The house met at 9 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 116).

Present — Mr. Speaker; Armbrister; Arnold; Barrientos; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carrizale; Cavazos; Ceverha; Clark; Clemmons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Davis; DeLay; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Gavin; Geistweit; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hefflin; Hernandez; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinajosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kuempel; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polombo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Salinas; Sanders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Hightower; Laney; Russell; Siles; Wallace.

Absent — Barton, B.; Kubiak; Patrick.

The invocation was offered by Reverend Eric H. Hooker, pastor, Second Baptist Church, Waco, Texas, as follows:

O God, our refuge and strength, who art the author of all godliness and goodness; be ready, we beseech thee, to hear the devout prayers of thy servants; and grant that those things which we ask faithfully we may obtain effectually. Help the decisions that will be made this day, that they will be made for the betterment of mankind. Guide us in our deliberations from this day and forever, in Christ's name. Amen.

LEAVES OF ABSENCE GRANTED

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

Cary on motion of Gavin.

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

Agnich on motion of Horn.

English on motion of D. Hudson.

Danburg on motion of Kemp.
Crockett on motion of A. Smith.
M. Garcia on motion of Rangel.
Laney, temporarily, on motion of G. Hill.
Stiles on motion of Berlanga.
Hightower on motion of Berlanga.
Russell on motion of Berlanga.
The following members were granted leaves of absence for today because of state business:
Delco on motion of G. Thompson.
Wallace on motion of Turner.
(Laney now present)

HR 220 - ADOPTED
Representative C. Evans moved that all necessary rules be suspended to take up and consider at this time, HR 220.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By C. Evans:
HR 220, Congratulating Journal Clerk Marjorie Avant on her birthday.
The resolution was read and was adopted without objection.
On motion of Representative Price, the names of all the members of the house were added to HR 220 as signers thereof.

HR 215 - ADOPTED
Representative Robinson moved that all necessary rules be suspended to take up and consider at this time, HR 215.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Robinson:
HR 215, Commending Zora Schultz.
The resolution was read and was adopted without objection.

HR 137 - ADOPTED
Representative C. Evans moved that all necessary rules be suspended to take up and consider at this time, HR 137.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Delco:
HR 137
WHEREAS, An upper-division government class of Dr. Janice C. May of The University of Texas at Austin has requested the use of the House Chamber for the purpose of conducting a mock session of the Texas House of Representatives; and
WHEREAS, It is appropriate that the Texas House encourage an understanding of the legislative process and representative government by providing a realistic setting for this worthwhile project; now, therefore, be it
RESOLVED by the House of Representatives of the 68th Legislature, That, in accordance with House Rules, the government class of Dr. Janice C. May be hereby granted permission to use the Chamber of the Texas House of Representatives in the Capitol on Sunday, April 10, 1983, from 1:30 to 5:00 p.m., for the purpose of holding a mock legislative session.
The resolution was adopted without objection.

RESOLUTIONS CALENDAR

The speaker laid before the house the following resolutions on committee report:

SCR 2 (Schoticraft - House Sponsor)

WHEREAS, It is a time-honored custom that the portrait of each outgoing Governor of the State of Texas be hung in the rotunda of the Texas Capitol along with those of previous Texas governors; and
WHEREAS, The term of Governor William P. Clements, Jr., 41st Governor of the State of Texas, is drawing to a close; now, therefore, be it
RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That the 68th Legislature, Regular Session, direct that a suitable portrait of Governor William P. Clements, Jr., be placed in the rotunda of the Texas Capitol with the portraits of other governors of Texas; the portrait and the charge for such portrait may be made by an artist agreeable with Governor Clements, the lieutenant governor, the Chairman of the Committee on Administration of the Senate, the speaker of the house of representatives, and the Chairman of the House Administration Committee; before the portrait is accepted and placed by the State Purchasing and General Services Commission, it shall have the approval of the lieutenant governor, the Chairman of the Committee on Administration of the Senate, the speaker of the house of representatives, and the Chairman of the House Administration Committee; and, be it further
RESOLVED, That a sufficient sum of money be provided through the Committee on Administration of the Senate and the House Administration Committee of the House of Representatives to pay the artist's charges for the portrait.
The resolution was adopted without objection.

SCR 10 was withdrawn by the author.
HCR 27 was withdrawn by the author.
HCR 28 was withdrawn by the author.
HCR 29 was withdrawn by the author.
HCR 31 was withdrawn by the author.

