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 50).

Present — Mr. Speaker; Agnich; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Ceverha; Clark; Clemens; Colbert; Collazo; Connelly; Coody; Craddock; Criss; Crockett; Danburg; Davis; Delco; Denton; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, M.; Garcia, T.; Gavin; Geisweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; 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.; Hurx; Jackson; Jones; Keller; Kemp; Khoury; Kuempel; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Mafia; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Absent, Excused — Eckels; Hall, B.; Laney; Moreno, A.

Absent — Armbrister; Price.

The invocation was offered by Phil Arms, Phil Arms Ministry, Houston, Texas.

LEAVES OF ABSENCE GRANTED

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

A. Moreno on motion of Cavazos.

Eckels on motion of Toomey.

The following member was granted leave of absence for today to attend a funeral:

Laney on motion of Mankins.

The following member was granted leave of absence for today because of illness in the family:

W. Hall on motion of Coody.

(Armbrister now present)
MESSAGE FROM THE SENATE
Austin, Texas, February 28, 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 58 by Bob Barton, congratulating the Southwest Texas State University football team.
HCR 50 by Gerald Hill, commending Edward F. Riedel.
HCR 57 by Sam Hudson, commending Capitol Security Officers on courageous conduct.
HCR 59 by Gavin, congratulations to Marjorie Booker upon her retirement.
HCR 61 by Grisham, in memory of former state representative O. H. Schram.
HCR 63 by B. Gibson, commending Clyde H. Wells.
HCR 68 by Russell, in memory of former state representative Sidney Latham.
HCR 70 by Collazo, commending former state representative Pike Powers on legislative service.
HCR 71 by Geistweidt, declaring February 24 to be Admiral Nimitz Day in Texas.
HCR 76 by Grisham, congratulating the Round Rock High School Band.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 373 by: 30 yeas, 0 nays; SB 307 by: 30 yeas, 0 nays.

Respectfully,
Betty King
Secretary of the Senate

SENATE BILLS ON FIRST READING

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

SB 10 to Committee on County Affairs.
SB 22 to Committee on Criminal Jurisprudence.
SB 80 to Committee on Urban Affairs.
SB 83 to Committee on Criminal Jurisprudence.
SB 84 to Committee on State Affairs.
SB 101 to Committee on Energy.
SB 105 to Committee on Business and Commerce.
SB 114 to Committee on State, Federal, and International Relations.
SB 120 to Committee on Elections.
SB 127 to Committee on Law Enforcement.
SB 133 to Committee on State Affairs.
SB 135 to Committee on Cultural and Historical Resources.
SB 136 to Committee on Insurance.
SB 137 to Committee on Regions, Compacts, and Districts.
SB 151 to Committee on Financial Institutions.
SB 155 to Committee on Law Enforcement.
SB 156 to Committee on Higher Education.
SB 162 to Committee on Criminal Jurisprudence.
SB 164 to Committee on Urban Affairs.
SB 182 to Committee on Natural Resources.
SB 194 to Committee on State Affairs.
SB 208 to Committee on Public Education.
SB 210 to Committee on Higher Education.
SB 211 to Committee on Higher Education.
SB 214 to Committee on Human Services.
SB 224 to Committee on Judicial Affairs.
SB 225 to Committee on State Affairs.
SB 231 to Committee on Cultural and Historical Resources.
SB 234 to Committee on Insurance.
SB 235 to Committee on Higher Education.
SB 236 to Committee on Cultural and Historical Resources.
SB 238 to Committee on Public Health.
SB 242 to Committee on State Affairs.
SB 347 to Committee on Judicial Affairs.
SB 361 to Committee on Ways and Means.
SB 67 to Committee on Elections.
SB 295 to Committee on Financial Institutions.
SB 27 to Committee on Public Education.

HOUSE BILLS ON FIRST READING

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

By Cain:
HB 751, A bill to be entitled An Act relating to procedure for arrest, release, and appearance before a magistrate for certain misdemeanors.
To Committee on Criminal Jurisprudence.

By Peveto:
HB 752, A bill to be entitled An Act relating to property tax appraisal studies conducted by the State Property Tax Board.
To Committee on Ways and Means.
By Peveto:

HB 753, A bill to be entitled An Act relating to the reproduction and maintenance of the records of adoption proceedings.
To Committee on Judicial Affairs.

