The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 26).

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; Craddick; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Elkenburg; Emmett; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, T.; Gavin; Geistweidt; Gibson, B.; Gilley; 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; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Pevelet; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robnett; Rudd; Russell; Salinas; Sanders; Schlueter; Schoolcraft; Shaw, Sheo; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Absent, Excused — Cavazos; Ceverha; Criss; English; Moreno, A.; Robinson; Short; Uher.

Absent — Garcia, M.; Gibson, J.; Laney; Valles.

The invocation was offered by Father Fred Bomar, chaplain.

LEAVES OF ABSENCE GRANTED

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

A. Moreno on motion of Crockett.

English on motion of Mankins.

Criss on motion of E. Barton.

Cavazos on motion of Barrientos.

Ceverha on motion of Blanton.

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

Robinson on motion of Hury.
MESSAGE FROM THE SENATE

Austin, Texas, February 10, 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:

SB 67 by Mauzy, relating to the filing of an application for a place on the ballot by a candidate for the office of precinct chairman.
SB 120 by Caperton, relating to residency requirements for certain municipal public officers.
SB 151 by Glasgow, relating to the continuation, operation, membership, terms and grounds for removal of member of the State Banking Board.
SB 156 by Glasgow, relating to certain powers and duties of the board of regents and the president of North Texas State University.
SB 162 by Glasgow, relating to the transfer of a prisoner between this state and another state.
SB 210 by Uribe, relating to suits involving Pan American University.
SB 214 by Uribe, relating to retaining the protective services for the elderly program in the Department of Human Resources.
SB 224 by Leedom, et al., relating to the creation of municipal courts of record in the city of Dallas.
SB 236 by Harris and Santiesteban, relating to the Texas 1986 Sesquicentennial Commission.
SB 295 by Caperton, relating to the composition, operation, and continuation of the Finance Commission of Texas.
SB 307 by Sharp and Brown, relating to the conveyance of certain state-owned real property in Fort Bend County.

Respectfully,
Betty King
Secretary of the Senate

(Laney now present)

REGULAR ORDER OF BUSINESS SUSPENDED

By unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

LEAVE OF ABSENCE GRANTED

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

Uher on motion of Laney.

CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR

The speaker laid before the house the following congratulatory and memorial resolutions:

By DeLay:
HR 6, Commending Mrs. Lillian Stavinoha Humpola.
The resolution was adopted without objection.
By S. Hudson:
HR 7, Congratulating Dr. Emmett J. Conrad.
The resolution was adopted without objection.

By DeLay:
HR 8, Commending Elizabeth (Liz) Williams.
The resolution was adopted without objection.

By DeLay:
HR 9, Commending Pearl Ellett.
The resolution was adopted without objection.

By Luna:
HR 18, Congratulating the Galena Park High School Band of Gold.
The resolution was adopted without objection.

By L. Hall:
HR 20, Congratulating Phillip L. Lowrey.
The resolution was adopted without objection.

By Messer:
HR 21, Commending Fritz Goldman and Frank Machalka.
The resolution was adopted without objection.

By G. Hill:
HR 23, Commending Dan Love.
The resolution was adopted without objection.

By Cary:
HR 28, In memory of Sherman Lott Wilson.
The resolution was unanimously adopted by a rising vote.

On motion of Representative S. Hudson, the names of all the members of the house were added to HR 28 as signers thereof.

By T. Smith:
HR 29, In memory of Jewell East Wolf.
The resolution was unanimously adopted by a rising vote.

On motion of Representative S. Hudson, the names of all the members of the house were added to HR 29 as signers thereof.

By Berlanga, et al.:
HR 30, In memory of Domingo Pena.
The resolution was unanimously adopted by a rising vote.

On motion of Representative S. Hudson, the names of all the members of the house were added to HR 30 as signers thereof.

By Armbrister:
HR 33, Congratulating the Refugio High School football team.
The resolution was adopted without objection.