(B. Barton now present)
By Polk, Messer, and Glosbrenner:

HCR 84

WHEREAS, The House Select Committee on Teenage Pregnancy was established to investigate the problems associated with teenage pregnancy and early parenthood in Texas and to examine the effectiveness of existing policies and programs that deal with teenagers; and
WHEREAS, One of the major problems facing families with a pregnant teenager is that most private medical insurance providers do not cover the pregnancy expenses of dependent minors unless complications requiring hospitalization occur; and

WHEREAS, Medical insurance policies also do not provide coverage for grandchildren so that, regardless of medical needs, babies born to minor children of policyholders will have no insurance coverage; and

WHEREAS, The Select Committee on Teenage Pregnancy has recommended that steps be taken to reduce the financial burden of parents through private medical insurance coverage of the costs of a pregnancy of a dependent minor; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That the 68th Legislature hereby request the State Board of Insurance to investigate the feasibility of requiring private medical insurance carriers to provide optional coverage for prenatal, delivery, and pregnancy complication expenses for dependent minor children of policyholders; and, be it further

RESOLVED, That this coverage should:

1. be available regardless of who pays the premium;
2. include all pregnancy-related costs, including hospitalization and out-patient prenatal expenses;
3. extend to newborn grandchildren of policyholders for the first 30 days of life, as does coverage of newborn children of policyholders; and
4. be available whether or not the child is placed for adoption; and,

be it further

RESOLVED, That the State Board of Insurance make a complete report of its findings and recommendations to the 69th Legislature before it convenes in January, 1985; and, be it further

RESOLVED, That an official copy of this resolution be prepared and forwarded to the commissioner of the State Board of Insurance as an expression of the sentiment of the 68th Legislature.

Representative Tow offered the following committee amendment to the resolution:

COMMITTEE AMENDMENT NO. 1

Amend HCR 84 on page 2, line 1, by striking the words "coverage should" and substituting therefor the words "feasibility investigation consider coverage that would".

Committee Amendment No. 1 was adopted without objection.

The resolution, as amended, was adopted without objection.

By Polk, Messer, Glossbrenner, and Gavin:

HCR 85

WHEREAS, Adequate prenatal care is vitally important to the health and well-being of every infant and mother and is responsible for preventing many pregnancy complications and birth defects; and

WHEREAS, Handicapping conditions resulting from lack of prenatal care not only cause unmeasurable suffering and problems for the families but also create a preventable financial drain on the families and on the state; and

WHEREAS, Women eligible for financial aid may often forego needed prenatal care because of the expenses involved, which are not covered by state aid; and

WHEREAS, The Select Committee on Teenage Pregnancy has recommended that the Texas Title XIX Medical Assistance Program be amended to provide
reimbursement for prenatal care, to improve the health of teenage, as well as other, mothers and save the state costs for caring for children born with handicapping conditions; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That the 68th Legislature hereby request the board of the Texas Department of Human Resources to amend the Title XIX Medical Assistance Program administered through the department to allow reimbursement for prenatal care for pregnant women; and, be it further

RESOLVED, That this coverage begin as soon as a pregnancy is confirmed and be available to all women who would be eligible for Aid to Families with Dependent Children at the time of delivery and that the coverage be offered regardless of whether the woman is planning to place the child for adoption; and, be it further

RESOLVED, That the coverage include reimbursement for all outpatient prenatal care expenses for the duration of the pregnancy; and, be it further

RESOLVED, That coverage also be provided for inpatient prenatal care and complications; the department should develop guidelines to avoid abuse of these services, including designation of a medical board to review and approve each case requiring inpatient or special services; and, be it further

RESOLVED, That, before implementation of a program to allow reimbursement for prenatal care, the department develop an appropriate evaluation and data collection mechanism to ensure adequate evaluation of the program; the evaluation should include an assessment at two-year intervals of (1) the effectiveness of the program in improving pregnancy outcomes among clients utilizing the services; (2) whether increased numbers of individuals in designated high-risk groups obtain prenatal care; and (3) whether those individuals are obtaining the care earlier in their pregnancies; and, be it further

RESOLVED, That the department make a complete report of its progress, findings, and recommendations in this area to the 69th Legislature before it convenes in January, 1985; and, be it further

RESOLVED, That an official copy of this resolution be prepared and forwarded to the commissioner of the Texas Department of Human Resources as an expression of the sentiment of the 68th Legislature.