By Shaw:

HB 754, A bill to be entitled An Act relating to the location of the depository for the funds of the Reagan Hospital District.
To Committee on County Affairs.

By Hury:

HB 755, A bill to be entitled An Act relating to the authority of counties to contract for the destruction of certificates, bonds, interest coupons, or other evidences of indebtedness issued and paid by the counties.
To Committee on County Affairs.

By Turner:

HB 756, A bill to be entitled An Act relating to creation of solar easements.
To Committee on Energy.

By Turner:

HB 757, A bill to be entitled An Act relating to inclusion of an area as part of a city if the city has treated the area as being within its boundaries.
To Committee on Urban Affairs.

By Hernandez, et al.:

HB 758, A bill to be entitled An Act relating to the membership of the Texas Board of Corrections.
To Committee on Law Enforcement.

By W. Martinez, et al.:

HB 759, A bill to be entitled An Act relating to the designation of February 2 as Guadalupe Hidalgo Day and as a legal holiday.
To Committee on State Affairs.

By Bush:

HB 760, A bill to be entitled An Act relating to the insanity defense in criminal prosecutions and treatment of mentally ill or mentally retarded offenders, to instructions to the jury and testimony of expert witnesses and to verdicts and judgments when the defense of insanity is submitted, and to hearings and disposition of defendants; amending Section 8.01, Penal Code, and Article 46.03, Code of Criminal Procedure, 1965, as amended.
To Committee on Criminal Jurisprudence.

By Presnal:

HB 761, A bill to be entitled An Act relating to supplemental appropriations to Texas A&M University and to the Texas Agricultural Experiment Station to replace property destroyed by fire.
To Committee on Appropriations.

By Rudd:

HB 762, A bill to be entitled An Act relating to certain defenses to charges of failure to maintain financial responsibility.
To Committee on Transportation.
By Wolens:
HB 763, A bill to be entitled An Act relating to the regulation of securities; providing penalties.
To Committee on Financial Institutions.

By C. Smith:
HB 764, A bill to be entitled An Act amending the Hospital Authority Act to provide an alternate method of selecting members of the Board of Directors of a Hospital Authority created under said act; permitting a reduction of the number of directors and regulation of the number of successive terms; and declaring an emergency.
To Committee on County Affairs.

By T. Smith:
HB 765, A bill to be entitled An Act relating to discovery in a criminal case.
To Committee on Criminal Jurisprudence.

By Saunders:
HB 766, A bill to be entitled An Act relating to a sales and use tax exemption for certain equipment used to produce fuel for manufacturing processes.
To Committee on Ways and Means.

By Green:
HB 767, A bill to be entitled An Act relating to rating, issuance, refusal to renew, and cancellation of certain automobile insurance.
To Committee on Insurance.

By Green:
HB 768, A bill to be entitled An Act relating to the employment of certain aliens and providing penalties.
To Committee on Business and Commerce.

By Green:
HB 769, A bill to be entitled An Act relating to information that a filing officer provides concerning financing and assignment statements under the Business & Commerce Code.
To Committee on Business and Commerce.

By Green:
HB 770, A bill to be entitled An Act relating to property tax relief for residence homesteads.
To Committee on Ways and Means.

By W. Hall:
HB 771, A bill to be entitled An Act relating to the regulation of persons engaged in the business of designing, selling, installing, maintaining, or servicing fire protection sprinkler systems; providing a penalty.
To Committee on Insurance.

By English:
HB 772, A bill to be entitled An Act relating to the rate of the city hotel occupancy tax for certain cities.
To Committee on Business and Commerce.

By Eckels:
HB 773, A bill to be entitled An Act relating to prohibiting the discharge of waste and sewage into drainage ditches in Harris County.
To Committee on County Affairs.
By Millsap, et al.:
HB 774, A bill to be entitled An Act relating to legislative approval for national guard armory construction and renovation projects.
To Committee on Appropriations.

By Laney:
HB 775, A bill to be entitled An Act relating to the time period for filing bonds or notices, affidavits, or deposits in lieu of bonds in accelerated appeals.
To Committee on Judicial Affairs.

