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

The roll of the house was called and a quorum was announced present (Record 187).

Present — Mr. Speaker; Agnich; 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; Ellis; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; 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.; Hollin; Hernandez; Hightower; 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; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; 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; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Absent, Excused — Patrick.

The invocation was offered by Representative T. Hall.

**LEAVE OF ABSENCE GRANTED**

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

Patrick on motion of Kuempel.

**MESSAGE FROM THE SENATE**

Austin, Texas, April 20, 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:

**SJR 16** by Caperton, proposing a constitutional amendment to create the Judicial Districts Board.

**SB 576** by Caperton, relating to a reapportionment of the judicial districts of the state by the Judicial Districts Board or the Legislative Redistricting Board.
SB 711 by Brooks, relating to the establishment and powers and duties of the Texas Health and Human Services Coordinating Council, etc.

Respectfully,
Betty King
Secretary of the Senate

HJR 112 - PERMISSION TO INTRODUCE

Representative Polk moved to suspend the constitutional rule for permission to introduce and have placed on first reading HJR 112.

The motion prevailed by (Record 188): 130 Yeas, 7 Nays, 1 Present, not voting.

Yeas - Agnich; Armbrister; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Cain; Carriker; Cary; Cavazos; Cerverha; Clark; Colbert; Collazo; Connelly; Coody; Craddick; Cries; Crockett; Danburg; Delay; Delco; Denton; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Fennell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweit; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; 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.; Hury; Jackson; Jones; Keller; Kemp; Kubaiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; McKenna; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patterson; Pe veto; Pierce; Polk; Polumbo; Presnal; Price; Rangel; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalsis; Sutton; Tejeda; Thompson, G.; Thompson, S.; Tow; Turner; Uber; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wisting; Willis; Wilson; Wolens; Word; Wright.

Nays - Davis; Khoury; McWilliams; Patronella; Robinson; Robnett; Stiles.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Patrick.

Absent — Arnold; Bush; Clemons; Eckley; Hackney; Luna; Pennington; Ragsdale; Rudd; Schlueter; Toomey.

HR 275 - ADOPTED

Representative Wolens moved that all necessary rules be suspended to take up and consider at this time, HR 275.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Wolens:

HR 275

WHEREAS, The Dallas Assembly, a noted civic organization, desires to use the house chamber on Friday, April 22, 1983, for the purpose of conducting a seminar on state government; and

WHEREAS, Members of the house support activities that encourage citizen interest in state government; now, therefore, be it

RESOLVED by the House of Representatives of the 68th Legislature, That, in accordance with house rules, the Dallas Assembly be hereby granted permission to
use the chamber of the house of representatives on Friday, April 22, 1983, from 9 a.m. to 12 noon, for a seminar on state government.

The resolution was adopted without objection.

**HR 276 - ADOPTED**

Representative G. Hill moved that all necessary rules be suspended to take up and consider at this time, **HR 276**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By G. Hill:

**HR 276**, Congratulating The University of Texas golf team.

The resolution was adopted without objection.

**RESOLUTIONS REFERRED TO COMMITTEES**

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

By T. Smith:

**HR 270**, Inviting Arnold Palmer to address the House on April 26, 1983.
To Committee on Rules and Resolutions.

By Wright:

**HR 272**, Granting permission to the Bluebonnet Girls State to use the House chamber on Monday, June 20, 1983.
To Committee on House Administration.

By M. Garcia:

**HCR 173**, Granting Gloria Garcia permission to sue the state.
To Committee on Judicial Affairs.

By M. Garcia:

**HCR 174**, Granting Hector Galvan permission to sue the state.
To Committee on Judicial Affairs.

By Geistweidt:

**HCR 179**, Commending the Fredericksburg Volunteer Fire Department.
To Committee on Rules and Resolutions.

**SCR 40**, Creating a joint interim committee to study the role of the state in providing housing for moderate- and low-income persons.
To Committee on Urban Affairs.

**SCR 46**, Granting Titan Group, Inc. permission to sue the state.
To Committee on Judicial Affairs.

**SCR 49**, Granting Mark Homes, Inc. permission to sue the state.
To Committee on Judicial Affairs.

**SCR 51**, Granting Jose R. Villarreal permission to sue the state.
To Committee on Judicial Affairs.

**SCR 52**, Granting Gwendolyn Patricia Johnson permission to sue the state.
To Committee on Judicial Affairs.
HOUSE BILLS ON FIRST READING

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

By Stiles:
HB 2362, A bill to be entitled An Act relating to the creation of a judicial district composed of Chambers County and the office of district attorney for the district and to the reorganization of the 75th and 253rd Judicial Districts.
To Committee on Judicial Affairs.

By Presnal:
HB 2363, A bill to be entitled An Act relating to the regulation of certain persons who contract with the state.
To Committee on Business and Commerce.

By Grisham:
HB 2364, A bill to be entitled An Act relating to the creation of the County Court at Law of Williamson County.
To Committee on Judicial Affairs.

By Grisham:
HB 2365, A bill to be entitled An Act relating to the establishment of a juvenile board in Williamson County.
To Committee on County Affairs.

By Russell:
HB 2366, A bill to be entitled An Act relating to the authority of Titus County Fresh Water Supply District No. 1 to enforce laws and district rules on and within a certain area surrounding Lake Bob Sandlin.
To Committee on Natural Resources.

By Buchanan:
HB 2367, A bill to be entitled An Act relating to establishment of a juvenile board for Hansford County.
To Committee on County Affairs.

By Geistweidt:
HB 2368, A bill to be entitled An Act relating to the authority of the Upper Guadalupe River Authority to issue bonds and to exercise the powers and duties under Chapters 51 and 54, Water Code, and to the rights and authority of the Upper Guadalupe River Authority and cities, public agencies, and other political subdivisions under Chapter 30, Water Code.
To Committee on Natural Resources.

HB 2369 was read first time and referred to Committee on County Affairs on April 19.

By Waldrop:
HB 2370, A bill to be entitled An Act relating to establishment of a juvenile board in Navarro County.
To Committee on County Affairs.

By Presnal:
HB 2371, A bill to be entitled An Act relating to establishment of a juvenile board in Brazos County.
To Committee on County Affairs.
By Rudd:
HB 2372, A bill to be entitled An Act relating to establishment of a juvenile board in Cochran County.
To Committee on County Affairs.

By Hanna:
HB 2373, A bill to be entitled An Act relating to the election of directors of the Palo Pinto Hospital District.
To Committee on County Affairs.

By Criss:
HB 2374, A bill to be entitled An Act relating to legislative findings, boundaries, creation and tax elections, and finances for the Clear Creek Drainage District.
To Committee on Natural Resources.

HB 2375 was read first time and referred to Committee on Business and Commerce on April 18.

By Presnal:
HB 2376, A bill to be entitled An Act relating to office machines repaired by the State Purchasing and General Services Commission.
To Committee on State Affairs.

By Shaw:
HB 2377, A bill to be entitled An Act relating to the establishment of a juvenile board in the 118th Judicial District.
To Committee on County Affairs.

By Waldrop, et al.:
HB 2378, A bill to be entitled An Act relating to establishment of a juvenile board for Freestone and Limestone counties.
To Committee on County Affairs.

By Bomer:
HB 2379, A bill to be entitled An Act relating to the composition of the Juvenile Board of Anderson County.
To Committee on County Affairs.

By Bomer:
HB 2380, A bill to be entitled An Act relating to the creation of the County Court at Law of Cherokee County.
To Committee on Judicial Affairs.

HB 2381 was read first time and referred to Committee on County Affairs on April 19.

By T. Smith:
HB 2382, A bill to be entitled An Act relating to the creation of municipal courts of record in the city of Austin.
To Committee on Judicial Affairs.
By Armbrister:
HB 2383, A bill to be entitled An Act relating to the relinquishment and release of all conditions of use, encumbrances, easements, requirements, reservations, trusts and limitations, concerning certain submerged land in Calhoun County, Texas, already conveyed to City of Port Lavaca, Texas by Patent dated September 29, 1921 of record in Volume 11, Page 517, Deed Records of Calhoun County, Texas.

To Committee on Urban Affairs.

SENATE BILLS ON FIRST READING

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

SB 82 to Committee on Public Health.
SB 199 to Committee on Public Health.
SB 255 to Committee on Insurance.
SB 257 to Committee on County Affairs.
SB 291 to Committee on Business and Commerce.
SB 292 to Committee on Business and Commerce.
SB 311 to Committee on Business and Commerce.
SB 391 to Committee on Public Education.
SB 410 to Committee on Higher Education.
SB 428 to Committee on Higher Education.
SB 439 to Committee on Judiciary.
SB 470 to Committee on State Affairs.
SB 474 to Committee on County Affairs.
SB 516 to Committee on Higher Education.
SB 517 to Committee on Higher Education.
SB 543 to Committee on Higher Education.
SB 590 to Committee on Natural Resources.
SB 653 to Committee on Public Health.
SB 657 to Committee on Public Health.
SB 669 to Committee on Judiciary.
SB 688 to Committee on Public Health.
SB 697 to Committee on Higher Education.
SB 708 to Committee on Environmental Affairs.
SB 718 to Committee on Business and Commerce.
SB 761 to Committee on State Affairs.
SB 764 to Committee on Higher Education.
SB 769 to Committee on State, Federal, and International Relations.
SB 781 to Committee on Criminal Jurisprudence.
SB 800 to Committee on Urban Affairs.
SB 864 to Committee on Business and Commerce.
SB 875 to Committee on Judicial Affairs.
SB 879 to Committee on Criminal Jurisprudence.
SB 892 to Committee on Higher Education.
SB 893 to Committee on Higher Education.
SB 894 to Committee on Higher Education.
SB 897 to Committee on Ways and Means.
SB 960 to Committee on Urban Affairs.
SB 1062 to Committee on Judicial Affairs.
SB 1006 to Committee on Business and Commerce.
SB 1064 to Committee on Public Health.
SB 1141 to Committee on Transportation.
SB 1221 to Committee on State Affairs.
SB 1224 to Committee on County Affairs.
SB 1226 to Committee on Human Services.
SB 1245 to Committee on House Administration.
SB 1270 to Committee on Natural Resources.

CORRECTIONS IN REFERRALS

HB 2058, relating to court-ordered commitment of a drug-dependent person 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 2058 to the Committee on Public Health.

SB 444, relating to the raising of funds for the law enforcement and Custodial Officer Supplemental Retirement Fund was inadvertently referred to the Committee on Transportation. The chair, after consultation with author and chairmen of the respective committees, now corrects the referral of SB 444 to the Committee on Retirement and Aging.