The resolution was adopted without objection. (Ceverha and Clemons recorded voting no)

LEAVE OF ABSENCE GRANTED

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

L. Evans on motion of E. F. Lee.

RESOLUTIONS CALENDAR - (consideration continued)

By Haley:

HR 50

WHEREAS, Although the number of people who are out of work is growing, employment prospects for persons with a good vocational education remain bright; and

WHEREAS, 1982 graduates of vocational-technical education programs in Texas have a low 3.1 percent unemployment rate; and

WHEREAS, Projections indicate that there will be 242,000 job openings in this state in 1983 that require training that is less than or different from the education required for a baccalaureate degree, and vocational education provides the training that is needed for those jobs; and
WHEREAS, Approximately 962,000 students are participating in vocational-technical education programs offered by Texas public institutions, and an additional 40,000 persons are being trained in proprietary business and technical schools in the state, and

WHEREAS, It is important that all Texas citizens recognize the impressive contributions that vocational education is making to the economy and continuing prosperity of this state; now, therefore, be it

RESOLVED, That the House of Representatives of the 68th Legislature of the State of Texas hereby recognize the week of February 6-12, 1983, as Vocational Education Week and call on all citizens to take note of the valuable services offered and the wide-ranging opportunities created by the vocational-technical education programs in this state.

The resolution was adopted without objection.

CONGRATULATORY AND MEMORIAL RESOLUTIONS CALENDAR

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

By W. Martinez, et al.:
HCR 140, Congratulating the city of San Antonio.
The resolution was adopted without objection.

By W. Harrison:
HCR 143, Recognizing the city of Pecos, Texas, as the "Home of the World's First Rodeo."
The resolution was adopted without objection.

By Armbrister:
HR 183, Congratulating the Victoria High School girls' basketball team.
The resolution was adopted without objection.

(Kubiak now present)
By Shea:
HR 184, Congratulating the Nimitz High School girls' basketball team.
The resolution was adopted without objection.

By Shea:
HR 185, Congratulating the MacArthur High School boys' basketball team.
The resolution was adopted without objection.

By Kuempel:
HR 186, Congratulating the Comfort High School girls' basketball team.
The resolution was adopted without objection.

By G. Hill:
HR 189, Congratulating the Concordia Lutheran College basketball team.
The resolution was adopted without objection.

On motion of Representative Ceverha, the names of all the members of the house were added to HR 189 as signers thereof.

By C. Evans:
HR 190, Congratulating Shelley Kay Plemons.
The resolution was adopted without objection.

On motion of Representative Khoury, the names of all the members of the house were added to HR 190 as signers thereof.
By Glossbrenner, et al.:
HR 192, In memory of Corinto J. F. (Cori) Carmignani.
The resolution was unanimously adopted by a rising vote.

On motion of Representative Polk, the names of all the members of the house were added to HR 192 as signers thereof.

(Speaker pro tempore in the chair)

By Cavazos, et al.:
HR 193, Congratulating Brenda Martinez.
The resolution was adopted without objection.

On motion of Representative Madla, the names of all the members of the house were added to HR 193 as signers thereof.

By Armbrister:
HR 196, Congratulating the Victoria High School boys’ basketball team.
The resolution was adopted without objection.

By Denton:
HR 197, Congratulating the Mart High School football team.
The resolution was adopted without objection.

By Denton:
HR 198, Congratulating the Jefferson-Moore High School football team.
The resolution was adopted without objection.

SCR 56 (Gavin - House Sponsor) Congratulating Gary Cook.
The resolution was adopted without objection.

(Speaker in the chair)

MESSAGE FROM THE SENATE
Austin, Texas, April 7, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

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

HCR 42 by Peveto, proclaiming Mauriceville as “The Crawfish Capital of Texas.”

HCR 132 by Denton, recognizing the Texas Retired Teachers Association on holding its Thirtieth Annual Convention in Waco on April 15-17, 1983.

SB 232 by Caperton, et al., relating to the continuation of the Public Utility Commission of Texas and the regulation of utilities.

Respectfully,
Betty King
Secretary of the Senate
SB 251 ON THIRD READING
(Hightower - House Sponsor)

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

SB 251, A bill to be entitled An Act relating to the appointment, powers, and duties of law enforcement officers commissioned by the director of the Parks and Wildlife Department and to rewards made from the operation game thief fund; amending the Parks and Wildlife Code by amending Sections 11.018, 11.019, and 12.204, by adding Section 11.0191, and by repealing Sections 12.101 and 12.102.

A record vote was requested.