HR 55 - ADOPTED

Representative S. Hudson moved that all necessary rules be suspended to take up and consider at this time, HR 55.

The motion prevailed without objection.
The speaker laid before the house the following resolution:

By S. Hudson:

**HR 55**, Congratulating Percy Sutton.
The resolution was adopted without objection.

**HR 45 - ADOPTED**

Representative S. Hudson moved that all necessary rules be suspended to take up and consider at this time, **HR 45**.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By S. Hudson:

**HR 45**, Commending the Maceba Affairs Company.
The resolution was adopted without objection.

**HR 56 - ADOPTED**

Representative S. Thompson moved that all necessary rules be suspended to take up and consider at this time, **HR 56**.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By S. Thompson:

**HR 56**, Recognizing Susan B. Anthony Day.
The resolution was adopted without objection.

**RESOLUTION SIGNED BY THE SPEAKER**

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

**HCR 53**

**PROVIDING FOR ADJOURNMENT**

Representative Granoff moved that, at the conclusion of the reading of bills on first reading and referral to committees, the house adjourn until 2 p.m. Monday in memory of Mrs. Guadalupe Botello.
The motion prevailed without objection.

**HOUSE BILLS ON FIRST READING**

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

By Bush, et al.:

**HB 301**, A bill to be entitled An Act relating to salaries of appellate and district court justices and judges.
To Committee on Appropriations.

By Bush, et al.:

**HB 302**, A bill to be entitled An Act relating to state funding of support personnel for district judges.
To Committee on Appropriations.
By Bush:
HB 303, A bill to be entitled An Act relating to privileged or confidential information in certain suits under the Family Code.
To Committee on Judiciary.

By Eikenburg:
HB 304, A bill to be entitled An Act relating to jurisdiction to enforce criminal laws in a public park or recreational facility at a water resource development project under the control of the Department of the Army.
To Committee on State Affairs.

By Criss:
HB 305, A bill to be entitled An Act relating to the minimum wage.
To Committee on Labor and Employment Relations.

By Criss:
HB 306, A bill to be entitled An Act relating to establishment of and funding for a motorcycle operator training course.
To Committee on Transportation.

By Burnett:
HB 307, A bill to be entitled An Act creating offenses involving the unauthorized use of the insignia and name of certain state law enforcement agencies; providing penalties.
To Committee on Law Enforcement.

By G. Hill:
HB 308, A bill to be entitled An Act relating to working hours of patrolmen in certain cities.
To Committee on Urban Affairs.

By G. Hill, et al.:
HB 309, A bill to be entitled An Act relating to public commentary on a book submitted for adoption as a textbook for use in public schools.
To Committee on Public Education.

By Valles:
HB 310, A bill to be entitled An Act relating to the expenditure of the proceeds from airport revenue bonds by certain cities.
To Committee on Urban Affairs.

By Valles:
HB 311, A bill to be entitled An Act relating to sale of certain goods on the consecutive days of Saturday and Sunday in certain counties bordering Mexico.
To Committee on State Affairs.

By Oliver, et al.:
HB 312, A bill to be entitled An Act relating to the number of ballots furnished for each polling place.
To Committee on Elections.

By Watson:
HB 313, A bill to be entitled An Act relating to the treatment of sex offenders.
To Committee on State Affairs.
By Green:
HB 314, A bill to be entitled An Act relating to the payment of jurors from a district clerk juror pay account in Harris County.
To Committee on County Affairs.

By Green:
HB 315, A bill to be entitled An Act relating to the bailiff of the 315th District Court.
To Committee on Judicial Affairs.

By Bomer:
HB 316, A bill to be entitled An Act relating to the manufacture and delivery of imitation controlled substances; providing a penalty.
To Committee on Criminal Jurisprudence.

By Staniswalis:
HB 317, A bill to be entitled An Act relating to the eligibility for parole of a person convicted of a capital felony.
To Committee on Criminal Jurisprudence.

By T. Smith:
HB 318, A bill to be entitled An Act relating to prepaid funeral services and merchandise.
To Committee on Financial Institutions.

