relating to the appraisal of property for ad valorem tax purposes.
To Committee on Finance.

SB 1171 by Wentworth

Relating to the power and authority of the Upper Guadalupe River Authority to borrow money for corporate purposes.

To Committee on Natural Resources.

SB 1172 by Wentworth

Relating to authorizing certain counties to provide emergency communication service in the unincorporated area of the county.

To Committee on Economic Development.

SB 1173 by Wentworth

Relating to competitive bid requirements for certain emergency services districts.

To Committee on Economic Development.

SB 1174 by Wentworth

Relating to the creation of alternate subdivision platting requirements in priority groundwater management areas.

To Committee on Intergovernmental Relations.

SB 1175 by Wentworth

Relating to the regulation of land development by a political subdivision that affects certain property in certain road districts.

To Committee on Intergovernmental Relations.

SB 1176 by Wentworth

Relating to the issuance of special license plates in honor of the YMCA in Texas.

To Subcommittee on Infrastructure.

SB 1177 by Ogden

Relating to the relocation of utilities required for the improvement of the state highway system.

To Committee on State Affairs.

SB 1178 by Ogden

Relating to the powers of the Lower Colorado River Authority to provide water services in Williamson County.

To Committee on Natural Resources.

SB 1179 by Wentworth, Nixon

Relating to an optional defined contribution retirement plan for persons eligible to participate in the Employees Retirement System of Texas.

To Committee on State Affairs.

SB 1180 by Harris

Relating to County Bail Bond Boards.

To Committee on Criminal Justice.

SB 1181 by Harris

Relating to the authority of a magistrate to impose certain reasonable conditions of bond.

To Committee on Criminal Justice.

SB 1182 by Harris

Relating to certain requirements of certain county jails.

To Committee on Jurisprudence.

SB 1183 by Haywood

Relating to the creation and administration of the Rural Veterinarian Incentive Program.

To Subcommittee on Agriculture.

SB 1184 by Bivins

Relating to the activities permitted under certain liquefied petroleum gas licenses.

To Committee on Natural Resources.

SB 1185 by Madla

Relating to the permissible number of commissioners of certain public housing authorities.

To Committee on Intergovernmental Relations.

SB 1186 by Madla

Relating to the regulation of dangerous wild animals; imposing civil and criminal penalties.

To Committee on State Affairs.

SB 1187 by Armbrister

Relating to the Judicial and Court Personnel Training Fund.

To Committee on Jurisprudence.

SB 1188 by Armbrister

Relating to the collection of motor fuel tax; providing penalties.

To Committee on Finance.

SB 1189 by Luna

Relating to the waiver of a trial by jury.

To Committee on Criminal Justice.

SB 1190 by Harris

Relating to the availability of injunctive relief to prohibit use of state water without a permit and in violation of a permit exemption.

To Committee on Natural Resources.

SB 1191 by Harris

Relating to the repair of a motor vehicle under an insurance policy.

To Committee on Economic Development.

SB 1192 by Harris

Relating to notice for certain suits relating to interference with a child.

To Committee on Jurisprudence.

SB 1193 by Lucio

Relating to the fees imposed for the preservation and restoration of certain county records and county courthouses.

To Committee on Intergovernmental Relations.

SB 1194 by Shapiro

Relating to the payment of premiums for health care coverage by certain persons who have incurred a compensable injury.

To Committee on Economic Development.

SB 1195 by Shapiro

Relating to retainage on highway contracts.
To Committee on State Affairs.

SB 1196 by Shapiro

Relating to consent to the purchase or application for, and designation of owners or beneficiaries of, certain life insurance policies.
To Committee on Economic Development.

SB 1197 by Moncrief

Relating to consequences of appointment of trustee or expenditure of emergency assistance funds for a nursing or convalescent home.
To Committee on Health Services.

SB 1198 by Moncrief

Relating to requiring certain convalescent and nursing homes to execute a surety bond.
To Committee on Health Services.

SB 1199 by Nelson

Relating to the requirements for certain documents executed and certain legal entities created in another state.
To Committee on Jurisprudence.

SB 1200 by Nelson

Relating to reciprocal privileges for a permit, right, or license granted in another state.
To Committee on Jurisprudence.

SB 1201 by Cain

Relating to usury and the regulation of lenders.
To Committee on Economic Development.

SB 1202 by Cain

Relating to the application of the sales tax to certain eating utensils.
To Committee on Finance.