HR 277 - ADOPTED

Representative E. F. Lee moved that all necessary rules be suspended to take up and consider at this time, HR 277.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By E. F. Lee:

HR 277, Welcoming high school students from Houston.

The resolution was adopted without objection.

HJR 113 - PERMISSION TO INTRODUCE

Representative G. Thompson moved to suspend the constitutional rule for permission to introduce and have placed on first reading HJR 113.
The motion prevailed by (Record 189): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Bush; Cain; Carrker; Cary; Cavazos; Ceverha; Clark; Colbert; Connelly; Coody; Craddock; Criss; Crockett; Danburg; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; 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.; Heflin; Hernandez; Highower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hurry; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; Madla; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Patterson; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wolens; Word; Wright.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Patrick.

HB 2384 - PERMISSION TO INTRODUCE

Representative G. Thompson moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2384.

The motion prevailed by (Record 190): 139 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; Ceverha; Clark; Colbert; Connelly; Coody; Craddock; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; 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.; Heflin; Hernandez; Highower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hurry; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; Madla; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Patterson; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wolens; Word; Wright.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Patrick.
SB 283 ON SECOND READING
(T. Smith - House Sponsor)

The speaker laid before the house, in lieu of CSBH 548, on its second reading and passage to third reading, the complete committee substitute for SB 283.

CSSB 283

A BILL TO BE ENTITLED
AN ACT
relating to the effect of the value of property or service stolen, damaged, or destroyed on the penalty imposed for theft, theft of service, or criminal mischief.

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

SECTION 1. Section 28.03(b), Penal Code, is amended to read as follows:

(b) An offense under this section is:

1. a Class C misdemeanor if:
   (A) the amount of pecuniary loss is less than $50 ($5];
   or
   (B) except as provided in Subdivision (4)(B) of this subsection, it causes substantial inconvenience to others;
2. a Class B misdemeanor if the amount of pecuniary loss is $50 ($5] or more but less than $200 [200];
3. a Class A misdemeanor if the amount of pecuniary loss is $200 [200] or more but less than $500 [500];
4. a felony of the third degree if:
   (A) the amount of pecuniary loss is $500 [500] or more but less than $20,000 [20,000];
   (B) regardless of the amount of pecuniary loss, the actor causes in whole or in part impairment or interruption of public communications, public transportation, public water, gas, or power supply, or other public service, or diverts, or causes to be diverted in whole, in part, or in any manner, including installation or removal of any device for such purpose, any public communications, public water, gas, or power supply;
   (C) regardless of the amount of pecuniary loss, the property is one or more head of cattle, horses, sheep, swine, or goats;
   (D) regardless of the amount of pecuniary loss, the property was a fence used for the production of cattle, horses, sheep, swine, or goats;
   or
   (E) regardless of the amount of pecuniary loss, the damage or destruction was inflicted by branding one or more head of cattle, horses, sheep, swine, or goats.
5. a felony of the second degree if the amount of the pecuniary loss is $20,000 [20,000] or more.

SECTION 2. Section 28.06(d), Penal Code, is amended to read as follows:

(d) If the amount of pecuniary loss cannot be ascertained by the criteria set forth in Subsections (a) through (c) of this section, the amount of loss is deemed to be greater than $200 [200] but less than $500 [500].

SECTION 3. Section 31.03(d), Penal Code, is amended to read as follows:

(d) An offense under this section is:

1. a Class C misdemeanor if the value of the property stolen is less than $50 ($5];
2. a Class B misdemeanor if:
(A) the value of the property stolen is $50 ($5) or more but less than $200 ($20); or
(B) the value of the property stolen is less than $50 ($5)
and the defendant has previously been convicted of any grade of theft;

(3) a Class A misdemeanor if the value of the property stolen is $200 ($20) or more but less than $500 ($200);
(4) a felony of the third degree if:
(A) the value of the property stolen is $500 ($200) or more but less than $20,000 ($10,000), or the property is one or more head of cattle, horses, sheep, swine, or goats or any part thereof under the value of $20,000 ($10,000);
(B) regardless of value, the property is stolen from the person of another or from a human corpse or grave; or
(C) the value of the property stolen is less than $500 ($200) and the defendant has been previously convicted two or more times of any grade of theft; or

(5) a felony of the second degree if:
(A) regardless of the value, the property is combustible hydrocarbon natural or synthetic natural gas, crude petroleum oil, or equipment designed for use in exploration for or production of natural gas or crude petroleum oil;
(B) the value of the property stolen is $20,000 ($10,000) or more; or
(C) regardless of the value, the property was unlawfully appropriated or attempted to be unlawfully appropriated by threat to commit a felony offense against the person or property of the person threatened or another or to withhold information about the location or purported location of a bomb, poison, or other harmful object that threatens to harm the person or property of the person threatened or another person.

SECTION 4. Section 31.04(e), Penal Code, is amended to read as follows:

(e) An offense under this section is:
(1) a Class C misdemeanor if the value of the service stolen is less than $50 ($5);
(2) a Class B misdemeanor if the value of the service stolen is $50 ($5) or more but less than $200 ($20);
(3) a Class A misdemeanor if the value of the service stolen is $200 ($20) or more but less than $500 ($200);
(4) a felony of the third degree if the value of the service stolen is $500 ($200) or more but less than $20,000 ($10,000);
(5) a felony of the second degree if the value of the service stolen is $20,000 ($10,000) or more.

SECTION 5. Section 31.08(c), Penal Code, is amended to read as follows:

(c) If property or service has value that cannot be reasonably ascertained by the criteria set forth in Subsections (a) and (b) of this section, the property or service is deemed to have a value of more than $200 ($100) but less than $500 ($200).

SECTION 6. (a) The change in law made by this Act applies only to the punishment for an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 7. This Act takes effect September 1, 1983.
SECTION 8. 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.

CSSB 283 was read second time.

Representative T. Smith offered the following amendment to CSSB 283:

Amend CSSB 283 as follows:
1. On page 1, line 11, strike the figure $50 and substitute the figure $20.
2. On page 1, line 15, strike the figure $50 and substitute the figure $20.
3. On page 2, line 25, strike the figure $50 and substitute the figure $20.
4. On page 2, line 27, strike the figure $50 and substitute the figure $20.
5. On page 3, line 3, strike the figure $50 and substitute the figure $20.
6. On page 4, line 8, strike the figure $50 and substitute the figure $20.
7. On page 4, line 10, strike the figure $50 and substitute the figure $20.

The amendment was adopted without objection.

CSSB 283, as amended, was passed to third reading.

CSHB 548 - LAID ON THE TABLE SUBJECT TO CALL

Representative T. Smith moved that CSHB 548 be laid on the table subject to call.

The motion prevailed without objection.

SB 319 ON SECOND READING

Representative Millsap offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend SB 319 on page 7 by striking lines 3-7 and substituting the following:
(3) [or to] the confirmation of an appointee appointed to a first term on a date when no person related to the appointee within the prohibited degree was a member of or a candidate for the Legislature, or confirmation upon any subsequent appointment or reappointment of the appointee so long as his service as a public servant since the initial confirmation has been continuous; [to any subsequent consecutive term]

Representative C. Smith moved to table Committee Amendment No. 1.

The motion to table was lost.

Committee Amendment No. 1 was adopted without objection. (Heflin recorded voting no)

Representative C. Smith offered the following amendment to the bill:
Amend SB 319, page 2, line 5 by deleting the period and adding the phrase following “whatsoever”: unless the person to be appointed, voted for, or confirmed has been in continuous public service prior to the date of such appointment or confirmation.

Representative Millsap moved to table the C. Smith amendment.
The motion to table prevailed.

Representative C. Smith offered the following amendment to the bill:

Amend SB 319, page 2, line 11 by deleting the period and adding the phrase following “consanguinity”: unless the person to be employed has been in continuous public service prior to the date of such employment.

Representative Millsap moved to table the C. Smith amendment.
The motion to table prevailed.

Representative C. Smith offered the following amendment to the bill:

Amend SB 319, page 6, line 7 by deleting the period and adding the phrase following “appointment”: unless the person to be appointed has been in continuous public service prior to the date of such appointment.

Representative Millsap moved to table the C. Smith amendment.
The motion to table prevailed.

Representative C. Smith offered the following amendment to the bill:

Amend SB 319, page 4 by adding Subsection (d) to Section 6 to read as follows: This definition is meaningless in the case of a person who has been in continuous public service prior to the effective date of this definition and is of the Legislature’s choosing.

Representative Millsap moved to table the C. Smith amendment.
The motion to table prevailed.

A record vote was requested.

The bill, as amended, was passed to third reading by (Record 191): 123 Yeas, 18 Nays, 4 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Cain; Carricker; Cary; Cavazos; Ceverha; Clark; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Deico; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Gandy; Garcia, A.; Gavin; Geistweidt; Gibson, B.; Glossbrenner; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; 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; Kubiat; Kuempel; Laney; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Mada; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Oliveira; Patterson; Pennington; Peveto; Pierce; Polk; Presnal; Ragsdale; Rangel; Robinson; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Valles; Vowell; Waldrop; Wallace; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.
Nays — Barrientos; Barton, B.; Bush; Clemons; Fox; Gamez; Garcia, M.; Gibson, J.; Gilley; Green; Heflin; Parker; Polumbo; Price; Rudd; Smith, C.; Uher; Watson.

Present, not voting — Mr. Speaker(C); Moreno, P.; Oliver; Patronella.

Absent, Excused — Patrick.

Absent — Granoff; Khoury; Lee, D.; Robnett.

HB 832 - LAID ON THE TABLE SUBJECT TO CALL
Representative Millsap moved that HB 832 be laid on the table subject to call.
The motion prevailed without objection.

SB 435 ON THIRD READING
(DeLay - House Sponsor)
The speaker laid before the house on its third reading and final passage, SB 435, A bill to be entitled An Act revising the Texas Mental Health Code; providing penalties.
The bill was read third time and was passed.
On motion of Representative DeLay and by unanimous consent, the caption of SB 435 was ordered amended to conform to the body of the bill.

SB 228 ON THIRD READING
(G. Hill - House Sponsor)
The speaker laid before the house on its third reading and final passage, SB 228, A bill to be entitled An Act relating to the exemptions from identification requirements for state-owned vehicles.
The bill was read third time and was passed.
On motion of Representative G. Hill and by unanimous consent, the caption of SB 228 was ordered amended to conform to the body of the bill.

