The house met at 2 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 23).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cary; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddock; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, M.; Garcia, T.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gillet; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, B.; Hall, L.; Hall, T.; Hammond; Hanna; Harrison, B.; Harrison, D.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Lancy; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madia; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Pierce; Polk; Polumbo; Presnal; Price; Ragasdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Absent, Excused — Cavazos; Ceverha; Thompson, G.; Vowell.

Absent — Peveto.

The invocation was offered by Father Fred Bomar, chaplain.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today through Wednesday because of state business:

G. Thompson on motion of L. Hall.

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

Cavazos on motion of Berlanga.

Ceverha on motion of Blanton.

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

Vowell on motion of Arnold.

MESSAGES FROM THE GOVERNOR

The speaker laid before the house and had read the following messages from the governor:
Austin, Texas, February 7, 1983

TO THE HOUSE OF REPRESENTATIVES OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

In order that the State Treasury may be run in a business-like and efficient manner, which will generate additional revenues for the state, I, Mark White, Governor of the State of Texas, pursuant to Article III, Section 5, of the Texas Constitution, submit the following legislation for immediate consideration by the 68th Legislature, now convened:

SB 186 by Farabee, relating to a supplemental appropriation to the treasury department.
HB 372 by Smith of Travis, relating to a supplemental appropriation to the treasury department.

Respectfully submitted,
Mark White
Governor
Austin, Texas, February 7, 1983

TO THE HOUSE OF REPRESENTATIVES OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

In order that the Board of Pardons and Paroles may lease space appropriate for its staff and duties and at the same time free space for the General Land Office, I, Mark White, Governor of the State of Texas, pursuant to Article III, Section 5, of the Texas Constitution, submit the following legislation for immediate consideration by the 68th Legislature, now convened:

SB 281 by Santiesteban, relating to a supplemental appropriation to the Board of Pardons and Paroles for certain expenses associated with relocating to different office space.

Respectfully submitted,
Mark White
Governor
Austin, Texas, February 7, 1983

TO THE HOUSE OF REPRESENTATIVES OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

In order that the General Land Office can eliminate the large existing backlog and delays in the Veterans Land Program, and also improve the cost effectiveness of the management of state lands, I, Mark White, Governor of the State of Texas, pursuant to Article III, Section 5, of the Texas Constitution, submit the following legislation for immediate consideration by the 68th Legislature, now convened:

SB 282 by Santiesteban, relating to a supplemental appropriation to the General Land Office.

Respectfully submitted,
Mark White
Governor
TO THE HOUSE OF REPRESENTATIVES OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

Pursuant to Article III, Section 5, of the Texas Constitution, I, Mark White, Governor of the State of Texas, submit the following emergency matter for immediate consideration by the 68th Legislature, now convened:

SB 373 by Blake, relating to supplemental appropriations to the Senate and State Purchasing and General Services Commission required by fire damage to the Capitol.

Respectfully submitted,
Mark White
Governor

MESSAGE FROM THE SENATE

Austin, Texas, February 7, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

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

SCR 26 by Farabee, in memory of former state representative John A. Atchison.
SB 84 by Brooks, relating to the treatment of sex offenders.
SB 133 by Jones, relating to membership on certain legislative committees, boards or councils.
SB 242 by Doggett, relating to the conveyance to the City of Austin of the state's right of reverter or reversion in certain real property.
SB 83 by Brooks, relating to appeal from a probation revocation proceeding.

Respectfully,
Betty King
Secretary of the Senate

HOUSE BILLS ON FIRST READING

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

By Criss:
HB 151, A bill to be entitled An Act relating to the amount of certain cigarette tax revenue allocated to and the use of the local parks, recreation, and open space fund.
To Committee on Ways and Means.

By Criss:
HB 152, A bill to be entitled An Act relating to appointment and removal of commissioners of a housing authority.
To Committee on Urban Affairs.
By English:

HB 153, A bill to be entitled An Act relating to an exemption from sales and use taxes for certain energy saving materials.
To Committee on Ways and Means.

By T. Smith:

HB 154, A bill to be entitled An Act relating to jury instructions on parole and good conduct time credit.
To Committee on Criminal Jurisprudence.

By Tejeda:

HB 155, A bill to be entitled An Act relating to fees for conducting marriage ceremonies.
To Committee on Judicial Affairs.

By Madla:

HB 156, A bill to be entitled An Act relating to procedures for the determination of land use in the siting of municipal solid waste management facilities.
To Committee on Environmental Affairs.

By Barrientos:

HB 157, A bill to be entitled An Act relating to accessibility of polling places to the elderly and physically handicapped.
To Committee on Elections.

By Cain:

HB 158, A bill to be entitled An Act relating to the administration and financing of a program to provide representation by counsel and transcription services for indigent defendants in criminal cases.
To Committee on Criminal Jurisprudence.

By Schlueter:

HB 159, A bill to be entitled An Act relating to taxation of the commercial use of gas and electricity.
To Committee on Ways and Means.