By J. Hill:
HB 776, A bill to be entitled An Act relating to the political activity of state employees.
To Committee on State Affairs.

By J. Gibson, et al.:
HB 777, A bill to be entitled An Act relating to the composition of a county hospital’s board of managers.
To Committee on County Affairs.

By A. Moreno:
HB 778, A bill to be entitled An Act relating to an appropriation to the Texas Agricultural Experiment Station for research concerning the rice borer.
To Committee on Appropriations.

By Gandy:
HB 779, A bill to be entitled An Act relating to the substantive revision of civil and criminal laws concerning driving while intoxicated.
To Committee on Criminal Jurisprudence.

By Gandy:
HB 780, A bill to be entitled An Act relating to the political subdivision entitled to impose a tax on the gross receipts from bingo.
To Committee on Ways and Means.

By Gandy:
HB 781, A bill to be entitled An Act relating to the distribution to students of voter registration application forms by the registrar of an institution of higher education.
To Committee on Elections.

By W. Harrison:
HB 782, A bill to be entitled An Act relating to the allocation and use of revenue from the state hotel occupancy tax.
To Committee on Cultural and Historical Resources.

By Green:
HB 783, A bill to be entitled An Act relating to a change in the calculation of certain motor fuel taxes.
To Committee on Ways and Means.

By Rudd:
HB 784, A bill to be entitled An Act relating to sick leave for public school teachers.
To Committee on Public Education.
By Rudd:
HB 785, A bill to be entitled An Act relating to certain fees imposed by the Texas Board of Private Investigators and Private Security Agencies.
To Committee on Law Enforcement.

By Rudd:
HB 786, A bill to be entitled An Act relating to an awarding of administrative good conduct time to prisoners during periods of extraordinary overcrowding in the Texas Department of Corrections.
To Committee on Law Enforcement.

By Criss:
HB 787, A bill to be entitled An Act relating to the authority of counties to deposit public funds in certain financial institutions.
To Committee on County Affairs.

By C. Evans:
HB 788, A bill to be entitled An Act relating to work credit for determining salary or retirement benefits of a vocational teacher.
To Committee on Public Education.

By C. Evans:
HB 789, A bill to be entitled An Act relating to salary step credit for prior work experience of certain public school nurses.
To Committee on Public Education.

By Hury:
HB 790, A bill to be entitled An Act relating to the collection, deposit, and disposition of certain court costs collected in criminal cases.
To Committee on Criminal Jurisprudence.

By Uher:
HB 791, A bill to be entitled An Act relating to the maximum rates of interest or time price differential that may be charged in a credit card transaction.
To Committee on Financial Institutions.

By Uher:
HB 792, A bill to be entitled An Act relating to taking shrimp in major bays of inside water for noncommercial purposes.
To Committee on Environmental Affairs.

By Uher:
HB 793, A bill to be entitled An Act relating to a junior college district branch campus maintenance tax.
To Committee on Higher Education.

By Uher:
HB 794, A bill to be entitled An Act relating to the insanity defense and treatment of mentally ill offenders.
To Committee on Criminal Jurisprudence.

By Laney:
HB 795, A bill to be entitled An Act relating to the establishment, powers, and duties of the Texas Commission on Drug Abuse.
To Committee on State Affairs.
By Jackson:
HB 796, A bill to be entitled An Act relating to the creation of the tertiary care division in the Texas Department of Health and to the provision of tertiary care services.
To Committee on Public Health.

By Hanna:
HB 797, A bill to be entitled An Act relating to exemptions from licensing requirements for insurance adjusters.
To Committee on Insurance.

By Messer:
HB 798, A bill to be entitled An Act relating to excuse from jury service for persons with a physical or mental impairment.
To Committee on Judicial Affairs.

By Messer:
HB 799, A bill to be entitled An Act relating to application of the physician-patient privilege to disclosure of information in a criminal proceeding.
To Committee on Public Health.

By Wright, et al.:
HB 800, A bill to be entitled An Act relating to the recovery of damages for the wrongful death of a child.
To Committee on Judiciary.

By Patrick:
HB 614, A bill to be entitled An Act relating to costs incurred in the defense of certain claims for pecuniary damages in civil actions and the awarding of those costs by the court.
To Committee on State Affairs.

