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 46).

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

Absent, Excused — Colbert; Danburg; Gandy; Garcia, M.; Hackney; Harrison, B.; Price; Salinas; Smith, C.

Absent — Collazo; Gibson, B.; Hill, G.; Hinojosa; Hudson, S.; Kubiak; Moreno, P.; Ragsdale; Vowell; Wieting.

The invocation was offered by Jim Comstock, First United Methodist Church, Carrollton, Texas.

LEAVES OF ABSENCE GRANTED

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

Danburg on motion of Glossbrenner.

C. Smith on motion of Fox.

Hackney on motion of Wallace.

Colbert on motion of L. Evans.

M. Garcia on motion of Berlanga.

Gandy on motion of Patronella.

W. Harrison on motion of Berlanga.

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

Price on motion of Cary.
Salinas on motion of Uher.
(Wieting, Kubiak, G. Hill, Vowell, and Collazo now present)

MESSAGE FROM THE SENATE
Austin, Texas, February 24, 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:

HCR 54 by E. Barton, commending Dr. Thomas M. Spencer.
SCR 34 by Brooks, inviting Governor Mark White to address a joint session of the legislature.
SB 109 by Vale and Truan, relating to the powers and duties of cities and counties and the Texas Board of Health in public health matters; and declaring an emergency.
SB 294 by Caperton, relating to powers and duties of the Banking Department.
SB 385 by Doggett and Sarpalius, relating to prehospital and emergency medical services.

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 B. Gibson:
HB 701, A bill to be entitled An Act relating to the control of brucellosis and other animal diseases; providing penalties.
To Committee on Agriculture and Livestock.

By B. Gibson:
HB 702, A bill to be entitled An Act relating to the continuation of the Industrial Accident Board and the workers' compensation and crime victims compensation programs.
To Committee on Business and Commerce.

By Tejeda:
HB 703, A bill to be entitled An Act relating to the testimony of one spouse against the other in a criminal prosecution.
To Committee on Criminal Jurisprudence.

By E. Barton:
HB 704, A bill to be entitled An Act relating to the manufacture and sale of certain building materials that contain urea formaldehyde and the sale of residences containing that substance; providing penalties.
To Committee on Business and Commerce.
By Hinojosa:
HB 705, A bill to be entitled An Act relating to hazardous duty and longevity pay for state law enforcement officers.
To Committee on Law Enforcement.

By Salinas:
HB 706, A bill to be entitled An Act relating to the issuance of daily temporary mixed beverage permits.
To Committee on Liquor Regulation.

By Bush:
HB 707, A bill to be entitled An Act relating to interest rates on judgments.
To Committee on Financial Institutions.

By C. Smith:
HB 708, A bill to be entitled An Act providing for the recovery of damages from a person who knowingly sells an alcoholic beverage to an habitual drunkard, or an intoxicated or insane person.
To Committee on Liquor Regulation.

By C. Smith:
HB 709, A bill to be entitled An Act relating to alcoholic beverages in motor vehicles; providing penalties.
To Committee on Liquor Regulation.

By C. Smith, et al.:
HB 710, A bill to be entitled An Act relating to alcoholic beverage regulations relating to age.
To Committee on Liquor Regulation.

By DeLay:
HB 711, A bill to be entitled An Act relating to the regulation of motor carriers; providing a penalty.
To Committee on Transportation.

By DeLay:
HB 712, A bill to be entitled An Act relating to the authority of the commissioner of mental health and mental retardation to appoint or discharge a deputy commissioner or the head of an institution or facility without the approval of the board of mental health and mental retardation.
To Committee on Public Health.

By DeLay:
HB 713, A bill to be entitled An Act relating to the authority of a county to pay certain expenses incurred by another county for the extension of a farm-to-market road.
To Committee on County Affairs.

By Keller:
HB 714, A bill to be entitled An Act relating to fees imposed by the Texas Department of Human Resources in connection with the licensing of child-care administrators.
To Committee on Human Services.

By Haley:
HB 715, A bill to be entitled An Act relating to the guarantee of certain school district bonds.
To Committee on Public Education.
By Haley:
**HB 716**, A bill to be entitled An Act relating to public school finance.
To Committee on Public Education.

By E. F. Lee:
**HB 717**, A bill to be entitled An Act relating to supervision by the Texas Department of Human Resources of federal matching fund programs that provide certain kinds of public assistance.
To Committee on Human Services.

