

**S.R. 544** - By Green, Ellis: Extending congratulations to the State of Israel on the grand occasion of its 43rd anniversary.

**S.R. 545** - By Zaffirini: Joining with the Texas Association for Health, Physical Education, Recreation and Dance in encouraging Texans to pursue more healthy and active lifestyles and proclaiming the month of May as Texas Physical Education and Sport Month.

**S.R. 546** - By Johnson: Joining with the citizens of Dallas in paying tribute to civic leader Maura Anderson McNiel on her 70th birthday.

**S.R. 547** - By Tejada: Recognizing Harlandale United Methodist Church for its outstanding contributions to the citizens of San Antonio.

**S.R. 548** - By Ellis: Paying tribute to DeMetris Aguilla Sampson, who was recently named to serve as a member of the East Texas State University Board of Regents.

**S.R. 549** - By Henderson: Recognizing Mrs. Geneva Blackburn of Lubbock on her 70th birthday.

**S.R. 551** - By Ellis: Paying tribute to Alison Leland for her recent appointment to the Board of Regents of Texas A&M University.

**S.R. 552** - By Ellis: Extending congratulations to John H. Kyles of Seabrook, who was recently appointed Judge of the 208th Judicial District Court in Harris County.

**S.R. 553** - By Moncrief: Extending congratulations to Estelle M. and Charles E. Brewer of Navasota on the occasion of their 29th wedding anniversary.

**S.R. 556** - By Glasgow: Welcoming Millsap High School students and their sponsor, Kaye Ashby.

#### **RECESS**

On motion of Senator Brooks, the Senate at 12:45 p.m. took recess until 7:30 a.m. tomorrow.

#### **FORTY-SEVENTH DAY** (Continued) (Thursday, April 18, 1991)

#### **AFTER RECESS**

The Senate met at 7:30 a.m. and was called to order by Senator Haley.

#### **SENATOR ANNOUNCED PRESENT**

Senator Lyon, who had previously been recorded as "Absent-excused," was announced "Present."

#### **LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer (Senator Haley in Chair) announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading,

read third time and passed: (Vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill.)

**C.S.S.B. 219** (Lucio) Relating to the conveyance of certain state-owned real property by the Texas Employment Commission. (30-0) (30-0)

**C.S.S.B. 309** (Sims) Relating to the control and prevention of certain animal diseases and to the application of those measures to exotic species; providing penalties. (30-0) (30-0)

**C.S.S.B. 506** (Barrientos) Relating to the participation of certain retirement systems in the proportionate retirement program. (30-0) (30-0)

**S.B. 755** (Green) Relating to changing the name of the University of Houston-University Park to the University of Houston. (30-0) (30-0)

**S.B. 756** (Green) Relating to the permanent advisory committee at the University of Houston-Clear Lake. (30-0) (30-0)

Senator Green offered the following committee amendment to the bill:

Amend **S.B. 756** by amending Section 111.84, Education Code, rather than 111.64.

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

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

**C.S.S.B. 784** (Harris of Tarrant) Relating to the creation, administration, powers, duties, operation, and financing of the Dallas County Utility and Reclamation District No. 1. (30-0) (30-0)

**C.S.S.B. 797** (Carriker) Relating to the production, marketing, and distribution of state travel materials. (30-0) (30-0)

**C.S.S.B. 798** (Carriker) Relating to the authority of certain political entities to establish, finance, and administer a public retirement system. (30-0) (30-0)

**C.S.S.B. 824** (Parker) Relating to the powers and duties of boards of regents of certain public institutions of higher education concerning certain contracts or agreements entered into by those institutions. (30-0) (30-0)

**S.B. 861** (Harris of Tarrant) Relating to the qualifications of directors of the Dallas County Utility and Reclamation District, written notice given to purchasers of real property located in the district, and validation of certain actions of the district. (30-0) (30-0)

**C.S.S.B. 932** (Parker) Relating to a detachment and annexation of certain territory from a school district. (30-0) (30-0)

**C.S.S.B. 986** (Carriker) Relating to the purchase and repurchase of earth-moving, material-handling, road maintenance, and construction equipment by a county. (30-0) (30-0)

**S.B. 1100** (Turner) Relating to the authority of a county to abate county taxes without abating taxes for a county road district. (30-0) (30-0)

**C.S.S.B. 1109** (Sims) Relating to student center fees at public institutions of higher education in the Texas State University System. (30-0) (30-0)

**S.B. 1135** (Green) Relating to fees at component institutions of the University of Houston System. (30-0) (30-0)

**S.B. 1138** (Green) Relating to authority of the Port of Houston Authority of Harris County, Texas, to sell or lease certain property of the authority and validation of certain actions of the authority. (30-0) (30-0)

**S.B. 1139** (Green) Relating to the creation of metropolitan rapid transit authorities. (30-0) (30-0)

**C.S.S.B. 1161** (Carriker) Relating to the definition of a veteran for purposes of the Veterans' Housing Assistance Program. (30-0) (30-0)

**C.S.S.B. 1278** (Rosson) Relating to the fire fighters' and police officers' pension fund in certain municipalities. (30-0) (30-0)

**C.S.S.B. 1290** (Lyon) Relating to a security interest in minerals, including oil and gas. (30-0) (30-0)

**C.S.S.B. 1342** (Parker) Relating to the authority of a risk pool established by a political subdivision to obtain reinsurance. (30-0) (30-0)

**H.B. 175** (Sims) Relating to reductions in insurance premium rates for certain vehicles protected by antitheft security devices. (30-0) (30-0)

**C.S.H.B. 548** (Brooks) Relating to the professional association of podiatrists and medical doctors. (30-0) (30-0)

**H.B. 717** (Ratliff) Relating to the contract authority of the Franklin County Water District. (30-0) (30-0)

**H.B. 722** (Sims) Relating to the annual meeting of directors of a soil and water conservation district and the authority of the State Soil and Water Conservation Board to accept donations and contributions. (30-0) (30-0)

#### **CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer (Senator Haley in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

#### **ADJOURNMENT**

On motion of Senator Sibley, the Senate at 7:45 a.m. adjourned until 11:00 a.m. today.

