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 104).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Ceverha; Clark; Clemmons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delay; Delco; Denton; Echols; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finaelli; Gamez; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammonds; Hanna; Harrison, D.; Harrison, W.; Helfin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hurry; Jackson; Jones; Keller; Kemp; Khoury; Kubik; Kuempel; Laney; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, P.; Oliveira; Oliver; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; 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; Uber; Valles; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Absent, Excused — Fox; Lee, D.; Moreno, A.; Parker.

Absent — Gandy; Vowell.

The invocation was offered by Reverend Sidney Roberts, pastor, First United Methodist Church, Hurst, Texas, as follows:

Thine, O Lord, is the kingdom and power and glory forever.
To you we bring our praise and thanks for life and all your other blessings.
From you we ask for guidance that we may fulfill your purposes with our lives.
For these who labor here, we ask for courage and wisdom to face the great issues of our day. Give them a special sensitivity to what is just and right for all your people, and help them to rise above self and act out of that sensitivity.
Lord, help us when we sin against the gods of our own making, who have no ability to forgive us. Help us to look always to you, the true and living God, who not only has the ability, but forgives each one of us for every mistake.
Grant us your mercy and grace and peace all the way.
Amen.

LEAVES OF ABSENCE GRANTED

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

A. Moreno, temporarily for today, on motion of Crockett.
Parker on motion of Hury.
D. Lee on motion of Saunders.

The following member was granted leave of absence for today because of inclement weather:

Fox on motion of C. Smith.

(Gandy now present)

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas
March 29, 1983

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 729 by Caperton relating to the regulatory and enforcement procedures and authority of the Railroad Commission of Texas; providing penalties.

Respectfully submitted,
Mark White
Governor

HB 2330 - PERMISSION TO INTRODUCE

Representative Gilley moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2330.

The motion prevailed by (Record 105): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Cervera; Clark; Clemons; Colbert; Collazo; Connally; Coody; Cradick; Criss; Crockett; Daub; Davis; Delay; Delco; Denton; Ekkels; Edwards; Ekenburg; Emmett; English; Evans; C.; Evans; L.; Fennell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hanna; Harrison, D.; Harrison, W.; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubak; Kuempel; Laney; Lee, E. F.; Leonard; Luna; McKenna; Madla; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno; P.; Oliveira; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnall; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswals; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uber; Waldrop; Watson; Whaley; Wieing; Willis; Wilson; Wolens; Word; Wright.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Fox; Lee, D.; Moreno, A.; Parker.
Absent — Agnich; Hammond; Heflin; McWilliams; Mankins; Patrick; Salinas; Stiles; Valles; Vowell; Wallace.

HB 2331 - PERMISSION TO INTRODUCE

Representative Presnal moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2331.

The motion prevailed by (Record 106): 129 Yeas, 1 Nay, 1 Present, not voting.

Yeas - Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomar; Buchanan; Burnett; Cain; Carriker; Cary; Cavazos; Ceherha; Clark; Clemmons; Colbert; Collazo; Connally; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delay; Deleo; Denton; Eckels; Edwards; Emmett; English; Evans; F; Finnell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hellin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, P.; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubik; Kueppel; Laney; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, P.; Oliveira; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nay - Agnich.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Fox; Lee, D.; Moreno, A.; Parker.

HB 2332 - PERMISSION TO INTRODUCE

Representative Schoolcraft moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2332.

The motion prevailed by (Record 107): 131 Yeas, 2 Nays, 1 Present, not voting.

Yeas - Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomar; Buchanan; Burnett; Cain; Carriker; Cary; Cavazos; Ceherha; Clark; Clemmons; Colbert; Collazo; Connally; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delay; Deleo; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hellin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, P.; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubik; Kueppel; Laney; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, P.; Oliveira; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.
The Honorable
Mr. Speaker:

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

HCR 144 by Barrientos, et al., directing all state departments and agencies to close for a half day on Good Friday.

SB 97 by Mauzy, relating to the designation and qualifications of the presiding judge of the First Administrative Judicial District.

SB 129 by Traeger, relating to benefits from the Employees Retirement System of Texas and increasing benefits for elected class service.