The bill was read third time and was passed by (Record 117): 130 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomar; Buchanan; Burnett; Bush; Cain; Carriker; Cazavos; Ceverha; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Davis; DeLay; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; 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; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khourey; Kubak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Messer; Millsap; Moreno, A.; Olive; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Salinas; Saunders; Schieter; Schoolcraft; Shaw; Shea; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner, U.; Valles; Vowell; Waldrop; Watson; Wieten; Willis; Wilson; Wolens; Word; Wright.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Hightower; Russell; Stiles; Wallace.

Absent — Hernandez; Martinez, W.; Moreno, P.; Parker; Patrick; Short; Whaley.

SB 351 ON THIRD READING
(Gavin - House Sponsor)

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

SB 351, A bill to be entitled An Act relating to payment of premium requirements of certain group life insurance policies; amending the Insurance Code, as amended by amending Subsections (5) and (10) of Section 1 and Section 2, Article 3.50.

A record vote was requested.

The bill was read third time and was passed by (Record 118): 125 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Blanton; Bomar; Buchanan; Burnett; Bush; Cain; Carriker; Cazavos; Ceverha; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Davis; DeLay; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Gavin; Geistweidt; Gibson, J.; Gilley; Glossbrenner; Granoff;
The speaker laid before the house on its third reading and final passage, SB 27, A bill to be entitled An Act relating to public school textbooks.

A record vote was requested.

The bill was read third time and was passed by (Record 119): 114 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Blanton; Buchanan; Burnett; Bush; Cain; Carriker; Cavazas; Ceverha; Clemens; Colbert; Collazo; Connelly; Coody; Criss; Davis; DeLay; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Gavin; Geisweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliam; Madia; Mankins; Martinez, R.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Salinas; Saunders; Shaw; Shea; Simpson; Smith, A.; Smith, T.; Staniswalis; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nays — Bomer; Keller; Kuempel; Leonard; Mankins; Patterson; Pennington; Salinas; Staniswalis; Uher; Waldrop; Wright.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Hightower; Russell; Stiles; Wallace.

Absent — Berlanga; Gibson, B.; Hernandez; Martinez, W.; Moreno, P.; Parker; Patrick; Presnal; Schlueter; Schoolcraft; Short; Smith, C.

On motion of Representative G. Hill, and by unanimous consent, the caption of SB 27 was ordered amended to conform to the body of the bill.
STATEMENT BY REPRESENTATIVE KUEMPEL

On SB 27, I inadvertently voted no when I wanted to vote yes on SB 27.

Kuempel

SB 10 ON THIRD READING
(A. Hill - House Sponsor)

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

SB 10, A bill to be entitled An Act relating to authorization of counties to establish and finance alternative systems for resolving citizen disputes.

A record vote was requested.

The bill was read third time and was passed by (Record 120): 124 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cervera; Clemens; Colbert; Collazo; Connelly; Coody; Craddick; Cress; Davis; Delay; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; Finelli; Fox; Gamez; Gandy; Garcia, A.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hellin; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hurry; Jackson; Jones; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Millsap; Moreno, A.; Oliveira; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Salinas; Saunders; Schluter; Schoolcraft; Shaw; Shea; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nay — Keller.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L; Garcia, M.; Hightower; Russell; Stites; Wallace.

Absent — Cavazos; Clark; Gilley; Granoff; Hernandez; Lee, E. F.; Martinez, W.; Messer; Moreno, P.; Parker; Patrick; Short.

On motion of Representative A. Hill and by unanimous consent, the caption of SB 10 was ordered amended to conform to the body of the bill.

SB 98 ON THIRD READING
(T. Smith - House Sponsor)

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

SB 98, A bill to be entitled An Act relating to the composition, powers, and duties of the Texas Board of Health, the Commissioner of Health, and the Texas Department of Health and the authority of the county commissioners court to expend money for its county's public health and sanitation; amending Title 71, Revised Statutes, as amended, by adding Article 4414b; repealing Sections 1, 2, 3, 4, 5, 8, 10, and 10A, Chapter 42, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Articles 4414a, 4414aa, 4415a, 4416a, 4417a, 4418a, 4418d, 4418f, and 4418g, Vernon's Texas Civil Statutes), and Articles 4419 and 4420, Revised Statutes.
A record vote was requested.

The bill was read third time and was passed by (Record 121): 119 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Cain; Cavazos; Ceverha; Clark; Clemens; Colbert; Connelly; Coody; Craddick; Criss; Davis; DeLay; Denton; Eckels; Eikenburg; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Hudson, S.; Hurry; Jackson; Keller; Kemp; Khoury; Kubiak; Kuempel; Lancy; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Parker; Patronella; Pennington; Peveto; Pierce; Polk; Polumbo; Presnell; Ragsdale; Rangel; Robinson; Robnett; Rudd; Salinas; Saunders; Schlueter; Schoolcraft; Shea; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Valles; Vowell; Waldrop; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nays — Barton, E.; Bush; Carriker; Collazo; Jones; Uber; Watson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Hightower; Russell; Stiles; Wallace.