#### **FORTY-EIGHTH DAY (Thursday, April 18, 1991)**

The Senate met at 11:00 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, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims, Tejada, Truan, Turner, Whitmire, Zaffirini.

Absent-excused: Glasgow.

A quorum was announced present.

**S.B. 1138** (Green) Relating to authority of the Port of Houston Authority of Harris County, Texas, to sell or lease certain property of the authority and validation of certain actions of the authority. (30-0) (30-0)

**S.B. 1139** (Green) Relating to the creation of metropolitan rapid transit authorities. (30-0) (30-0)

**C.S.S.B. 1161** (Carriker) Relating to the definition of a veteran for purposes of the Veterans' Housing Assistance Program. (30-0) (30-0)

**C.S.S.B. 1278** (Rosson) Relating to the fire fighters' and police officers' pension fund in certain municipalities. (30-0) (30-0)

**C.S.S.B. 1290** (Lyon) Relating to a security interest in minerals, including oil and gas. (30-0) (30-0)

**C.S.S.B. 1342** (Parker) Relating to the authority of a risk pool established by a political subdivision to obtain reinsurance. (30-0) (30-0)

**H.B. 175** (Sims) Relating to reductions in insurance premium rates for certain vehicles protected by antitheft security devices. (30-0) (30-0)

**C.S.H.B. 548** (Brooks) Relating to the professional association of podiatrists and medical doctors. (30-0) (30-0)

**H.B. 717** (Ratliff) Relating to the contract authority of the Franklin County Water District. (30-0) (30-0)

**H.B. 722** (Sims) Relating to the annual meeting of directors of a soil and water conservation district and the authority of the State Soil and Water Conservation Board to accept donations and contributions. (30-0) (30-0)

#### **CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer (Senator Haley in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

#### **ADJOURNMENT**

On motion of Senator Sibley, the Senate at 7:45 a.m. adjourned until 11:00 a.m. today.

#### **FORTY-EIGHTH DAY (Thursday, April 18, 1991)**

The Senate met at 11:00 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, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Green, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Sibley, Sims, Tejada, Truan, Turner, Whitmire, Zaffirini.

Absent-excused: Glasgow.

A quorum was announced present.

Pastor Robert Karli, First English Lutheran Church, Austin, offered the invocation as follows:

Gracious and almighty God, before whom nations and kingdoms rise and fall, Your glory shines throughout all the world. Bless the leaders and people of these United States of America, that we may be at peace among ourselves and a blessing to the other nations of the Earth.

Guide and direct the leaders of this State of Texas; especially Governor Richards, our legislators, and those who preside over our courts—that they may be faithful stewards of the powers which have been entrusted to them, that they may make wise decisions to promote the welfare of all our people, that they may be lovers of truth and justice. Prosper their labors, O God, that mutual understanding and unity of purpose may be increased. Take from us all hatred and prejudice, give to us the spirit of love, and fill our days with Your peace. In Your holy name we pray. Amen.

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

#### LEAVE OF ABSENCE

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Brooks.

#### CO-AUTHORS OF SENATE BILL 112

On motion of Senator Moncrief and by unanimous consent, Senators Haley and Ratliff will be shown as Co-authors of S.B. 112.

#### CO-AUTHOR OF SENATE BILL 158

On motion of Senator Carriker and by unanimous consent, Senator Moncrief will be shown as Co-author of S.B. 158.

#### CO-AUTHOR OF SENATE BILL 1220

On motion of Senator Armbrister and by unanimous consent, Senator Lucio will be shown as Co-author of S.B. 1220.

#### CO-AUTHOR OF SENATE BILL 1340

On motion of Senator Parker and by unanimous consent, Senator Lucio will be shown as Co-author of S.B. 1340.

#### CO-AUTHOR OF SENATE BILL 1530

On motion of Senator Brooks and by unanimous consent, Senator Moncrief will be shown as Co-author of S.B. 1530.

#### CO-SPONSOR OF HOUSE BILL 37

On motion of Senator Dickson and by unanimous consent, Senator Harris of Tarrant will be shown as Co-sponsor of H.B. 37.

#### CO-SPONSOR OF HOUSE BILL 270

On motion of Senator Haley and by unanimous consent, Senator Harris of Tarrant will be shown as Co-sponsor of H.B. 270.

## MESSAGE FROM THE HOUSE

House Chamber  
April 18, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 330**, Relating to the use of deadly force in defense of a person within a habitation.

**H.B. 1023**, Relating to solid waste disposal fees.

**H.B. 1192**, Relating to notification of amendments to water quality standards for the water in the state.

**H.B. 1111**, Relating to the exemption of county vehicles equipped for compressed natural gas from certain registration fees.

**H.B. 433**, Relating to offenses involving alcohol, controlled substances, or dangerous drugs in correctional facilities and to the punishment for those offenses.

**H.B. 916**, Relating to the creation by cities of industrial development corporations.

**H.B. 1392**, Relating to the definition of "base period" under the Texas Unemployment Compensation Act.

**H.B. 891**, Relating to appointing the commissioner of education.

**H.B. 1374**, Relating to the exclusion of certain urban property located within a water district.

**H.B. 1107**, Relating to imposition of standby fees by certain water districts.

**H.B. 509**, Relating to a filing fee for a write-in candidate in the general election for state and county officers.

**H.B. 166**, Relating to a prohibition on requiring certain judges to collect a predetermined amount of revenue from convictions for traffic offenses.

**H.B. 173**, Relating to essential need driver's licenses.

**H.B. 277**, Relating to the courses and degrees offered at The University of Texas of the Permian Basin.

**H.B. 286**, Relating to the expunction of arrest records of a person acquitted of a criminal offense.

**H.B. 1528**, Relating to purchase prices and loan amounts on real property purchased under the Veterans Land Program or the Veterans Housing Assistance Program.

**H.B. 1166**, Relating to the dissolution of inactive water districts.

**H.B. 1552**, Relating to certain self-liquidating navigation districts holding a joint election with the county on the date of the general election for state and county officers.

