The house met at 10:45 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 203).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carricker; Cavazos; Cervera; Clark; Clemens; Colbert; Collazo; Connelly; Coody; Craddock; Criss; Crockett; Danburg; Davis; DeLay; DeLeo; Denton; Eckels; Edwards; Eisenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Grisham; Hackney; Haley; Hall, T.; Hall, W.; Hammond; Hanna; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hur; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Sheeh; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Absent, Excused — Cary; Harrison, D.; Luna; Parker; Smith, C.; Wright.

Absent — Green; Hall, L.; Harrison, W.; Moreno, P.; Valles.

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

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

Local and Uncontested Calendar

SB 26 by Mauzy, relating to students eligible for admission to public schools.
SB 62 by Mauzy, relating to the procedure for verifying voter's signatures on carrier envelopes for absentee ballots voted by mail.
SB 336 by Uribe, relating to the students served, the taxes levied, and the educational and training programs conducted by a rehabilitation school district.
SB 487 by Sarpalius, relating to the exemption of certain property from the satisfaction of liabilities.
SB 541 by Edwards, relating to the qualification for a direct payment permit under the Limited Sales, Excise, and Use Tax Act.
SB 618 by Farabee, relating to the appointment of the Red River Compact Commissioner of Texas.

SB 661 by Sarpalius, relating to information that a filing officer provides concerning financing and assignment statements under the Business and Commerce Code.

SB 676 by Brown, relating to opening a container or possessing an open container of liquor or beer on the premises of a holder of a wine and beer retailer's off-premise permit or a retail dealer's off-premise license.

SB 698 by Whitmire, relating to the administration of children's protective services in Harris County.

SB 786 by Vale, relating to the creation, operation, and dissolution of a sheriff's department civil service system in certain counties.

SB 858 by Mauzy, relating to the establishment of the limit on the amount of state funds that may be paid for assistance grants to or on behalf of needy dependent children and their caretakers.

SB 786 by Vale, relating to the creation, operation, and dissolution of a sheriff's department civil service system in certain counties.

SB 858 by Mauzy, relating to the establishment of the limit on the amount of state funds that may be paid for assistance grants to or on behalf of needy dependent children and their caretakers.

SB 940 by Washington, relating to the maximum liability of a title insurance company.

SB 997 by Doggett, relating to certain protective orders issued to deter family violence and to criminal penalties for the violation of those orders.

SB 1082 by Caperton, relating to fees, costs and deposits to be received by the clerks of the courts of appeals.

SB 1088 by Caperton, relating to certain veterinary medical malpractice protection provided by The Texas A&M University System.

SB 1102 by Doggett, relating to establishment of a performing artist's lien.

SB 1104 by Doggett, relating to the offenses of use and manufacture, sale, or distribution of devices used to intercept television transmissions and cable television services.

SB 1140 by Brown, relating to standards for performance rating and certification of solar energy devices.

SB 1144 by Brown, relating to the transaction of business by the courts of appeals for the First and Fourteenth Judicial Districts.

SB 1152 by Brown, relating to the use of firearms by private security officers.

SB 1207 by Brooks, relating to vacancies on the board of trustees of an independent school district.

SB 1208 by Brooks, relating to issuance of driver's license to a person from another state and to the renewal of a driver's license by mail.

SB 1228 by Mauzy, relating to conventions of political parties required to nominate candidates by primary election.

SB 1260 by Truan, relating to the composition, selection, and terms of office of members of the port commission for the Port of Corpus Christi Authority of Nueces County, Texas.

SB 1261 by Truan, relating to the election and terms of office of the members of the board of supervisors of the Willacy County Drainage District No. 1.

SB 1267 by Sarpalius, relating to the establishment of a juvenile board in Bailey and Parmer counties.

SB 1268 by Sarpalius, relating to the establishment of a juvenile board in Castro, Hale, and Swisher counties.

SB 1269 by Sarpalius, relating to creation, administration, powers, duties, operations, and financing of the Buffalo Lake Water District.
SB 1285 by Parker, relating to the creation of the County Court at Law of Liberty County.

SB 1286 by Parker, relating to the creation of the County Court of Jefferson County at Law No. 3 and to the jurisdiction of and other provisions pertaining to the County Courts of Jefferson County at Law Nos. 1 and 2.

SCR 59 by Caperton, granting Shelia A. Jones permission to sue the state.

SCR 63 by Truan, granting Estefana S. Peters permission to sue the state.

Respectfully,
Betty King
Secretary of the Senate

(Green, W. Harrison, and Valles now present)

LEAVES OF ABSENCE GRANTED

On motion of Representative G. Hill, and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative G. Hill moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the local and consent calendars which were considered on the previous legislative day.

The motion prevailed without objection.

LOCAL AND CONSENT BILLS CALENDAR ON THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local and consent bills calendar were laid before the house, read third time, and passed by a voice vote: (Members registering votes are shown following bill number)

HB 134
HB 2304
SB 302
SB 531 (Bush and B. Barton - no; Fox - present-not voting)
SB 617 (Bush - no)
SB 1095
HB 525
HB 532 (Bush - no)
HB 533
HB 713
HB 747 (Fox - no)
HB 777
SB 316 (Bush - no; Fox - present-not voting)
HB 930
HB 962
HB 1122 (Bush and Green - no)
HB 1293 (Fox - no)  
HB 1422 (Bush - no)  
HB 1475  
HB 1510 (Green - no)  
HB 1618 (Bush, Green, Hollowell, and Finnell - no)  
HB 1818  
HB 1925  
HB 1936  
HB 1953  
HB 2119  
HB 2143 (Bush - no)  
HB 385 (Fox, Toomey, and Eckels - no)

The following bills which were considered on second reading on the previous legislative day on the local and consent bills calendar were laid before the house, read third time, and passed by (Record 204): (Members registering votes and the results of the vote are shown following bill number) 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Ceverha; Clark; Clemons; Colbert; Connolly; Coody; Craddick; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; 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, T.; Hall, W.; Hammond; Hanna; Harrison, W.; Heffin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, E. F.; Leonard; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Patrick; Patronelia; Patterson; Pennington; Peveto; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Stanislawis; Stiles; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Vallejo; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wolens; Word.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Harrison, D.; Luna; Parker; Smith, C.; Wright.

Absent — Cary; Collazo; Criss; Emmett; Hall, L.; Jackson; Lee, D.; Moreno, P.; Sutton; Wilson.

SB 506 (134-0-16)  
HB 230 (134-0-16)  
HB 1743 (134-0-16)  
HB 2301 (134-0-16)  
HB 2306 (134-0-16)
On motion of Representative G. Hill, and by unanimous consent, the captions of all senate bills passed on the local and consent calendars, were ordered amended to conform with the body of the bills.

SB 358 ON SECOND READING
(Buchanan - House Sponsor)

The speaker laid before the house, in lieu of HB 432, on its second reading and passage to third reading,

SB 358, A bill to be entitled An Act relating to the issuance of certificates of indebtedness by general-law cities and towns to fund certain court judgments, decrees, or settlements.

The bill was read second time and was passed to third reading. (Schlueter and Bush recorded voting no)

HB 432 - LAID ON THE TABLE SUBJECT TO CALL

Representative Buchanan moved that HB 432 be laid on the table subject to call.

The motion prevailed without objection.

HB 610 - POSTPONED

Representative G. Hill moved that consideration of HB 610 be postponed until Monday, April 25, at 2 p.m.
The motion prevailed without objection.

**LEAVE OF ABSENCE GRANTED**

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

Cary on motion of Delco.

**SB 283 ON THIRD READING**

(T. Smith - House Sponsor)

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

SB 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.

The bill was read third time and was passed.

On motion of Representative T. Smith and by unanimous consent, the caption of SB 283 was ordered amended to conform to the body of the bill.

**SB 319 ON THIRD READING**

(Millsap - House Sponsor)

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

SB 319, A bill to be entitled An Act relating to the regulation of nepotism in government; providing penalties; amending Title 100, Revised Statutes, as amended, by amending Articles 5996a through 5996g, by adding Articles 5996h and 5996j, and by redesignating Article 5996 as Article 5996i and amending it.

The bill was read third time and was passed. (Bush, Watson, Barrientos, E. Barton, Jackson, and Heflin recorded voting no; B. Barton and Oliver, present-not voting)

On motion of Representative Millsap and by unanimous consent, the caption of SB 319 was ordered amended to conform to the body of the bill.

**SB 595 ON THIRD READING**

(Wright - House Sponsor)

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

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 third time and was passed. (Bush recorded voting no)

On motion of Representative Pennington and by unanimous consent, the caption of SB 595 was ordered amended to conform to the body of the bill.