Absent — Edwards; Granoff; Hernandez; Hinojosa; Martinez, W.; Moreno, P.; Patrick; Patterson; Price; Shaw; Short.

On motion of Representative T. Smith and by unanimous consent, the caption of SB 98 was ordered amended to conform to the body of the bill.

LEAVE OF ABSENCE GRANTED

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

Gilley on motion of Polumbo.

SB 236 ON THIRD READING
(Berlanga - House Sponsor)

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


A record vote was requested.

The bill was read third time and was passed by (Record 122): 122 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Cain; Cavazos; Ceverha; Clark; Clemens; Colbert; Connelly; Coody; Craddick; Criss; Davis; DeLay; Denton; Eckels; Eikenburg; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Gavin; Gibson, B.; Gibson, J.; Glossbrenner; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.;
Present, not voting — Mr. Speaker(C).

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Gilley; Hightower; Russell; Stiles; Wallace.

Absent — DeLay; Geistweidt; Granoff; Hernandez; Hinojosa; Lee, E. F.; Martinez, W.; Millsap; Moreno, P.; Parker; Patrick; Saunders; Shaw; Short.

**SB 249 ON THIRD READING**

(Armbrister - House Sponsor)

The speaker laid before the house on its third reading and final passage, **SB 249**, a bill to be entitled An Act relating to the Matagorda Island State Park and Wildlife Management Area; amending Section 22.201, Parks and Wildlife Code.

A record vote was requested.

The bill was read third time and was passed by (Record 123); 119 Yeas, 2 Nays, 1 Present, not voting.

**Yeas** — Armbrister; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Borner; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Cevera; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddock; Criss; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Gavin; Gibson, B.; Gibson, J.; Glossbrenner; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hellin; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; Madla; Mankins; Martinez, R.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

**Nays** — Smith, C.; Tow.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Gilley; Hightower; Russell; Stiles; Wallace.

Absent — Arnold; Davis; DeLay; Geistweidt; Granoff; Hernandez; Hinojosa; Kuempel; McWilliams; Martinez, W.; Moreno, P.; Parker; Patrick; Folk; Short.
The speaker laid before the house on its third reading and final passage,

**HB 1174** A bill to be entitled An Act relating to the establishment and funding of mutual consent voluntary adoption registries and the maintenance and confidentiality of, and access to, adoption records and birth certificates; providing penalties.

The bill was read third time and was passed. (Pennington and C. Smith recorded voting no)

**HB 1020 - POSTPONED**

Representative Polumbo moved that consideration of HB 1020 be postponed until 10:30 a.m. today.

The motion prevailed without objection.

**HB 1352 ON THIRD READING**

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

**HB 1352** A bill to be entitled An Act relating to levying a surtax on employers for the payment of interest owed to the federal unemployment trust fund.

A record vote was requested.

The bill was read third time and was passed by (Record 124): 118 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Ceverha; Clark; Clemens; Colbert; Collazo; Connelly; Coody; Criss; Davis; DeLay; Denton; Eckels; Edwards; Emmett; Evans, C.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Jackson; Jones; Kemp; Khourey; Kubiak; Kuempel; Lancy; Lee, D.; Leonard; Luna; McKeana; McWilliams; Madla; Mankins; Martinez, R.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robnett; Rudd; Salinas; Saunders; Schlueter; Schleeter; Shaw; Simpson; Smith, C.; Smith, T.; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uber; Valles; Vowell; Waldrop; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nays — Craddick; Eikenburg; Green; Heflin; Keller; Smith, A.; Staniswalis.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Gilley; Hightower; Russell; Stiles; Wallace.

Absent; — Granoff; Hernandez; Hury; Lee, E. F.; Martinez, W.; Moreno, P.; Parker; Patrick; Robinson; Shee; Short.

**HB 1346 ON THIRD READING**

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

**HB 1346** A bill to be entitled An Act relating to regulation of the in situ recovery of tar sands.
The bill was read third time and was passed.

**HB 825 ON THIRD READING**

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

**HB 825**, A bill to be entitled An Act relating to the definitions, registration, and certification of motorcycles, motor-driven cycles, and mopeds.

The bill was read third time.