**H.B. 725**, Relating to county regulation of certain outdoor businesses; providing a civil penalty.

**H.B. 948**, Relating to the sterilization of dogs and cats adopted from an animal pound, shelter, or humane organization, other than one located in certain municipalities, and to adoption standards; providing a criminal penalty.

**S.C.R. 95**, In memory of Judy Calvin.

**H.C.R. 184**, In memory of Officer Sandra Ann Robbins of the South Houston Police Department.

**S.C.R. 96**, Expressing gratitude to Dr. Robert M. Barr for his leadership and wishing him a rewarding retirement.

**S.C.R. 97**, Extending sincere congratulations to Mr. and Mrs. George T. Griffin on their 50th wedding anniversary.

**H.C.R. 187**, Congratulating the Odessa College Lady Wranglers on winning the National Junior College Athletic Association women's basketball championship.

**H.C.R. 189**, Commending Telemedical Interactive Consultative Services, Inc., and Project Bluebonnet for their efforts to improve the provision of rural health care.

**S.C.R. 39**, Expressing support for the development of an international heritage corridor with Mexico and requesting the Governor to create by Executive Order a Task Force of the Texas Historical Commission, and the Texas Department of Highways and Public Transportation, Parks and Wildlife Department, and Texas Department of Commerce to collaborate with the Lower Rio Grande Heritage Project.

**S.C.R. 62**, Authorizing the lieutenant governor and speaker of the house of representatives to create such joint select committees as they consider necessary during the term of this legislature.

Respectfully submitted,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### REPORTS OF STANDING COMMITTEES

Senator Sims submitted the following report for the Committee on Natural Resources:

**S.B. 1465**  
**H.B. 199**  
**S.B. 1217**  
**H.B. 1448**  
**S.B. 1220**  
**H.B. 847 (Amended)**  
**C.S.S.B. 1340**  
**C.S.S.B. 489**  
**S.C.R. 46**  
**S.B. 1510**  
**C.S.S.B. 1106**

Senator Green submitted the following report for the Committee on Jurisprudence:

**H.B. 1487**  
**S.B. 704**

C.S.S.B. 1335  
 C.S.S.B. 940  
 C.S.S.B. 947  
 C.S.S.B. 1333

Senator Parker submitted the following report for the Committee on Education:

S.B. 1445  
 S.B. 190  
 S.B. 585 (Amended)  
 C.S.S.B. 1237  
 C.S.S.B. 140  
 C.S.S.B. 835

Senator Lyon submitted the following report for the Committee on Criminal Justice:

C.S.S.B. 580

#### PERMISSION TO INTRODUCE BILLS AND RESOLUTION

Senator Brooks moved to suspend Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) to permit the introduction of the following bills and resolution:

S.J.R. 44	S.B. 1524
S.B. 1519	S.B. 1525
S.B. 1520	S.B. 1526
S.B. 1521	S.B. 1527
S.B. 1522	S.B. 1528
S.B. 1523	S.B. 1529

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

#### HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

H.B. 531, To Committee on Natural Resources.  
 H.B. 739, To Committee on Economic Development.  
 H.B. 1186, To Committee on Jurisprudence.

#### SENATE BILLS AND RESOLUTION ON FIRST READING

Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) having been suspended, the following bills and resolution were introduced, read first time and referred to the Committee indicated.

S.B. 1519 by Armbrister Economic Development  
 Relating to the regulation of certain athlete agents; providing penalties.

S.B. 1520 by Brooks State Affairs  
 Relating to the regulation of an employer of certain temporary common workers; providing penalties.

S.B. 1521 by Brown State Affairs  
 Relating to the issuance of specially designed license plates for the Texas Space Commission.



- S.B. 1522** by Dickson Finance  
Relating to the minimum period of service necessary for a member of the Judicial Retirement System of Texas Plan One to be eligible for a disability retirement annuity.
- S.B. 1523** by Dickson Economic Development  
Relating to actions against tortfeasors whose identity or role is unknown.
- S.B. 1524** by Dickson Criminal Justice  
Relating to assault on police officers of the Armed Forces of the United States of America; creating an offense.
- S.B. 1525** by Dickson Economic Development  
Relating to liability for theft committed by a child.
- S.B. 1526** by Montford Criminal Justice  
Relating to aid to local law enforcement agencies, prosecutors, and court personnel for the implementation of telecommunications networks capable of sharing information necessary for criminal investigations and prosecutions.
- S.B. 1527** by Turner Jurisprudence  
Relating to grand juries for the district courts in Williamson County and to the terms of court of the 368th District Court.
- S.B. 1528** by Harris of Tarrant Jurisprudence  
Relating to marketable record title.
- S.B. 1529** by Armbrister Criminal Justice  
Relating to the use of deadly force in defense of a person.
- S.J.R. 44** by Green Jurisprudence  
Proposing a constitutional amendment authorizing a four-year term for the office of relief judge.

#### BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H.C.R. 111  
H.C.R. 155  
H.C.R. 199  
H.C.R. 200  
S.B. 247  
S.B. 275  
S.B. 1117

#### SENATE RESOLUTION 557

Senator Bivins offered the following resolution:

WHEREAS, For more than 27 years Billie Glenn has loyally and faithfully served the Senate of the State of Texas and its members will dearly miss this superb administrative assistant who is retiring on June 30, 1991; and

WHEREAS, Throughout her long career, Billie has dedicated herself to serving her Senators Martin Dies, Jr., Jack Hightower, Ray Farabee, Kent Hance, Grant Jones, and Teel Bivins and their constituents regardless of the long hours or difficult tasks; and

WHEREAS, The Texas Senate has been enriched by the diligence and hard work of Billie Glenn; always cheerful and optimistic, she helped brighten the day for all those with whom she came in contact; and

WHEREAS, In addition to her work in the Senate offices, she ably served as chairperson of the Staff Development Committee for eight years; and

WHEREAS, Throughout her career she has been strengthened by the love and support of her husband, Don, and their children, Mike, Pam, and Donanne; and

WHEREAS, Her warm smile and congenial manner have endeared her to her colleagues; a treasured companion, she is leaving behind many admirers; and

WHEREAS, She carries with her cherished memories of the hurly-burly world that is Texas politics; during her career she helped many political novices and innocents learn the ropes and how to "get around the Capitol"; and

WHEREAS, It is indeed fitting and appropriate that the Texas Senate pay tribute to Billie Glenn on the momentous occasion of her retirement; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, hereby commend and applaud Billie Glenn for her meritorious service to the Texas Senate and express appreciation to her for her unswerving devotion to the senators she so ably served; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as an expression of the high regard and esteem of the Texas Senate with all best wishes for many happy retirement years and the admonition that she never forget her many Capitol friends.