SB 739 ON THIRD READING
(Craddick - House Sponsor)
The speaker laid before the house on its third reading and final passage, SB 739, A bill to be entitled An Act relating to the method of sale and bonus and royalty bids for oil and gas leases on Permanent University Fund lands by the board for Lease of University Lands; amending Subsections (b) and (c) of Section 66.64 and Subsections (a), (b), (c), and (e) of Section 66.65, Texas Education Code, as amended; and declaring an emergency.
The bill was read third time and was passed.

SB 595 ON SECOND READING
(Wright - House Sponsor)
The speaker laid before the house on its second reading and passage to third reading,
SB 595, A bill to be entitled An Act relating to the authorization of a city or town to contract and levy assessments for the relocation or replacement of sanitation sewer laterals on private property, to certain notice requirements, and to certain payment and enforcement procedures.
The bill was read second time.

Representative Pennington offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend SB 595 as follows:
1. On page 2, line 17, strike the period and add the following: “and that the contract price may be increased by no more than 10 percent because of the changes without the written consent of the owner.”
2. On page 2, line 21, strike “15th” and substitute “45th”.
3. On page 2, line 24, strike “15” and substitute “45”.
4. On page 3, line 1, strike “15” and substitute “45”.

Committee Amendment No. 1 was adopted without objection.

SB 595, as amended, was passed to third reading. (Bush recorded voting no)

SB 343 ON SECOND READING

(English - House Sponsor)

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

SB 343, A bill to be entitled An Act relating to the period of limitation applicable to a prosecution for certain offenses involving sexual conduct; amending Article 12.01, Code of Criminal Procedure, 1965.

The bill was read second time.

Representative English offered the following amendment to the bill:

Amend page 2, lines 1 and 2, to read:
“(C) rape, aggravated rape, sexual abuse, aggravated sexual abuse, rape of a child, sexual abuse of a child;

The amendment was adopted without objection.

SB 343, as amended, was passed to third reading.

MESSAGE FROM THE SENATE

Austin, Texas, April 20, 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 136 by Wilson, directing state agencies to release personnel of the Jewish faith for observance of Rosh Hashanah and Yom Kippur.

HCR 171 by Polumbo, et al., congratulating the San Jacinto Junior College basketball team.

Respectfully,
Betty King
Secretary of the Senate
SB 203 ON SECOND READING
(Madia - House Sponsor)

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

SB 203, A bill to be entitled An Act relating to the practice and regulation of dentistry and dental hygiene and to certain confidential records; defining offenses and providing penalties; amending the Revised Statutes, as amended, by amending Articles 4544a, 4548i, and 4551h; Section 3, Article 4549; and Section 2, Article 4550.

The bill was read second time.

Representative Madia offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend SB 203 as follows:

In Section 3 of the bill on page 3, line 3, strike the word “a” and insert the word “any” and insert the word “a” in between the words “or” and “misdemeanor

Committee Amendment No. 1 was adopted without objection.

Representative Denton offered the following amendment to the bill:

Amend SB 203 by adding a new Section 6 immediately following Section 5 and renumber the succeeding section in consecutive numerical sequence.

SECTION 6. Article 4551k, Revised Statutes, is amended to read as follows:

A qualified dentist is authorized to take complete case histories and perform complete physical evaluations, which may be used for the purpose of admitting patients to hospitals for the practice of dentistry, to the extent such activities are necessary in the exercise of due care in conjunction with the practice of dentistry as defined by this Act Chapter, provided further that no dentist shall be automatically entitled to membership on the medical staff or to the exercise of any clinical privileges at a hospital merely because he has a license to practice dentistry or because he is authorized to take case histories and perform physical evaluations as stated herein nor shall any dentist be denied membership on the medical staff or the right to the exercise of any clinical privileges at a hospital on the ground that the dentist holds a license to practice dentistry in this state rather than a license to practice medicine in this state.

The amendment was adopted without objection.

SB 203, as amended, was passed to third reading. (Valles recorded voting yes)

HB 1121 ON THIRD READING

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

HB 1121, A bill to be entitled An Act relating to the tabulation of unofficial returns in certain races by the secretary of state and to the time for convening political party precinct conventions.

The bill was read third time.

Representative E. F. Lee offered the following amendment to the bill:

Amend HB 1121 second reading engrossment on page 5, lines 10-11, by striking Subdivision 6 and substituting a new Subdivision 6 to read as follows:

Subdivision 6(a). The secretary of state shall provide a back-up system for the tabulation of the returns.
The secretary may post for public inspection at 30 minute intervals or whenever they are available any of the reports prepared under this section.

The amendment was adopted without objection.

HB 1121, as amended, was passed.

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

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

SJR 20, SCR 76, SB 165, SB 218, SB 275

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

- State Affairs, Subcommittee on HB 828 and HB 829, on noon recess today, back hall, to consider HB 828 and HB 829.
- State Affairs, Subcommittee on SB 671, on noon recess today, back hall, to consider SB 671.
- Public Health, Subcommittee on HB 796, on noon recess today, Desk 51, to consider HB 796.
- Insurance, Subcommittee on Rates and Regulations, on noon recess today, Desk 22, to consider HB 1674 and SB 331.
- Insurance, Subcommittee on Life and Health, on noon recess today, Desk 132, to consider SB 706.

**HJR 24 ON SECOND READING**

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

HJR 24, a joint resolution proposing a constitutional amendment authorizing the issuance of general obligation bonds to provide financing assistance for the purchase of farm and ranch land.

The resolution was read second time.

Representative Patterson offered the following committee amendment to the resolution:

**COMMITTEE AMENDMENT NO. 1**

Amend HJR 24 on page 2 by striking the number “6” on line 9 and substituting the number “8” and striking the number “1984” on line 10 and substituting the number “1983”.

Committee Amendment No. 1 was adopted without objection.

A record vote was requested.

HJR 24, as amended, was adopted by (Record 192): 115 Yeas, 29 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Clark; Clemmons; Colbert; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delco; Denton; Eckels; Edwards; English; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley;
Representative Presnal moved to suspend all necessary rules to allow the Committee on Appropriations to meet today and tomorrow while the house is in session.

The motion prevailed without objection.

RECESS

Representative Watson moved that the house recess until 1:30 p.m. today.

The motion prevailed without objection.

The house accordingly, at 12:11 p.m., recessed until 1:30 p.m. today.

AFTERNOON SESSION

The house met at 1:30 p.m. and was called to order by the speaker.

MESSAGE FROM THE SENATE

Austin, Texas, April 20, 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:

SCR 79 by Sims, honoring the memory of Mr. Arthur William Esser.

Respectfully,
Betty King
Secretary of the Senate
SB 582 - RULES SUSPENDED
Representative Schluter moved to suspend the 48-hour subcommittee report rule to allow the Committee on Ways and Means to consider SB 582.

The motion prevailed without objection.

HB 103 ON THIRD READING
The speaker laid before the house on its third reading and final passage,

HB 103, A bill to be entitled An Act relating to a repeal of the requirement that state agencies adopt a code of conduct for agency employees who inspect and survey health care facilities.

The bill was read third time and was passed.

HB 171 ON THIRD READING
The speaker laid before the house on its third reading and final passage,

HB 171, A bill to be entitled An Act relating to the elements and punishment of offenses related to oil and gas equipment and the inspection of businesses dealing in used oil and gas equipment.

The bill was read third time and was passed.

HB 675 ON THIRD READING
The speaker laid before the house on its third reading and final passage,

HB 675, A bill to be entitled An Act relating to the use of rest areas; providing a penalty.

The bill was read third time and was passed. (Delco recorded voting no)

HB 860 ON THIRD READING
The speaker laid before the house on its third reading and final passage,

HB 860, A bill to be entitled An Act relating to the height restriction on a motor vehicle used to transport seed cotton modules.

The bill was read third time and was passed.

HB 886 ON THIRD READING
The speaker laid before the house on its third reading and final passage,

HB 886, A bill to be entitled An Act relating to a dealer's return of farm and industrial equipment to a supplier after the termination of certain franchises.

The bill was read third time and was passed. (Ceverha, Jackson, Messer, and P. Hill recorded voting no)

HB 1849 ON THIRD READING
The speaker laid before the house on its third reading and final passage,

HB 1849, A bill to be entitled An Act relating to fraud in a transaction involving real estate or stock in a corporation or joint stock company.

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

HB 1970 ON THIRD READING
The speaker laid before the house on its third reading and final passage,
HB 1970, A bill to be entitled An Act relating to the regulatory and enforcement procedures and authority of the Railroad Commission of Texas; providing penalties.

The bill was read third time and was passed. (Craddick recorded voting no)

HB 279 ON THIRD READING

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

HB 279, A bill to be entitled An Act relating to duties and powers of the Texas Commission for the Deaf.

The bill was read third time and was passed.

HB 1032 ON THIRD READING

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

HB 1032, A bill to be entitled An Act relating to regulation of the practice of dentistry, to fees established by the State Board of Dental Examiners, and to compensation for travel expenses incurred by members of that board.

The bill was read third time and was passed.

HB 1133 ON THIRD READING

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

HB 1133, A bill to be entitled An Act relating to the repeal of the state law requiring that certain businesses maintain and make public certain personal information about their customers.

The bill was read third time and was passed.

HB 800 - POSTPONED

Representative Wright moved that consideration of HB 800 be postponed until Wednesday, May 4, at 2 p.m.

The motion prevailed without objection.

COMMITTEE APPOINTED

The speaker announced the appointment of the following committee, pursuant to HCR 96, to escort the Honorable Walter F. Mondale to the speaker's rostrum: Representatives Barrientos, chairman; E. Barton, Patronella, L. Evans, Berlanga, M. Garcia, Polk, Edwards, Delco, Oliver, Bush, D. Lee, Oliveira, Glossbrenner, Turner, Rudd, Shaw, Wolent, Wilson, Rangel, and Denton.

HB 1216 ON SECOND READING

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

HB 1216, A bill to be entitled An Act relating to the designation of emergency interim successors to assume the powers and duties of unavailable legislators in the event of enemy attack.

A record vote was requested.

The bill was read second time and was passed to engrossment by (Record 193):

98 Yeas, 29 Nays, 4 Present, not voting.

Yeas — Agnichi Arnold; Barton, E.; Bomer; Buchanan; Burnett; Bush; Cary; Ceverha; Clark; Clemons; Collazo; Connelly; Coody; Craddick; Criss; Davis;
Representative Leonard moved that all necessary rules be suspended to take up and consider at this time, HR 279.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Leonard;

HR 279, Commending El Club Sertoma Monterrey.

The resolution was adopted without objection.

HB 885 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 885.

CSHB 885

A BILL TO BE ENTITLED
AN ACT

relating to the operation and continuation of the Texas Employment Commission.