**SB 343 ON THIRD READING**

(English - House Sponsor)

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

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 third time and was passed.

On motion of Representative English and by unanimous consent, the caption of SB 343 was ordered amended to conform to the body of the bill.

**SB 203 ON THIRD READING**

(Madla - House Sponsor)

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

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 third time.

Representative Hinojosa offered the following amendment to the bill:

Amend SB 203 by striking Section 2 of the bill and substituting a new Section 2 to read as follows:

SECTION 2. Article 4548i, Revised Statutes, is amended to read as follows:

Art. 4548i. PUNISHMENT. Any person who shall violate any provision of [this Chapter or of] Chapter Nine, Title 71, [of the] Revised [Civil] Statutes [of Texas, as amended], commits an offense. An offense under this section is a Class A misdemeanor. If it is shown at a trial of an offense under this section that the defendant was previously convicted under this section of any misdemeanor, the offense is a felony of the third degree [shall be fined not less than One Hundred Dollars ($100), nor more than One Thousand Dollars ($1,000), or be confined in jail from one (1) to twelve (12) months or both]. Each day of such violation shall be a separate offense.

The amendment was adopted without objection.

SB 203, as amended, was passed.

On motion of Representative Madla and by unanimous consent, the caption of SB 203 was ordered amended to conform to the body of the bill.

**SB 168 ON SECOND READING**

(Tejeda - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading, the complete committee substitute for SB 168.

CSSB 168

**A BILL TO BE ENTITLED**

**AN ACT**

relating to the regulation of health insurance policies and employee benefit plans which provide benefits for dental care expenses as a result of an accident or sickness and declaring an emergency.

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

SECTION 1. Amend the Insurance Code, Vernon's Texas Civil Statutes, by adding a new Article 21.53 to read as follows:

Sec. 1. As used in this article:

(a) "health insurance policy" means any individual, group, blanket, or franchise insurance policy, insurance agreement, or group hospital service contract, providing benefits for dental care expenses incurred as a result of an accident or sickness.
(b) "employee benefit plan" means any plan, fund, or program heretofore or hereafter established or maintained by an employer or by an employee organization, or by both, to the extent that such plan, fund, or program was established or is maintained for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, dental care benefits in the event of accident or sickness;

(c) "dental care services" means any services furnished to any person for the purpose of preventing, alleviating, curing or healing human dental illness or injury;

(d) "dentist" means any person who furnishes dental care services and who is licensed as a dentist by the State of Texas.

Sec. 2. No health insurance policy or employee benefit plan which is delivered, renewed, issued for delivery, or otherwise contracted for in this state shall:

(a) prevent any person who is a party to or beneficiary of any such health insurance policy or employee benefit plan from selecting the dentist of his choice to furnish the dental care services offered by said policy or plan, or interfere with said selection, provided the dentist is licensed to furnish such dental care services in this state;

(b) deny any dentist the right to participate as a contracting provider for such policy or plan provided the dentist is licensed to furnish the dental care services offered by said policy or plan;

(c) authorize any person to regulate, interfere, or intervene in any manner in the diagnosis or treatment rendered by a dentist to his patient for the purpose of preventing, alleviating, curing or healing dental illness or injury provided said dentist practices within the scope of his license; or

(d) require that any dentist furnishing dental care services must make or obtain dental x-rays or any other diagnostic aids for the purpose of preventing, alleviating, curing or healing dental illness or injury; provided, however, that nothing herein shall prohibit requests for existing dental x-rays or any other existing diagnostic aids for the purpose of determining benefits payable under a health insurance policy or employee benefit plan.

Nothing herein shall prohibit the predetermination of benefits for dental care expenses prior to treatment by the attending dentist.

Sec. 3. Any health insurance policy or employee benefit plan which is delivered, renewed, issued for delivery, or otherwise contracted for in this state shall, to the extent that it provides benefits for dental care expenses:

(a) disclose, if applicable, that the benefit offered is limited to the least costly treatment;

(b) define and explain the standard upon which the payment of benefits or reimbursement for the cost of dental care services is based, such as "usual and customary," "reasonable and customary," "usual, customary, and reasonable," fees or words of similar import or specify in dollars and cents the amount of the payment or reimbursement for dental care services to be provided. Said payment or reimbursement for a non-contracting provider dentist shall be the same as the payment or reimbursement for a contracting provider dentist; provided, however, that the health insurance policy or the employee benefit plan shall not be required to make payment or reimbursement in an amount which is greater than the amount so specified or which is greater than the fee charged by the providing dentist for the dental care services rendered.

Sec. 4. Any provision in a health insurance policy, or employee benefit plan which is delivered, renewed, issued for delivery, or otherwise contracted for in this state which is contrary to this Article shall, to the extent of such conflict, be void.

Sec. 5. The exemptions and exceptions in Article 13.09 and 21.41 of the Insurance Code do not apply to this Article. The provisions of this Article do not
apply to health maintenance organizations as defined and regulated by Chapter 20A of the Texas Insurance Code.

Sec. 6. The provisions of this Article do not mandate that any type of benefits for dental care expenses be provided by a health insurance policy or an employee benefit plan.

Sec. 7. Notwithstanding any other provision of this Article:
(a) a dentist may contract directly with a patient for the furnishing of dental care services to said patient as may be otherwise authorized by law;
(b) any person providing a health insurance policy or employee benefit plan, or an employer, or an employee organization may:
   (1) make available to its insureds, beneficiaries, participants, employees, or members information relating to dental care services by the distribution of factually accurate information regarding dental care services, rates, fees, location and hours of service, provided such distribution is made upon the request of any dentist licensed by this State; or
   (2) establish an administrative mechanism which facilitates payment for dental care services by insureds, beneficiaries, participants, employees, or members to the dentist of their choice; or
   (3) pay or reimburse, on a non-discriminatory basis, its insureds, beneficiaries, participants, employees, or members for the cost of dental care services rendered by the dentist of their choice.

SECTION 2. EFFECTIVE DATE. This Act takes effect on January 1, 1984 and is applicable to health insurance policies and employee benefit plans which are delivered, renewed, issued for delivery, or otherwise contracted for in this state on or after January 1, 1984.

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.

CSSB 168 was read second time.

Representative Madla offered the following amendment to CSSB 168:

Amend SB 168 by striking the words "Notwithstanding any other provision of this Article" on line 8 of page 4 and substitute in lieu thereof the words "The provisions of this Article do not prohibit the following conduct and shall be construed to provide that".

The amendment was adopted without objection.

CSSB 168, as amended, was passed to third reading.

SB 445 ON SECOND READING
(Cain - House Sponsor)

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

SB 445, A bill to be entitled An Act making appropriations to the attorney general's office for general operating purposes and for legal work relating to highways.

The bill was read second time and was passed to third reading. (Ceverha, DeLay, P. Hill, Heflin, Toomey, Hilbert, Connelly, Shea, and Fox recorded voting no)
SB 396 ON SECOND READING
(Rudd - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading, the complete committee substitute for SB 396.

CSSB 396

A BILL TO BE ENTITLED
AN ACT
relating to the establishment of the Board of Pardons and Paroles as a statutory agency and the power of the board to revoke paroles.

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

SECTION 1. Sections 1 and 12, Article 42.12, Code of Criminal Procedure, 1965, are amended to read as follows:

Sec. 1. It is the purpose of this Article to place wholly within the State courts of appropriate jurisdiction the responsibility for determining when the imposition of sentence in certain cases shall be suspended, the conditions of probation, and the supervision of probationers, in consonance with the powers assigned to the judicial branch of this government by the Constitution of Texas. It is also the intent of this Article to provide for the release of persons on parole and for the method thereof, to designate the Board of Pardons and Paroles as the [1csponsiblc] agency of State government with exclusive authority to determine [recommend-determination-of] paroles and to further designate the Board of Pardons and Paroles as responsible for the investigation and supervision of persons released on parole. It is the intent of this Article to aid all prisoners to readjust to society upon completion of their period of incarceration by providing a program of mandatory supervision for those prisoners not released on parole or through executive clemency and to designate the Board of Pardons and Paroles as the agency of government responsible for the program. It is the final purpose of this Article to remove from existing statutes the limitations, other than questions of constitutionality, that have acted as barriers to effective systems of probations and paroles in the public interest.

Sec. 12. (a) The Board of Pardons and Paroles is established as a statutory agency. The Board consists of six members appointed by the Governor with the advice and consent of the senate.