By E. F. Lee:
**HB 718**, A bill to be entitled An Act relating to the class of persons not qualified to vote.
To Committee on Elections.

By E. F. Lee:
**HB 719**, A bill to be entitled An Act relating to the display and sale of unpackaged food; providing a penalty.
To Committee on Public Health.

By J. Gibson:
**HB 720**, A bill to be entitled An Act relating to the microfilm preservation of records made or received by local governments.
To Committee on Cultural and Historical Resources.

By J. Gibson:
**HB 721**, A bill to be entitled An Act relating to the creation of a judicial district composed of Ector County.
To Committee on Judicial Affairs.

By Blanton:
**HB 722**, A bill to be entitled An Act relating to the limitation on the amount of funding for community education services.
To Committee on Public Education.

By Blanton:
**HB 723**, A bill to be entitled An Act relating to the basic skills assessment instrument required in public schools.
To Committee on Public Education.

By Rangel:
**HB 724**, A bill to be entitled An Act relating to the reorganization of the 28th Judicial District and the compensation of the district judges in Kleberg County.
To Committee on Judicial Affairs.

By Rangel:
**HB 725**, A bill to be entitled An Act relating to certain defenses to charges of failure to maintain financial responsibility.
To Committee on Transportation.

By Shaw:
**HB 726**, A bill to be entitled An Act relating to the compensation of the judge of the 118th Judicial District.
To Committee on Judicial Affairs.
By Rangel:
HB 727, A bill to be entitled An Act relating to the creation of the County Court at Law of Kleberg County.
To Committee on Judicial Affairs.

By Heflin, et al.:
HB 728, A bill to be entitled An Act relating to the authority of a county to donate money to a crime stoppers organization and establishing limits to the yearly amount donated by the county.
To Committee on Law Enforcement.

By D. Hudson:
HB 729, A bill to be entitled An Act relating to the limitations period for filing an application for compensation under the Crime Victims Compensation Act.
To Committee on Law Enforcement.

By C. Evans:
HB 730, A bill to be entitled An Act relating to the validity of signatures on voters' petitions in certain elections.
To Committee on Elections.

By Hinojosa:
HB 731, A bill to be entitled An Act relating to the students served, the taxes levied, and the educational and training programs conducted by a rehabilitation school district.
To Committee on Public Education.

By Gavin:
HB 732, A bill to be entitled An Act relating to temporary licensing requirements for certain life insurance agents.
To Committee on Insurance.

By Heflin:
HB 733, A bill to be entitled An Act relating to resignation by a professional employee of a school district.
To Committee on Public Education.

By Heflin:
HB 734, A bill to be entitled An Act relating to false information given and certain guardianships created that affect a student's eligibility for enrollment in a school or school district.
To Committee on Public Education.

By E. Barton:
HB 735, A bill to be entitled An Act relating to the availability of information about an individual from the Department of Public Safety.
To Committee on Law Enforcement.

By Green:
HB 736, A bill to be entitled An Act relating to evidence of, exemptions from, and disposition of fees collected as a result of compulsory liability insurance for certain vehicles.
To Committee on Insurance.

By Price:
HB 737, A bill to be entitled An Act relating to the protection of obligors in certain open-end accounts; providing a penalty.
To Committee on Financial Institutions.
By Price, et al.:
**HB 738**, A bill to be entitled An Act relating to an exemption from property taxation of the property of certain nonprofit corporations that provide housing for persons with low incomes. To Committee on Ways and Means.

By Armbrister:
**HB 739**, A bill to be entitled An Act relating to pilot programs for the evaluation of teachers and school district administrators. To Committee on Public Education.

By Waldrop:
**HB 740**, A bill to be entitled An Act relating to the acquisition of a Confederate campground in Limestone County by the Parks and Wildlife Department. To Committee on Environmental Affairs.

By Jackson:
**HB 741**, A bill to be entitled An Act relating to the deadline for filing an application for a place on a primary election ballot. To Committee on Elections.

By Rudd:
**HB 742**, A bill to be entitled An Act relating to reports by the division heads of the Department of Public Safety regarding the efficiency of its employees. To Committee on Law Enforcement.

By Rudd:
**HB 743**, A bill to be entitled An Act relating to the creation of the criminal offense of tampering with food. To Committee on Criminal Jurisprudence.