Representative Willis offered the following amendment to the bill:

Amend HB 825, 2nd Reading Engrossment, by striking Section 10 of the bill and substituting the following:

SECTION 10. Section 1, Chapter 329, Acts of the 60th Legislature, Regular Session, 1967 (Article 6701c-3, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. In this Act, "motorcycle" means every motor vehicle having a [seat or] saddle for the use of the rider and designed to propel itself with [travel on] not more than three wheels in contact with the ground, but excluding a tractor or any three-wheeled vehicle equipped with a cab, seat and seat belt and designed to contain the operator of the vehicle within the cab. ["Motorcycle" does not include a motor assisted bicycle as defined in the Uniform Act Regulating Traffic on Highways, as amended (Article 6701d; Vernon's Texas Civil Statutes).]

The amendment was adopted without objection.

Representative Willis offered the following amendment to the bill:

Amend HB 825, 2nd Reading Engrossment, by striking lines 7 and 8 on page 4 of the bill and substituting the following:

"the operation of the vehicle is required. The fee for the license is Seven Dollars ($7). All applicable provisions of this Act".

The amendment was adopted without objection.

HB 825, as amended, was passed. (Craadick and Schlueter recorded voting no)

**HR 223 - ADOPTED**

Representative Bomer moved that all necessary rules be suspended to take up and consider at this time, HR 223.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Bomer:

**HR 223**

WHEREAS, Tomorrow, April 8, 1983, a good friend and worthy colleague, the Honorable Tom DeLay, will celebrate his 36th birthday; and

WHEREAS, This accomplished three-term lawmaker is recognized by his constituents in District 26 as hard working and dedicated to the public will; and

WHEREAS, Representative DeLay has earned the esteem of his peers in the house by his diligence as vice-chairman of the Committee on House Administration and his contribution to the committees on transportation and public health; now, therefore, be it

RESOLVED, That the Texas House of Representatives of the 68th Legislature extend birthday greetings to the distinguished state representative from Sugar Land; and, be it further
RESOLVED, That an official copy of this resolution be prepared for Representative Tom DeLay as a token of our high esteem with warmest wishes for many more happy years to come.

The resolution was read and was adopted without objection.

On motion of Representative Messer, the names of all the members of the house were added to HR 223 as signers thereof.

HB 1020 ON THIRD READING

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

HB 1020, A bill to be entitled An Act relating to nomination for and election to the office of county school trustee in certain counties.

The bill was read third time.

Representative Fox offered the following amendment to the bill:

Substitute the following for the engrossed second reading printing of HB 1020:

relating to election to the office of county school trustee in certain counties.

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

SECTION 1. The Texas Education Code is amended by amending Section 17.03 and adding Section 17.031 to read as follows:

Sec. 17.03. ELECTIONS. (a) This section does not apply to the election of county school trustees in a county with a population of two million or more according to the 1980 federal census.

(b) [renumbered] Elections of county school trustees or members of the county board of education [and district trustees] shall be held in accordance with Section 9b, Texas Election Code (Article 2.01b, Vernon's Texas Election Code) on the first Saturday in April, except that in counties having a population of 500,000 or more, according to the last preceding federal census, such elections may be held on any other Saturday the trustees or board members may select by official resolution.

(c) (eb) Election officers appointed to hold the election for district trustees in each school district shall hold the regular election for county school trustees or county board members.

(d) (f) In elections for county school trustees or county board members, all candidate applications for a place on the ballot must be filed with the county judge not less than 30 days prior to the day of election.

(e) [(e)] The order for such elections must be made by the county judge at least 30 days prior to election day and must designate as voting places within each common or independent school district the same places at which votes are cast for the district trustees.

(f) [ff] It shall be no valid objection that the voters of a commissioners precinct are required by operation of this section to cast their ballots at a polling place outside the commissioners precinct of their residence.

(g) [(g)] Election returns shall be made to the county clerk within five days after the election is held. Such returns shall be delivered by the clerk to the commissioners court at its first meeting thereafter, and that body shall canvass the returns and declare the results as in other elections.

(h) [(g)] After the newly-elected trustees or county board members have taken and filed with the county clerk the official oath of office, the clerk shall issue their commissions impressed with the seal of the commissioners court.

Sec. 17.031. ELECTIONS IN COUNTIES OF TWO MILLION OR MORE. (a) In a county with a population of two million or more according to the 1980 federal census, the county school trustees are elected as independent candidates at
the general election for state and county officers, and the office of county school
trustee is considered a county office for purposes of election and for the
commencement of the term of office.

(b) To the extent practicable, the provisions of the Texas Election Code
relating to independent candidates in the general election for state and county
officers apply to independent candidates for the office of county school trustee.