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

SECTION 1. Section 10, Texas Unemployment Compensation Act (Article 5221b-8, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 10. TEXAS EMPLOYMENT COMMISSION. (a) Organization: There is hereby created a Commission to be known as the Texas Employment [Unemployment Compensation] Commission. The Commission shall consist of three (3) members, one of whom shall be a representative of labor, one of whom shall be a representative of employers, and one of whom shall be impartial and shall represent the public generally. During the time of the public member's service on the Commission, the public member may not be an officer, employee, or paid consultant of a labor-oriented or employer-oriented trade association.

(b) Appointment: Each of the three (3) members of the Commission shall be appointed by the Governor, and the Governor shall fill by appointment
[immediately after the effective date of this Act or after] any vacancy that occurs
in the membership of the Commission. Appointments to the Commission shall be
made without regard to the race, creed, sex, religion, or national origin of the
appointees. During his term of membership on the Commission, no member shall
engage in any other business, vocation or employment. Members [Each member
shall] hold office for staggered terms [a term] of six (6) years, with the term of one
(1) member expiring every other year [except that (1) any member appointed to fill
a vacancy occurring prior to the expiration of the term for which his predecessor
was appointed for the remainder of such term; and (2) the term of office of the
members first taking office after the date of enactment of this Act shall expire, as
designated by the Governor at the time of appointment, one at the end of two (2)
years, one at the end of four (4) years, and one at the end of six (6) years after the
date of his appointment].

c) Disqualification: A person who is required to register as a lobbyist under
Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c,
Vernon’s Texas Civil Statutes), may not serve as a member of the Commission or
act as the general counsel to the Commission during the time the person is registered
as a lobbyist. If the person ceases to engage in lobbying activity and files a notice
of termination as prescribed by Section 7, Chapter 422, Acts of the 63rd Legislature,
Regular Session, 1973 (Article 6252-9c, Vernon’s Texas Civil Statutes), the person
may serve as a member of the Commission or act as the general counsel to the
Commission.

d) [tb] Chairman: The Chairman of the Texas Employment
Unemployment Compensation] Commission shall be the impartial member of the
Commission[, and shall in addition serve as the executive director of all divisions
of the Texas Unemployment Compensation Commission].

d) [eb] Employment Service and Advisory Council: The Commission is
authorized to operate a public employment service but it is not necessary that same
be operated as a separate division of the Commission. The Commission is also
authorized to appoint one (1) [a] State Advisory Council composed of fifteen (15)
persons representing employers, employees and the public. Each Commissioner
may appoint five (5) persons to the Council which shall meet regularly. Advisory
Council members shall be allowed and paid, as a part of the cost of administering
this Act and in accordance with regulations of the Commission, necessary travel and
subsistence expenses, in addition to a per diem allowance, in connection with
meetings of the Council; but they shall for no purpose be regarded as State
employees. The Commission shall fix the composition and establish the duties of
the State Advisory Council and may take such action as it deems necessary or
suitable to the duties established by the Commission, the Council shall prepare an annual report describing its work during the previous year
and detailing any recommendations it may have. The Commission shall include the
Council’s report in the Commission’s annual report to the Governor and the
Legislature required by Subsection (b), Section 11, of this Act. The Commission
may likewise appoint and pay local advisory councils and consultants under
the same conditions prescribed herein for the State Advisory Council.

Salaries: The salaries of the members of the Texas Employment
Commission shall be as specified in the regular departmental appropriation bill.

Quorum: Any two (2) Commissioners shall constitute a quorum.
No vacancy shall impair the right of the remaining Commissioners to exercise all
of the powers of the Commission.

Removal: It is a ground for removal by impeachment from the
Commission if:

1. a member is absent from every commission meeting held during any sixty
(60)-day period after the member received at least forty-eight (48) hours’ notice of
the meeting; or
(2) the member is unable to discharge his duties for the remainder of the term for which he was appointed because of illness or other disability.

The validity of an action of the Commission is not affected by the fact that it was taken when a ground for removal of a member of the Commission existed.

(i) [(g)] Sunset Provision: The Texas Employment Commission is subject to the Texas Sunset Act (Article 5429k, Vernon's Texas Civil Statutes); and unless continued in existence as provided by that Act the commission is abolished effective September 1, 1995.

SECTION 2. Section 11, Texas Unemployment Compensation Act (Article 5221b-9, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 11. ADMINISTRATION. (a) Duties and Powers of Commission: It shall be the duty of the Commission to administer this Act; and it shall have power and authority to adopt, amend, or rescind such rules and regulations, to employ such persons, to make such expenditures, require such reports, make such investigations, and take such other action as it deems necessary or suitable to that end. Such rules and regulations shall be effective upon publication in the manner, not inconsistent with the provisions of this Act, which the Commission shall prescribe. The Commission shall determine its own organization and methods of procedure in accordance with the provisions of this Act, and shall have an official seal which shall be judicially noticed. The Commission shall appoint an Agency Administrator on the basis of merit to administer the day-to-day operations of the Texas Employment Commission. The Commission may prescribe any specific qualifications for the position necessary to comply with federal law. The position of Agency Administrator is a merit system position.

(b) Annual Report: As soon after the close of each State fiscal year as is practicable, the Commission shall submit to the Governor and the Legislature a report covering the administration and operation of this Act during the preceding State fiscal year, and the Commission shall make such recommendations for amendments to this Act as the Commission deems proper. Such report shall include a balance sheet of the moneys in the fund in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the Commission in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. The report shall also include the annual report prepared by the State Advisory Council as prescribed by Section 10(d) of this Act. Whenever the Commission believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, it shall promptly so inform the Governor and the Legislature, and make recommendations with respect thereto.

(c) [(b)] Regulations and General and Special Rules: General and special rules may be adopted, amended, or rescinded by the Commission only after public hearing or opportunity to be heard thereon, of which proper notice has been given. General rules shall become effective ten (10) days after filing with the Secretary of State and publication in one or more newspapers of general circulation in this State. Special rules shall become effective ten (10) days after notification to or mailing to the last known address of the individuals or concerns affected thereby. Regulations may be adopted, amended, or rescinded by the Commission and shall become effective in the manner and at the time prescribed by the Commission.

(d) [(c)] Publication: The Commission shall cause to be printed for distribution to the public the text of this Act, the Commission's regulations and general rules, and its annual reports to the Governor and the Legislature. The Commission shall also prepare information of interest describing the functions of the Commission and describing the Commission's procedures by which complaints are filed with and resolved by the Commission. The Commission shall make the
information, and other material the Commission deems relevant and suitable, available to the general public and appropriate state agencies; and any other material the Commission deems relevant and suitable and shall furnish the same to any person upon application therefor.

(e) Personnel: The Agency Administrator [Subject to other provisions of this Act, the Commission] is authorized to appoint, fix the compensation, and prescribe the duties and powers of all [such] officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of the Commission’s duties. The Agency Administrator [Commission] shall not employ or pay any person who is an officer or committee member of any political party organization. The Agency Administrator [Commission] may delegate to any such person so appointed such power and authority as the Agency Administrator [it] deems reasonable and proper for the effective administration of this Act, and may, at the Agency Administrator’s discretion, bond any person handling moneys or signing checks hereunder. The Agency Administrator or the Agency Administrator’s designee shall develop a system of annual performance evaluations based on measurable job tasks. All merit pay for Commission employees must be based on the system established under this subsection.

(f) Employee Information: The Commission shall provide to its members and employees as often as is necessary information regarding their responsibilities under applicable laws relating to standards of conduct for state officers or employees.

(g) Records and Reports: Each employing unit shall keep true and accurate employment records, containing such information as the Commission may prescribe and which is deemed necessary to the proper administration of this Act. Such records shall be open to inspection and subject to being copied by the Commission or its authorized representatives at any reasonable time and as often as may be necessary. The Commission may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, which the Commission deems necessary for the effective administration of this Act. Information thus obtained or otherwise secured shall not be published or be open to public inspection (other than to public employees in the performance of their public duties) except as the Commission may deem necessary for the proper administration of this Act. Any employee or member of the Commission who violates any provision of this subsection shall be fined not less than Twenty Dollars ($20), nor more than Two Hundred Dollars ($200), or imprisoned for not longer than ninety (90) days, or both.

(h) Oaths and Witnesses: In the discharge of the duties imposed by this Act, the chairman of an appeal tribunal and any duly authorized representative or member of the Commission shall have power to administer oaths and affirmations, take depositions, certify to official acts, and issue subpoenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed necessary as evidence in connection with a disputed claim or the administration of this Act. Notwithstanding the provisions of Article 3912e, Vernon’s Texas Civil Statutes, or any other provision of the laws of this state, the fees of sheriffs and constables for serving such subpoenas shall be paid by the Commission out of administrative funds, and the Comptroller of Public Accounts shall issue warrants for such fees as directed by the Commission.

(i) Subpoenas: In case of contumacy by, or refusal to obey a subpoena issued by a member of the Commission or any duly authorized representative thereof to any person, any County or District Court of this State within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission or its duly authorized representative, shall have jurisdiction to issue to such person an order requiring such person to
appear before a commissioner, the Commission, or its duly authorized representative, there to produce evidence if so ordered or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof. Any person who shall without just cause fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, and other records, if it is in his power so to do, in obedience to a subpoena of the Commission, shall be punished by a fine of not less than Two Hundred Dollars ($200), or by imprisonment for not longer than sixty (60) days, or by both such fine and imprisonment, and each day such violation continues shall be deemed to be a separate offense.

(j) Protection Against Self Incrimination: No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, and other records before the Commission or in obedience to the subpoena of the Commission or any member thereof or any duly authorized representative of the Commission, in any cause or proceeding before the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. No statement whether oral or in writing made to the Commission or its employees in connection with the discharge of their duties under this Act shall ever be made the basis for an action for defamation of character.

(k) State-Federal Cooperation: In the administration of this Act, the Commission shall cooperate to the fullest extent consistent with the provisions of this Act, with the Social Security Board, created by the Social Security Act, approved August 14, 1935, as amended; shall make such reports, in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports; and shall comply with the regulations prescribed by the Social Security Board governing the expenditures of such sums as may be allotted and paid to this State under Title III of the Social Security Act for the purpose of assisting in the administration of this Act.

Upon request therefor, the Commission shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation, and employment status of each recipient of benefits and such recipient's rights to further benefits under this Act.

(l) Funds: Except as otherwise provided in this subsection, all sums of money paid to the Commission under this Act shall be deposited in the State Treasury and may be used only for the administration of this Act. Funds are not required to be deposited if a state or federal law or regulation prohibits deposit in the treasury or if deposit would result in a loss of any federal funds.