By Hilbert, et al.:
**HB 744**, A bill to be entitled An Act relating to amending Acts 1973, 63rd Legislature, page 883, Chapter 399, as amended, (Section 46.04, Penal Code) by adding premises of a polling place where absentee balloting is in progress and government buildings and offices as places where weapons are prohibited; providing a penalty; providing a severability clause; and declaring an emergency. To Committee on Criminal Jurisprudence.

By Burnett:
**HB 745**, A bill to be entitled An Act relating to the penalty for fleeing or attempting to elude a peace officer. To Committee on Criminal Jurisprudence.

By Burnett:
**HB 746**, A bill to be entitled An Act relating to the creation of the offense of unauthorized entry of or presence at the scene of a crime investigation. To Committee on Criminal Jurisprudence.

By Burnett:
**HB 747**, A bill to be entitled An Act relating to application of the offense of disorderly conduct to looking into a room in a hotel or similar establishment for a lewd or unlawful purpose. To Committee on Criminal Jurisprudence.
By Burnett:
HB 748, A bill to be entitled An Act relating to eligibility for service retirement benefits from the Texas Municipal Retirement System.
To Committee on Retirement and Aging.

By D. Lee, et al.:
HB 749, A bill to be entitled An Act relating to the regulation of lay midwives; providing penalties.
To Committee on Public Health.

By Cain:
HB 750, A bill to be entitled An Act relating to the distribution of voter registration information in certain apartment complexes.
To Committee on Business and Commerce.

RESOLUTIONS SIGNED BY THE SPEAKER
The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled resolutions:
HCR 11, HCR 20, HCR 25, HCR 78
(S. Hudson now present)

HR 83 - ADOPTED
Representative Emmett moved that all necessary rules be suspended to take up and consider at this time, HR 83.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Emmett:
HR 83, Commending William Bowling "Bo" Byers.
The resolution was read and was adopted without objection.

On motion of Representative Fox, the names of all the members of the house were added to HR 83 as signers thereof.

ADDRESS BY MR. "BO" BYERS
Gib, Mr. Speaker, thank you very much. Ed Emmett, the author of the resolution, I appreciate that more than I can tell you. I just want to call a few names. I know I’ll fail to call some I should, but I’m going to start with the name of Dorothy Hallman, who is not here of course—she used to sit where Betty Murray sits—and express my appreciation to Dorothy Hallman, Betty Murray, and all those people who have always helped to make the job of the press easier. I particularly want to pay my regards to some of the more liberal members of the house, like Milton Fox, Tom Uher, the alter liberal from Grand Saline, Bill Hollowell, general. It’s been a pleasure to work with y’all. I haven’t always said the kindest things about you, but it has been interesting to cover your work.

I started out as a sports editor over in Tyler, Texas, a good many years ago, and after I’d been here awhile, people asked me how I would compare covering politics and government to covering sports, and my answer was, “It’s very similar, the only thing is they don’t give you a lineup of all the players in politics.” They’ve also said, “Well how did you stand it, how have you stood it, working here for 37 years in the capitol?” And I said, “You have to have a sense of humor.”
I'm going off to one of the smaller political capitals now on the Potomac. I'll be seeing politics from the other side of the fence as press secretary to Congressman Bill Patman. I expect to be back down here occasionally. I hope I'll get to see some of you again. I particularly wanted to mention one member here in the house whom I have not had the pleasure of meeting yet, or simply have not gotten over in the early part of the session, Steve Carriker, whose father was a member of the house here about the time I first started off, when Claud Gilmer was speaker of the house. Thank you very much for this privilege of speaking to you for a few moments, and I hope to see you again. Thank you.

REMARKS ORDERED PRINTED

Representative D. Hudson moved that the remarks by Mr. Byers be printed in the journal.

The motion prevailed without objection.

HCR 71 - ADOPTED

Representative Geistweidt moved that all necessary rules be suspended to take up and consider at this time, HCR 71.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Geistweidt:

HCR 71

WHEREAS, Fleet Admiral Chester W. Nimitz, Commander-in-Chief of the Pacific Fleet and of the Pacific Ocean Areas during World War II, was born in Fredericksburg, Texas, on February 24, 1885; and

WHEREAS, The citizens of Texas and people from other states have contributed to the restoration of his grandfather's famous Steamboat Hotel and the construction of The Museum of the Pacific War within it as a memorial to Admiral Nimitz and the 210,000 men and women who served with him and were instrumental in winning the war in the Pacific; and

WHEREAS, The Museum of the Pacific War will be dedicated in Fredericksburg on Veterans' Day, November 11, 1983; now, therefore, be it

RESOLVED by the House of Representatives, the Senate concurring, That the 68th Legislature of the State of Texas hereby declare February 24, 1983, the 98th anniversary of the birth of Admiral Chester W. Nimitz and the day on which he was buried in 1966, to be Fleet Admiral Nimitz Day in Texas.