(c) The minimum number of signatures that must appear on the application
for a place on the ballot of a candidate for a trustee to be elected at large is the lesser
of 2,500 or five percent of the total vote received in the county by all candidates for
governor in the most recent gubernatorial general election. The minimum number
of signatures that must appear on the application of a candidate for a trustee to be
elected from a commissioners precinct is the lesser of 500 or five percent of the total
vote received in the precinct by all candidates for governor in the most recent
gubernatorial general election.

(d) The names of the candidates and the office titles for the county school
trustee races shall appear on the general election ballot after any proposed
constitutional amendments.

(e) The school district is not liable for any of the expenses of the election.

SECTION 2. (a) Each position on the board of county school trustees in a
county with a population of two million or more shall be filled at the general election
for state and county officers to be held November 6, 1984. The initial terms of the
trustees elected from commissioners precincts 2 and 4 expire January 1, 1986. The
initial terms of the trustees elected from commissioners precincts 1 and 3 and of one
of the trustees elected at large expire January 1, 1988. The initial terms of the
remaining two trustees elected at large expire January 1, 1990. The trustees elected
at large shall draw lots to determine which terms they serve.

(b) The regular term for the office of county school trustee in a county covered
by Subsection (a) of this section begins on January 1 immediately following the
general election in accordance with Article 17, Revised Statutes, and the terms of the
county school trustees elected or appointed before November 6, 1984, are
shortened accordingly or are subject to the hold-over requirement prescribed by
Article XVI, Section 17, of the Texas Constitution, as applicable.

SECTION 3. This Act takes effect 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.

Representative Green moved to table the Fox amendment.

A record vote was requested.

The motion to table prevailed by (Record 125): 66 Yeas, 50 Nays, 7 Present,
not voting.

Yea's — Armbister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga;
Bomer; Bush; Cain; Carriker; Cavazos; Clark; Clemens; Collazo; Connelly; Coody;
Cris; Davis; Denton; Eckels; Edwards; Elkenburg; Evans, C.; Gamez; Gandy;
Garcia, A.; Green; Graham; Hackney; Haley; Hall, T.; Hall, W.; Hammond;
Kemp; Kubiak; Laney; Lee, D.; Lee, E. F.; Luna; Madia; Martinez, R.;
Martinez, W.; Millsap; Moreno, A.; Oliveira; Parker; Patronella; Ragsdale;
Robinson; Rudd; Salinas; Tejeda; Thompson, S.; Tow; Valles; Watson; Wieting;
Willis; Wilson.

Nay's — Blanton; Buchanan; Burnett; Ceverha; Colbert; Craddick; DeLay;
Emmet; Finelli; Fox; Gavin; Geistweidt; Gibson, J.; Glossbrenner; Harrison, D.;
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Heflin; Hill, A.; Hill, P.; Hollowell; Horn; Jackson; Keller; Khoury; Kuempel; Leonard; McKenna; McWilliams; Mankins; Patterson; Pennington; Peveto; Pierce; Polombo; Presnal; Robnett; Schoolcraft; Shea; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Sutton; Thompson, G.; Toomey; Turner; Vowell; Waldrop; Word; Wright.

Present, not voting — Mr. Speaker(C); Gibson, B.; Hanna; Oliver; Polk; Price; Rangel.

Absent, Excused — Agnich; Cary; Crockett; Danburg; Delco; English; Evans, L.; Garcia, M.; Gilley; Hightower; Russell; Stiles; Wallace.

Absent — Granoff; Hall, L.; Hinojosa; Jones; Messer; Moreno, P.; Patrick; Saunders; Schlueter; Shaw; Short; Uher; Whaley; Wolens.

HB 1020 was passed. (Craddick, Fox, Emmett, and Khoury recorded voting no)

MESSAGE FROM THE SENATE

Austin, Texas, April 7, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

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

Local and Uncontested Calendar

SCR 35 by Whitmire, granting Mrs. Richard P. Hamric permission to sue the state.

SB 91 by Glasgow, relating to appointment of regents of North Texas State University.

SB 221 by Caperton, et al., relating to the fee charged for an ad valorem tax certificate.

SB 246 by Caperton, relating to the establishment of a juvenile board for Milam, Robertson and Falls counties.

SB 316 by Parmer, relating to the repeal of acts governing inspection of certain milk products shipped into Texas.

SB 634 by Farabee, relating to requiring participation in an alcohol or drug abuse program as a condition of a bond in certain criminal cases.