The resolution was read.

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

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

#### GUEST PRESENTED

Upon recognition, Senator Bivins introduced Mrs. Billie Glenn to the Senate and escorted her to the President's Rostrum where she was presented with an enrolled copy of the resolution by the President, and a bouquet of roses by Senator Bivins.

#### MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas  
April 18, 1991

TO THE SENATE OF THE SEVENTY-SECOND LEGISLATURE,  
REGULAR SESSION:

On March 26, 1991, I nominated Dr. Louis E. Deere of Dallas for appointment as a member of the Texas Board of Mental Health and Mental Retardation for a term to expire January 31, 1997. Dr. Deere has asked that his name be withdrawn; therefore, I request that the Senate return this appointment to me.

The following Message from the Governor was read and was referred to the Committee on Nominations:

April 18, 1991

TO THE SENATE OF THE SEVENTY-SECOND LEGISLATURE,  
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE MEMBERS OF THE TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS, for terms to expire February 1, 1997:

JENARD M. GROSS  
3810 Willowick  
Houston, Texas 77019

Mr. Gross will be replacing Anthony Ray Chase of Houston, whose term expired.

RUFUS CORMIER, JR.  
3000 One Shell Plaza  
Houston, Texas 77002

Mr. Cormier will be replacing James C. Belt, Jr., of Dallas, whose term expired.

TO BE A MEMBER OF THE TEXAS HOUSING AGENCY BOARD OF DIRECTORS, for a term to expire January 31, 1997:

PAUL R. RODRIGUEZ  
2301 Fox Run  
Mission, Texas 78572

Mr. Rodriguez will be replacing Stephen W. McAllister of San Antonio, whose term expired.

TO BE A MEMBER OF THE TEXAS GROWTH FUND BOARD OF TRUSTEES, for a term to expire February 1, 1997:

JOHN H. DALTON  
112 Sheffield  
San Antonio, Texas 78213

Mr. Dalton will be replacing Shelby H. Carter, Jr., of Austin, whose term expired.

Respectfully submitted,

/s/Ann W. Richards  
Governor of Texas

#### CAPITOL PHYSICIAN

Senator Krier was recognized and presented Dr. Dennis Blackburn of San Antonio.

Dr. Blackburn, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

#### SENATE BILL 1062 WITH HOUSE AMENDMENT

Senator Sims called **S.B. 1062** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

#### Amendment - B. Turner

Amend **S.B. 1062** as follows:

On page 1, strike lines 13 and 14, and substitute the following:

"the payment to the department of \$5. The stamp must be signed on"

The amendment was read.

On motion of Senator Sims and by unanimous consent, the Senate concurred in the House amendment to **S.B. 1062** by a viva voce vote.

**MESSAGE FROM THE HOUSE**

House Chamber  
April 18, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 529**, Relating to reimbursement of contributions to the group insurance program for retired public school employees; providing a penalty.

Respectfully submitted,

BETTY MURRAY, Chief Clerk  
House of Representatives

**SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The President announced the time had arrived to consider the Executive appointments to agencies, boards and commissions. Notice of submission of these names for consideration was given yesterday by Senator Barrientos.

Senator Barrientos moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

**NOMINEES CONFIRMED**

The following nominees as reported by the Committee on Nominations were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

Members, Texas Structural Pest Control Authority: MRS. MERLE M. CARLSON, Harris County; RAY PATRICK THOMPSON, Harris County.

Member, State Board of Trustees for the Teacher Retirement System: A. W. "DUB" RITER, Smith County.

Justice of the Court of Appeals, Fifth Supreme Judicial District: JUDGE RON CHAPMAN, Dallas County.

Member, Educational Excellence Committee: MS. MAXINE J. NANCE, Cass County.

Member, Texas Commission of Licensing and Regulation: ARLEN D. BYNUM, Dallas County.

Member, Board of Directors, Nueces River Authority: MS. MARY B. AUTRY, Bandera County.

Member, Texas Board of Private Investigators and Private Security Agencies: ROBERT D. SANDERS, Dallas County.

Members, Texas Veterans Commission: MANUEL A. CANO, Hidalgo County; WILLIAM R. CRAWFORD, Collin County.

**COMMITTEE SUBSTITUTE  
SENATE JOINT RESOLUTION 34 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.J.R. 34**, Proposing a constitutional amendment to increase the amount of bonds that may be issued for economically distressed areas under existing bond authorization.

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

**COMMITTEE SUBSTITUTE  
SENATE JOINT RESOLUTION 34 ON THIRD READING**

Senator Montford moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **C.S.S.J.R. 34** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The resolution was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1189 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 1189**, Relating to the provision and local regulation of water supply and sewer services in economically distressed areas.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1189 ON THIRD READING**

Senator Montford moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1189** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by a viva voce vote.

**GUESTS PRESENTED**

Senator Carriker was recognized and, on behalf of Senator Glasgow, and joined by Senator Harris of Tarrant, introduced students from Texas Woman's University and their sponsors, Dr. Ray Griffin, Dr. Jim Anderson and Professor Timothy Hoye; and students from the University of North Texas and their sponsor, Professor Dwane Kingery.

The Senate welcomed these students and their sponsors.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1193 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 1193**, Relating to the dedication of certain Texas water development bonds.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1193 ON THIRD READING**

Senator Montford moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1193** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1277 ON SECOND READING**

On motion of Senator Rosson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 1277**, Relating to the punishment for theft of property with intent to transport the property across an international boundary.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1277 ON THIRD READING**

Senator Rosson moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1277** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by a viva voce vote.