(m) Audit: The state auditor shall audit the financial transactions of the Commission during each fiscal year.

(n) Complaint: The Commission shall keep an information file about each complaint filed with the Commission relating to a service rendered by the Commission.

(o) Hearing: If a written complaint is filed with the Commission relating to a service rendered by the Commission, the Commission, at least as frequently as
quarterly and until final disposition of the complaint, shall notify the parties to the complaint of the status of the complaint.

SECTION 3. Section 12(a), Texas Unemployment Compensation Act (Article 5221b-10, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) Texas State Employment Service, as provided for under Act of the Forty-fourth Legislature, Regular Session, Chapter 236, page 552, is hereby transferred to the Commission as a division thereof. The Commission, through such division, shall establish and maintain free public employment offices in such number and in such places as may be necessary for the proper administration of this Act, and for purposes of performing such duties, as are within the purview of the Act of Congress entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system and for other purposes," approved June 6, 1933, (48 Stat. 113; U.S.C., Title 29, Section 29(c)) as amended. It shall be the duty of the Commission to cooperate with any official or agency of the United States having powers or duties under the provisions of the said Act of Congress, as amended, and to do and perform all things necessary to secure to this State the benefits of the said Act of Congress, as amended, in the promotion and maintenance of a system of public employment offices. The provisions of the said Act of Congress, as amended, are hereby accepted by this State in conformity with Section 4 of said Act, and this State will observe and comply with the requirements thereof. The Texas Unemployment Compensation Commission is hereby designated and constituted the agency of this State for the purposes of said Act. [The Director, other officers and employees of the Texas State Employment Service shall be appointed by the Commission in accordance with regulations prescribed by the Director of the United States Employment Service.]

SECTION 4. Section 29, Texas Unemployment Compensation Act (Article 5221b-22d, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 29. COVERAGE OF STATE EMPLOYEES. (a) The State of Texas hereby elects, with respect to all services performed in the employ of this State or any branch or department thereof or any instrumentality thereof which is not otherwise an employer subject to this Act, to become a reimbursing employer subject to this Act, and all services performed in the employ of this State or of any branch or department or instrumentality thereof shall be deemed to constitute employment. This election does not apply to political subdivisions of this State.

(b) The Commission shall provide an annual statement to each State agency showing the benefits paid by the Commission during the year that are attributable to that agency.

SECTION 5. The requirement under Section 11(e), Texas Unemployment Compensation Act (Article 5221b-9, Vernon's Texas Civil Statutes), that the commission develop a system of annual performance evaluations shall be implemented before September 1, 1984. The requirement of Section 11(e) that merit pay be based on the performance evaluation system shall be implemented before September 1, 1985.

SECTION 6. (a) A member of the Texas Employment Commission who holds office on August 31, 1983, is entitled to continue to hold the office for the term for which the member was appointed.

(b) The person employed on the effective date of this Act as the agency administrator is entitled to continue to serve in that capacity at the pleasure of the commission.

SECTION 7. Any state advisory council in existence on the effective date of this Act is abolished. A member of a state advisory council on the effective date of this Act may continue to serve until the commission appoints a new state advisory council or until January 1, 1984, whichever date is first.
SECTION 8. This Act takes effect September 1, 1983.

SECTION 9. 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 885 was read second time and was passed to engrossment.

HOUSE AT EASE

At 1:56 p.m., the speaker announced that the house would stand at ease.

The speaker called the house to order at 1:58 p.m.

ADDRESS BY THE HONORABLE WALTER F. MONDALE

(The House of Representatives and the Senate in Joint Session)

In accordance with the provisions of HCR 96, providing for a joint session of the senate and the house of representatives today for the purpose of hearing an address by the Honorable Walter F. Mondale, Lieutenant Governor William P. Hobby and the honorable senators were announced at the door of the house and were admitted.

The senators occupied seats arranged for them.

At 1:59 p.m. the Honorable Walter F. Mondale and party escorted by Senators Caperton, Edwards, Mauzy, Truan, Uribe, and Washington, committee on the part of the senate; and Representatives Barrientos, chairman; E. Barton, Patronella, L. Evans, Berlanga, M. Garcia, Polk, Edwards, Delco, Oliver, Bush, D. Lee, Oliveira, Glossbrenner, Turner, Rudd, Shaw, Wolens, Wilson, Rangel, and Denton, committee on the part of the house, were announced at the door of the house and, being admitted, were escorted to the speaker's rostrum.

Lieutenant Governor William P. Hobby called the senate to order.

A quorum of the senate was announced present.

The Honorable Gibson D. Lewis, speaker of the house, called the house of representatives to order.

Speaker Lewis directed all members present to register.

A quorum of the house was announced present.

Speaker Lewis stated that the two houses were in joint session for the purpose of hearing an address by the Honorable Walter F. Mondale, former vice-president of the United States of America.

Speaker Lewis introduced Buddy Temple, railroad commissioner, and Calvin Guest, former democratic party chairman, who were platform guests.

Speaker Lewis recognized Senator Uribe who addressed the house briefly and introduced the Honorable Walter F. Mondale to the joint session.

The Honorable Walter F. Mondale then addressed the joint session.

SENATE RECESSES

At 2:31 p.m., Lieutenant Governor William P. Hobby stated that the business of the joint session had been accomplished and that the senate would recess until 8:30 a.m. tomorrow.

HOUSE AT EASE

At 2:32 p.m. the speaker stated that the purpose for which the joint session was called having been completed the house would stand at ease pending the departure of guests.

(Speaker pro tempore in the chair)
The speaker pro tempore called the house to order at 2:43 p.m.

HB 965 ON SECOND READING

The chair laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 965.

CSHB 965

A BILL TO BE ENTITLED
AN ACT
relating to the authority of a commissioners court of a county to impose a fee for registering a vehicle in the county.

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

SECTION 1. Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon’s Texas Civil Statutes), is amended by adding Section 9a to read as follows:

Sec. 9a. OPTIONAL COUNTY REGISTRATION FEE. (a) The Commissioners Court of a County by order may impose, in addition to the fee imposed by this Act for registering a vehicle in this State, an extra fee of Five Dollars ($5) for each vehicle registered in the County. A vehicle that may be registered under this Act without payment of a registration fee may be registered in the County without payment of the extra fee.

(b) A county may impose a fee under this section only to take effect beginning January 1 of a year ending in a “5” or a “0.” The county shall adopt the order and notify the Department on or before September 1 of the year preceding the year in which the fee takes effect. Imposition of the fee may be removed but the removal may only become effective beginning January 1 of a year ending in a “5” or a “0.” A county may remove the fee only by:

(1) rescinding the order imposing the fee; and

(2) notifying the Department on or before September 1 of the year preceding the year in which the removal takes effect.

(c) The County Tax Collector of a County imposing a fee under this section shall collect the extra fee for a vehicle simultaneously with the collection of other fees imposed under this Act for the vehicle.

(d) The Department shall collect the extra fee on a vehicle owned by a resident of a County imposing a fee under Subsection (a) of this section that under this Act must be registered directly with the Department. The Department shall remit all fees collected for the County under this subsection to the County Treasurer for deposit in the County Road and Bridge Fund.

(e) The Department shall adopt rules and develop forms necessary to administer registration by mail for vehicles registering in a County imposing a fee under Subsection (a) of this section.

SECTION 2. Section 10, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-10, Vernon’s Texas Civil Statutes), is amended by amending Subsections (a) and (d) and by adding Subsection (c-1) to read as follows:

(a) Except as provided by Subsection (c-1) of this section, on [Em] Monday of each week each County Tax Collector shall deposit in the County Depository of his County to the credit of the County Road and Bridge Fund an amount equal to one hundred per cent (100%) of net collections made hereunder during the preceding week until the amount so deposited for the current calendar year shall have reached a total sum of Fifty Thousand Dollars ($50,000) plus Three Hundred and Fifty Dollars ($350) for each mile of county road, not to exceed five hundred (500) miles, maintained by the County according to the latest data available from the State Department of Highways and Public Transportation.
(c-1) On Monday of each week each County Tax Collector in a County 
imposing a fee under Section 9a of this Act shall deposit in the County Depository 
of the County to the credit of the County Road and Bridge Fund, an amount equal 
to ninety-seven per cent (97%) of the extra fees collected under Section 9a of this 
Act. The County Tax Collector shall remit to the Department the remaining three 
per cent (3%) to defray costs incurred by the Department in administering its duties 
under Section 9a of this Act.

(d) Except as provided by Subsection (c-1) of this section, the County 
Tax Collector may defer remittance to the Department of fees collected under this 
Act if the fees are deposited in a daily interest savings account in the County 
Depository. The County Tax Collector shall remit to the Department fees so 
deposited no later than the thirty-fourth (34th) day after the due dates set forth in 
Subsections (b) and (c) of this section.

SECTION 3. A fee imposed by a county under Section 9a, Chapter 88, 
General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 
6675a-1 et seq., Vernon's Texas Civil Statutes), applies to a registration period that 
begins on or after the due dates set forth in Subsections (b) and (c) of this section.

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 965 was read second time.
Representative Green moved to table CSHB 965.
A record vote was requested.
The motion to table was lost by (Record 194): 15 Yeas, 122 Nays, 1 Present, 
not voting.

Yeas — Cavazos; Colbert; Collazo; English; Garcia, A.; Green; Hernandez; 
Martinez, W.; Moreno, P.; Schlueter; Thompson, S.; Valles; Wallace; Watson; 
Wilson.

Nays — Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; 
Berlanga(C); Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carrick; Ceverha; 
Clark; Clemens; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; 
DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; 
Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, M.; Gavin; Geistweidt; 
Gibson, B.; Gilley; Glossbrenner; Granoff; Grisham; Hackney; Haley; Hall, L.; 
Hall, T.; Hammond; Hanna; Harrison, D.; Hefflin; Hightower; Hill; 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; McKenna; Madia; Mankins; Martinez, R.; Messer; Millsap; Moreno, A.; 
Olivera; Oliver; Parker; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; 
Polumbo; Pressnall; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; 
Sanders; Schoenfeldt; Shaw; Sheid; Short; Simpson; Smith, A.; Smith, C.; 
Smith, T.; Staniswalisz; Stiles; Tejeda; Thompson, G.; Toomey; Turner; Uher; 
Waldrop; Whaley; Wieting; Willis; Wolens; Word; Wright.

Present, not voting — Mr. Speaker.

Absent, Excused — Patrick.