By Stiles, et al.:
HB 319, A bill to be entitled An Act relating to the employment of a general counsel by the commissioners courts of certain counties.
To Committee on County Affairs.

By Stiles, et al.:
HB 320, A bill to be entitled An Act relating to the possession or use of shotgun shells containing lead shot while hunting, taking, or possessing certain waterfowl.
To Committee on Environmental Affairs.

By Green:
HB 321, A bill to be entitled An Act relating to certain fees chargeable by county and district clerks in criminal cases.
To Committee on Criminal Jurisprudence.

By Green:
HB 322, A bill to be entitled An Act relating to the sale and use of certain fireworks in counties having a population of 1,700,000 or more according to the last preceding federal census; providing a penalty; and declaring an emergency.
To Committee on State Affairs.

By Green:
HB 323, A bill to be entitled An Act relating to the sale and use of certain fireworks; providing a penalty; repealing Article 9205, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.
To Committee on State Affairs.

By Short, et al.:
HB 324, A bill to be entitled An Act relating to a nonresident general commercial fisherman's license.
To Committee on Environmental Affairs.
By Buchanan:
HB 325, A bill to be entitled An Act relating to the powers of and the levy of taxes and issuance of bonds by the Palo Duro River Authority.
To Committee on Natural Resources.

By Robnett:
HB 326, A bill to be entitled An Act relating to the form in which certain government records may be kept.
To Committee on Criminal Jurisprudence.

By Hernandez, et al.:
HB 327, A bill to be entitled An Act relating to the membership of the Public Safety Commission.
To Committee on Law Enforcement.

By Hernandez, et al.:
HB 328, A bill to be entitled An Act relating to the offense of disorderly conduct.
To Committee on Criminal Jurisprudence.

By Denton, et al.:
HB 329, A bill to be entitled An Act relating to automatic changes in utility charges.
To Committee on State Affairs.

By Hinojosa:
HB 330, A bill to be entitled An Act relating to state agencies paying court costs and attorney's fees of small businesses that prevail in a dispute with a state agency.
To Committee on State Affairs.

By Fox:
HB 331, A bill to be entitled An Act relating to unitization of oil and gas reservoirs.
To Committee on Energy.

By Waldrop:
HB 332, A bill to be entitled An Act relating to the creation of a judicial district composed of Henderson County and the office of district attorney for the district; and relating to the exclusion of Henderson County from the 173rd Judicial District and from the election of and the authority of the District Attorney for the 3rd Judicial District; and declaring an emergency.
To Committee on Judicial Affairs.

By Whaley:
HB 333, A bill to be entitled An Act relating to establishment of a juvenile board for the 110th Judicial District.
To Committee on County Affairs.

By Criss:
HB 334, A bill to be entitled An Act relating to the responsibility of a railway corporation for obstructing a street, railway crossing, or highway.
To Committee on Transportation.

By Leonard:
HB 335, A bill to be entitled An Act relating to the manufacture with intent to deliver and the delivery of a simulated controlled substance; providing a penalty.
To Committee on Criminal Jurisprudence.
By Green:
HB 336, A bill to be entitled An Act relating to alternative methods for providing compulsory motor vehicle liability coverage.
To Committee on Insurance.

By Green:
HB 337, A bill to be entitled An Act relating to the assignment of judges by the presiding judges of administrative judicial districts.
To Committee on Judiciary.

By Millsap, et al.:
HB 338, A bill to be entitled An Act relating to the authority of the Texas Department of Mental Health and Mental Retardation to construct and operate a psychiatric treatment facility in Tarrant County.
To Committee on Public Health.

By L. Hall, et al.:
HB 339, A bill to be entitled An Act relating to the punishment for offenses involving sexual performance by a child.
To Committee on Criminal Jurisprudence.

By L. Hall:
HB 340, A bill to be entitled An Act relating to the definition of “employment” under the Texas Unemployment Compensation Act.
To Committee on Labor and Employment Relations.