SB 360 by Caperton, relating to the Texas Energy and Natural Resources Advisory Council serving as an energy resource center for school districts.

SB 377 by Doggett, relating to the personnel and administrative staff of the Texas Department of Mental Health and Mental Retardation.

SB 409 by Parker, relating to the provision of physical facilities for Lamar University at Port Arthur and Lamar University at Orange.

SB 446 by Jones, relating to inspection, insurance, and safety regulations for certain amusement rides.

SB 565 by Washington, relating to the certification of court reporters, deputy court reporters, and persons who engage in the practice of shorthand reporting in courts of this state.

SB 606 by Brooks, et al., relating to the creation . . . . . of a special district in counties with a population of more than 2 million and certain adjacent territory to administer a system by which the 9-1-1 telephone number is used as the primary emergency telephone number.

SB 619 by Harris, relating to the taxable business of a telegraph company.

SB 636 by Farabee, relating to the regulation of real estate brokers and salesmen.

SB 642 by Henderson and Glasgow, relating to the regulation of air conditioning contractors.

SB 701 by Farabee, relating to a substantive revision of state law governing certain trusts.

SB 713 by Uribe, relating to the time and manner that motor vehicle tax collections and tax receipts must be sent to the comptroller.

SB 1018 by Sarpalis, relating to amending the Water Code to require permits for certain drilled or mined shafts.

SB 1034 by Sharp, relating to the collection of special expenses by an incorporated city, town, or village.
SB 1095 by Whitmire, relating to equipping motor vehicles with television-type receiving equipment used exclusively for the purpose of receiving digital information.

HCR 4 by G. Hill, granting use of house and senate chambers for the 1983 Texas 4-H Congress.

HCR 14 by G. Hill, requesting the governor to give greater consideration to appointment of old citizens to boards and commissions.

Respectfully,
Betty King
Secretary of the Senate

RESOLUTIONS REFERRED TO COMMITTEES

The following resolutions were laid before the house and referred to committees:

SCR 7, Granting Pierce Contractors, Inc.-Dallas permission to sue the state.
To Committee on Judicial Affairs.

SCR 14, Requesting the Department of Health to redirect its diabetes screening money.
To Committee on Public Health.

SCR 15, Requesting the Central Education Agency to emphasize health education, including diabetes, in public schools throughout elementary and secondary grades.
To Committee on Public Education.

SCR 16, Requesting the Texas Dietetic Association to develop standards for hospital and outpatient care for persons with diabetes.
To Committee on Public Health.

SCR 17, Recommending that nursing schools include in their course work on diabetes mellitus material relevant to outpatient management and patient education.
To Committee on Public Health.

SCR 18, Recommending that medical schools include in their course work diabetes mellitus material relevant to outpatient management and patient education.
To Committee on Public Health.

SCR 19, Requesting the State Board of Insurance to take certain actions relating to persons with diabetes.
To Committee on Insurance.

SCR 20, Requesting the Texas Department of Human Resources to apply for medicare/medicaid waiver to permit funds for pilot diabetes prevention and education programs.
To Committee on Human Services.

SCR 27, Granting Luther Coulter, Nathan W. Coulter, Jr., and Evalena Fairbanks permission to sue the state.
To Committee on Judicial Affairs.

SCR 37, Granting Ralph Mutchler, Marvin McLeroy, Johnny Martin, and Curtis Beckham permission to sue the state.
To Committee on Judicial Affairs.
SCR 38, Granting H. H. Becker permission to sue the state.
To Committee on Judicial Affairs.

SCR 44, Granting Joy Ann Babb permission to sue the state.
To Committee on Judicial Affairs.

SCR 54, Honoring the people of Fort Bend County.
To Committee on Cultural and Historical Resources.

SCR 56, Congratulating Gary Cook.
To Committee on Rules and Resolutions.

By Wilson:
HCR 136, Directing state departments and agencies to release personnel of the Jewish faith for the observance of the religious holidays of Rosh Hashanah and Yom Kippur.
To Committee on Rules and Resolutions.

By T. Hall, et al.:
HCR 141, Memorializing Congress to enact HB 1190 relating to a deferral of Farmers Home Administration loan payments.
To Committee on Agriculture and Livestock.