Absent — Cary; Gibson, J.; Hall, W.; Harrison, W.; Hill, A.; Luna; 
McWilliams; Price; Sutton; Tow; Vowell.
CSHB 965 was passed to engrossment. (Collazo, Green, Colbert, Schlueter, Watson, and Patronella recorded voting no)

HB 852 ON SECOND READING

The chair laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 852.

CSHB 852

A BILL TO BE ENTITLED
AN ACT
relating to the application of the rule to certain agents of the State; amending Article 36.03, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

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

SECTION 1. Article 36.03, Code of Criminal Procedure, 1965, as amended, is amended to read as follows:

(a) At the request of either party, the witness on both sides may be sworn and placed in the custody of an officer and removed out of the courtroom to some place where they cannot hear the testimony as delivered by any other witness in the cause. This is termed placing witnesses under the rule. However, if the defendant is a corporation or association it may designate one representative in addition to counsel to aid in the presentation of its case, which representative may not be placed under the rule.

(b) The trial court may allow the state to designate one representative, in addition to counsel, to assist in the trial of a complicated offense or one where the representative's expertise is necessary to effectively present the case, and this person shall be exempt from the rule. The representative shall be a peace officer or other person involved in the investigation and preparation of the case.

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 the rule is hereby suspended; and this Act take effect and be in force from and after its passage; and it is so enacted.

CSHB 852 was read second time.

Representative Gilley offered the following amendment to CSHB 852:

Amend CSHB 852 by adding the following after the period on page 1, line 20: “Provided that the state's attorney gives at least 30 days notice of its intention to request permission of the trial court for this exemption from the rule. Thereafter, the trial court shall conduct a full hearing at least 10 days in advance of trial with notice to states attorney and defendants attorney.”

The amendment was adopted without objection.

Representative Hackney offered the following amendment to CSHB 852:

Amend CSHB 852 by adding a new subsection c to read as follows:

(c) The trial court may allow the defendant, in addition to counsel, to assist in the trial of a complicated offense or one where the representative's expertise is necessary to effectively present a defense, and this person shall be exempt from the rule.

The amendment was adopted without objection.

Representative Oliver offered the following amendment to CSHB 852:
Proposed amendment to CSHB 852. At the end of SECTION 1(b) add the following:

"Any person so designated shall be the first witness called to testify in the trial wherein he is designated as the representative under this act."

The amendment was adopted without objection.

MESSAGE FROM THE SENATE

Austin, Texas, April 20, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

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

SB 961 by McFarland, relating to the investments of insurers.

Respectfully,

Betty King
Secretary of the Senate

CSHB 852 - (consideration continued)

(Speaker in the chair)

CSHB 852, as amended, was passed to engrossment.

HB 2002 ON SECOND READING

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

HB 2002, A bill to be entitled An Act relating to the reinstatement or extension of the term of restrictive covenants that applied or that are applicable to certain residential real estate subdivisions.

The bill was read second time.

Representative Eckels offered the following amendment to the bill:

Amend HB 2002 as follows:

(1) On page 3, line 26 delete "fifth" and insert "second" in its place.
(2) On page 6, line 4 delete "fifth" and insert "second" in its place.
(3) On page 6, line 11 delete "fifth" and insert "second" in its place.

The amendment was adopted without objection.

HB 2002, as amended, was passed to engrossment. (Bush, Eckels, Ceverha, Rudd, and Blanton recorded voting no)

HB 719 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 719.

CSHB 719

A BILL TO BE ENTITLED
AN ACT

relating to the display and sale of unpackaged food; providing a penalty.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:
(1) "Unpackaged food" means a food that is not in any individual packaging or wrapping and is offered for sale by a retail food store and that is sold in bulk from a container that permits a customer to dispense the food directly into a receptacle.
(2) "Scoop utensil type container" means a self-service container in which food is dispensed through the use of a utensil provided with the container.
(3) "Gravity feed type container" means a self-service container in which food is dispensed through the operation of a mechanism that permits the food to drop into a receptacle.

SECTION 2. EXEMPTIONS. This Act does not apply to:
(1) a beverage;
(2) fresh fruit or vegetables;
(3) food that is intended to be shelled or cooked prior to consumption; or
(4) food, such as milk products, eggs, meat, poultry, fish, or shellfish, that is capable of supporting rapid and progressive growth of infectious or toxic microorganisms.

SECTION 3. SALE FROM SELF-SERVICE CONTAINERS. (a) A person may sell unpackaged food that is displayed and sold in bulk from a self-service container if:
(1) the self-service container has a tight-fitting lid that is securely attached to the container;
(2) the lid of a scoop utensil type container is kept in a closed position at all times except during customer service;
(3) the lid of a gravity feed type container is kept in a closed position at all times except during servicing or refilling;
(4) a scoop utensil type container is provided with a utensil, equipped with a handle, to be used in dispensing the food; and
(5) the container, lid, and any utensil are constructed of nontoxic materials that provide for easy cleaning and proper repair.
(b) The seller shall:
(1) maintain the container, lid, and any utensil in a sanitary condition to prevent spoilage and insect infestation; and
(2) post a conspicuous sign within the immediate display area that instructs the customer regarding the proper procedure for dispensing the food.

SECTION 4. STRICHER REGULATION. (a) If the Texas Department of Health finds that the transmission of a disease is directly related to a method of displaying and selling unpackaged food that is authorized by this Act, the department by rule may establish a stricter regulation.
(b) The stricter regulation must be based on laboratory evidence supporting the specific relationship between the disease and the method of dispensing the unpackaged food and must be applied uniformly to all analogous food sources and dispensing methods.

SECTION 5. PENALTY. (a) A person commits an offense if the person knowingly or intentionally sells unpackaged food in a manner that does not comply with Section 3 or 4 of this Act.
(b) An offense under this section is a Class C misdemeanor.

SECTION 6. EFFECT ON OTHER LAWS. This Act supersedes an ordinance, rule, or other regulation established by a political subdivision to regulate the sale of unpackaged food.

SECTION 7. EFFECTIVE DATE. This Act takes effect September 1, 1983.

SECTION 8. EMERGENCY. 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 719 was read second time.

Representative E. F. Lee offered the following amendment to CSHB 719:

Amend CSHB 719 as follows:

(1) On page 3, line 10, strike “sale of” and substitute “method of dispensing”.
(2) On page 3, line 10, after “unpackaged food.” add: “This Act does not affect an ordinance, rule, or other regulation established and enforced by a political subdivision to require the maintenance of sanitary conditions in the sale of unpackaged food dispensed in a manner authorized by this Act.”

The amendment was adopted without objection.

Representative E. F. Lee offered the following amendment to CSHB 719:

Amend CSHB 719 as follows:

(1) On page 2, line 22, after “disease” add “infestation or contamination”;
(2) On page 2, line 27, after “disease” add “infestation or contamination”;
(3) On page 3, line 2, strike “analogous” and substitute in lieu thereof “nonexempted”.

The amendment was adopted without objection.

CSHB 719, as amended, was passed to engrossment.

HB 1846 ON SECOND READING

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

HB 1846, A bill to be entitled An Act relating to the conveyance of certain state real property in Fort Bend County.

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

HB 1299 ON SECOND READING

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

HB 1299, A bill to be entitled An Act relating to the establishment of a pilot job training and work experience program for persons receiving financial assistance under the Aid to Families with Dependent Children program.

The bill was read second time.

Representative Price moved that consideration of HB 1299 be postponed until Wednesday, April 27, at 10 a.m.

Representative Geistweidt moved to table the motion to postpone.

A record vote was requested.

The motion to table prevailed by (Record 195): 87 Yeas, 56 Nays, 1 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Blanton; Bomer; Buchanan; Burnett; Ceverha; Clark; Clemons; Connelly; Coody; Craddick; Davis; DeLay; Eckels; Eikenburg; Emmett; English; Evans, C.; Finnell; Fox; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Granoff; Haley; Hall, L.; Hall, T.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell;
Representative Polumbo offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 1299 on page 2, line 9, by deleting the word “required” and substituting therefor the word “encouraged”.

Representative Geistweidt offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 on line 2 by striking “9” and substituting “12”.

The amendment was adopted without objection.

Committee Amendment No. 1, as amended, was adopted without objection.

Representative Geistweidt offered the following amendment to the bill:

Amend HB 1299 as follows:

(1) On page 3, line 13, strike “person” and substitute “caretaker”.

(2) On page 3, line 15, after “reduced” insert “up to an amount assigned to pay for the caretaker’s portion of the grant”.

(Salinas in the chair)

The amendment was adopted without objection.

Representative Geistweidt offered the following amendment to the bill:

Amend HB 1299 on page 2 by inserting a new Subsection (e) to read as follows:

As a condition of receiving a subsidy or placement, an employer of a participant shall assure that health insurance benefits will be provided for employment positions after the duration of the subsidized period.

The amendment was adopted without objection.
Representative Geistweidt offered the following amendment to the bill:

Amend HB 1299 on page 3 by inserting a new Subsection (f) to read as follows:

(f) Compensation for work experience phase of the program may not be at
less than federal minimum wage.

The amendment was adopted without objection.

Representative Granoff offered the following amendment to the bill:

Amend HB 1299 on page 2 by striking lines 23, 24, and 25 and substitute the following:

"training until job proficiency is reached but not for more than two months prior
to participating in the work experience phase which will last for not more than four
months in order to qualify the participant for permanent employment in that or a
similar position."

The amendment was adopted without objection.

Representative Criss offered the following amendment to the bill:

Add a new line to the end of

Section 31.069 as follows:

"The
Department may not select any geographic location for a program under this
Act if the area has an unemployment rate in excess of seven percent."

Representative Geistweidt moved to table the Criss amendment.

A record vote was requested.

The motion to table prevailed by (Record 196): 89 Yeas, 55 Nays, 2 Present,
not voting.

Yeas — Agnich; Arnold; Bomer; Buchanan; Burnett; Ceverha; Clark;
Clemens; Connelly; Coody; Craddock; Crockett; Davis; Delay; Eckels; Eikenburg;
Emmett; English; Evans, C.; Finnell; Fox; Gandy; Gavin; Geistweidt; Gibson, B.;
Gibbon, J.; Granoff; Grisham; Haley; Hall, L.; Hall, T.; Hammond; Hanna;
Hollowell; Horn; Hudson, D.; Jackson; Jones; Keller; Khoury; Kubiak; Kuempel;
Laney; Leonard; McKenna; McWilliams; Mankins; Messer; Millsap; Patterson;
Pennington; Pevey; Pierce; Polk; Polumbo; Presnal; Robinson; Rosenthal; Rudd;
Russell; Saunders; Schluter; Schoolcraft; Shea; Short; Simpson; Smith, A.;
Smith, C.; Smith, T.; Staniswalis; Stiles; Thompson, G.; Toomey; Tow; Turner;
Uher; Vowell; Waldrop; Whaley; Wieting; Word; Wright.