The resolution was adopted without objection.

HR 86 - ADOPTED

Representative Clark moved that all necessary rules be suspended to take up and consider at this time, HR 86.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Clark:

HR 86, Commending the members of Future Farmers of America and the vocational agricultural teachers.

The resolution was adopted without objection.
LEAVES OF ABSENCE GRANTED

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

Granoff on motion of Eckels.

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

Hinojosa on motion of Collazo.

(B. Gibson now present)

SB 373 ON THIRD READING
(Presnal - House Sponsor)

The speaker laid before the house on its third reading and final passage, SB 373, A bill to be entitled An Act relating to supplemental appropriations to the senate and State Purchasing and General Services Commission required by fire damage and other costs relating to the fire to the Capitol and to compliance with or waiver of local ordinance requirements.

A record vote was requested.

The bill was read third time and was passed by (Record 47): 131 Yeas, 5 Nays, 0 Present, not voting.

Yeas - Mr. Speaker(C); Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Ceverha; Clark; Clemons; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Davis; DeLay; Delco; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Fennell; Gamez; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Green; Grisham; Haley; Hall, B.; Hall, L.; Hall, T.; Hammond; Hanna; Harrison, D.; Heflin; Hernandez; Hightower; Hilber; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubisk; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Parker; Patrick; Patronella; Pennington; Peveto; Pierce; Polk; Polubno; Presnal; Rangel; Robnett; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nays - Denton; Fox; Patterson; Robinson; Toomey.

Absent, Excused — Colbert; Danburg; Gandy; Garcia, M.; Garcia, T.; Granoff; Hackney; Harrison, B.; Hinojosa; Price; Salinas; Smith, C.

Reason for Vote

I voted for SB 373 on third reading in order to implement the bill immediately, so we can proceed with the clean-up and repair of the fire damage to the Capitol.
I am not, however, satisfied with the accounting for the requested funds, and believe estimates of cost should have been obtained before introducing this bill.

Simpson, Staniswalis

HB 426 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 426.

CSHB 426

A BILL TO BE ENTITLED
AN ACT
relating to the payment of property taxes.

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

SECTION 1. Section 31.01(c), Tax Code, is amended to read as follows:
(c) The tax bill or a separate statement accompanying the tax bill shall:
(1) identify the property subject to the tax;
(2) state the appraised value, assessed value, and taxable value of the property;
(3) if the property is land appraised as provided by Subchapter C, D, or E, Chapter 23 of this code, state the market value and the taxable value for purposes of deferred or additional taxation as provided by Section 23.46, 23.55, or 23.76, as applicable, of this code;
(4) state the assessment ratio for the unit;
(5) state the type and amount of any partial exemption applicable to the property, indicating whether it applies to appraised or assessed value;
(6) state the local tax rate for the unit;
(7) state the amount of tax due, and the due date, and the delinquency date;
(8) explain the payment option and discounts provided by Sections 31.03 and 31.05 of this code, if available to the unit's taxpayers, and state the date on which each of the discount periods provided by Section 31.05 concludes, if the discounts are available;
(9) state the rates of penalty and interest imposed for delinquent payment of the tax; and
(10) include any other information required by the State Property Tax Board.

SECTION 2. Sections 31.04 and 31.05, Tax Code, are amended to read as follows:
Sec. 31.04. POSTPONEMENT OF DELINQUENCY DATE. (a) If tax bills are mailed after January 10, the delinquency date provided by Section 31.02 of this code is postponed to the first day of the next month that will provide a period of at least 21 days after the date of mailing for payment of taxes before delinquent unless the taxing unit has adopted the discounts provided by Section 31.05(c) of this code, in which case the delinquency date is determined by Subsection (d) of this section.
(b) If the delinquency date is postponed as provided by this section, the assessor who mails the bills shall notify the governing body of each taxing unit whose taxes are included in the bills of the postponement. [If the due date for state taxes is postponed, the county assessor-collector shall notify the State Property Tax Board of the postponement.]
(c) A payment option provided by Section 31.03 of this code or a discount adopted under Section 31.05(b) [provided by Section 31.05] of this code does not apply to taxes that are calculated too late for it to be available.
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(d) If a taxing unit mails its tax bills after September 30 and adopts the discounts provided by Section 31.05(c) of this code, the delinquency date is postponed to the first day of the next month following the fourth full calendar month following the date the tax bills were mailed.