By C. Smith:
HCR 142, Granting Jim Scoggins and Gerry Gammage permission to sue the state.
To Committee on Judicial Affairs.

By Pennington:
HCR 145, Commending John D. Morgan.
To Committee on Rules and Resolutions.

By A. Smith:
HCR 146, Granting Marathon Oil Company permission to sue the state.
To Committee on Judicial Affairs.

By Oliveira:
HCR 147, Granting William Kenon and George Purvis permission to sue the state.
To Committee on Judicial Affairs.

By R. Martinez:
HCR 148, Direct the Public Utility Commission of Texas to reaffirm the application of rate criteria that consider both capital-cost and fuel-cost savings to the corresponding electric utility in adopting rules governing cogeneration.
To Committee on State Affairs.

By Polk, et al.:
HR 195, Establishing procedure for referral of proposed agency rules to appropriate standing committees.
To Committee on State Affairs.

By E. F. Lee:
HR 201, Commending the Honorable Mickey Leland.
To Committee on Rules and Resolutions.

By A. Garcia:
HR 203, Commending Ramiro M. Guerra.
To Committee on Rules and Resolutions.
By Uher:
**HR 204**, In memory of Norman Harold Galle.
To Committee on Rules and Resolutions.

By Uher:
**HR 205**, In memory of George William Townsend.
To Committee on Rules and Resolutions.

**SENATE JOINT RESOLUTION ON FIRST READING**

The following senate joint resolution was today laid before the house, read first time and referred to committee:

**SJR 21** to Committee on Agriculture and Livestock.

(Vowell now present)

**SENATE BILLS ON FIRST READING**

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

**SB 7** to Committee on Criminal Jurisprudence.
**SB 23** to Committee on Ways and Means.
**SB 108** to Committee on Criminal Jurisprudence.
**SB 116** to Committee on Retirement and Aging.
**SB 123** to Committee on Ways and Means.
**SB 126** to Committee on Public Health.
**SB 147** to Committee on Cultural and Historical Resources.
**SB 176** to Committee on Cultural and Historical Resources.
**SB 207** to Committee on Public Health.
**SB 230** to Committee on Labor and Employment Relations.
**SB 244** to Committee on Judicial Affairs.
**SB 274** to Committee on Public Health.
**SB 280** to Committee on Retirement and Aging.
**SB 283** to Committee on Criminal Jurisprudence.
**SB 318** to Committee on Business and Commerce.
**SB 357** to Committee on Higher Education.
**SB 371** to Committee on Human Services.
**SB 394** to Committee on Public Health.
**SB 417** to Committee on Law Enforcement.
**SB 433** to Committee on Ways and Means.
**SB 444** to Committee on Transportation.
**SB 510** to Committee on Elections.
**SB 512** to Committee on State Affairs.
**SB 544** to Committee on State Affairs.
SB 554 to Committee on Liquor Regulation.
SB 555 to Committee on Elections.
SB 605 to Committee on State Affairs.
SB 607 to Committee on Agriculture and Livestock.
SB 609 to Committee on Higher Education.
SB 610 to Committee on Retirement and Aging.
SB 617 to Committee on Energy.
SB 623 to Committee on Financial Institutions.
SB 633 to Committee on Human Services.
SB 640 to Committee on Law Enforcement.
SB 641 to Committee on Urban Affairs.
SB 658 to Committee on Business and Commerce.
SB 664 to Committee on Elections.
SB 670 to Committee on Appropriations.
SB 683 to Committee on State Affairs.
SB 684 to Committee on State Affairs.
SB 685 to Committee on State Affairs.
SB 686 to Committee on State Affairs.
SB 687 to Committee on State Affairs.
SB 706 to Committee on Insurance.
SB 737 to Committee on Ways and Means.
SB 835 to Committee on Business and Commerce.
SB 973 to Committee on Retirement and Aging.
SB 986 to Committee on Ways and Means.
SB 987 to Committee on Ways and Means.
SB 989 to Committee on Elections.