(b) Members of the Board must be resident citizens of this State and must have been residents for a period of not less than two years immediately preceding their appointment. Members hold office for staggered terms of six years. The terms expire on January 31 of odd-numbered years.

(c) If a vacancy occurs, the Governor shall appoint a person to serve the remainder of the unexpired term in the same manner as other appointments.

(d) The Board [Board of Pardons and Paroles created by Article 4, Section 11 of the Constitution of this State] shall administer the provisions of this Act respecting determinations of which prisoners shall be paroled from an institution operated by the Department of Corrections and[.] the conditions of parole and mandatory supervision, [and] may recommend the revocation of [releases to mandatory supervision, paroles, and] conditional pardons by the Governor, and may revoke paroles and releases to mandatory supervision. Keeping the goals of this Act in mind, the Board shall have the authority to determine the degree and
April 21, 1983

HOUSE JOURNAL 1223

intensity of supervision a prisoner released on parole or released to mandatory supervision should receive.

SECTION 2. Section 14A(c), Article 42.12, Code of Criminal Procedure, 1965, is amended to read as follows:

(c) The commissioners shall assist the Board in [recommendations to the Governor on] parole decisions and mandatory supervision revocation decisions. The votes on individual recommendations by the commissioners on parole decisions and mandatory supervision revocation decisions shall be independent and have the same force and effect as votes by the Board. The commissioners may assist the Board in other matters as determined by the Board. A parole panel, as hereinafter provided, may recommend the granting, denying, or revocation of parole, the revocation of mandatory supervision status, and may conduct parole revocation hearings and mandatory supervision revocation hearings. The commissioners shall perform their duties as directed by the board.

SECTION 3. Section 15(a), Article 42.12, Code of Criminal Procedure, 1965, is amended to read as follows:

(a) The Board is authorized to release on parole[, with the approval of the Governor,] any person confined in any penal or correctional institution of this State who is eligible for parole under Subsection (b) of this Section. The period of parole shall be equivalent to the maximum term for which the prisoner was sentenced less calendar time actually served on the sentence. All paroles shall issue upon order of the Board[, duly adopted and approved by the Governor].

SECTION 4. Section 21(a), Article 42.12, Code of Criminal Procedure, 1965, is amended to read as follows:

(a) A warrant for the return of a paroled prisoner, a prisoner released to mandatory supervision, a prisoner released on emergency reprieve or on furlough, or a person released on a conditional pardon to the institution from which he was paroled, released, or pardoned may be issued by the Board in cases of parole or mandatory supervision, or by the Board on order by the Governor in other cases, when there is reason to believe that he has committed an offense against the laws of this State or of the United States, violated a condition of his parole, mandatory supervision, or conditional pardon, or when the circumstances indicate that he poses a danger to society that warrants his immediate return to incarceration. Such warrant shall authorize all officers named therein to take actual custody of the prisoner and return him to the institution from which he was released. Pending hearing, as hereinafter provided, upon any charge of parole violation or violation of the conditions of mandatory supervision, the prisoner shall remain incarcerated.

SECTION 5. Section 22, Article 42.12, Code of Criminal Procedure, 1965, is amended to read as follows:

Sec. 22. Whenever a prisoner or a person granted a conditional pardon is accused of a violation of his parole, mandatory supervision, or conditional pardon on information and complaint by a law enforcement officer or parole officer, he shall be entitled to be heard on such charges before the Board or its designee under such rules and regulations as the Board may adopt; providing, however, said hearing shall be a public hearing and shall be held within ninety days of the date of arrest under a warrant issued by the Board of Pardons and Paroles or the Governor and at a time and place set by the Board. When the Board has heard the facts, it may recommend to the Governor that the [parole, mandatory supervision, or] conditional pardon be continued, or revoked, or modified, or it may continue, revoke, or modify the parole or mandatory supervision, in any manner warranted by the evidence [in any manner the evidence may warrant]. When [the Governor revokes] a person's parole, mandatory supervision, or conditional pardon is revoked, that person may be required to serve the portion remaining of the sentence on which he was released, such portion remaining to be calculated without credit
for the time from the date of his release to the date of revocation. When a warrant is issued by the Board of Pardons and Paroles or the Governor charging a violation of release conditions, the sentence time credit shall be suspended until a determination is made by the Board of Pardons and Paroles or the Governor in such case and such suspended time credit may be re-instated by the Board of Pardons and Paroles should such parole, mandatory supervision, or conditional pardon be continued.

SECTION 6. (a) To fill the three new positions on the Board of Pardons and Paroles created by this Act, the governor shall appoint one person to a term expiring January 1, 1985, one to a term expiring January 1, 1987, and one to a term expiring January 1, 1989.

(b) Members of the Board of Pardons and Paroles who are in office on the effective date of this Act serve the remainder of the term to which they are appointed.

SECTION 7. This Act takes effect on adoption of the constitutional amendment proposed by S.J.R. No. 13, Acts of the 68th Legislature, Regular Session, 1983. If that amendment is not adopted, this Act has no effect.

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 396 was read second time.

Representative T. Smith offered the following amendment to CSSB 396:

Amend CSSB 396 as follows:

1. On page 5, line 24, strike the date, “January 1, 1985” and insert the date “January 31, 1985”.
2. On page 5, line 25, strike the date, “January 1, 1987” and insert the date “January 31, 1987”.
3. On page 5, lines 25 and 26, strike the date, “January 1, 1989” and insert the date “January 31, 1989”.

The amendment was adopted without objection.

CSSB 396, as amended, was passed to third reading. (Hollowell, Ceverha, Geistweidt, Fox, and Heflin recorded voting no)
SB 467, A bill to be entitled An Act making an appropriation to the Texas Department of Mental Health and Mental Retardation to pay utility costs incurred at its facilities.

The bill was read second time and was passed to third reading. (Toomey, Fox, Shea, P. Hill, and Heflin recorded voting no)

SB 214 ON SECOND READING
(Polumbo - House Sponsor)

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

SB 214, A bill to be entitled An Act relating to retaining the protective services for the elderly program in the Department of Human Resources; amending Subdivision (7), Section 48.002, Human Resources Code.

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

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 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 concurred in House Amendments to SB 228 by:  Viva voce vote; SB 435 by:  Viva voce vote; SB 421 by:  26 yeas, 0 nays.

Respectfully,
Betty King
Secretary of the Senate

SB 282 ON SECOND READING
(Presnal - House Sponsor)

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

SB 282, A bill to be entitled An Act making a supplemental appropriation to the General Land Office.

The bill was read second time and was passed to third reading. (Toomey, Fox, DeLay, Ceverha, Kuempel, and Eckels recorded voting no)

HB 1216 ON THIRD READING

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

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.

The bill was read third time and was passed. (B. Barton, Delco, and Barrientos recorded voting no)
HB 885 ON THIRD READING
The chair laid before the house on its third reading and final passage,

HB 885, A bill to be entitled An Act relating to the operation and continuation of the Texas Employment Commission.

The bill was read third time and was passed.

HB 965 ON THIRD READING
The chair laid before the house on its third reading and final passage,

HB 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.

The bill was read third time and was passed. (Watson, Colben, and Patterson recorded voting no)

HB 852 ON THIRD READING
The chair laid before the house on its third reading and final passage,

HB 852, A bill to be entitled An Act relating to the application of the rule excluding a witness from hearing testimony to certain representatives of the state and to certain defendants.

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

HB 2002 ON THIRD READING
The chair laid before the house on its third reading and final passage,

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 third time and was passed. (Patterson and Bush recorded voting no)

HB 719 ON THIRD READING
The chair laid before the house on its third reading and final passage,

HB 719, A bill to be entitled An Act relating to the display and sale of unpackaged food; providing a penalty.

The bill was read third time and was passed.

HB 1846 ON THIRD READING
The chair laid before the house on its third reading and final passage,

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

A record vote was requested.

The bill was read third time and was passed by (Record 205): 137 Yeas, 1 Nay, 2 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Cain; Carriker; Cavazos; Ceverha; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; English;
The chair stated that HB 1846 was passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas.

HB 1299 ON THIRD READING

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

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.

A record vote as requested.