(Senator Parker in Chair)

**MOTION TO PLACE  
SENATE BILL 434 ON SECOND READING**

Senator Green moved to suspend the regular order of business to take up for consideration at this time:

**S.B. 434**, Relating to voter registration activities conducted by institutions of higher education and certain state agencies.

The motion was lost by the following vote: Yeas 19, Nays 10. (Not receiving two-thirds vote of Members present)

Yeas: Barrientos, Brooks, Carriker, Dickson, Ellis, Green, Haley, Johnson, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Tejeda, Truan, Turner, Whitmire, Zaffirini.

Nays: Armbrister, Bivins, Brown, Harris of Tarrant, Henderson, Krier, Leedom, Ratliff, Sibley, Sims.

Absent: Harris of Dallas.

Absent-excused: Glasgow.

#### GUESTS PRESENTED

Senator Tejeda was recognized and introduced a group of students from St. Philip's College of San Antonio.

The Senate welcomed these guests.

#### GUESTS PRESENTED

Senator Barrientos was recognized and introduced Marianne and Georg Buchneit from Saarbrucken, Germany.

The Senate welcomed these guests.

#### COMMITTEE SUBSTITUTE SENATE BILL 112 ON SECOND READING

On motion of Senator Moncrief and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 112**, Relating to community centers and to the provision of community mental health and mental retardation services.

The bill was read second time.

Senator Haley offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend C.S.S.B. 112 as follows:

(1) In Section 3.02(a) (Committee Printing page 2, lines 63-65), delete the last sentence and substitute the following:

If the local agency or organizational combination of local agencies that appoints the board of trustees is primarily located in only one county, a person appointed to the board of trustees may not serve more than four consecutive and complete two-year terms.

(2) Delete Section 3.02(d)(5) (Committee Printing page 3, lines 23-25), and substitute the following:

(5) a procedure to ensure that an appointed member of a board of trustees appointed by a local agency or organizational combination of local agencies primarily located in only one county serves not more than four consecutive and complete two-year terms.

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

Senator Turner offered the following amendment to the bill:

#### Floor Amendment No. 2

Amend C.S.S.B. 112 on page 1, line 52 as follows:

Delete the word "may" and insert the word "shall" in lieu thereof.

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 112 ON THIRD READING**

Senator Moncrief moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that C.S.S.B. 112 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

(President in Chair)

**SENATE BILL 236 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 236**, Relating to a commercial fisheries marketing council in the agriculture department.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend **S.B. 236** as follows:

(1) In SECTION 1, add Subsection (f) to Section 46.004, Agriculture Code (Committee Printing, page 2, between lines 45 and 46), to read as follows:

(f) The legislature may appropriate funds for operation of the council from the game, fish, and water safety fund and the fish farm fund, and the council is authorized to accept contributions from public or private sources.

(2) Add a new SECTION 2 to read as follows:

SECTION 2. Section 134.006(c), Agriculture Code, is amended to read as follows:

(c) Except as provided by Section 46.004 of this code, the [The] fish farm fund may be used only to administer this chapter.

(3) Renumber existing SECTION 2 and subsequent sections accordingly.

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

On motion of Senator Brooks 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 236 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **S.B. 236** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1282 ON SECOND READING**

On motion of Senator Rosson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 1282**, Relating to the administrative adjudication of violations of city ordinances dealing with the parking and stopping of vehicles.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1282 ON THIRD READING**

Senator Rosson moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1282** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**GUESTS PRESENTED**

Senator Dickson was recognized and introduced a group of Political Science students from Hardin-Simmons University of Abilene, along with their sponsor, Dr. Charles Garraway.

The Senate welcomed these guests.

**HOUSE BILL 596 ON SECOND READING**

On motion of Senator Ratliff and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 596**, Relating to the issuance of a writ of habeas corpus by a court of appeals.

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

**HOUSE BILL 596 ON THIRD READING**

Senator Ratliff moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **H.B. 596** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

#### **HOUSE BILL 750 ON SECOND READING**

On motion of Senator Johnson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 750**, Relating to the transfer to a receiver of property not in compliance with municipal ordinances.

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

#### **HOUSE BILL 750 ON THIRD READING**

Senator Johnson moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **H.B. 750** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

#### **HOUSE BILL 828 ON SECOND READING**

On motion of Senator Harris of Tarrant and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 828**, Relating to the creation of municipal courts of record in Grapevine.

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

#### **HOUSE BILL 828 ON THIRD READING**

Senator Harris of Tarrant moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **H.B. 828** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

#### **GUESTS PRESENTED**

Senator Tejeda was recognized and introduced a group of students from St. Benedict's Catholic School of San Antonio.

The Senate welcomed these young guests.

**SENATE BILL 434 ON SECOND READING**

Senator Green moved to suspend the regular order of business to take up for consideration at this time:

**S.B. 434**, Relating to voter registration activities conducted by institutions of higher education and certain state agencies.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Armbrister, Barrientos, Brooks, Carriker, Dickson, Ellis, Green, Haley, Johnson, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Tejada, Truan, Turner, Whitmire, Zaffirini.

Nays: Bivins, Brown, Harris of Tarrant, Harris of Dallas, Henderson, Krier, Leedom, Ratliff, Sibley, Sims.

Absent-excused: Glasgow.

The bill was read second time.

Senator Montford offered the following amendment to the bill:

Amend **S.B. 434** by adding a new Section 4 on page 2, line 31, and renumbering the remaining sections, as follows:

Section 4. All costs for administration and operation of the programs authorized by this Act shall be paid for out of non-constitutionally dedicated funds in Highway Fund No. 006.

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

On motion of Senator Green 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 the following vote: Yeas 20, Nays 10.

Yeas: Armbrister, Barrientos, Brooks, Carriker, Dickson, Ellis, Green, Haley, Johnson, Lucio, Lyon, Moncrief, Montford, Parker, Rosson, Tejada, Truan, Turner, Whitmire, Zaffirini.

Nays: Bivins, Brown, Harris of Tarrant, Harris of Dallas, Henderson, Krier, Leedom, Ratliff, Sibley, Sims.