SB 1203 by Cain

Relating to remedies for unequal appraisals of property by an appraisal district.
To Committee on Finance.

SB 1204 by Cain

Relating to the elements of and damages for trespass relating to billboards or other outdoor advertising.
To Committee on State Affairs.

SB 1205 by Cain

Relating to allowing certain political subdivisions to change the date of the general election for officers.
To Committee on State Affairs.

SB 1206 by Cain

Relating to examinations accepted or administered for licensure of physicians.
To Committee on Health Services.

SB 1207 by Cain

Relating to the Texas State Board of Medical Examiners and the licensure of physicians; appropriating fees and providing penalties.
To Committee on Health Services.

SB 1208 by Cain

Relating to the licensing of outpatient hospital facilities.
To Committee on Health Services.

SB 1209 by Cain

Relating to communication in an electronic format between a property owner and a chief appraiser of an appraisal district for the purpose of ad valorem taxation.
To Committee on Intergovernmental Relations.

SB 1210 by Cain

Relating to the limitation of school district ad valorem taxes on the residence homestead of an elderly person.
To Committee on Finance.

SB 1211 by Cain

Relating to school district compliance with special education laws.
To Committee on Education.

SB 1212 by Lucio

Relating to an exemption from the motor vehicle sales tax for certain house trailers.
To Committee on Finance.

SB 1213 by Whitmire, Wentworth

Relating to discipline management techniques that a public school teacher may use.
To Committee on Education.

SB 1214 by Whitmire

Relating to the immunity and liability of a public facilities corporation.
To Subcommittee on Technology and Business Growth.

SB 1215 by Moncrief

Relating to the release of confidential information obtained in connection with certain presentence investigations and postsentence reports.
To Committee on Criminal Justice.

SB 1216 by Moncrief

Relating to certain examination and reporting requirements regarding a court's determination of a defendant's mental capacity.
To Committee on Criminal Justice.

SB 1217 by Moncrief

Relating to the disclosure of certain information concerning the mental health of a person detained in a correctional facility.
To Committee on Criminal Justice.

SB 1218 by Moncrief

Relating to the prosecution of and the punishment for certain offenses involving damage or destruction of property.
To Committee on Criminal Justice.

SB 1219 by Moncrief

Relating to the regulation of the practice of professional sanitarians; providing a penalty.

To Committee on Health Services.

SB 1220 by Moncrief

Relating to highway beautification; providing civil penalties.

To Committee on State Affairs.

SB 1221 by Moncrief

Relating to dispute resolution procedures involving certain nursing facilities.

To Committee on Health Services.

SB 1222 by Moncrief

Relating to certain gambling by means of a computer or credit card; providing penalties.

To Subcommittee on Technology and Business Growth.

SB 1223 by Moncrief

Relating to allowing licensed vocational nurses to be certified to practice acupuncture for certain limited purposes.

To Committee on Health Services.

SB 1224 by Shapiro

Relating to sex offender registration and to provisions of the sex offender registration law for which a person who is in noncompliance commits a criminal offense.

To Committee on Criminal Justice.

SB 1225 by Shapiro

Relating to the creation of water districts or political subdivisions and the annexation of land by a water district or political subdivision.

To Committee on Natural Resources.

SB 1226 by Shapiro

Relating to the deferred retirement option plan in the Teacher Retirement System of Texas.

To Committee on State Affairs.

SB 1227 by Shapiro

Relating to students who drop out of public school.

To Committee on Education.

SB 1228 by Ellis

Relating to the creation and composition of certain district courts.

To Committee on Jurisprudence.

SB 1229 by Ellis

Relating to the compensation of presiding judges of administrative judicial regions.

To Committee on Finance.

SB 1230 by Ellis

Relating to the procedures governing the prosecution and administration of misdemeanor offenses in the jurisdiction of the justice and municipal courts.

To Committee on Jurisprudence.

SB 1231 by Nelson

Relating to purchasing health care services for certain programs operated by health and human services agencies.

To Committee on Human Services.

SB 1232 by Nelson

Relating to the regulation of birthing centers; providing an administrative penalty.

To Committee on Health Services.

SB 1233 by Nelson

Relating to the regulation of athletic trainers.

To Committee on Health Services.

SB 1234 by Nelson

Relating to the expansion and funding of the Texas Integrated Funding Initiative of the Health and Human Services Commission.

To Committee on Human Services.