The bill was read third time and was passed by (Record 206): 97 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barton, B.; Blanton; Bomer; Buchanan; Burnett; Carriker; Ceverha; Clark; Clemens; Colbert; Connelly; Coody; Davis; DeLay; Denton; Eckels; Eikenburg; English; Evans, C.; Finnell; Fox; Gandy; Garcia, A.; Gavin; Geistweit; Gibson, B.; Gibson, J.; Gilley; Granoff; Green; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, W.; Heflin; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Lane; Lee, D.; Lee, E. F.; Leonard; McKenna; Madia; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Nays — Barrientos; Barton, E.; Bush; Cain; Cavazos; Collazo; Crockett; Danburg; Delco; Edwards; Evans, L.; Gamez; Garcia, M.; Glossbrenner; Hackney; Hernandez; Hill, G.; Hinojosa; Hudson, S.; Kemp; Lee, D.; Lee, E. F.; McWilliams; Madia; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Price; Ragsdale; Rangel; Sutton; Tejeda; Thompson, S.; Valles; Wallace; Watson; Willis; Wilson.

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

Absent, Excused — Cary; Harrison, D.; Luna; Parker; Smith, C.; Wright.
Absent — Berlanga; Craddick; Criss; Emmett.

HB 18 ON THIRD READING

The chair laid before the house on its third reading and final passage.

HB 18, A bill to be entitled An Act relating to defensive driving courses.

The bill was read third time and was passed.

HB 65 ON THIRD READING

The chair laid before the house on its third reading and final passage.

HB 65, A bill to be entitled An Act relating to the fee for an examination for a license to practice landscape architecture.

The bill was read third time and was passed.

HB 1147 ON SECOND READING

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

HB 1147, A bill to be entitled An Act relating to the improvement of the teaching of mathematics and science in the public schools, declaring state intent for improvement of instruction in the teaching of mathematics and science, providing pilot programs to be used as demonstration models, and declaring an emergency.

The bill was read second time.

Representative Blanton offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 1147 by adding the following at the end of Section 13.117(1):

A district having less than 2,000 students in grades seven through twelve that is selected as a pilot shall be entitled to receive funding for one teacher.

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

Amend Committee Amendment No. 1 by striking Committee Amendment No. 1 and amending HB 1147 by substituting Section 13.117(1) to read as follows:

(t) Local school districts may volunteer for the pilot studies and, if selected by the Commissioner to participate, are authorized and encouraged to provide an amount of up to $5000.00 as supplemental pay for each Math and Science teacher selected to participate in the pilot programs. Such funds shall be included in the participating teachers regular payroll.

The amendment was adopted without objection.

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

Representative Ragsdale offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 2

Amend HB 1147, Subsection (c) by changing 83 to 84.

Committee Amendment No. 2 was adopted without objection.

Representative Ragsdale offered the following committee amendment to the bill:
COMMITTEE AMENDMENT NO. 3

Amend HB 1147, Subsection (g) by changing 83 to 84.

Representative Hammond offered the following amendment to Committee Amendment No. 3:

Amend Committee Amendment No. 3 by striking Committee Amendment No. 3 and amending HB 1147 by substituting Section 13.117 (g) to read as follows:

(g) The Commissioner of Education, if funds are available either through the Foundation School Program or through various Regional Service Center grants or funds, may forward funds to the local participating districts in the pilot programs to assist in local funding of these programs. In addition, local school districts are encouraged to seek private funding including foundation support to pursue the goals of this act.

The amendment was adopted without objection.

Committee Amendment No. 3, as amended, was adopted without objection.

Representative Hammond offered the following amendment to the bill:

Amend HB 1147, Subsection (c) by deleting “twenty-five (25)” on page two Line 10.

The amendment was adopted without objection.

HB 1147, as amended, was passed to engrossment.

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 1983

The Honorable Speaker of the House of Representatives

The Honorable

Mr. Speaker:

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

HCR 155 by Don Lee, in memory of Frank Joseph.

Respectfully,

Betty King
Secretary of the Senate

LEAVE OF ABSENCE GRANTED

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

A. Hill on motion of Glossbrenner.

HB 355 ON SECOND READING

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

HB 355, A bill to be entitled An Act relating to the pay of election judges and clerks.

The bill was read second time.
Representative G. Hill offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 355 on page 1, Section 1, subsection (a) on line 9 by striking the words, "at least".

Committee Amendment No. 1 was adopted without objection.

LEAVE OF ABSENCE GRANTED

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

Gilley on motion of Polumbo.

HB 355 - (consideration continued)

Representative Horn moved to table HB 355.

A record vote was requested.

The motion to table was lost by (Record 207): 40 Yeas, 91 Nays, 2 Present, not voting.

Yea — Agnich; Bianne; Buchanan; Burnett; Ceverha; Connelly; Craddick; DeLay; Eekels; Eikenburg; Fox; Gavin; Hammond; Hanna; Heflin; Hilbert; Hill, P.; Horn; Jackson; Jones; Khoury; Kuepoh; Lane; Leonard; McKenna; Mankins; Patterson; Pennington; Peto; Pierce; Robnett; Schoolcraft; Shea; Simpson; Smith, A.; Staniswalis; Thompson, G.; Toomey; Uhler; Word.

Nay — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Bush; Cain; Carriker; Cavazos; Clark; Clemons; Colbert; Collazo; Coody; Criss; Crockett; Danburg; Davis; Delco; Denton; Edwards; English; Evans, C.; Evans, L.; Fennell; Gamez; Gandy; Garcia, M.; Geistweidt; Gibson, B.; Glossbrenner; Grann; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Harrison, W.; Hernandez; Hightower; Hill, G.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Kemp; Kubik; Lee, D.; Lee, E. F.; McWilliams; Madla; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patrick; Patronella; Polk; Presnal; Price; Ragsdale; Rangel; Robinson; Rudd; Russell; Salinas; Saunders; Shaw; Short; Smith, T.; Siles; Tejeda; Thompson, S.; Tow; Turner; Valles; Vowell; Waldrop; Wallace; Watson; Wieting; Willis; Wilson; Wolens.

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

Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.

Absent — Berlanga; Bomer; Emmett; Garcia, A.; Gibson, J.; Keller; Polumbo; Sutton; Whaley.

Representative Simpson offered the following amendment to the bill:

Amend HB 355 by striking line 9 on page 1, and insert in lieu thereof the following:

"but shall not exceed $5.00 per hour for each judge or"

and by striking lines 16, 17, and 18, and inserting in lieu thereof the following:

"whichever is the later. The judge who delivers the returns of election may be paid an amount not to exceed $25 for that service; provided, also, he shall make"

(Speaker in the chair)
Representative Willis moved to table the Simpson amendment.

A record vote was requested.

The motion to table was lost by (Record 208): 58 Yeas, 76 Nays, 1 Present, not voting.

Yeas — Barrientos; Barton, B.; Bush; Cain; Carriker; Cavazos; Colbert; Collazo; Criss; Crockett; Danburg; Delco; Denton; Edwards; English; Evans, C.; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, M.; Gibson, B.; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hernandez; Hinojosa; Hudson, S.; Hury; Kemp; Lee, D.; Lee, E. F.; Martinez, R.; Martinez, W.; Millsap; Moreno, A.; Moreno, P.; Oliveira; Patronella; Polk; Presnal; Price; Ragland; Rangel; Salinas; Shaw; Sutton; Thompson, S.; Valles; Vowell; Wallace; Wieting; Willis; Wilson.

Nays — Agnich; Armbrister; Arnold; Barton, E.; Blanton; Bomer; Buchanan; Burnett; Ceverha; Clark; Clemens; Coody; Craddock; Davis; DeLay; Eckels; Eikenburg; Finnell; Fox; Gavin; Geistweidt; Gibson, J.; Glossbrenner; Hall, W.; Hammond; Hanna; Harrison, W.; Hellin; Hightower; Hilbert; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Jackson; Jones; Keller; Khoury; Kubiak; Kuempel; Laney; Leonard; McKenna; McWilliams; Madla; Mankins; Messer; Patrick; Patterson; Pennington; Peveto; Pierce; Robinson; Robnett; Rudd; Russell; Saunders; Schoolcraft; Shea; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Tejeda; Thompson, G.; Toomey; Tow; Turner; Uher; Waldrop; Watson; Whaley; Wolens; Word.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.

Absent — Berlanga; Connelly; Emmett; Oliver; Polumbo; Schlueter; Short.

STATEMENT BY REPRESENTATIVE SHAW

My machine malfunctioned and voted me yes when I intended to vote no.

Shaw

The amendment was adopted.

HB 355, as amended, was passed to engrossment. (Craddick and Fox recorded voting no)

HB 1775 ON SECOND READING

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

HB 1775, A bill to be entitled An Act, relating to payment of certain oil and gas proceeds.

The bill was read second time.