By Staniswalis:

HB 160, A bill to be entitled An Act relating to the required elements of disclosure for political advertising.
To Committee on Elections.

By Staniswalis:

HB 161, A bill to be entitled An Act relating to the imposition, administration, civil and criminal enforcement, and collection of a tax on distributors of cigarette rolling papers.
To Committee on Ways and Means.

By Staniswalis:

HB 162, A bill to be entitled An Act relating to voting absentee because of a death in the immediate family occurring after the expiration of the regular period for absentee voting.
To Committee on Elections.

By Staniswalis:

HB 163, A bill to be entitled An Act relating to discounts for early payment of property taxes.
To Committee on Ways and Means.
By Keller:
HB 164, A bill to be entitled An Act relating to the jurisdiction of certain justice courts.
To Committee on Judicial Affairs.

By DeLay:
HB 165, A bill to be entitled An Act relating to the conveyance of certain state-owned real property in Fort Bend County.
To Committee on State Affairs.

By Colbert:
HB 166, A bill to be entitled An Act relating to the days on which emergency elections ordered by the governor may be held and the content of an emergency election proclamation.
To Committee on Elections.

By Waldrop, et al.:
HB 167, A bill to be entitled An Act relating to defects in indictments and informations.
To Committee on Criminal Jurisprudence.

By Willis:
HB 168, A bill to be entitled An Act relating to the procedure for ordering an election under the Bingo Enabling Act.
To Committee on County Affairs.

By D. Lee:
HB 169, A bill to be entitled An Act relating to the amount of proof of financial responsibility required under the Texas Motor Vehicle Safety-Responsibility Act.
To Committee on Transportation.

By D. Lee:
HB 170, A bill to be entitled An Act relating to the amount of proof of financial responsibility required under the Texas Motor Vehicle Safety-Responsibility Act.
To Committee on Transportation.

By Hanna:
HB 171, A bill to be entitled An Act relating to the elements and punishment of offenses related to oil and gas equipment and the inspection of businesses dealing in used oil and gas equipment.
To Committee on Criminal Jurisprudence.

By S. Thompson:
HB 172, A bill to be entitled An Act relating to the right to counsel of a person called to testify before a grand jury.
To Committee on Criminal Jurisprudence.

By S. Thompson:
HB 173, A bill to be entitled An Act relating to the penalty for the offense of failure to report the abuse or neglect of a child.
To Committee on Judiciary.

By Turner:
HB 174, A bill to be entitled An Act relating to the proof of a prior conviction for driving while intoxicated or driving while under the influence of drugs.
To Committee on Criminal Jurisprudence.
By Turner:

**HB 175**, A bill to be entitled An Act relating to the procedure by which a nonprofit corporation may borrow amounts greater than $1,000.

To Committee on Business and Commerce.

By Turner:

**HB 176**, A bill to be entitled An Act relating to disqualification of a juror who is legally blind.

To Committee on Judiciary.

By Turner:

**HB 177**, A bill to be entitled An Act relating to the insanity defense and treatment of mentally ill offenders.

To Committee on Criminal Jurisprudence.

By Hinojosa, et al.:

**HB 178**, A bill to be entitled An Act relating to the location of and acquisition of land and facilities by the Texas State Technical Institute.

To Committee on Higher Education.

By Hinojosa:

**HB 179**, A bill to be entitled An Act relating to rules adversely affecting small businesses.

To Committee on Business and Commerce.

By Hinojosa:

**HB 180**, A bill to be entitled An Act relating to the payment of a penalty by a state agency to a small business for failure to comply with the statutory deadline for action on a contractual claim.

To Committee on State Affairs.

By Blanton:

**HB 181**, A bill to be entitled An Act relating to interest charges on open-end accounts for retail purchases.

To Committee on Financial Institutions.

By S. Hudson:

**HB 182**, A bill to be entitled An Act relating to the safety of amusement parks, carnivals, and fairs; providing penalties.

To Committee on Business and Commerce.

By S. Hudson:

**HB 183**, A bill to be entitled An Act relating to repeal of capital punishment and capital offenses.

To Committee on Criminal Jurisprudence.

By S. Hudson:

**HB 184**, A bill to be entitled An Act relating to the punishment for a capital offense.

To Committee on Criminal Jurisprudence.

By Polk:

**HB 185**, A bill to be entitled An Act relating to a local option election on the issue of prohibiting certain sales on consecutive Saturdays and Sundays.

To Committee on State Affairs.
By Green:
HB 186, A bill to be entitled An Act relating to the payment of jurors from a district clerk juror pay account in certain counties.
To Committee on County Affairs.

By Green:
HB 187, A bill to be entitled An Act relating to the payment of jurors from a district clerk juror pay account.
To Committee on County Affairs.

By Buchanan:
HB 188, A bill to be entitled An Act relating to the creation, administration, powers, duties, functions, operations, and financing of the Wheeler County Municipal Water District.
To Committee on Natural Resources.

By Tejeda:
HB 189, A bill to be entitled An Act relating to required disclosure of financial interests, activities, and gifts by elective officers and candidates for elective office in certain political subdivisions; providing a penalty.
To Committee on State Affairs.