Absent-excused: Glasgow.

**GUESTS PRESENTED**

Senator Tejada was recognized and introduced a group of fourth grade students from Belaire Elementary School of San Antonio.

The Senate welcomed these young guests.

**MESSAGE FROM THE HOUSE**

House Chamber  
April 18, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 653**, Relating to the continuation of Article III, Section 49-d-4, of the Texas Constitution and the water bond insurance program authorized by that section.

Respectfully submitted,  
BETTY MURRAY, Chief Clerk  
House of Representatives

**COMMITTEE SUBSTITUTE  
SENATE BILL 430 ON SECOND READING**

On motion of Senator Green and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 430**, Relating to the continuation and operation of the State Board of Barber Examiners; providing penalties.

The bill was read second time.

Senator Green offered the following amendment to the bill:

Amend **C.S.S.B. 430** on page 9, line 40, by striking "September 1, 2003 [1991]." and substituting "December 31 [September 1], 1991. The abolition date prescribed by this subsection does not require the Sunset Advisory Commission to conduct any review or prepare any report other than the review undertaken before the convening of the 72nd Legislature, Regular Session, 1991, or the report submitted to that legislature."

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

On motion of Senator Green 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 430 ON THIRD READING**

Senator Green moved that the Constitutional Rule and Senate Rule 7.20 requiring bills to be read on three several days be suspended and that **C.S.S.B. 430** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Glasgow.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1094 ON SECOND READING**

Senator Lucio asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**C.S.S.B. 1094**, Relating to the creation, administration, powers, duties, and operation of the Coastal Conservation Commission and of coastal conservation districts and to the financing of districts; granting the authority to issue bonds; authorizing taxes.

There was objection.

Senator Lucio then moved to suspend the regular order of business and take up **C.S.S.B. 1094** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 8.

Yeas: Armbrister, Bivins, Brooks, Brown, Carriker, Green, Haley, Harris of Tarrant, Henderson, Krier, Leedom, Lucio, Montford, Parker, Ratliff, Sibley, Sims, Tejada, Turner, Whitmire, Zaffirini.

Nays: Barrientos, Dickson, Ellis, Johnson, Lyon, Moncrief, Rosson, Truan.

Absent: Harris of Dallas.

Absent-excused: Glasgow.

The bill was read second time.

(Senator Moncrief in Chair)

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend C.S.S.B. 1094, SECTION 1, TITLE 5, Section 102.004, by adding a new subsection (c) to read as follows:

(c) The commission shall by agreement with the Texas Water Commission utilize of the Texas Water Commission or its successor on certain technical matters, in order to prevent duplication and waste in state government and to enhance the preservation of the state's natural resources, including but not limited to:

(1) the process of review, analysis, and approval of tax bond applications by districts created by the commission;

(2) the process of review, analysis and approval of wastewater discharge permit applications by the districts;

(3) the process of review, analysis and approval of the construction plans and specifications of water, wastewater and drainage facilities to serve the districts; and

(4) the continuing oversight by the Texas Water Commission of these actions and any others requested by the commission.

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

(President in Chair)

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend C.S.S.B. 1094, SECTION 1, TITLE 5, Section 102.007, by deleting the word "may" in the first sentence and substituting the word "shall" in lieu thereof.

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

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend C.S.S.B. 1094, by adding the following SUBCHAPTER F to read as follows and reletter subsequent Subchapters and renumber subsequent Sections accordingly:

**SUBCHAPTER F. REGULATORY ASSESSMENTS**

Sec. 103.111. REGULATORY ASSESSMENTS COLLECTED BY COASTAL CONSERVATION DISTRICTS. (a) A regulatory assessment shall be collected from the ultimate consumer for water and sewer connections by each

Coastal Conservation District in an amount up to five percent of the rates charged. The assessments collected shall be used to pay the costs and expenses incurred in the administration of the Districts by the Coastal Conservation Commission. The Commission, subject to the approval of the Legislature, shall subsequently adjust this assessment to provide a level of income sufficient to fund Commission operations.

(b) A coastal conservation District shall make quarterly payments due on August 15, November 15, February 15, and May 15 of each year.

(c) There shall be assessed on each Coastal Conservation District as a penalty an additional fee of 10% a year on the assessment and penalty due.

(d) All regulatory assessments, penalties, and interest paid under this section shall be collected by the Coastal Conservation Commission and shall be deposited in a special account in the State Treasury designated as the "Coastal Conservation Commission Administrative Fund."

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

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 4**

Amend C.S.S.B. 1094, SECTION 1, TITLE 5, Section 103.005 (b) (1) as follows: On page 8, line 17, after the semicolon add the word "and".

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

Senator Armbrister offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend C.S.S.B. 1094 by adding a new subsection (e) to Sec. 103.003 to read as follow:

"(e) A district shall not include a tract of land unless the owner or owners thereof (including the surface owner or owners, the mineral estate owner or owners and the owner or owners of any mineral leasehold estate therein) have consented thereto in writing."

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

Senator Armbrister offered the following amendment to the bill:

**Floor Amendment No. 6**

Amend C.S.S.B. 1094, Sec. 103.007(c), on page 4, line 55, by deleting the word "may" and replacing it with the word "shall".

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

Senator Armbrister offered the following amendment to the bill:

**Floor Amendment No. 7**

Amend C.S.S.B. 1094 Section 103.053 page 8, line 31, by deleting the word "may" and replacing it with the word "shall".

ARMBRISTER  
LYON

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

(Senator Carriker in Chair)

Senator Parker offered the following amendment to the bill:

**Floor Amendment No. 8**

Amend C.S.S.B. 1094 by deleting Section 103.051(c) in its entirety. (Committee Printing page 8, lines 17-20).

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

Senator Parker offered the following amendment to the bill:

**Floor Amendment No. 9**

Amend C.S.S.B. 1094 as follows:

(1) On page 22, line 20 (Committee Printing page 9, line 7) add the following:

Sec. 103.055. APPLICATION OF THE COASTAL PUBLIC LANDS MANAGEMENT ACT. Chapter 33, Natural Resources Code, applies to and in a district created under this title. Any development activities conducted by or authorized by a district created under this title must be consistent with the goals and policies of a coastal management plan developed under Chapter 33, Natural Resources Code.