Representatives Hanna and Coody offered the following amendment to the bill:

Amend HB 1775 on page 2 by striking Subsection (a) of Sec. 91.403, beginning on line 11, and substituting in lieu thereof the following:

"(a) If payment has not been made for any reason in the time limits specified in Section 91.402(a) of this Code, the payor must pay interest to a payee beginning at the expiration of those time limits at the rate charged on loans to depository
institutions by the New York Federal Reserve Bank, unless a different rate of interest is specified in a written agreement between payor and payee."

The amendment was adopted without objection.

Representative Craddick offered the following amendment to the bill:

Amend HB 1775, on page 3, by inserting between lines 17 and 18 the following:

Sec. 91.405. EXEMPTIONS. This subchapter does not apply to any royalties that are payable to:

1. the board of regents of The University of Texas System under a lease of land dedicated to the permanent university fund; or
2. the General Land Office as provided by Subchapter D, Chapter 52, of this code.

The amendment was adopted without objection.

HB 1775, as amended, was passed to engrossment. (M. Garcia, Bush, and P. Moreno recorded voting no)

HB 723 ON SECOND READING

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

HB 723, A bill to be entitled An Act relating to the basic skills assessment instrument required in public schools.

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

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 1983

The Honorable Speaker of the House of Representatives
House Chamber
The Honorable
Mr. Speaker:

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

Local and Uncontested Calendar

SB 148 by Blake, relating to a revision of the laws concerning county roads and bridges.

Respectfully,
Betty King
Secretary of the Senate

INTRODUCTION OF DR. H. Y. LU

Speaker Lewis recognized Representative Wieting who introduced Dr. Lu and his wife from Taiwan. Dr. Lu is a member of the Legislative Yuan in Taiwan. Dr. Lu addressed the house briefly.

HB 296 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 296.
CSHB 296

A BILL TO BE ENTITLED
AN ACT
relating to the licensing and regulation of electricians and electrical contractors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. SHORT TITLE. This Act may be cited as the Electrician and Electrical Contractor Licensing Act.

SECTION 2. DEFINITIONS. In this Act:
(1) “Board” means the Texas State Electrician and Electrical Contractor Licensing Board.
(2) “Electrical contracting” means the business of designing, installing, erecting, repairing, or altering electrical wires or conductors to be used for the transmission of electric light, heat, power, or signaling purposes. The term includes the installation or repair of molding, ducts, raceways, or conduits for the reception or protection of wires or conduits, or the installation or repair of any electrical machinery, apparatus, or systems used for electrical light, heat, power, or signaling purposes.
(3) “Electrical work” means the installation, erection, repair, or alteration of electrical wires or other electrical equipment to be used for the transmission of electric light, heat, or power, or for signaling purposes. The term includes the installation or repair of molding, ducts, raceways, or conduits for the reception or protection of wires or conduits, or the installation or repair of electrical wires or equipment.
(4) “Electrical contractor” means a person, firm, partnership, or corporation that is engaged in the business of electrical contracting.
(5) “Master electrician” means a person who possesses the necessary qualifications, training, and technical knowledge to plan, lay out, and supervise the installation, maintenance, and extension of electrical conductors and equipment.
(6) “Journeyman electrician” means a person who possesses the necessary qualifications, training, and technical knowledge to install, maintain, and extend electrical conductors and equipment in accordance with the rules, laws, and regulations governing the work.
(7) “License” means a valid license issued by the board.
(8) “Electrical construction” means work and material used in installing, maintaining, or extending an electrical wiring system and the appurtenances, apparatus, or equipment used in connection with the generation, transmission, distribution, and utilization of electrical energy, within, on, outside, or attached to any building, residence, structure, property, or premises. The term includes service entrance conductors as defined by the current National Electrical Code.
(9) “Person” means an individual.

SECTION 3. BOARD. (a) The Texas State Electrician and Electrical Contractor Licensing Board is created. The board consists of the executive director, who serves as an ex officio member, and of nine members who are residents of this state and are appointed by the governor subject to confirmation by the senate. Except as provided by Subsection (e) of this section, each member is appointed for a term of six years. Three appointed members’ terms expire on February 1 of each odd-numbered year. Appointments shall be made without regard to the race, creed, sex, religion, or national origin of the appointee. The governor shall appoint members as follows:
(1) one member must be the chief electrical inspector of a municipality with a population of not less than 150,000 according to the most recent federal census, selected from a list of names submitted by a statewide association of municipal governments;
(2) one member must be the chief electrical inspector of a municipality with a population of less than 150,000 according to the most recent federal census selected from a list of names submitted by a statewide association of municipal governments;

(3) one member shall be selected from a list of names submitted by the Independent Electrical Contractors of Texas, Inc.;

(4) one member shall be selected from a list of names submitted by the members of the National Electrical Contractors Association;

(5) one member shall be selected from the general public;

(6) one member shall be a person employed full time by a licensed electrical contractor in the capacity of a journeyman electrician who is a member of organized labor;

(7) one member shall be a person employed full time by a licensed electrical contractor in the capacity of a journeyman electrician who is not a member of organized labor;

(8) one member shall be a registered electrical engineer; and

(9) one member shall be a builder or contractor not licensed under this Act.

(b) A person is not eligible for appointment as the public member of the board if the person or the person's spouse:

(1) is licensed by the board as an electrician or electrical contractor;

(2) is employed by or participates in the management of a business entity engaged in the business of electrical contracting; or

(3) has, other than as a consumer, a financial interest in a business entity engaged in the business of electrical contracting.

(c) An employee of the board may not be, nor be related within the second degree by affinity or consanguinity to, a person who is, an officer, employee, or paid consultant of a trade association in the electrical contracting industry.

(d) 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 board or act as general counsel to the board.

(e) In the event of a vacancy during a term, the governor shall appoint a replacement who meets the qualifications of the vacated office to fill the unexpired portion of the term. A member may not consecutively serve more than two full terms. The board shall elect one of its members to act as chairman for a term of one year, and he shall have a vote on all matters before the board. A majority constitutes a quorum for the transaction of business. Each appointed board member serves without compensation, but a member is entitled to reimbursement for all actual and necessary expenses incurred in performing the functions of the board.

(f) The board shall meet at least every six months. The board may meet at other times at the call of the chairman or as provided by the rules of the board.

(g) The governor may remove an appointed board member for inefficiency, abuse, or neglect of duty in office. In addition, it is a ground for removal from the board if a member:

(1) does not have at the time of appointment the qualifications required by Section 3(a) or (b) of this Act for appointment to the board;

(2) does not maintain during the service on the board the qualifications required by Section 3(a) of this Act for appointment to the board; or

(3) violates a prohibition established by Section 3(c) or (d) of this Act.

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

(i) The board is subject to the open meetings law, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-17, Vernon's Texas Civil
Statutes), and the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes).

SECTION 4. POWERS AND DUTIES OF BOARD. The board shall:

1. employ an executive director who may hire the personnel necessary to administer the duties of the board;

2. adopt rules consistent with this Act for the examination and licensing of electricians;

3. establish and collect reasonable and necessary fees designed to defray administrative costs for examinations, licenses, license renewals, and renewal penalties;

4. file with the governor and the presiding officer of each house of the legislature a complete and detailed written report in January of each year accounting for all funds received and disbursed by the board during the preceding year;

5. provide to its members and employees as often as is necessary information regarding their qualifications under Section 3 of this Act and their responsibilities under applicable laws relating to standards of conduct for state officers or employees; and

6. take other action as necessary to administer and enforce this Act.

SECTION 5. ANNUAL AUDIT. The state auditor shall audit the financial transactions of the board during each fiscal year.

SECTION 6. CAREER LADDER PROGRAM. (a) The executive director or his designee shall develop an intra-agency career ladder program, one part of which shall be the intra-agency posting of all nonentry level positions for at least 10 days before any public posting.

(b) The executive director or his designee shall develop a system of annual performance evaluations based on measurable job tests. All merit pay for board employees must be based on the system established under this subsection.

SECTION 7. EXAMINATION. (a) The executive director shall conduct an examination of applicants for licensing as electricians at least four times each year at times and places designated by the board.

(b) The board shall prescribe the content of the written examination that tests the knowledge of the applicant about the materials and methods used in electrical installations and the standards included in the National Electrical Code. The board may require a practical demonstration of electrical installations as part of the examination process.

(c) The board shall determine the standards for acceptable performance on the examination.

(d) Not later than the 30th day after the day on which an examination is administered under this Act, the board shall notify each examinee of the results of the examination. However, if an examination is graded or reviewed by a national testing service, the board shall notify examinees of the results of the examination not later than the 14th day after the day on which the board receives the results from the testing service. If the notice of the examination results will be delayed for longer than 90 days after the examination date, the board shall notify the examinee of the reason for the delay before the 90th day.