SB 1235 by Nelson

Relating to the use of a medical practitioner's Federal Drug Enforcement Administration number; creating an offense.

To Committee on Health Services.

SB 1236 by Nelson

Relating to regulation of a product that is a combination of a drug and a device.

To Committee on Health Services.

SB 1237 by Nelson, Madla

Relating to the administration of pharmacy benefits under certain health benefit plans.

To Committee on Economic Development.

SB 1238 by Nelson

Relating to accreditation of environmental testing laboratories.

To Committee on Health Services.

SB 1239 by Nelson

Relating to the Texas Department of Health's regulation of certain food establishments.

To Committee on Health Services.

SB 1240 by Nelson

Relating to the regulation of certain abusable volatile chemicals; providing for injunctive relief and administrative penalties.

To Committee on Health Services.

SB 1241 by Bivins

Relating to voting by members of an agricultural cooperative marketing association.

To Subcommittee on Agriculture.

SB 1242 by Bivins

Relating to master reading teacher certification and allotments.

To Committee on Education.

SB 1243 by Ellis

Relating to deferred billing for summer electricity use.

To Committee on Economic Development.

SB 1244 by Brown

Relating to the disposition of revenues regarding the regulation of auctioneers.

To Committee on Finance.

SB 1245 by Brown

Relating to a person's eligibility for an auctioneer's license.

To Committee on State Affairs.

SB 1246 by Brown

Relating to rental car damage waivers; providing a penalty.

To Committee on Economic Development.

SB 1247 by Brown

Relating to a rental assistance pilot program to expand housing options for elderly residents with low income.

To Committee on Human Services.

SB 1248 by Nelson

Relating to Medicaid third-party recoveries; providing a penalty.

To Committee on Human Services.

SB 1249 by Nelson

Relating to the regulation of ambulatory surgical centers; providing a penalty.

To Committee on Health Services.

SB 1250 by Cain, Brown

Relating to the authority and duties of the Texas Motor Vehicle Board.

To Subcommittee on Infrastructure.

SB 1251 by West

Relating to discontinuance of basic local telecommunications service.

To Committee on Economic Development.

SB 1252 by West

Relating to broadcasting public meetings over the Internet.

To Committee on State Affairs.

SB 1253 by West

Relating to the taxation of small quantities of cigarettes imported into this state from a foreign country.

To Committee on Finance.

SB 1254 by Nelson

Relating to late applications for certain ad valorem tax exemptions.

To Committee on Intergovernmental Relations.

SB 1255 by Nelson

Relating to disclosure or inducing disclosure of a record of a customer of a financial institution; providing a penalty.

To Committee on Economic Development.

SB 1256 by Nelson

Relating to the provision of certain tax information to a crime control and prevention district.

To Committee on Criminal Justice.

SB 1257 by Nelson

Relating to developer participation contracts.

To Committee on Intergovernmental Relations.

SB 1258 by Moncrief

Relating to restrictions applicable to certain providers of home and community care under Medicaid waiver programs.

To Committee on Health Services.

SB 1259 by Moncrief

Relating to use of the housing trust fund to benefit certain individuals.

To Committee on Human Services.

SB 1260 by Moncrief

Relating to certain advance directives for medical treatment; providing administrative penalties.

To Committee on State Affairs.

SB 1261 by Bivins

Relating to the appointment of faculty members to certain curriculum advisory committees of the Texas Higher Education Coordinating Board and to the development of field of study curricula by the board.

To Subcommittee on Higher Education.

SB 1262 by Madla

Relating to the amount and use of fees collected by the Texas Low-Level Radioactive Waste Disposal Authority.

To Committee on Natural Resources.

SB 1263 by Madla

Relating to the microfilming or electronic storage of district court records.

To Committee on Jurisprudence.

SB 1264 by Madla

Relating to municipal regulation of and fee assessment for the use of a public right-of-way.

To Committee on Economic Development.

SB 1265 by Ellis, Bivins, Haywood

Relating to a grant program for agricultural projects in certain public school districts.

To Subcommittee on Agriculture.

SB 1266 by Ellis

Relating to the employment of certain physicians by a private medical school.

To Committee on Health Services.

SB 1267 by Ellis

Relating to authorizing The University of Texas M. D. Anderson Cancer Center to offer certain professional degree programs.

To Subcommittee on Higher Education.

SB 1268 by Ellis

Relating to the notice requirements for violations of certain health and safety statutes and ordinances.