(C. Evans in the chair)

SB 995 to Committee on State Affairs.
SB 1029 to Committee on County Affairs.
SB 1030 to Committee on County Affairs.
SB 1031 to Committee on County Affairs.
SB 1032 to Committee on County Affairs.
HOUSE BILLS ON FIRST READING

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

By Tow:
HB 2307, A bill to be entitled An Act relating to the jurisdiction of the County Court at Law No. 1 of Montgomery County and of the County Court at Law No. 2 of Montgomery County.
To Committee on Judicial Affairs.

By Tow:
HB 2308, A bill to be entitled An Act relating to the creation of the County Court at Law No. 3 of Montgomery County.
To Committee on Judicial Affairs.

By Berlanga, et al.:
HB 2309, A bill to be entitled An Act relating to the conservation, maintenance, and restoration of the State Capitol, its contents, and its grounds.
To Committee on Cultural and Historical Resources.

By Hernandez:
HB 2310, A bill to be entitled An Act relating to compensation of the district judges in Bexar County.
To Committee on Judicial Affairs.

By T. Smith:
HB 2311, A bill to be entitled An Act relating to the creation of an offense of the fraudulent use of a debit card.
To Committee on Financial Institutions.

By T. Hall:
HB 2312, A bill to be entitled An Act relating to the authority of Denton County to regulate residential developments in certain parts of the county; providing a penalty.
To Committee on County Affairs.

By T. Hall:
HB 2313, A bill to be entitled An Act relating to establishment of a juvenile board in Denton County.
To Committee on County Affairs.

By Schlueter:
HB 2314, A bill to be entitled An Act relating to the creation of a juvenile board in Lampasas County.
To Committee on County Affairs.

By Tow:
HB 2315, A bill to be entitled An Act relating to the creation of a local San Jacinto River Authority fund and its revenue and use; providing penalties.
To Committee on Natural Resources.

By Kemp:
HB 2316, A bill to be entitled An Act relating to the availability of a defense of necessity in a prosecution for escape from custody.
To Committee on Criminal Jurisprudence.
By Stiles:

HB 2317, A bill to be entitled An Act relating to reports by the Parks and Wildlife Department concerning public hearings in counties that may be affected by a proclamation.
To Committee on Environmental Affairs.

By Laney:

HB 2318, A bill to be entitled An Act relating to establishment of a juvenile board in Bailey and Parmer counties.
To Committee on County Affairs.

By Laney:

HB 2319, A bill to be entitled An Act relating to establishment of a juvenile board for Castro, Hale, and Swisher counties.
To Committee on County Affairs.

By Grisham, et al.:

HB 2320, A bill to be entitled An Act relating to validation of certain contracts of and issuance of a certain order by the Meadowlakes Municipal Utility District.
To Committee on County Affairs.

CORRECTIONS IN REFERRALS

HB 1328, relating to the forfeiture and disposition of certain property related to the theft of oil and gas was inadvertently referred to the Committee on Criminal Jurisprudence. The chair, after consultation with author and chairmen of the respective committees, now corrects the referral of HB 1328, to the Committee on Energy.

HB 2211, relating to the regulation of manufacturers and sellers of new motor vehicles and the protection of purchasers of new motor vehicles was inadvertently referred to the Committee on Business and Commerce. The chair, after consultation with author and chairmen of the respective committees, now corrects the referral of HB 2211, to the Committee on Transportation.

HB 1700, relating to the composition of the permanent and available school funds and the available university fund was inadvertently referred to the Committee on Higher Education. The chair, after consultation with author and chairmen of the respective committees, now corrects the referral of HB 1700, to the Committee on State Affairs.

PROVIDING FOR A CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR

Representative S. Hudson moved to suspend all necessary rules to set a Congratulatory and Memorial Resolutions Calendar for 9 a.m., Thursday, April 7.

The motion prevailed without objection.

(Speaker in the chair)

HB 2333 AND HB 2334 - PERMISSION TO INTRODUCE

Representative Berlanga moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2333 and HB 2334.

The motion prevailed by (Record 108): 138 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bonner; Buchanan; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Ceverha;
Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Ekenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hurly; Jackson; Keller; Kemp; Khoury; Kublaik; Kuempel; Laney; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Mills; Moreno, P.; Oliveira; Oliver; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Prinail; Price; Ragsdale; Ranget; Robinson; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shca; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Valles; Vowell; Waldrop; Watson; Whaley; Wieting; Wolens; Word; Wright.