By Fox:
HB 341, A bill to be entitled An Act relating to pilot programs for the evaluation of teachers.
To Committee on Public Education.

By Polumbo:
HB 342, A bill to be entitled An Act relating to the creation of the Office of Public Counsel for Utility Matters.
To Committee on State Affairs.

By Polumbo:
HB 343, A bill to be entitled An Act relating to an exemption for school districts from gasoline and diesel fuel taxes.
To Committee on Ways and Means.

By Polumbo, et al.:
HB 344, A bill to be entitled An Act relating to the provision of protective services for the elderly by the Texas Department of Human Resources.
To Committee on Retirement and Aging.

By Polumbo:
HB 345, A bill to be entitled An Act relating to the creation of a criminal offense of leaving a child unattended in a motor vehicle.
To Committee on Criminal Jurisprudence.

By G. Hill:
HB 346, A bill to be entitled An Act relating to tax credits for corporations engaged in the business of manufacturing, selling, or installing solar energy devices.
To Committee on Ways and Means.
By Delco, et al.:
HB 347, A bill to be entitled An Act relating to compensation of retiring state employees for accrued sick leave.
To Committee on State Affairs.

By S. Thompson:
HB 348, A bill to be entitled An Act relating to the repeal of the state franchise tax on corporations.
To Committee on Ways and Means.

(Granoff in the chair)
By Hackney:
HB 349, A bill to be entitled An Act relating to the declination of a political party’s nomination.
To Committee on Elections.

By S. Hudson:
HB 350, A bill to be entitled An Act relating to the placement of signs outside of the entrance of a polling place.
To Committee on Elections.

By Oliveira:
HB 426, A bill to be entitled An Act relating to the payment of property taxes.
To Committee on Ways and Means.

COMMITTEE MEETING ANNOUNCEMENTS
The following committee meetings were announced:
Liquor Regulation, 11:15 a.m. today, speakers committee room.
Rules and Resolutions, 1:00 p.m. Monday, speakers committee room.

ADJOURNMENT
In accordance with a previous motion, the house, at 10:32 a.m., adjourned until 2 p.m. Monday.

APPENDIX

STANDING COMMITTEE REPORTS
Favorable reports have been filed by committees on a bill and a resolution, as follows:
Energy - HCR 40
Judiciary - SB 213

ENROLLED
February 9 - HCR 53

COAUTHORS AUTHORIZED
The following members were granted permission by the authors to sign bills and resolutions as coauthors:
HJR 1 - Vowell
HJR 2 - Vowell
HJR 12 - Vowell
HJR 13 - Vowell
HJR 17 - Vowell
HJR 22 - Vowell
HB 2 - Vowell
HB 3 - Vowell
HB 7 - Vowell
HB 66 - Vowell
HB 105 - Polumbo
HB 113 - Vowell
HB 114 - Vowell
HB 135 - Vowell
HB 154 - Pennington
HB 193 - Vowell
HB 195 - D. Hudson, B. Barton
HB 206 - Green
HB 294 - Patronella
HB 301 - D. Hudson
HB 302 - D. Hudson
HB 309 - Carriker, Colbert
HB 312 - Ragsdale
HB 319 - Russell, Short
HB 320 - Russell, Carriker, Saunders, Collazo, Armbrister
HB 324 - Stiles
HB 327 - M. Garcia, W. Martinez
HB 328 - W. Martinez
HB 329 - Hinojosa, Watson, A. Garcia, Green, Willis, Danburg, Pennington
HB 338 - L. Hall, B. Gibson, Cary, Speaker Lewis, C. Evans, McKenna, Coody, English, Leonard
HB 339 - Willis
HB 344 - Vowell
HB 347 - G. Hill
HCR 26 - Stiles
HCR 27 - Stiles
HCR 28 - Stiles
HCR 29 - Stiles
The following recommendation of the Texas Water Commission was filed with the speaker:

February 9 - HB 325