Nays — Armbrister; Barrientos; Barton, B.; Barton, E.; Berlanga; Bush; Cain;
Carriker; Cary; Cavazos; Colbert; Collazo; Criss; Danburg; DeLay; Denton;
Edwards; Evans, L.; Gamez; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Green;
Hackney; Hall, W.; Hernandez; Hinojosa; Hudson, S.; Hury; Kemp; Lee, D.;
Lee, E. F.; Luna; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.;
Oliveira; Oliver; Parker; Patronella; Prace; Ragsdale; Rangel; Shaw; Sutton; Tejeda;
Thompson, S.; Wallace; Watson; Willis; Wilson; Wolens.

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

Absent, Excused — Patrick.

Absent — Blanton; Hill, G.; Valles.

Representative L. Evans offered the following amendment to the bill:

Amend HB 1299 (first printing) as follows:

(1) In Section 1 strike added Sec. 31.062 (page 1, lines 17 through 24 and
page 2, line 1) and substitute the following:
Sec. 31.062. PARTICIPATION. A person who resides in an area in which a pilot program has been established under this subchapter and who otherwise would be required to participate in other department employment programs may participate in the pilot program. A person who receives payments under the AFDC program and chooses to participate in a program under this subchapter is exempted from any requirement to participate in other employment programs under federal law or regulations. Clients who are exempt may volunteer to participate.

(2) In Section 1 strike added Sections 31.065 and 31.066 (page 3, lines 13 through 23).

(3) Renumber added Sections 31.067 through 31.071 as Sections 31.065 through 31.069.

Representative Geistweidt moved to table the L. Evans amendment.

A record vote was requested.

The motion to table prevailed by (Record 197): 83 Yeas, 59 Nays, 2 Present, not voting.

Yea — Agnich; Arnold; Blanton; Bomer; Buchanan; Ceverha; Clark; Clemens; Connell; Craddock; Davis; DeLay; Eckels; Eikenburg; Emmett; English; Evans, C.; Finnell; Fox; Gandy; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Grisham; Haley; Hall, L.; Hall, T.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hilbert; Hill, A.; Hill, P.; Hollowell; Horn; Hudson, D.; Jackson; Jones; Keller; Khoury; Kubiak; Kuepme1; Laney; Leonard; McKenna; Mankins; Messer; Millsap; Patterson; Pennington; Peveto; Pierce; Polk; Presnal; Robinson; Robnett; Rudd; Russell; Saunders; Schluster; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Thompson, G.; Toomey; Uher; Vowell; Waldrop; Whaley; Wieting; Word; Wright.

Nay — Armbrister; Barrientos; Barton, B.; Barton, E.; Berlanga; Burnett; Bush; Cain; Carriker; Cary; Cavazos; Colbert; Collazo; Coody; Criss; Crockett; Danburg; Delco; Denton; Edwards; Evans, L.; Gamez; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Granoff; Green; Hackney; Hall, W.; Hernandez; Hill, G.; Hudson, S.; Hury; Kemp; Lee, D.; Lee, E. F.; Luna; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliver; Parker; Patronella; Polumbo; Price; Ragsdale; Rangel; Sutton; Tejeda; Thompson, S.; Turner; Valles; Wallace; Watson; Willis; Wilson.

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

Absent, Excused — Patrick.

Absent — Hinojosa; McWilliams; Oliveira; Tow; Wolens.

(Speaker in the chair)

Representative Rangel offered the following amendment to the bill:

Amend HB 1299 by adding subsection (b) to Sec. 31.062 on page 2, line 2, to read as follows:

"(b) The department may not, in any event, require a person to participate in the pilot program if:

(i) the person is enrolled and attending at least nine semester hours of a training or educational curricula, and the satisfactory completion of the coursework is likely to enhance the employability of the person."

The amendment was adopted without objection.

Representative Hinojosa offered the following amendment to the bill:
Amend HB 1299 by inserting on page 3 line 9 after the word “position” and before “which” the following:

or in a work experience program

The amendment was adopted without objection.

Representative Danburg offered the following amendment to the bill:

On Page 3, line 25
Add a (b) to Section 31.067, as follows:

“(b) In providing child care for participants under this Act, the Department may not displace day care slots currently provided to low-income children whose caretaker is not required to participate in a program under this Act.”

The amendment was adopted without objection.

Representative Price offered the following amendment to the bill:

Amend HB 1299 on page 2 by inserting a new Subsection (g) to read as follows:

(g) The department shall assure that a participant in the work experience phase of the program is covered by Workers Compensation insurance obtained by his employer.

Representative Price offered the following amendment to the amendment:

Amend the amendment to Sec. 31.064 by adding the following line to the end of (g) as contained in the amendment:

“The Department shall also assure that adequate liability insurance is available to cover any injuries suffered by participants during on-the-job training.”

The amendment was adopted without objection.

The Price amendment, as amended, was adopted without objection.

Representative Price offered the following amendment to the bill:

Add a new section 31.069 as follows, and renumber subsequent sections to conform to the addition:

“SECTION 31.069. REPAYMENTS OF SUBSIDY BY EMPLOYERS.
A. If an employer accepts a subsidy from the Department for a participant under this Act, and such employer fails to continue the participant as an employee for three unsubsidized months, such employer shall re-pay to the Department the total amount of such state or federal funds received by the employer for that work experience position.
B. An employer is not required to make the repayment pursuant to (A) if such employer provides evidence to the Department that the participant was discharged for good cause, as defined by unemployment compensation laws of this state.
C. The Department may take all necessary court action to obtain repayment of an employer subsidy as provided by (A).”

Representative Geistweidt moved to table the Price amendment.

A record vote was requested.

The motion to table prevailed by (Record 198): 85 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Agnich; Arnold; Blanton; Bomer; Buchanan; Burnett; Cervera; Clark; Clemons; Connelly; Coody; Craddick; DeLay; Eckels; Eikenburg; Emmett; English;
MESSAGE FROM THE SENATE

Austin, Texas, April 20, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

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

SB 326 by Leedom, relating to false information given and certain guardianships created that affect a student’s eligibility for enrollment in a school or school district.

SB 891 by Montford, relating to a medical services fee at Texas Tech University.

SB 958 by Mauzy, relating to prohibitions and rights of fire and police personnel in certain cities to engage in certain political activities.

SB 1125 by Parker, relating to absences from public schools for religious holy days.

SB 1205 by Brooks, relating to a motor vehicle emissions inspection and maintenance program.

Respectfully,
Betty King
Secretary of the Senate

HB 1299 - (consideration continued)

Representative Cavazos offered the following amendment to the bill:

Amend HB 1299 by Geistweidt by striking on page 4, line 12 after the word “with” the following words: “state funds appropriated for the AFDC program and”
Representative Geistweidt moved to table the Cavazos amendment.

A record vote was requested.

The motion to table prevailed by (Record 199): 88 Yeas, 55 Nays, 1 Present, not voting.

Yeas — Agnich; Arnold; Blanton; Bomer; Buchanan; Burnett; Ceverha; Clark; Clemens; Connelly; Coody; Craddock; Davis; DeLay; Eckels; Eikenburg; Emmett; English; Evans, C.; Finnell; Fox; Gavin; Geistweidt; Gibson, J.; Green; Grisham; Halsey; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hilbert; Hill, A.; Hill, P.; Hollowell; Horr; Hudson, D.; Jackson; Jones; Keller; Khoury; Kubiak; Kuempel; Laney; Leonard; McKenna; McWilliams; Mankins; Messer; Millsap; Patterson; Pennington; Peveto; Pierce; Polk; Presnal; Robinson; Robnett; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Thompson, G.; Toomey; Turner; Uher; Valles; Vowell; Waldrop; Whaley; Wieting; Wolens; Word; Wright.

Nays — Armbrister; Barrientos; Barton, B.; Barton, E.; Bush; Cain; Carriker; Cary; Cavazos; Collazo; Criss; Crockett; Danburg; Delco; Denton; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Granoff; Hackney; Hernandez; Hightower; Hill, G.; Hinojosa; Hudson, S.; Hury; Kemp; Lee, D.; Lee, E. F.; Luna; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Polumbo; Price; Ragsdale; Rangel; Salinas; Sutton; Tejeda; Thompson, S.; Wallace; Watson; Willis; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Patrick.

Absent — Berlanga; Colbert; Edwards; Gibson, B.; Tow.

Representative D. Hudson offered the following amendment to the bill:

Amend HB 1299

Page 4, between lines 19 and 20 by inserting the following:

Sec. 31.072. EXPIRATION. (a) This sub-chapter expires on September 1, 1985.
(b) Any balance of funds received for the pilot program remaining on the expiration date prescribed by this section, shall be returned to the general revenue fund.

The amendment was adopted without objection.

Representative Wilson moved to table HB 1299.

The motion to table was lost by (Record 200): 46 Yeas, 98 Nays, 1 Present, not voting.

Yeas — Barrientos; Barton, B.; Berlanga; Bush; Cain; Carriker; Cary; Cavazos; Colbert; Collazo; Coody; Criss; Delco; Denton; Evans, L.; Gamez; Garcia, A.; Garcia, M.; Glossbrenner; Hackney; Hall, W.; Hernandez; Hinojosa; Hudson, S.; Hury; Lee, D.; Lee, E. F.; Luna; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Polumbo; Price; Ragsdale; Rangel; Salinas; Sutton; Tejeda; Thompson, S.; Watson; Wilson.

Nays — Agnich; Armbrister; Arnold; Blanton; Bomer; Buchanan; Burnett; Ceverha; Clemens; Connelly; Craddock; Crockett; Danburg; Davis; Delay; Eckels; Eikenburg; Emmett; English; Evans, C.; Finnell; Fox; Gandy; Gavin; Geistweidt;
Representative Wilson raised a point of order against further consideration of HB 1299 on the grounds that the bill violates Rule 4, Sec. 30(g) of the House Rules.

The speaker overruled the point of order.

A record vote was requested.