Nays — Agnich; Jones.
Present, not voting — Mr. Speaker(C).
Absent, Excused — Fox; Lee, D.; Moreno, A.; Parker.
Absent — Robnett; Uher; Wallace; Willis; Wilson.
(A. Moreno now present)

LEAVE OF ABSENCE GRANTED

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

Cavazos on motion of Grisham.

HR 207 - ADOPTED

Representative Collazo moved that all necessary rules be suspended to take up and consider at this time, HR 207.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Collazo:

HR 207

WHEREAS, Our colleague, the Honorable Wayne Peveto of Orange is 44 years old today; and
WHEREAS, Despite his age and stature, he drives a green 1981 pickup (better known as the East Texas Cadillac) that very much needs to be washed; and
WHEREAS, His East Texas Cadillac also has a glove compartment that has to be taped shut and has garbage strewn on the floor; now, therefore, be it
RESOLVED, That the members of the House of Representatives of the 68th Legislature honor Representative Wayne Peveto on his birthday by initiating a collection to buy him a hinge for his truck's glove compartment and to wash his East Texas Cadillac, provided that he never again ask people to wipe their feet before entering.

The resolution was read and was adopted without objection.

On motion of Representative DeLco, the names of all the members of the house were added to HR 207 as signers thereof.
HR 209 - ADOPTED

Representative Gandy moved that all necessary rules be suspended to take up and consider at this time, HR 209.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Gandy:

WHEREAS, This 5th day of April, 1983, is the birthday of our distinguished fellow member from San Marcos, the Honorable Bob Barton, Jr., and it is with great pleasure that his colleagues in the Texas House of Representatives join him in commemorating this significant date; and

WHEREAS, Representative Barton is today celebrating the 53rd anniversary of his birth, which occurred on April 5, 1930; and

WHEREAS, This distinguished Texan is serving his first term in the house, representing District 47, and although his tenure has been a short one, he has displayed dedication to his job and commendable ability as a legislator; and

WHEREAS, He has earned the admiration and esteem of his colleagues, who desire on this occasion to extend birthday greetings to their good friend; now, therefore, be it

RESOLVED, That the House of Representatives of the 68th Legislature of the State of Texas hereby wish the Honorable Bob Barton, Jr., a Happy Birthday and many more years of outstanding service to the state; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Representative Barton as a token of the good wishes of the house of representatives.

The resolution was read and was adopted without objection.

On motion of Representative G. Thompson, the names of all the members of the house were added to HR 209 as signers thereof.

HR 211 - ADOPTED

Representative L. Evans moved that all necessary rules be suspended to take up and consider at this time, HR 211.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By L. Evans:

HR 211, Commending the players and coaching staff of the University of Houston Cougar basketball team.

The resolution was read and was adopted without objection.

On motion of Representative Patronella, the names of all the members of the house were added to HR 211 as signers thereof.

HB 480 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment,

HB 480, A bill to be entitled An Act relating to research and management of alligators, fur-bearing animals, and other wildlife resources, and to the removal of alligators and fur-bearing animals from wildlife management areas.
The bill was read second time and was passed to engrossment.

HB 410 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 410.

CSHB 410

A BILL TO BE ENTITLED
AN ACT
relating to the purchase of firearms from the state by retiring state peace officers.

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

SECTION 1. (a) A peace officer commissioned by the Department of Public Safety who is honorably retired from his commission by the department may purchase for an amount set by the department, not to exceed fair market value, one firearm issued to him by the department if the firearm is not listed as a prohibited weapon under Section 46.06(a), Penal Code. Except as provided by Subsection (b) of this section, the purchase must be made before the second anniversary of the date of the officer's retirement.

(b) If the department is unable to immediately replace a firearm purchased from the department's stock under this section, the department may delay the sale until the department can replace the firearm.

SECTION 2. If a peace officer commissioned by the Department of Public Safety dies while commissioned, whether or not the death occurred in the discharge of his official duties as a peace officer, the following classes of persons, in descending order of precedence, may purchase a firearm issued to the officer under the same conditions imposed on a purchase by a retiring officer by Section 1 of this Act:

1. the surviving spouse of the officer;
2. any children of the officer; or
3. the parents of the officer.