(e) For purposes of this Section, a taxing unit's tax bills are considered mailed on the earliest date on which the unit has mailed all or substantially all of the tax bills.

Sec. 31.05. DISCOUNTS. (a) A person is entitled to a discount from the amount of state tax due if he pays the tax before January. The amount of discount is:

1. three percent if the tax is paid in October,
2. two percent if the tax is paid in November, and
3. one percent if the tax is paid in December.

(b) The governing body of a taxing unit that collects its own taxes may adopt the discounts provided by Subsection (b) or Subsection (c) of this section, or both, in the manner required by law for official action by the body. The discounts, if adopted, apply to taxes for all units for which the adopting taxing unit collects taxes. If the taxing unit adopts both discounts under Subsections (b) and (c) of this section, the discounts adopted under Subsection (b) apply unless the unit mails its tax bills after September 30, in which case only the discounts under Subsection (c) apply.

(b) A taxing unit may adopt the following discounts to apply regardless of the date on which it mails its tax bills:

1. three percent if the tax is paid in October or earlier,
2. two percent if the tax is paid in November, and
3. one percent if the tax is paid in December.

(c) A taxing unit may adopt the following discounts to apply when it mails its tax bills after September 30:

1. three percent if the tax is paid before or during the next full calendar month following the date on which the tax bills were mailed,
2. two percent if the tax is paid during the second full calendar month following the date on which the tax bills were mailed; and
3. one percent if the tax is paid during the third full calendar month following the date on which the tax bills were mailed.

(d) If one or more taxing units contract with the appraisal district for collection of taxes, the discounts provided by Subsection (b) or (c) of this section do not apply to taxes collected by the district unless application of the discounts provided by that subsection is approved by resolution adopted by a majority of the governing bodies of the taxing units whose taxes the district collects and filed with the secretary of the appraisal district board of directors. After an appraisal district provides for discounts, the districts apply to all taxes collected by the district until revoked. They may be revoked in the same manner as provided by adoption.

SECTION 3. (a) This Act applies to taxes due for tax bills mailed on or after the effective date of this Act. All the discounts provided by Section 31.05, Tax Code, as amended by this Act, are effective in a taxing unit in which the discounts provided by Section 31.05, Tax Code, were in effect immediately before the effective date of this Act, as if the new discounts had been adopted by the governing body of the taxing unit or by the governing body of the taxing unit collecting its taxes.

(b) Discounts for taxes due for tax bills mailed before the effective date of this Act are covered by the law in effect at the time the tax bills were mailed, and the former law is continued in effect for that purpose.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public
necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The bill was read second time and was passed to engrossment.

HB 426 ON THIRD READING

Representative Oliveira moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 426 be placed on its third reading and final passage.

A record vote was requested.

The motion prevailed by (Record 48): 119 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Arimbister; Arnold; Barrientos; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Bush; Cain; Carriker; Cary; Cavazos; Cervantes; Clark; Clemons; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Davis; DeLay; Delco; Denton; Eikenburg; English; Evans, C.; Evans, L.; Finnell; Gamez; Gavin; Geistwoldt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Green; Grisham; Haley; Hall, B.; Hall, L.; Hall, T.; Hammond; Hanna; Harrison, D.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Maldonado; Mankins; Martinez, W.; Millsap; Moreno, A.; Oliveira; Oliver; Barker; Patrick; Patronella; Patterson; Pennington; Peto; Pierce; Polk; Polumbo; Presnal; Rangel; Robinson; Rohe; Rudd; Russell; Schlueter; Schoolcraft; Shaw; Shea; Short; Smith, A.; Smith, T.; Stiles; Sutton; Tejeda; Thompson, S.; Toomey; Tow; Turner; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Nays — Agnich; Barton, B.; Eckels; Emmett; Fox; Jackson; Simpson; Staniswalis; Thompson, G.; Uher.

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

Absent, Excused — Colbert; Danburg; Gandy; Garcia, M.; Garcia, T.; Granoff; Hackney; Harrison, B.; Hinojosa; Price; Salinas; Smith, C.

Absent — Burnett; Edwards; Martinez, R.; Messer; Moreno, P.; Ragsdale; Saunders; Wright.