HB 1299, as amended, was passed to engrossment by (Record 201): 101 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Blanton; Bomer; Buchanan; Burnett; Carverha; Clark; Clemens; Connelly; Craddock; Danburg; Davis; DeLay; Denton; Eckels; Eikenburg; Emmett; English; Evans, C.; Finnell; Fox; Gandy; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Granoff; Green; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hilbert; Hill, A.; Hill, P.; Hollowell; Horn; Hudson, D.; Jackson; Jones; Keller; Kemp; Khoury; Kubak; Kuempel; Laney; Leonard; McKenna; McWilliams; Mankins; Messer; Millsap; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Robinson; Robnett; Rudd; Russell; Saunders; Schlueter; Schoo; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswals; Stiles; Thompson, G.; Toomey; Tow; Turner; Uber; Valles; Vowell; Waldrop; Wallace; Whaley; Wieting; Willis; Wolens; Word; Wright.

Nays — Barrientos; Barton, B.; Barton, E.; Bush; Cain; Carriker; Cary; Cavazos; Colbert; Collazo; Coody; Criss; Crockett; DeLeo; Edwards; Evans, L.; Gamez; Garcia, A.; Garcia, M.; Glossbrenner; Hackney; Hernandez; Hill, G.; Hinojosa; Hudson, S.; Hurly; Lee, D.; Lee, E. F.; Luna; Madla; Martinez, R.; Martinez, W.; Moreno, P.; Oliveira; Oliver; Parker; Price; Ragsdale; Rangel; Sutton; Tejeda; Thompson, S.; Watson; Willis; Wilson.

Present, not voting — Mr. Speaker(C); Moreno, A.

Absent, Excused — Patrick.

HB 18 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 18.
CSHB 18

A BILL TO BE ENTITLED
AN ACT
relating to defensive driving courses.

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

SECTION 1. Section 143A, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) When a person is charged with a misdemeanor offense under this Act, other than a violation of Section 50 or 51, committed while operating a motor vehicle, upon a plea of guilty before trial, at a time designated by the court, the court:

(1) in its discretion may defer proceedings and allow the person 90 days to present evidence that, subsequent to the alleged act, the person has successfully completed a defensive driver's course approved by the Texas Department of Public Safety or other driving safety course approved by the court; or

(2) shall defer proceedings and allow the person 90 days to present written evidence that, subsequent to the alleged act, the person has successfully completed a defensive driver's course approved by the Texas Department of Public Safety or another driving safety course approved by the court, if:

(A) the person presents to the court a sworn statement that [an oral request or written motion to take a course];

(B) the person has a valid Texas driver's license or permit; and

(C) the person's driving record as maintained by the Texas Department of Public Safety does not indicate successful completion of a driving safety course under this subdivision within the two years immediately preceding the date of the alleged offense.

SECTION 2. This Act takes effect December 1, 1983, and applies to disposition of offenses committed on or after that date. An offense committed before the effective date of this Act is subject to disposition under Section 143A, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), as that section existed when the offense occurred, and that law is continued in effect for that purpose. For the purposes of this Act, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

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.

CSHB 18 was read second time.

Representative Toomey offered the following amendment to CSHB 18:

Amend CSHB 18 as follows:

(1) On page 1, line 4, strike "143A" and substitute "143A(a)."

(2) On page 1, strike lines 21 and 22 and substitute the following:

(A) the person presents to the court an oral request or written motion to take a course;

The amendment was adopted without objection.

Representative Toomey offered the following amendment to CSHB 18:

Amend CSHB 18 in the following manner:

On page 1, Section 1, subsection (a), strike the phrase "upon a plea of guilty before trial, at a time designated by the court," after the comma on Line 9.

The amendment was adopted without objection.
CSHB 18, as amended, was passed to engrossment.

HB 65 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 65.

CSHB 65

A BILL TO BE ENTITLED
AN ACT
relating to the fee for an examination for a license to practice landscape architecture.

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

SECTION 1. Section 5(a), Chapter 457, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 249c, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) From and after the effective date of this Act, no person shall represent himself or herself as a landscape architect, as defined herein, unless such person has previously qualified to be licensed under this Act or satisfactorily passes the examination as may be prescribed by the board to be licensed as provided herein. The following persons shall be qualified for registration and receive a license: any person who is over the age 18 years and having or holding a degree from a school whose study of landscape architecture is approved by the board, or shall have had not less than seven years' actual experience in the office of a licensed landscape architect, may apply for examination and such application shall be accompanied by a fee [not to exceed $100] as set by the board in an amount that is reasonable and necessary to defray the cost of administering the examination. The examination to be approved by the members of the board and given by the board at its office in Austin, Travis County, Texas, or such other place as the board may determine or designate. The scope of the examination and the methods of procedure shall be prescribed by the board with special reference to the applicant's ability which will insure safety to the public welfare and the property rights.

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 65 was read second time and was passed to engrossment.

HJR 19 WITH SENATE AMENDMENTS

Representative Delco called up with senate amendments for consideration at this time,

HJR 19, A joint resolution proposing a constitutional amendment to provide funds for the support of higher education and to restructure the permanent university fund.

Representative Delco moved that the house do not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed without objection.

HJR 19 - APPOINTMENT OF CONFERENCE COMMITTEE

The speaker announced the appointment of the following conference committee, on the part of the house, on HJR 19: Delco, chair; Gavin, Berlanga, Messer, and Jackson.
SB 98 - REQUEST OF SENATE GRANTED

On motion of Representative T. Smith, the house granted the request of the senate for the appointment of a conference committee on SB 98.

SB 98 - APPOINTMENT OF CONFERENCE COMMITTEE

The speaker announced the appointment of the following conference committee, on the part of the house, on SB 98: T. Smith, chair; Millsap, Wilson, L. Hall, and Madia.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

- Ways and Means, on evening recess, Room 100-E, to consider posted bills and subcommittee reports.
- Criminal Jurisprudence, Subcommittees on HB 597, HB 504, HB 335, and HB 150, on evening recess, Desk 4, to consider HB 597, HB 504, HB 335, and HB 150.
- Criminal Jurisprudence, Subcommittee on HB 851, on evening recess, Desk 4, to consider HB 851.
- Criminal Jurisprudence, Subcommittee on HB 765, on evening recess, Desk 4, to consider HB 765.
- Criminal Jurisprudence, Subcommittee on Look Alike Drugs, on evening recess, Desk 4, to consider HB 150, HB 335, HB 504, and HB 597.
- Appropriations, 8:30 a.m. tomorrow, Room 309, Capitol, to consider HB 409.
- Transportation, Subcommittee on HB 1653, on adjournment of the Transportation Committee public hearing, Room 100-B, Reagan Building, to consider HB 1653.
- House Administration, on evening recess, Room 346.
- Business and Commerce, Subcommittee on Workers Compensation, 8 a.m. tomorrow, Room D, Reagan Building, to consider HB 1581, HB 1852, HB 2106, HB 2107, and SB 180.
- Business and Commerce, Subcommittee on Precious Metals, 8 a.m. tomorrow, Room D, Reagan Building, to consider HB 1650.
- Public Education, Subcommittee on HB 1300, SB 112, and HB 1657, 8:40 a.m. tomorrow, Desk 10, to consider HB 1300, SB 112, and HB 1657.
- Cultural and Historical Resources, Subcommittee on SB 147, 8:30 a.m. tomorrow, Room 315A, to consider SB 147.
- State Affairs, Subcommittee on Legislative Pay and Per Diem, on evening recess today, back hall, to consider HRJ 74.
- Liquor Regulation, Subcommittee on HB 364, on evening recess today, Desk 102, to consider HB 364.

RESOLUTION REFERRED TO COMMITTEE

The following resolution was laid before the house and referred to committee:

SCR 74, In memory of the Honorable Jerry Mebus.
To Committee on Rules and Resolutions.
HB 2031 - RULES SUSPENDED

Representative Khoury moved to suspend the 48-hour subcommittee report rule to allow the Committee on Ways and Means, Subcommittee on Property Tax, to consider HB 2031.

The motion prevailed without objection.

RECESS

Representative Khoury moved that the house recess until 9 a.m. tomorrow in memory of Louis Gonzales.

The motion prevailed without objection.

The house accordingly, at 5:32 p.m., recessed until 9 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Agriculture and Livestock - SB 607, SJR 21, SB 873, SB 316, SB 558, HCR 141, HB 669, HB 1029, HB 1464

Appropriations - SB 469, SB 445

Cultural and Historical Resources - HB 1263, SB 134

Energy - HB 1914, HB 2165

Higher Education - HB 1542, SB 357

Human Services - HB 1576, HB 2140, SB 144, SB 329, SB 861

Judiciary - SB 663

Law Enforcement - SB 138, SB 155

Natural Resources - HB 1840, HB 2135

Public Education - HB 644, SB 355

Public Health - HB 2185, HB 1378, HB 1740, SB 258, SB 392, SB 393, SB 394, SB 1100

Regions, Compacts, and Districts - SB 137

Rules and Resolutions - HR 226, HR 228, HR 231, HR 232, HR 233, HR 235, HR 236, HR 237, HR 238, HR 240, HR 241, HR 243, HR 239, HR 244, HR 218, HR 210, HR 245, HR 221, HR 225, HR 206, HR 219, HR 253, HR 260, HR 208, HR 252, HR 251, HR 248, HR 244, HCR 150, HCR 153, HCR 155, HCR 158, HCR 164, HCR 167, HCR 168, HCR 169, SCR 60

State Affairs - HB 1136, HB 1861, HB 529, HB 561, HJR 65, HCR 135, SB 683, SB 684, SB 685, SB 686, SB 687, SB 84

Judicial Affairs - HB 1834, HB 2297

Criminal Jurisprudence - HB 158, SB 354
Environmental Affairs - HB 1160, HB 1687, HB 1731, HB 1787, SB 216
Urban Affairs - HB 594, HB 1124, HB 1383, HB 1480, HB 1485, HB 1524, HB 1563, SB 358, SB 606, SB 1034, SB 1180

ENGROSSED
April 19 - HB 382, HB 559, HB 603, HB 637, HB 729, HB 897, HB 1064, HB 1426, HB 1474, HB 1507, HB 1848, HB 2018, HB 2194

COAUTHORS AUTHORIZED
The following members were granted permission by the authors to sign bills and a resolution as coauthors:

HCR 171 - Luna, E. Barton, Watson, Pennington
HB 103 - Patronella
HB 675 - Patronella
HB 860 - Shaw
HB 1121 - Patronella
HB 1174 - Patronella
HB 1995 - Gilley
HB 2076 - Patronella
HB 2117 - Patronella
HB 2154 - Clemons
HB 2351 - Robinson
HB 2378 - Bomer

RECOMMENDATION OF THE TEXAS WATER COMMISSION
FILED WITH SPEAKER
The following recommendation of the Texas Water Commission was filed with the speaker:
April 19 - HB 2296