To Committee on Intergovernmental Relations.

SB 1269 by Wentworth

Relating to mechanic's, contractor's, and materialman's liens.

To Committee on Economic Development.

SB 1270 by Wentworth

Relating to the designation of water quality protection zones in certain areas.

To Committee on Natural Resources.

SB 1271 by Wentworth

Relating to the fee imposed on certain criminal convictions for records management and preservation services.

To Committee on Criminal Justice.

SB 1272 by Wentworth

Relating to the authority of a political subdivision to prepare and implement a regional habitat conservation plan or habitat conservation plan or to enter into a conservation agreement.

To Committee on Natural Resources.

SB 1273 by Wentworth

Relating to collateral protection insurance.

To Committee on Economic Development.

SB 1274 by Wentworth

Relating to certain procedures involving retainage payments to real property construction subcontractors.

To Committee on Economic Development.

SB 1275 by Wentworth

Relating to the statute of limitations for purposes of prosecuting certain felony sex offenses.

To Committee on Criminal Justice.

SB 1276 by Wentworth, Moncrief

Relating to a misdemeanor's liability for the cost of confinement in a county jail.

To Committee on Criminal Justice.

SB 1277 by Wentworth

Relating to the uses of impact fees charged by municipal utility districts.

To Committee on Intergovernmental Relations.

SB 1278 by Wentworth

Relating to the use of leave by a state employee who is a reserve peace officer to attend peace officer training.

To Committee on State Affairs.

SB 1279 by Wentworth

Relating to the approval of budgets of emergency communication districts.

To Committee on Intergovernmental Relations.

SB 1280 by Wentworth

Relating to an exemption from the requirements of the open meetings law for certain negotiations involving the Texas Lottery Commission.

To Committee on State Affairs.

SB 1281 by Wentworth

Relating to a requirement that the photographs of certain sex offenders be published in a newspaper.

To Committee on Criminal Justice.

SB 1282 by Wentworth

Relating to the addition of land to a defined area of a water control and improvement district.

To Committee on Natural Resources.

SCR 48 by Carona

Granting DalMac Construction Company, Inc. permission to sue the State and Texas A&M University.

To Committee on Jurisprudence.

SJR 28 by Barrientos

Proposing a constitutional amendment relating to securing an equity loan with a parcel of property containing an urban homestead and real property adjoining the homestead.

To Committee on State Affairs.

SJR 29 by Wentworth

Proposing a constitutional amendment authorizing a local gasoline tax.

To Committee on Finance.

MEMORIAL RESOLUTIONS

SR 390 - by Wentworth: In memory of Margaret McKie Martindale Cape of San Antonio.

SR 391 - by Wentworth: In memory of Vannie M. Starr of San Antonio.

SR 394 - by Luna: In memory of Elvira R. Felan of San Antonio.

CONGRATULATORY RESOLUTIONS

SCR 49 - by Madla: Commemorating the sesquicentennial of the San Antonio-El Paso Overland Road.

SR 388 - by Ellis: Congratulating the Gee Family Association in Houston.

SR 389 - by Shapleigh: Congratulating Claire Lydia Walton of El Paso.

SR 393 - by Luna: Congratulating Amelia Duran of San Antonio.

SR 395 - by Cain: Congratulating the Winnsboro High School Lady Raiders basketball team.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 11:09 a.m. adjourned until 1:30 p.m. Monday, March 15, 1999.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Senate:

March 11, 1999

NATURAL RESOURCES — **SB 144, SB 533, SB 813, SB 814, SB 815, SB 816**

JURISPRUDENCE — **SB 469, SCR 14** (Amended), **CSSB 160, CSSB 321, CSSB 230, CSSB 243**

HUMAN SERVICES — **SB 16**

HEALTH SERVICES — **CSSB 354**

INTERGOVERNMENTAL RELATIONS — **CSSB 339**

FINANCE — **SJR 10, SB 71, SB 674**

ELECTRIC UTILITY RESTRUCTURING — **CSSB 7**

INTERGOVERNMENTAL RELATIONS — **SB 624** (Amended)

EDUCATION — **SB 521, SB 406, SB 608**

NATURAL RESOURCES — **CSSB 812**

SIGNED BY GOVERNOR

March 10, 1999

SCR 28, SCR 29, SCR 36

SENT TO GOVERNOR

March 11, 1999

SB 290

SIGNED BY GOVERNOR

March 11, 1999

SB 290