Sec. 103.056. APPLICATION OF THE DUNE PROTECTION ACT. Chapter 63, Natural Resources Code, applies to and in a district created under this title.

(2) On page 40, line 3 (Committee Printing page 15, line 20) add the following:

**CHAPTER 104. CONSISTENCY WITH COASTAL PLAN**

Section 104.001. Definitions. In this subchapter:

(1) "Geographic areas of particular concern" means public beaches; critical dune areas; any state-owned submerged lands, and the waters overlying that land, within tidewater limits; state parks, wildlife areas and preserves; and any other areas designated in the coastal management plan adopted by the board.

(2) "Official action" means any permit, license, order, rule, or approval by an agency or subdivision of government.

Section 104.002. Coastal Consistency Review Board. (a) The board comprises the attorney general, the chair of the Parks and Wildlife Commission, the chair of the Texas Water Commission, and the land commissioner, who serves as chair. For review of a particular matter, the governor shall appoint as a special voting member a local elected official from a county where the geographic area affected by the matter before the board is located.

(b) The board may promulgate rules adopting a coastal management plan developed under any other law, as well as procedural and substantive rules to implement this chapter. The board shall meet annually, or at the call of the chair or any three regular members.

Section 104.003. Consistency Requirement. (a) No government agency or subdivision may take official action that poses a threat of any adverse environmental impact to a geographic area of particular concern unless the official action is consistent with the coastal management plan adopted by the board.

Section 104.004. Review. (a) The board may consider, review, or act on any official action subject to Section 104.003. Review must be initiated within 60 days of the action.

(b) The board may reverse an official action by a state agency or subdivision if the board determines it to violate Section 104.003. If the board reverses an action, it shall remand it to the state agency or subdivision for revision consistent with the coastal management plan and the law applicable to the action.

Section 104.005. Enforcement. (a) The board may issue orders or pursue any administrative, legal, or equitable remedy authorized by law to enjoin or prevent

any official action or any activity authorized thereby that is under board review or has been determined to be in violation of the requirements of this chapter.

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

Senator Montford offered the following amendment to the bill:

**Floor Amendment No. 10**

Amend C.S.S.B. 1094 by adding a new Section 4 on page 16, line 16 to read as follows:

Section 4. Notwithstanding the authority granted by this Act, no state general revenue may be appropriated for costs related to the implementation of this Act. Any costs to agencies of state government related to the implementation of this bill must be reimbursed by the District.

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

Senator Truan offered the following amendment to the bill:

**Floor Amendment No. 11**

Amend C.S.S.B. 1094, Sec. 103.003, by adding Subsection (e) to read as follows:

(e) A district may not include territory that is within a county that contains all or part of a national seashore island.

(1) In this subsection, a "national seashore island" means that part of a barrier island between natural or man-made channels that includes a national seashore.

(2) An island that qualifies as a national seashore island continues to qualify as such an island if subsequently cut by a natural or man-made channel.

The amendment was read.

Senator Lucio moved to table the amendment.

Question—Shall Floor Amendment No. 11 be tabled?

(Senator Armbrister occupied the Chair during discussion on the amendment to the bill)

**PERMISSION TO MEET GRANTED**

On motion of Senator Dickson and by unanimous consent, the Committee on Economic Development and all other Standing Committees scheduled to meet today were granted permission to meet while the Senate was in session.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas  
April 18, 1991

TO THE SENATE OF THE SEVENTY-SECOND LEGISLATURE,  
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE CHIEF JUSTICE OF THE COURT OF APPEALS, FIRST SUPREME JUDICIAL DISTRICT, until the next General Election and until her successor shall be duly elected and qualified:



ALICE OLIVER TREVATHAN  
11709 Longleaf Lane  
Houston, Texas 77024

Judge Trevathan will be replacing Chief Justice Frank G. Evans of Houston, who retired.

Respectfully submitted,

/s/Ann W. Richards  
Governor of Texas

**MESSAGE FROM THE HOUSE**

House Chamber  
April 18, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 889**, Relating to an appeal from a juvenile court to a court of appeals.

**H.B. 1966**, Relating to the confiscation and disposition of certain motorboats used to commit certain fishing offenses.

**H.B. 1773**, Relating to the requirement that a hunting license or tag contain certain information.

**H.B. 1741**, Relating to residency requirements for certain licenses issued by the Parks and Wildlife Commission.

**H.B. 1779**, Relating to the authority of the Inverness Forest Improvement District to levy and collect a maintenance tax and to continue in operation after the district's territory is annexed.

**H.B. 591**, Relating to competitive bidding for certain purchases related to the construction and maintenance of county roads and bridges.

**H.B. 1444**, Relating to the treatment, storage, or disposal in this state of hazardous waste generated in a foreign country.

Respectfully submitted,

BETTY MURRAY, Chief Clerk  
House of Representatives

Question—Shall Floor Amendment No. 11 be tabled?

(Senator Armbrister occupied the Chair during discussion on the amendment to the bill)

**REPORT OF STANDING COMMITTEE**

By unanimous consent, Senator Lyon submitted the following report for the Committee on Criminal Justice:

**H.B. 806**

**H.B. 1093**

S.B. 791  
C.S.H.B. 1128  
C.S.S.B. 795

MESSAGE FROM THE HOUSE

House Chamber  
April 18, 1991

HONORABLE BOB BULLOCK  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 844**, Relating to compensation of executors and administrators.

**H.B. 816**, Relating to the definition of a "handgun" for the purpose of offenses under the Penal Code.

**H.B. 264**, Relating to citation of real property records by county clerk file number.

**H.B. 2772**, Relating to the jurisdiction of the County Court at Law of Panola County.

**H.B. 2063**, Relating to the use of the county general fund or officers' salary fund to purchase liability insurance for county officers and employees.