The speaker then laid HB 426 before the house on third reading and final passage.

A record vote was requested.

The bill was read third time and was passed by (Record 49): 131 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Agnich; Arimbister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Cervantes; Clark; Clemons; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gavin; Geistwoldt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Green; Grisham; Haley; Hall, B.; Hall, L.; Hall, T.; Hammond; Hanna; Harrison, D.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna;
PRESENT, not voting — Mr. Speaker (C).

Absent, Excused — Colbert; Danburg; Gandy; Garcia, M.; Garcia, T.; Granoff; Hackney; Harrison, B.; Hinojosa; Price; Salinas; Smith, C.

Absent — Buchanan; Messer; Millsap; Moreno, P.; Ragsdale; Wright.

CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR

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

By E. Barton, et al.:
HR 44, In memory of Mrs. Josephine Cox.
The resolution was unanimously adopted by a rising vote.

On motion of Representative Watson, the names of all the members of the house were added to HR 44 as signers thereof.

By Ragsdale:
HR 46, Congratulating the D. W. Carter High School football team of Dallas.
The resolution was adopted without objection.

By Burnett:
HR 47, Commending F. E. Boyd.
The resolution was adopted without objection.

By Burnett:
HR 48, Commending Shad Bryson.
The resolution was adopted without objection.

By Gilley:
HR 51, In memory of the Honorable Arnold Alsobrooks.
The resolution was unanimously adopted by a rising vote.

On motion of Representative Burnett, the names of all the members of the house were added to HR 51 as signers thereof.

(C. Evans in the chair)

By Luna:
HR 52, Commending Ida Mae Blasingame.
The resolution was adopted without objection.

(Speaker in the chair)

By Oliveira:
HR 53, In memory of Eutimio Hernandez.
The resolution was unanimously adopted by a rising vote.

By Khoury:
HR 54, Congratulating Mr. and Mrs. William Andrew McAllister.
The resolution was adopted without objection.

HR 58 was withdrawn by the author.
By Pierce:
HR 59, Congratulating Mrs. Sadie Ray Graff.
The resolution was adopted without objection.

By D. Hudson:
HR 61, In memory of Judge Otis T. Dunagan.
The resolution was unanimously adopted by a rising vote.

On motion of Representative Crockett, the names of all the members of the house were added to HR 61 as signers thereof.

By Gandy:
HR 62, In memory of James Alvin White.
The resolution was unanimously adopted by a rising vote.

By Luna:
HR 64, Congratulating Jacinto City.
The resolution was adopted without objection.

By Messer:
HR 67, Commending Curtis B. Elliott.
The resolution was adopted without objection.

By Khoury:
HR 68, Congratulating the McGregor High School football team.
The resolution was adopted without objection.

By Schlueter:
HR 69, Commending Ray Alvin Jones.
The resolution was adopted without objection.

By Jones:
HR 72, Congratulating Billy and Wanda Williamson.
The resolution was adopted without objection.

By Granoff:
HR 73, In memory of Mrs. Guadalupe Botello.
The resolution was unanimously adopted by a rising vote.

By Leonard:
HR 74, Congratulating Alonzo Newton Gibson.
The resolution was adopted without objection.

By G. Hill:
HCR 50, Commending Edward F. Riedel.
The resolution was adopted without objection.

HCR 55 was withdrawn by the author.

By S. Hudson:
HCR 57, Commending Capitol Security Officers James Mitchell, Joel Quintanilla, Arthur Patterson and Wilfred Spinks.
The resolution was adopted without objection.

By B. Barton, et al.:
HCR 58, Congratulating the Southwest Texas State University football team.
The resolution was adopted without objection.
By Gavin:
HCR 59, Commending Marjorie Booker.
The resolution was adopted without objection.

By Grisham:
HCR 61, In memory of former State Representative O. H. (Muggie) Schram.
The resolution was unanimously adopted by a rising vote.

By B. Gibson:
HCR 63, Commending Clyde H. Wells.
The resolution was adopted without objection.

By Russell:
HCR 68, In memory of former State Representative Sidney Latham.
The resolution was unanimously adopted by a rising vote.

On motion of Representative Short, the names of all the members of the house were added to HCR 68 as signers thereof.

By Collazo:
HCR 70, Commending former State Representative Pike Powers.
The resolution was adopted without objection.

On motion of Speaker Lewis, the names of all the members of the house were added to HCR 70 as signers thereof.