(e) If requested in writing by a person who fails the licensing examination administered under this Act, the board shall provide to the person an analysis of his performance on the examination.

(f) An applicant who does not pass the examination may not retake the examination for a period of three months.

SECTION 8. LICENSE REQUIREMENTS. An applicant for a license as a master or journeyman electrician must:

1. submit to the board a completed application on a form prescribed by the board;
(2) submit to the board other information that it requests;
(3) have electrical work experience as required by the board;
(4) be at least 18 years of age; and
(5) pay to the board an examination fee.

SECTION 9. LICENSE ISSUANCE. (a) The board shall issue a master or
journeyman electrician license to a person who complies with the application
requirements of this Act, passes the examination required under this Act, and pays
the examination and license fees required under this Act.

(b) A license issued by the board is valid throughout this state, but is not
assignable or transferable.

SECTION 10. LICENSE RENEWAL. (a) Except as provided by Subsection
(b) of this section, a license is valid for one year and may be renewed annually on
or before December 31 on payment of the required fee.

(b) The board by rule may adopt a system under which licenses expire on
various dates during the year. For the year in which the license expiration date is
changed, license fees payable on or before December 31 shall be prorated on a
monthly basis so that each licensee shall pay only that portion of the license fee that
is allocable to the number of months during which the license is valid. On renewal
of the license on the new expiration date, the total license renewal fee is payable.

(c) A person may renew an unexpired license by paying to the board before
the expiration date of the license the required renewal fee. If a person's license has
been expired for not longer than 90 days, the person may renew the license by
paying to the board the required renewal fee and a fee that is one-half of the
examination fee for the license. If a person's license has been expired for longer than
90 days but less than two years, the person may renew the license by paying to the
board all unpaid renewal fees and a fee that is equal to the examination fee for the
license. If a person's license has been expired for two years or longer, the person may
not renew the license. The person may obtain a new license by submitting to
reexamination and complying with the requirements and procedures for obtaining
an original license. At least 30 days before the expiration of a person's license the
board shall notify the person in writing of the impending license expiration and shall
attempt to obtain from the person a signed receipt confirming receipt of the notice.

(d) The board may recognize, prepare, or administer continuing education
programs for licensees. Participation in the programs is voluntary.

SECTION 11. ELECTRICAL CONTRACTOR'S LICENSE. (a) An
individual, firm, partnership, or corporation that desires to engage in the business
of electrical contracting may apply for and be issued a license on satisfying the board
that the applicant is either a licensed master electrician or employs a licensed master
electrician as a full-time employee and on payment of an annual license fee
established by the board. A master electrician may not qualify more than one
electrical contracting firm at one time.

(b) An electrical contractor who meets the requirements of this Act may
practice electrical contracting anywhere in this state without further examination
after presenting evidence of a state license and paying any permit fees required by
the city, town, or village in which the work is to be performed.

SECTION 12. DENIAL, SUSPENSION, AND REVOCATION OF
LICENSE. (a) The government of a city, town, or village may request suspension
of the state license of an electrician or an electrical contractor working in its
jurisdiction for just cause.

(b) The board may deny, suspend, or revoke a license, place a licensee whose
license has been suspended on probation, reprimand a licensee, or reinstate a
license.

(c) The board shall adopt rules establishing the grounds for denial,
suspension, revocation, or reinstatement of a license and for reprimanding a
licensee or placing a licensee on probation, and shall adopt rules establishing procedures for disciplinary actions.

(d) If the board proposes to suspend or revoke a person’s license, the person is entitled to a hearing before the board. Proceedings of the board relating to the suspension or revocation of a license issued under this Act are governed by the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon’s Texas Civil Statutes).

(e) Any person whose license has been revoked may apply for a new license after the expiration of one year from the date of the revocation.

SECTION 13. COMPLAINTS. (a) The board shall keep an information file about each complaint filed with the board relating to a licensee.

(b) If a written complaint is filed with the board relating to a licensee, the board, 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 unless the notice would jeopardize an undercover investigation.

(c) The board shall prepare information of consumer interest describing the regulatory functions of the board and describing the board’s procedures by which consumer complaints are filed with and resolved by the board. The board shall make the information available to the general public and appropriate state agencies. Each written contract in this state for the services of a licensed electrician or electrical contractor shall contain the name, mailing address, and telephone number of the board.

SECTION 14. ADVERTISING RESTRICTIONS. The board may not adopt rules restricting competitive bidding or advertising by a person regulated by the board except to prohibit false, misleading, or deceptive practices by the person. The board may not include in its rules to prohibit false, misleading, or deceptive practices by a person regulated by the board a rule that:

(1) restricts the person’s use of any medium for advertising;

(2) restricts the person’s personal appearance or use of his voice in an advertisement;

(3) relates to the size or duration of an advertisement by the person; or

(4) restricts the person’s advertisement under a trade name.

SECTION 15. DISPOSITION OF FEES. Fees received by the board under this Act shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION 16. MUNICIPAL REGULATION. (a) This Act does not prohibit a city, town, or village from enacting ordinances requiring inspections, examinations, municipal licenses, or permit fees for municipal licenses and examinations from electricians or electrical contractors who work within that municipality. However, a municipality may not require a person to take a municipal examination if the person is licensed under this Act and is working within the scope of that license.

(b) A municipality that has a municipal licensing procedure as of January 1, 1983, that includes an examination requirement may submit a copy of its examination to the board for the purpose of evaluation. If the board approves the examination, all persons who hold municipal licenses on January 1, 1984, based on that examination are entitled to a state license of the appropriate type without further examination. The board may approve an examination only if its requirements are at least as strict as those of the examination prescribed by the board.

SECTION 17. ENDORSEMENT. The board may issue a master or a journeyman electrician license to an applicant who holds a valid license issued by another state that has licensing requirements substantially equivalent to those of this state on proper application and submission of a license fee.
SECTION 18. LICENSE NONTRANSFERABLE. A license issued by the board is not assignable or transferable.

SECTION 19. LICENSE OPTIONAL. A person, firm, partnership, or corporation that practices as an electrician or as an electrical contractor, or a person who performs electrical work for compensation, is not required by this Act to obtain a state license under this Act. An electrician who is licensed under this Act may practice anywhere in the state without further municipal examination.

SECTION 20. EXEMPTIONS. This Act does not apply to:
(1) installation, alteration, or repair of electrical equipment or associated wiring installed on the premises of consumers or subscribers for electrical energy supply or communication agencies for use in the generation, transmission, distribution, or metering of electrical energy, or for the operation of signals or transmission of intelligence;
(2) any work involved in the use, maintenance, operation, dismantling, or reassembling of motion picture or theatrical equipment, not including any permanent wiring, that is used in a building with approved facilities for entertainment or educational use and that has the necessary permanent floor and wall wiring receptacle outlets designed for the proper and safe use of the motion picture or theatrical equipment;
(3) installation of electrical equipment in ships, watercraft, railway rolling stock, railroad signal and communication, aircraft, automotive vehicles, mobile homes, or recreational vehicles, or control wiring for irrigation systems under 50 volts;
(4) installation of telecommunications equipment by telecommunication utilities, including electrical work for the operation or distribution of electrical energy for the operation of signals or transmission of intelligence;
(5) installation of equipment that is under the exclusive control of electric utilities and that is used for the purpose of communication or metering or for the generation, control, transformation, transmission, or distribution of electrical energy located in buildings used exclusively by utilities for those purposes, located outdoors on property owned or leased by the utility, located on public highways, streets, or roads, or located outdoors by established rights on private property;
(6) work performed in or on a dwelling by a person who owns and resides in the dwelling;
(7) any work involved in the manufacture of electrical equipment or the testing and repairing of the manufactured equipment; or
(8) any maintenance, alteration, or repair of electrical equipment or its associated wiring related to or constituting a part of an industrial complex or for industrial use that has been designed, constructed, or maintained and repaired by or for the industrial user in compliance with industry standards or standards approved by the industrial user or its agent or contractor and that is subject to inspection by personnel approved by or contracted for by the industrial user.

SECTION 21. RECORDS OF BOARD. Records of the board are open to the public for inspection at all reasonable times. The board shall keep a record of each license issued by it.

SECTION 22. LIABILITY FOR DAMAGES. This Act does not affect the liability of a person who owns, operates, controls, or installs electrical equipment for an injury to a person or property caused by a defect in the equipment.

SECTION 23. APPLICATION OF SUNSET ACT. The board is subject to the Texas Sunset Act (Article 5429k, Vernon's Texas Civil Statutes). Unless continued in existence as provided by that Act, the board is abolished and this Act expires effective September 1, 1995.