SB 643 by Farabee, relating to the installation and maintenance of community antenna or cable television equipment.

Respectfully,
Betty King
Secretary of the Senate

CORRECTIONS IN REFERRALS

HB 1698, relating to investments for the permanent school fund, the permanent university fund and funds of the Teacher Retirement System of Texas and the Employees Retirement System of Texas was inadvertently referred to the Committee on Financial Institutions. The chair, after consultation with author and chairmen of the respective committees, now corrects the referral of HB 1698 to the Committee on State Affairs.
HB 1699, relating to written objectives and performance evaluations concerning the investment of certain state funds was inadvertently referred to the Committee on Financial Institutions. The chair, after consultation with author and chairmen of the respective committees, now corrects the referral of HB 1699 to the Committee on State Affairs.

BILLS SIGNED BY THE SPEAKER

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

SB 121, SB 185, SB 220

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Affairs, Subcommittee on HJR 40, HJR 48, HJR 50, HJR 54, HJR 22, HJR 12, on adjournment today, back hall.

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

Calendars, on adjournment today, Desk 35.

Local and Consent Calendars, on adjournment today, Room G-14.

Higher Education, on adjournment today, Desk 135, to consider budget recommendations.

Human Services, on adjournment today, Desk 50, to consider SB 368.

Criminal Jurisprudence, Subcommittee on HB 129, on adjournment today, Desk 33, to consider HB 129.

Business and Commerce, Subcommittee on HB 1438, on adjournment today, Desk 93, to consider HB 1438.

Business and Commerce, Subcommittee on HB 1849, on adjournment today, Desk 93, to consider HB 1849.

Business and Commerce, Subcommittee on HB 1134, on adjournment today, Desk 93, to consider HB 1134.

Business and Commerce, Subcommittee on HB 1112, on adjournment today, Desk 93, to consider HB 1112.

Business and Commerce, Subcommittee on HB 2002, on adjournment today, Desk 93, to consider HB 2002.

Urban Affairs, Subcommittee on HB 1483, on adjournment today, Desk 8, to consider HB 1483.

Law Enforcement, Subcommittee on SB 727, on adjournment today, Desk 36, to consider SB 727.

Law Enforcement, Subcommittee on SB 138, on adjournment today, Desk 46, to consider SB 138.

Insurance, Subcommittee on Life and Health, on adjournment today, Desk 132, to consider HCR 26.

Energy, on adjournment today, Room 346, to consider HB 593.
Elections, Subcommittee on HB 1039, on adjournment today, Desk 144, to consider HB 1039.

Criminal Jurisprudence, Subcommittee on HB 37, on adjournment today, Desk 33, to consider HB 37.

Criminal Jurisprudence, Subcommittee on HB 128, on adjournment today, Desk 33, to consider HB 128.

Business and Commerce, Subcommittee on HB 283, on adjournment today, Desk 93, to consider HB 283.

ADJOURNMENT

Representative Armbrister moved that the house adjourn until 2 p.m., Monday, in memory of Bridget Polasek.

The motion prevailed without objection.

The house accordingly, at 10:56 a.m., adjourned until 2 p.m. Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

Agriculture and Livestock - HB 701, HB 898, HB 954, HB 1368
Business and Commerce - HB 521, HB 603, HB 886, HB 1133
County Affairs - HB 1441
Elections - HB 441, HB 781, HB 1213
Energy - HB 1445
Judicial Affairs - HCR 118
Judiciary - HB 523, HB 547, HB 1068, HB 1212
Liquor Regulation - HB 877
Natural Resources - HB 1845
Public Health - HB 719
Rules and Resolutions - HCR 140, HCR 143, HR 183, HR 184, HR 185, HR 186, HR 189, HR 190, HR 192, HR 193, HR 196, HR 197, HR 198, SCR 56
State Affairs - HB 776, HB 1046, HB 1255, HJR 59, SB 408, SJR 14
Urban Affairs - HB 997, HB 1019, HB 1189, SB 80

ENGROSSED

April 6 - HB 15, HB 229, HB 276, HB 376, HB 410, HB 464, HB 480, HB 622, HB 943

SENT TO THE GOVERNOR

April 6 - HCR 4, HCR 14, HCR 144
COAUTHORS AUTHORIZED

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

**HB 67** - Hinojosa

**HB 72** - Hinojosa

**HB 641** - Hinojosa

**HB 1174** - D. Hudson

**HB 1184** - Berlanga

**HB 2316** - Eckels, D. Harrison

**HJR 1** - Keller

**HJR 44** - Hinojosa