SECTION 3. (a) This Act applies to the purchase of a firearm included in the state's inventory on or after the effective date of this Act by a peace officer who died or honorably resigned his commission on or after September 1, 1979.

(b) If the final date on which a peace officer or a survivor of a peace officer would otherwise be eligible to purchase a firearm under this Act occurs before the 181st day after the effective date of this Act, the final date on which the firearm may be purchased is extended to the later date.

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.

CSHB 410 was read second time and was passed to engrossment.

HB 276 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment.

HB 276, A bill to be entitled An Act relating to the persons authorized to request an autopsy.

The bill was read second time and was passed to engrossment.
HB 622 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 622.

CSHB 622

A BILL TO BE ENTITLED
AN ACT
relating to nonprofit corporations a purpose of which is to assist a state agency.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. The Texas Non-Profit Corporation Act is amended by adding a new Article 1396-2.23B to read as follows:
Art. 1396-2.23B. CORPORATIONS ASSISTING STATE AGENCIES.
A. In this Article state agency means:
(1) a board, commission, department, office, or other entity that is in the executive branch of state government and that was created by the constitution or a statute of the State, including an institution of higher education as defined by Section 61.003, Texas Education Code, as amended;
(2) the legislature or a legislative agency; or
(3) the Supreme Court, the Court of Criminal Appeals, a court of appeals, or the State Bar of Texas or another state judicial agency.
B. The books and records of a corporation are subject to audit by the State Auditor if both of the following obtain:
(1) the corporation’s charter specifically dedicates the corporation’s activities to the benefit of a particular agency of state government; and
(2) a board member, officer, or employee of the same agency of state government sits on the Board of Directors of the corporation in other than an ex officio, non-voting, advisory capacity.
C. If the corporation’s charter specifically dedicates the corporation’s activities to the benefit of a particular agency of state government but the conditions in Section B of this Article do not obtain, before the 90th day after the last day of the corporation’s fiscal year, the corporation shall file with the secretary of state a report for the preceding fiscal year consisting of a copy of a report as described by Section B of Article 1396-2.23A of this Act.
SECTION 2. If a corporation is required to file an annual report under Section C, Article 1396-2.23B, Texas Non-Profit Corporation Act, as added by this Act, the initial report that the corporation is required to file under that section is the report for its first fiscal year beginning on or after the effective date of this Act.
SECTION 3. 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.

CSHB 622 was read second time and was passed to engrossment.

HB 15 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 15.

CSHB 15

A BILL TO BE ENTITLED
AN ACT
relating to the temporary employment of persons in certain fire departments and police departments.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 325, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 1269m, Vernon's Texas Civil Statutes), is amended by adding Section 28(b) to read as follows:

Sec. 28(b). Any person employed under the provisions of Section 28a of this Act prior to January 1, 1970, and who has been continuously employed in the temporary status provided by Section 28a shall be granted full civil service status with all the rights and privileges granted by this Act in Section 24, and shall be eligible to participate in an earned pension benefits. Employees affected by this section shall be allowed to buy back service credits in the pension fund that permanent employees have been participating in since his/her employment at a rate to be determined by the actuary of the affected pension fund.

SECTION 2. 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.

CSHB 15 was read second time.

Representative C. Smith offered the following amendment to CSHB 15:

Amend CSHB 15 by striking "an" on page 1, line 14.

The amendment was adopted without objection.

CSHB 15, as amended, was passed to engrossment.

HB 229 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment,

HB 229, A bill to be entitled An Act relating to acknowledgements of paternity on birth certificates.

The bill was read second time.