**RESOLUTION SIGNED BY THE SPEAKER**

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

**HCR 54**

**HCR 87 - ADOPTED**

Representative Watson moved that all necessary rules be suspended to take up and consider at this time, HCR 87.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Watson:

HCR 87, Commending Carol Barton.

The resolution was read and was adopted without objection.

On motion of Representative D. Lee, the names of all the members of the house were added to HCR 87 as signers thereof.

**HCR 40 - ADOPTED**

Representative McWilliams moved that all necessary rules be suspended to take up and consider at this time, HCR 40.

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

By McWilliams, et al.:

HCR 40

WHEREAS, Adequate and competitively priced energy sources are essential, not only for the well-being of this state, but also for the economic growth of the United States and for the industrial development of the third-world nations; and

WHEREAS, Energy is required to fuel a strong economy that can provide good employment opportunities, a high standard of living, and greater overall prosperity; and

WHEREAS, The energy crisis of recent years has resulted in people throughout the world reducing their use of energy and in the growth of alternative sources of energy, ranging from synthetic fuels to solar power; and

WHEREAS, This energy crisis has greatly altered both the production and the use of energy, and the resulting changes in the energy industry and in world economics need to be closely watched and better understood; and

WHEREAS, The fundamental changes in energy economics require a better awareness of the issues on the part of all responsible adults and an increased emphasis on and updating of energy education on the part of Texas educators; and

WHEREAS, National Energy Education Day provides an opportunity for community members to come together with school officials, teachers, and students to focus attention on the demands and challenges of the current energy situation and on the imperative need for a greater understanding of energy issues; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That the 68th Legislature hereby join the United States Congress in recognizing March 18, 1983, as National Energy Education Day; and, be it further

RESOLVED, That citizens of this state be urged to join with students, teachers, and school officials to encourage and enhance energy education programs that promote a better understanding of the global, national, and community energy picture.

The resolution was adopted without objection.

PROVIDING FOR A CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR

Representative S. Hudson moved to set a Congratulatory and Memorial Resolutions Calendar for 10 a.m., Thursday, March 3.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Business and Commerce, Subcommittee on HB 64 and HB 65, on adjournment today, Desk 10, to consider HB 64 and HB 65.

Elections, Subcommittee on HB 355, on adjournment today, Desk 129, to consider HB 355.

Financial Institutions, Subcommittee on Budget and Oversight, 4:15 p.m. today, Room C, Reagan Building.

Calendars, on adjournment today, Room G-14.

Appropriations, 3 p.m. today, Room 309, to consider HB 409.
Public Education, Subcommittee on HB 54, on adjournment today, Desk 34, to consider HB 54.

ADJOURNMENT

Representative Barrientos moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 2:41 p.m., adjourned until 10 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees on a bill and resolutions, as follows:

- Insurance - HB 149
- Rules and Resolutions - HR 10, HR 11

ENGROSSED

February 24 - HB 426

ENROLLED

February 24 - HCR 54

SENT TO THE GOVERNOR

February 24 - HCR 11, HCR 20, HCR 25, HCR 78

COAUTHORS AUTHORIZED

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

- HB 2 - Polk
- HB 11 - Hilbert
- HB 56 - Hilbert
- HB 92 - Hilbert
- HB 105 - Polk, Wilson, Saunders, Kemp, Robinson
- HB 147 - Patronella
- HB 197 - Toomey
- HB 227 - Hilbert
- HB 294 - A. Hill
- HB 368 - Hilbert
- HB 442 - Armbrister
- HB 443 - Armbrister
- HB 448 - Connelly
HB 560 - Hilbert
HB 614 - Pierce, Schoolcraft, Stiles, Pennington, Word, Crockett
HB 630 - Wallace
HB 632 - Mankins, D. Hudson, Hilbert
HB 641 - Hury
HB 744 - R. Martinez, Heflin
HB 758 - M. Garcia
HB 759 - Barrientos, Crockett
HB 774 - Stiles
HB 777 - Craddick
HB 800 - Schlueter, DeLay, Cain, Green, Keller, Gilley
HJR 22 - Kemp
HCR 67 - Stiles, Patronella