By Grisham:
HCR 76, Congratulating the Round Rock High School Band.
The resolution was adopted without objection.

SCR 26 (Coody - House Sponsor) In memory of former State Representative John A. Atchison.
The resolution was unanimously adopted by a rising vote.

STATEMENT BY REPRESENTATIVE A. SMITH
Due to important business, I was unable to record a “no” vote on SB 373 prior to adjournment on Wednesday, February 23, 1983.

A. Smith

STATEMENT BY REPRESENTATIVE DANBURG
On Record 45, February 23, the vote on SB 373, I inadvertently voted “no” on the motion to table. I intended to vote “yes.”

Danburg

HOUSE BILL ON FIRST READING
The following house bill was today laid before the house, read first time and referred to committee:

By Pierce, et al.:
HB 627, A bill to be entitled An Act relating to the regulation of natural and synthetic gas supplied to certain municipalities.
To Committee on Urban Affairs.

CORRECTIONS IN REFERRALS
HB 638, relating to the abolishment of the Texas Health Facilities Commission and to power and duties of the Texas Department of Health was inadvertently referred to the Committee on State Affairs. The chair, after
consultation with the author and chairmen of the respective committees, now corrects the referral of HB 638 to the Committee on Public Health.

HB 632, relating to the allocation and use of state funds for highways and streets and to providing assistance to cities for city streets, was inadvertently referred to the Committee on Ways and Means. The chair, after consultation with the author and chairmen of the respective committees, now corrects the referral of HB 632 to the Committee on Transportation.

HB 214, relating to continuance of cases in which a party applying for a continuance or the party's attorney is a member of the legislature, was inadvertently referred to the Committee on Judicial Affairs. The chair, after consultation with the author and chairmen of the respective committees, now corrects the referral of HB 214 to the Committee on State Affairs.

LEAVE OF ABSENCE GRANTED

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

A. Garcia on motion of Berlanga.

SCR 34 - ADOPTED

(Berlanga - House Sponsor)

Representative Berlanga moved that all necessary rules be suspended to take up and consider at this time, SCR 34.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

SCR 34

BE IT RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That the Senate and the House meet in Joint Session in the Hall of the House of Representatives at 11:00 a.m., March 9, 1983; and, be it further

RESOLVED, That his excellency, Mark White, Governor of the State of Texas, be, and he is hereby, invited to address the Regular Session of the 68th Legislature in Joint Session at that time.

The resolution was adopted without objection.

SB 98 - RULES SUSPENDED

Representative Eikenburg moved to suspend the 48-hour subcommittee report rule to allow the Committee on Public Health to consider SB 98.

The motion prevailed without objection.

INTRODUCTION OF ATTORNEY GENERAL STEVE CLARK

The speaker introduced Arkansas Attorney General Steve Clark who addressed the house briefly.

(Ragsdale now present)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Criminal Jurisprudence. Subcommittee on HB 17, on adjournment today, Desk 141, to consider HB 17.
Public Health, Subcommittee on SB 98, on adjournment today, Desk 45, to consider SB 98.

State Affairs, Subcommittee on HB 304, on adjournment today, Desk 32, to consider HB 304.

PROVIDING FOR ADJOURNMENT

Representative Millsap moved that, at the conclusion of the signing of a bill in the presence of the house, the house adjourn until 2 p.m. Monday.

The motion prevailed without objection.

BILL SIGNED BY THE SPEAKER

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

SB 373

ADJOURNMENT

In accordance with a previous motion, the house, at 11:47 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:

Elections - HB 166
Judicial Affairs - HCR 16

COAUTHORS AUTHORIZED

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

HB 105 - Barrientos, Tejeda, T. Smith
HB 141 - Barrientos
HB 195 - Wallace
HB 224 - Wallace
HB 371 - Barrientos
HB 487 - Wallace
HB 494 - Barrientos
HB 521 - Barrientos
HB 627 - Schlueter, Patrick, Sutton
HB 632 - Edwards
HB 641 - Barrientos, Oliver
HB 710 - D. Hudson
HB 728 - R. Martinez, Pennington, Vowell, Grisham, Toomey, Green, Wallace
HB 738 - Collazo
HB 744 - Crockett, Wallace
HB 749 - Jackson
HJR 22 - S. Thompson, Salinas, Burnett, Buchanan, D. Hudson, Crockett, Oliver
HJR 44 - Oliver