SECTION 24. INITIAL APPOINTMENTS. In making the initial appointments to the board, the governor shall designate three members for terms
expiring in 1985, three members for terms expiring in 1987, and three members for terms expiring in 1989.

SECTION 25. EFFECTIVE DATE. This Act takes effect January 1, 1984.

SECTION 26. 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 296 was read second time.

Representative Green moved to table CSHB 296.

A record vote was requested.

The motion to table was lost by (Record 209): 43 Yeas, 89 Nays, 1 Present, not voting.

Yeas — Barrientos; Barton, B.; Barton, E.; Cavazos; Clemons; Colbert; Collazo; Danburg; Davis; DeLay; Eckels; Edwards; Garcia, A.; Green; Hackney; Heflin; Hightower; Hollowell; Hury; Jones; Kemp; Kubiat; Lee, E. F.; Madla; Martinez, R.; Moreno, A.; Moreno, P.; Patronella; Patterson; Peveto; Polumbo; Price; Robnett; Rudd; Smith, A.; Stiles; Tejeda; Toomey; Valles; Vowell; Wallace; Watson; Wolens.

Nays - Agnich; Armbrister; Arnold; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carrker; Ceverha; Clark; Connelly; Coody; Craddock; Crockett; Deleo; Denton; Eikenburg; English; Evans, C.; Fennell; Fox; Gandy; Garcia, M.; Gavin; Geisweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, W.; Hibbert; Hill, G.; Horn; Hudson, D.; Hudson, S.; Jackson; Keller; Khoury; Kueimpel; Laney; Lee, D.; Leonard; McKenna; McWilliams; Mankins; Martinez, W.; Messer; Millsap; Oliveira; Oliver; Patrick; Pennington; Pierce; Polk; Presnal; Ragland; Rangel; Robinson; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, T.; Staniswalis; Thompson, G.; Thompson, S.; Turner; Uher; Waldrop; Whaley; Wieting; Willis; Wilson; Word.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.

Absent — Criss; Emmett; Evans, L.; Gamez; Hernandez; Hill, P.; Hinojosa; Sutton; Tow.

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 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 150 by Staniswalis, honoring Sarah Etta Willard on the occasion of her 97th birthday.

Respectfully,
Betty King
Secretary of the Senate
CSHB 296 - (consideration continued)

Representative Green offered the following amendment to CSHB 296:

Amend CSHB 296 by adding the following subsection (c) to SECTION 9:

(c) Apprenticeships shall be limited to five years in duration.

Representative C. Evans moved to table the Green amendment.

The motion to table prevailed.

Representative Green offered the following amendment to CSHB 296:

Amend CSHB 296 by striking all of SECTION 19, page 13, lines 6 through 12.

Representative C. Evans moved to table the Green amendment.

A record vote was requested.

The motion to table prevailed by (Record 210): 95 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barton, B.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carrker; Connelly; Coody; Craddick; Crockett; Danburg; DeLay; Delco; Denton; Eikenburg; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Hilbert; Hill, G.; Hinojosa; Hollowell; Horn; Hudson, S.; Jackson; Jones; Keller; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; McKenna; McWilliams; Mankins; Martinez, W.; Messer; Millsap; Oliver; Patrick; Pennington; Peveto; Pierce; Polk; Presnal; Ragsdale; Robinson; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, T.; Staniswalis; Sutton; Thompson, G.; Thompson, S.; Tow; Turner; Uher; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Nays — Barrientos; Barton, E.; Cavazos; Ceverha; Clark; Clemons; Colbert; Collazo; Davis; Edwards; Garcia, A.; Green; Grisham; Hackney; Harrison, W.; Heflin; Hightower; Hill, P.; Hudson, D.; Hury; Kemp; Madla; Martinez, R.; Moreno, A.; Moreno, P.; Oliveira; Patronella; Patterson; Polumbo; Price; Rangel; Robnett; Smith, A.; Stiles; Tejeda; Toomey; Valles; Vowell; Waldrop; Wallace; Watson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.

Absent — Criss; Eckels; Emmett; Hernandez; Rudd.

INTRODUCTION OF CONNIE FRANCIS

Speaker Lewis introduced Miss Connie Francis to the house. Miss Francis addressed the house, speaking as follows:

I salute you, Texas.

As you know, I was a victim of a violent crime, and this is National Crime Victims' Week, which is being celebrated throughout the United States. There's a crime committed every two seconds in this country. There are 1.5 million victims of violence a year and their families. The plight of the victim in America, because he's not a special-interest group (he's just the general interest) has not been protected by our lawmakers.
My hats are off to you in Texas because in Texas (and I've done a lot of traveling and a lot of investigating about it) you have the very best, in Dallas County, criminal justice system in the United States. And my hats are off to you. It's Utopia. Even while Henry says it's not perfect, it's pretty darn close to it in comparison to the rest of the country.

The day that I was raped, I was brought to a hospital. My wounds were never treated. I had a knife mark in my neck and cuts and lacerations all over my body. I was brought on a stretcher in an ambulance to a hospital. I waited one hour and 10 minutes alone, and the rape itself was a two and a half-hour ordeal where I had to bargain for my life. And I was given... a doctor came in, he examined me, he took a slide. He said nothing, except that when he left, he said, "Here. Here's a pill for syphilis, and here's one so you don't get pregnant." And that was it.

And then I was brought to Nassau County Police Station, where I had to look up at a lineup of men and identify positively a police officer as the rapist. Any and everybody's face looked like that man's face. And I was treated quite royally by the criminal justice system, or injustice system, as I call it, because I am a victim. I am a V.I.P. and so I got the best treatment that Nassau County, New York, had to offer. That was it. That was the best treatment. They were very nice to me.

And from the thousands of victims of violent crime that I've received word from over the past seven years, I know that this special treatment is not accorded to most victims of crime. I wrote last year a bill of rights. Everybody talks about a bill of rights, and as we know, it takes very, very long to get legislation through, and it's usually quite piecemeal. I wrote this bill of rights, which is a miniature copy of one that's about four or five times this size on a big poster, and it will be printed and sent this week. It should be, by the end of this week, in all 44,000 police precincts throughout the United States, apprising victims of what their rights are under existing laws. It's the first tangible thing that victims have seen in this country for far too many years, because, as you know, almost everyone is interested in civil rights. Of course we are. That's what our country is founded upon. But whose civil rights first? Because for far too many years, the only legislation that has been enacted in the area of civil rights has been that legislation enacted to protect the rights of the criminal. He's a blight on our society.

I am going to use Dallas County as a role model for the rest of the United States, and I know that it sounds very grandiose and "pie in the sky," but it's not. We're going to have a uniform criminal justice code, and Rider Scott from Henry Wade's office in Dallas County is working on all of the violent crime penal codes throughout the United States. And I already have this bill, a gigantic, omnibus bill, and you can't do that because you have to have one issue at a time. There is one issue. And it's crime. And I already have that proposed, introduced, or commitments from people to be introduced in Baltimore, Maryland, New Jersey, Connecticut, and Massachusetts. And, as I did in California with Proposition 8, I'm going to take it via the media to the people. Because I think we have to start, begin to vote, and address ourselves to what the American people want. Not what I want. Not what you want. You're public servants, and you must serve your constituents, the people who have voted you into office. You've certainly done a better job in Texas than anywhere else in these United States. And my hats are off to you. Thank you very, very much.

REMARKS ORDERED PRINTED
Representative Denton moved that the remarks by Miss Francis be printed in the journal.