Representative Oliver offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 229 by deleting lines 8 through 18 on page 1 and substitute in lieu thereof the following:

"Rule 47a. The standard certificate of birth shall be in such form and shall provide for such items of information as may be described by the Texas [State] Department of Health. The father of an illegitimate child may acknowledge paternity by executing an affidavit acknowledging paternity according to the requirements of Section 13.22, Texas Family Code (V.T.C.S., Family Code, Section 13.22 as amended). The affidavit may be filed with the Texas Department of Health. If so filed, the affidavit shall be maintained with the original birth record, but shall not become a part thereof. Once filed, such affidavit becomes privileged, and shall be available only to a court of competent jurisdiction, in which a suit of paternity respecting the subject of the affidavit is pending, on motion of the trial judge. Any person may apply to the Texas [State] Department of Health to have any indication of illegitimacy removed from his or her birth record, including separate medical records and the paternity affidavit. The Department shall charge a fee of $10.00

Committee Amendment No. 1 was adopted without objection.

HB 229, as amended, was passed to engrossment.
HB 943 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment.

HB 943, A bill to be entitled An Act relating to write-in voting in an election for the office of trustee of an independent school district.

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

HB 376 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment.

HB 376, A bill to be entitled An Act relating to the liability of certain personal representatives for attorney's fees.

The bill was read second time.

Representative T. Smith offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 376 by inserting the word "statutory" on page 1, line 14 following the word "any".

Committee Amendment No. 1 was adopted without objection.

HB 376, as amended, was passed to engrossment.

HB 464 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 464.

CSHB 464

A BILL TO BE ENTITLED
AN ACT
relating to coordination of benefits between certain insurance policies.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 3, Insurance Code, is amended by adding Article 3.51-6B to read as follows:

Art. 3.51-6B. COORDINATION OF BENEFITS

Sec. 1. (a) A policy of group accident and health insurance or blanket accident and health insurance as defined by Sections 1 and 2, Article 3.51-6, Insurance Code, an individual policy of accident and sickness insurance as defined by Section 1(B)(3), Chapter 397, Acts of the 54th Legislature, Regular Session, 1955 (Article 3.70-1, Vernon's Texas Insurance Code), or an evidence of coverage as defined by the Texas Health Maintenance Organization Act (Chapter 20A, Vernon's Texas Insurance Code), may not be delivered, issued for delivery, or renewed in this state if the terms of the policy or evidence of coverage exclude or reduce the payment of benefits to or on behalf of an insured or enrollee because benefits are also payable or have been paid under a supplemental policy of accident and health insurance that is individually underwritten and individually issued as a hospital confinement indemnity, specified disease or limited benefit plan of coverage.

(b) Subsection (a) of this section applies to such supplemental policies irrespective of the mode or channel of premium payment to the insurer and regardless of any reduction in the premium by virtue of the insured's membership in any organization or of his status as an employee.
Sec. 2. A provision in a group accident and health insurance or blanket accident and health insurance policy, an individual accident and sickness insurance policy, or an evidence of coverage that violates Section 1 of this article is void.

SECTION 2. This Act applies only to policies and evidences of coverage delivered, issued for delivery, or renewed on or after January 1, 1984.

SECTION 3. This Act takes effect on September 1, 1983.

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.

CSHB 464 was read second time.

Representative Gavin offered the following amendment to CSHB 464:

Amend CSHB 464 on page 1, line 13, between “Code),” and “or,” by inserting “except an individual policy designed to fully integrate with other policies through a variable deductible,”.

The amendment was adopted without objection.

CSHB 464, as amended, was passed to engrossment.

SB 121 ON SECOND READING
(Saunders - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading,

SB 121, A bill to be entitled An Act relating to the creation of a judicial district composed of the counties of Washington, Lee, Bastrop, and Burleson and an appropriation for the salary and expenses of the judge of the court; amending Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon’s Texas Civil Statutes), by adding Section 3.130.

The bill was read second time and was passed to third reading.

SB 185 ON SECOND READING
(Criss - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading,

SB 185, A bill to be entitled An Act relating to the responsibility of a railway corporation for obstructing a street, railway crossing, or highway, to the duties of the arresting officer, and to a magistrate’s hearing; providing a penalty; amending Article 6701d-5, Revised Statutes.

The bill was read second time and was passed to third reading.

PROVIDING FOR A RESOLUTIONS CALENDAR

Representative G. Hill moved to suspend all necessary rules to set a Resolutions Calendar for 9 a.m., Thursday, April 7.

The motion prevailed without objection.

HB 2336 - PERMISSION TO INTRODUCE

Representative L. Evans moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2336.