**H.B. 1772**, Relating to the hunting of pen-reared birds on a private bird hunting area.

**H.B. 1774**, Relating to the form and issuance of certain fishing licenses.

**H.B. 1234**, Relating to the sale of medicare supplement insurance policies by certain insurance agents and to education requirements concerning those policies; providing a penalty.

**H.B. 1679**, Relating to written examinations for education professionals that are administered to persons who are hearing impaired.

**H.B. 1769**, Relating to a hunting lease license required for property leased for hunting purposes.

**H.B. 1432**, Relating to the student union building fees at The University of Texas at San Antonio.

**H.B. 2555**, Relating to the jurisdiction and administration of the statutory county courts of Brazoria County.

**H.B. 1897**, Relating to the board of directors of the Presidio County Hospital District.

**H.B. 1941**, Relating to the regulation of certain motor vehicle dealers and the sale, titling, and registration of certain motor vehicles.

**H.B. 2503**, Relating to the increase in civil penalties for violation of pipeline safety standards.

**H.B. 817**, Relating to the regulation of the practice of dentistry.

**H.B. 514**, Relating to a penalty for a violation of a rule adopted by a board of park commissioners.

**H.B. 58**, Relating to the application of the professional prosecutors law to the county attorney of Webb County.

**H.B. 195**, Relating to the size of a “diver down” flag.

**H.B. 2674**, Relating to the Tenth Court of Appeals District.

**H.B. 2119**, Relating to loans to active members of certain retirement systems for fire fighters.

**H.B. 1246**, Relating to authorizing payment of accelerated benefits under certain group term life insurance policies; and declaring an emergency.

**H.B. 2022**, Relating to minimum standards for emergency medical services vehicles operating in certain counties.

**H.B. 2542**, Relating to establishment of a trade zone in Harris County adjacent to the National Aeronautics and Space Administration facilities.

**H.B. 1135**, Relating to the transfer of administration of beach cleaning funds from the Parks and Wildlife Department to the General Land Office.

**H.B. 177**, Relating to the right of certain witnesses to return to employment.

**H.B. 2183**, Relating to the penalties for the possession and consumption of alcoholic beverages by a minor.

Respectfully submitted,

**BETTY MURRAY**, Chief Clerk  
House of Representatives

Question—Shall Floor Amendment No. 11 be tabled?

(Senator Armbrister occupied the Chair during discussion on the amendment to the bill)

#### REPORTS OF STANDING COMMITTEES

By unanimous consent, Senator Zaffirini, Acting Chair, submitted the following report for the Committee on Health and Human Services:

**S.B. 1460**

**H.B. 902**

By unanimous consent, Senator Brooks submitted the following report for the Committee on Health and Human Services:

**S.C.R. 93**

**C.S.S.B. 566**

**C.S.S.B. 696**

**C.S.S.B. 842**

By unanimous consent, Senator Zaffirini, Acting Chair, submitted the following report for the Committee on Health and Human Services:

**C.S.S.B. 1463**

By unanimous consent, Senator Dickson submitted the following report for the Committee on Economic Development:

**C.S.S.B. 1169**

#### GUESTS PRESENTED

Senator Barrientos was recognized and introduced the following distinguished guests from Mexico: M.C. Remigio Valdes Gamez, Rector; Lic. Onesimo Flores

Rodriguez, Asesor de Asuntos Internacionales; Ing. Jose Maria Fraustro Siller, Director de Asuntos Academicos; Lic. Armando J. Guerra Guerra, Coordinador General de Extension Universitaria y Difusion Cultural; Lic. Jesus Castilla Sanchez, Asesor de Rectoria y Director de Promocion para La Invercion Extranjera del Gobierno del Estado de Coahuila; Ing. Octavio Pimentel, Coordinador de Investigacion y Postgrado; and Lic. Francisco J. Duarte Villegas, Tesorero de la Universidad.

The Senate welcomed these guests.

Question—Shall Floor Amendment No. 11 be tabled?

**(Senator Haley occupied the Chair during discussion on the amendment to the bill)**

#### MEMORIAL RESOLUTIONS

**H.C.R. 173** - (Sims): In memory of Ruth Curry Lawler of Castroville.

**S.R. 559** - By Brown: In memory of Navy Captain Manley Lanier "Sonny" Carter, Jr.

**S.R. 562** - By Montford: In memory of Hortense Boedeker of Lubbock.

#### WELCOME AND CONGRATULATORY RESOLUTIONS

**S.C.R. 105** - By Brooks: Recognizing Betty Jo Bevil as an exemplary public servant and wishing her happiness throughout her retirement.

**S.R. 550** - By Harris of Tarrant, Moncrief: Saluting the Movin' Mavs of The University of Texas at Arlington, who recently won their first national title in a wheelchair basketball game in the National Collegiate Athletic Association tournament playoffs at Wright State University.

**S.R. 558** - By Barrientos: Recognizing the Capital City Branch 181 of the National Association of Letter Carriers on their 100th anniversary and the Auxiliary 111 of the Capital City Branch 181 on their 75th anniversary.

**S.R. 560** - By Glasgow: Welcoming government students from Texas Woman's University and their sponsors, Dr. Ray Griffin, Dr. Jim Anderson and Professor Timothy Hoyer.

**S.R. 561** - By Carriker: Recognizing May 1, 1991, as Wichita Falls Day in Texas to commemorate the many significant contributions of its citizens, past and present, to this state's heritage and greatness.

**S.R. 563** - By Moncrief: Recognizing Berea Baptist Church on the grand occasion of its 111th anniversary, which was celebrated on April 14, 1991.

**S.R. 564** - By Glasgow, Carriker, Harris of Tarrant: Welcoming students from the University of North Texas and their sponsor, Dwane Kingery.

**S.R. 565** - By Tejeda: Recognizing Terrell Wells Middle School for participating in the 102nd observance of Texas Arbor Day.

**S.R. 566** - By Brooks: Joining with the citizens of La Marque in expressing gratitude to the Reverend Nathaniel Humphrey with best wishes for a most rewarding retirement.

#### ADJOURNMENT

On motion of Senator Krier, the Senate at 6:56 p.m. adjourned until 11:00 a.m. Monday, April 22, 1991.