The motion prevailed without objection.
Representative Stiles offered the following amendment to CSHB 296:
Amend CSHB 296 by adding a new Section 26 to read as follows:
(1) “Section 26. The provisions of this act shall apply only to counties with a population of 500,000 or more according to the most recent federal census.”
(2) Renumber Section 26 as Section 27.
Representative C. Evans moved to table the Stiles amendment.
The motion to table prevailed.
Representative Green offered the following amendment to CSHB 296:
Amend CSHB 296 by adding the following subsection (9) to Section 20:
(9) cities with a population of 1,500,000 or more, according to the most recent federal census.
Representative C. Evans moved to table the Green amendment.
The motion to table prevailed.
Representative Toomey offered the following amendment to CSHB 296:
Amend CSHB 296 in the following manner:
On page 6, line 6, add the word all between the word “defray” and the word “administrative.”
The amendment was adopted without objection.
A record vote was requested.
CSHB 296, as amended, was passed to engrossment by (Record 211):
94 Yeas, 41 Nays, 1 Present, not voting.
Yeas — Agnich; Armbrister; Arnold; Barton, B.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Connelly; Coody; Craddock; Crockett; DeLay; Delco; Denton; Eikenburg; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Hilbert; Hill, G.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Jackson; Jones; Keller; Khoury; Kubiaik; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; McKenna; McWilliams; Mankins; Meser; Millsap; Moreno, P.; Oliveira; Oliver; Patrick; Pennington; Pierce; Puik; Presnal; Ragsdale; Rangel; Robinson; Russell; Salinas; Saunders; Scholecraft; Shaw; Shea; Short; Simpson; Smith, T.; Staniswals; Sutton; Thompson, G.; Thompson, S.; Tow; Ulher; Valles; Whaley; Wieting; Willis; Wilson; Word.
Nays — Barrientos; Barton, E.; Ceverha; Clark; Clemons; Colbert; Collazo; Danburg; Davis; Edwards; Gandy; Garcia, A.; Green; Hackney; Harrison, W.; Heflin; Hightower; Hill, P.; Hury; Kemp; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Patronella; Patterson; Peveto; Polumbo; Price; Robnett; Rudd; Smith, A.; Stiles; Tejeda; Toomey; Turner; Vowell; Waldrop; Wallace; Watson; Wolens.
Present, not voting — Mr. Speaker(C).
Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.
Absent — Cavazos; Criss; Eckels; Emmett; Hernandez; Schlueter.
HR 114 - POSTPONED

Representative Turner moved that consideration of HR 114 be postponed until Wednesday, April 27, at 10 a.m.

The motion prevailed without objection.

HB 2387 - PERMISSION TO INTRODUCE

Representative Glossbrenner moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2387.

The motion prevailed by (Record 212): 124 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bonner; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Ceverha; Clark; Clemmons; Colbert; Connelly; Coody; Crockett; Danburg; DeLay; Delco; Denton; Edwards; English; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Harrison, W.; Hellin; Hernandez; Hightower; Hilbert; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuemmel; Lane; Lee, D.; Lee, E. F.; Leonard; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patrick; Patronella; Patterson; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wicting; Willis; Wilson; Wolens; Word.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.

Absent — Agnich; Collazo; Craddick; Criss; Davis; Eckels; Eikenburg; Emmett; Fox; Grisham; Hammond; Hanna; Millsap; Pennington; Rudd; Schlueeter; Tejeda.

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 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 167 by Arnold, congratulating the Ennis High School girls' basketball team.

HCR 168 by Arnold, congratulating the Waxahachie High School basketball team.
HCR 169 by Arnold, congratulating the Maypearl High School boys' basketball team.

Respectfully,
Betty King
Secretary of the Senate

HB 2388 - PERMISSION TO INTRODUCE

Representative Collazo moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2388.

The motion prevailed by (Record 213): 132 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Clemens; Colbert; Collazo; Connelly; Coody; Crockett; Danburg; Davis; DeLay; Delco; Denton; Edwards; Eikenburg; English; Evans, C.; Evans, L.; Fennell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Harrison, W.; Hellin; Hernandez; Hightower; Hilbert; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horne; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; McKenna; McWilliams; Madia; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, S.; Tomney; Tow; Turner; Uber; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.

Absent — Agnich; Craddick; Criss; Eckels; Emmett; Fox; Hanna; Schlueter; Thompson, G.

HB 2389 AND HJR 114 - PERMISSION TO INTRODUCE

Representative Price moved to suspend the constitutional rule for permission to introduce and have placed on first reading HB 2389 and HJR 114.

The motion prevailed by (Record 214): 109 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Clark; Colbert; Connelly; Coody; Crockett; Danburg; Davis; DeLay; Delco; Denton; Edwards; English; Evans, C.; Evans, L.; Fennell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hammond; Harrison, W.; Hellin; Hernandez; Hightower; Hilbert; Hill, G.; Hill, P.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Jones; Kemp; Kubiak; Kuempel; Lee, D.; Lee, E. F.; Leonard; McKenna; Madia; Martinez, R.; Martinez, W.; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, S.; Tomney; Tow; Turner; Uber; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.
April 21, 1983  HOUSE JOURNAL  1245

Turner; Valles; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Nays — Agnich; Blanton; Ceverha; Fox; Horn; Jackson; Khoury; McWilliams; Polumbo; Smith, A.; Vowell.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; Gilley; Harrison, D.; Hill, A.; Luna; Parker; Smith, C.; Wright.

Absent — Clemons; Collazo; Craddick; Criss; Eckels; Eikenburg; Emmett; Gilson, J.; Haley; Hall, W.; Hanna; Keller; Laney; Mankins; Messer; Robnett; Schlueeter; Short; Simpson; Thompson, G.; Uber.

SENATE BILL ON FIRST READING

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

SB 1125 to Committee on Public Education.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Local and Consent Calendars, originally scheduled to meet today at adjournment, to set calendar, has been cancelled.

Criminal Jurisprudence, Subcommittee on HB 882, on adjournment today, Old Supreme Court room, to consider HB 882.

Criminal Jurisprudence, Subcommittee on HB 150, on adjournment today, Old Supreme Court room, to consider HB 150.

Criminal Jurisprudence, Subcommittee on HB 765, on adjournment today, Old Supreme Court room, to consider HB 765.

Criminal Jurisprudence, Subcommittee on D.W.I. Legislation, on adjournment today, Old Supreme Court room, to consider HB 5, HB 2030, HB 92, HB 93, HB 174, HB 454, HB 684, HB 522, HB 2216, HB 1327, HB 779, HB 1009, HB 1096, HB 1230, HB 1347, HB 1503, HB 1636, HB 1809, and SB 1.

Elections, Subcommittee on HB 1890, five minutes after adjournment today, Desk 82, to consider HB 1890.

Elections, Subcommittee on HB 195, on adjournment today, Desk 82, to consider HB 195.

Energy, Subcommittee on HB 2005, on adjournment today, Desk 82, to consider HB 2005.

Insurance, Subcommittee on Automobile Insurance, on adjournment today, Desk 74, to consider HB 89, HB 169, HB 170, HB 429, HB 1607, HB 2038, and HB 1794.

Insurance, Subcommittee on Rates and Regulations, on adjournment today, Desk 22, to consider HB 2029.

Public Health, Subcommittee on SB 385, on adjournment today, Desk 92, to consider SB 385.

Public Health, Subcommittee on HB 295, on adjournment today, Desk 13, to consider HB 295.
Public Education, Subcommittee on HB 405, on adjournment today, Desk 37, to consider HB 405.

Higher Education, Subcommittee on HB 793, on adjournment today, Desk 110, to consider HB 793.

Energy, Subcommittee on Energy Resources, on adjournment today, Desk 12, to consider SB 272 and SB 273.

Transportation, on adjournment today, Desk 43, to consider HB 1114.

Natural Resources, Subcommittee on HB 1784, on adjournment today, Desk 117, to consider HB 1784.

Appropriations, on adjournment today, Room 309, Capitol, to consider HB 1166.

Ways and Means, Subcommittee on Property Tax, one and one-half hours after adjournment, Room E, Reagan Building.

Elections, Subcommittee on HJR 17, on adjournment today, Desk 115, to consider HJR 17.

CORRECTION IN REFERRAL

HB 1631 relating to restrictive covenants was inadvertently referred to the Committee on State Affairs. The chair, after consultation with the author, now corrects the referral of HB 1631 from the Committee on State Affairs to the Committee on Urban Affairs.

ADJOURNMENT

Representative L. Evans moved that the house adjourn until 2 p.m. Monday.

The motion prevailed without objection.

The house accordingly, at 1:48 p.m., adjourned until 2 p.m. Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

Business and Commerce - HB 79, HB 652, HB 750, HB 1056, HB 1125, HB 1176, HB 1217, HB 1682, HB 2084, SB 636

County Affairs - HB 854, HB 1342, HB 1501, HB 1991, HB 2320, SB 660, SB 662

Cultural and Historical Resources - SB 427

Elections - HB 160, HB 574, HB 1357, HB 2256, SB 38, SB 555

Insurance - HB 736, HB 1431, SCR 19

Law Enforcement - SB 727

Public Health - HB 893
ENGROSSED
April 20 - HB 103, HB 171, HB 279, HB 675, HB 860, HB 886, HB 1032, HB 1121, HB 1133, HB 1849, HB 1970, HJR 24

ENROLLED
April 20 - HCR 136, HCR 171

SENT TO THE GOVERNOR
April 21 - HCR 136, HCR 171

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

HB 1438 - Wallace, A. Smith
HB 2212 - Staniswalis