The motion prevailed by (Record 109): 134 Yeas, 1 Nay, 1 Present, not voting.
Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cary; Ceverha; Clark; Colbert; Collazo; Connelly; Coody; Craddock; Criss; Crockett; Danbur; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, L.; Finney; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistwcidt; Gibson, B.; Gilley; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hernandez; Hightower; Hilbert; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patrick; Patronella; Patterson; Pennington; Pewto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalsi; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Vowell; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Nay — Agnich.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cavazos; Fox; Lee, D.; Parker.

Absent — Clemons; Evans, C.; Gibson, J.; Glossbrenner; Hall, W.; Hill, A.; Millsap; Valles; Wallace; Wright.

HB 593 AND HB 1330 - RULES SUSPENDED

Representative Hanna moved to suspend the 48-hour subcommittee report rule to allow the Committee on Energy to consider HB 593 and HB 1330.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Higher Education, on adjournment today, Desk 110.

Natural Resources, Subcommittee on HB 285 and HJR 49, on adjournment today, back hall, to consider HB 285 and HJR 49.

Law Enforcement, Subcommittee on SB 155, on adjournment today, Desk 3, to consider SB 155.

Energy, Subcommittee on HB 675, on adjournment today, Desk 112, to consider HB 675.

Appropriations, on adjournment today, Room 309, to consider HB 409.

Criminal Jurisprudence, Subcommittee on HB 158, on adjournment today, Desk 4, to consider HB 158.

State Affairs, will reconvene on adjournment today, Old Supreme Court room, to consider posted agenda.

Local and Consent Calendars, on adjournment today, Desk 82.

ADJOURNMENT

Representative L. Evans moved that the house adjourn until 10 a.m. tomorrow in memory of Representative L. Evans' father-in-law, John Taylor, Sr. of La Marque, Texas.
The motion prevailed without objection.
The house accordingly, at 3:16 p.m., adjourned until 10 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Business and Commerce - HB 434, HB 596
County Affairs - HB 1011, HB 1013, HB 1243, HB 1254, SB 421, SB 508
Criminal Jurisprudence - HB 548, HB 559, SB 22, SB 422
Elections - HB 350, HB 355, HB 741, HB 1038, HB 1111, HB 1148
Environmental Affairs - HB 1064
House Administration - HCR 17, HR 114, SCR 2, SCR 10
Judicial Affairs - HB 155, HB 359, HB 618, HB 637, HB 1440, HJR 70, SB 347
Labor and Employment Relations - HB 1352, SB 278
Liquor Regulation - HB 1361
State Affairs - HB 296
Transportation - HB 424, HB 455, HB 872, HB 1229, SB 228
Urban Affairs - HB 555, HB 599, SB 164, SB 595, SJR 17

COAUTHORS AUTHORIZED

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

HB 2 - Keller
HB 371 - Price
HB 632 - Blanton
HB 717 - Price
HB 807 - Gamez
HB 864 - Price
HB 1015 - Edwards
HB 1081 - B. Barton
HB 1184 - Pierce
HB 1232 - Edwards
HB 1531 - Price
HB 1735 - Price
HB 1736 - Price
HB 1737 - Price
HB 2184 - Price
HB 2309 - Speaker Lewis, W. Harrison
HJR 1 - Keller
HCR 141 - Bomer, D. Lee, Simpson, Waldrop, McWilliams, Gavin, Mankins, Kubiak, B. Gibson, Collazo, Clemons, Carriker, B. Barton, D. Harrison, W. Harrison, Bush, Wieting, Uber, Vowell, Hinojosa, Shaw, Wallace, Barrientos, Turner, Laney, Burnett, Clark, Patterson, J. Gibson, Whaley, Grisham

HR 171 - Criss
HR 195 - Tow

BILL TRANSMITTED TO GOVERNOR
UNDER ARTICLE XVI, SECTION 59

The following house bill was transmitted by the chief clerk to the governor:
April 5 - HB 2323

RECOMMENDATIONS OF THE TEXAS WATER COMMISSION
FILED WITH SPEAKER

The following recommendations of the Texas Water Commission were filed with the speaker:
March 30 - HB 1918
April 4 - HB 2304, HB 2306