By S. Hudson:
HB 190, A bill to be entitled An Act relating to conjugal visitation of prison inmates.
To Committee on Law Enforcement.

By S. Hudson:
HB 191, A bill to be entitled An Act relating to participation of certain persons in medical research projects, experimental medical treatment, and certain surgical procedures; and providing a penalty.
To Committee on Law Enforcement.

By Criss:
HB 192, A bill to be entitled An Act relating to the number of ballots furnished for each polling place.
To Committee on Elections.

By Criss, et al.:
HB 193, A bill to be entitled An Act relating to the creation of offenses involving computers.
To Committee on Criminal Jurisprudence.

By Wright:
HB 194, A bill to be entitled An Act relating to the authorization of a city or town to contract and levy assessments for the relocation or replacement of sanitation sewer laterals on private property.
To Committee on Urban Affairs.

By S. Hudson:
HB 195, A bill to be entitled An Act relating to the requirement that a precinct have on the premises on election day a quantity of ballots not less than the total number of registered voters in that precinct so as to avoid shortages of ballots and to optimize voter participation.
To Committee on Elections.
By Berlanga:

HB 196, A bill to be entitled An Act relating to acquisition, maintenance, and financing of certain port facilities.
To Committee on Transportation.

By Cain:

HB 197, A bill to be entitled An Act relating to the period during which a suit against an alleged father of an illegitimate child may be brought to establish paternity.
To Committee on Judiciary.

By S. Hudson:

HB 198, A bill to be entitled An Act relating to the service of certain school officials as deputy registrars of voters.
To Committee on Elections.

By S. Hudson:

HB 199, A bill to be entitled An Act relating to availability of voter registration application forms at public facilities.
To Committee on Elections.

By S. Hudson:

HB 200, A bill to be entitled An Act relating to the composition of the Texas Indian Commission.
To Committee on Cultural and Historical Resources.

RESOLUTION SIGNED BY THE SPEAKER

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

HCR 38

PROVIDING FOR A CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR

Representative S. Hudson moved to set a congratulatory and memorial resolutions calendar for Thursday, February 10, 1983, at 10 a.m.
The motion prevailed without objection.

HR 41 - ADOPTED

Representative Collazo moved that all necessary rules be suspended to take up and consider at this time, HR 41.
The motion prevailed without objection.
The speaker laid before the house the following resolution:

By Collazo:

HR 41, Recognizing Monday, February 7, 1983, as “Greater Port Arthur Day in Austin.”
The resolution was adopted without objection.

HR 49 - ADOPTED

Representative E. F. Lee moved that all necessary rules be suspended to take up and consider at this time, HR 49.
The motion prevailed without objection.
The speaker laid before the house the following resolution:

By E. F. Lee:

HR 49, Congratulating Mary Jean and "Bud" Donnelly.

The resolution was read and was adopted without objection.

On motion of Representative Wieting, the names of all the members of the house were added to HR 49 as signers thereof.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Business and Commerce, Subcommittee on Budget and Oversight, on adjournment today, Room 410, Reagan Building.

Liquor Regulation, Subcommittee on Budget and Oversight, on adjournment today, Room 100-D, Reagan Building.

Appropriations, on adjournment today, Desk 58, to consider HB 409.

Financial Institutions, on adjournment today, Room G-B, Reagan Building.

Rules and Resolutions, on adjournment today, Old Supreme Court room.

State Affairs, on adjournment today, Room 100-B, Reagan Building.

Public Health, Subcommittee on Budget and Oversight, on adjournment today, speakers committee room.

ADJOURNMENT

Representatives Wilson and Watson moved that the house adjourn until 10 a.m. tomorrow in memory of Matt Hansen.

The motion prevailed without objection.

The house accordingly, at 2:33 p.m., adjourned until 10 a.m. tomorrow.

APPENDIX

COAUTHORS AUTHORIZED

The following members were granted permission by the authors to sign bills and resolutions as coauthors:

HJR 1 - P. Hill


HJR 24 - Russell

HB 2 - P. Hill

HB 3 - Hackney

HB 7 - D. Hudson

HB 36 - Armbrister
HB 39 - Bush
HB 73 - Mankins
HB 74 - A. Hill
HB 105 - Green, Watson, Tow, Patronella, Pierce
HB 167 - Burnett, Schoolcraft, Keller, Staniswalis, Stiles, Turner, B. Gibson, Buchanan, Horn, Peveto, Collazo, Hollowell, Kubiak, Hury, Grisham
HB 178 - Collazo, A. Moreno
HB 192 - Bush
HB 193 - Grisham
HCR 14 - Staniswalis
HCR 39 - Stiles
HCR 40 - Mankins, Hackney
HCR 41 - Rangel, Glossbrenner
HR 17 - Presnal, Hollowell
HR 30 - W. Harrison, Glossbrenner, A. Moreno, Rangel, Cavazos, Hinojosa, A. Garcia, Oliveira
HR 35 - Horn