The house met at 2 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 215).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carringer; Cavazos; Ceberha; Clark; Clemmons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delay; Delco; Denton; Eckels; Edwards; Eikerenburg; Emmett; Evans, C.; Evans, L.; Finnell; Fox; Gainer; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hellin; Hernandez; Hightower; Hill, G.; Hill, F.; Hinojosa; Hollowell; Hort; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnasl; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schluter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalisz; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uber; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Absent, Excused — Cary; English; Hill, A.

The invocation was offered by Reverend Asa W. Sampson, Hopewell Baptist Church, Houston, Texas.

LEAVES OF ABSENCE GRANTED

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

English on motion of Mankins.

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

Cary on motion of Gavin.

A. Hill on motion of Glossbrenner.
MESSAGE FROM THE SENATE
Austin, Texas, April 25, 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 203 by viva voce vote; SB 595 by viva voce vote.

I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on HJR 19.

The following have been appointed on the part of the Senate: Senators Parker, Chairman; Caperton, Jones, McFarland, and Vale.

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

HCR 164 by D. Hudson, honoring Irving Louis Friedman.
SJR 12 by Jones, proposing a constitutional amendment to authorize use of the permanent school fund to guarantee school bonds.
SCR 58 by Farabee, urging the Department of Human Resources to provide by contract for the Attorney General to assume operation of the child support enforcement program.
SB 384 by Jones, relating to the guarantee of certain school district bonds.
SB 405 by McFarland, relating to the continuation of the Office of Consumer Credit Commissioner.
SCR 90 by Farabee, extending welcome to Mrs. Rosalynn Carter to the State Capitol.
SCR 91 by Farabee, encouraging all Texans to join the dedicated volunteers and professionals who work on behalf of the mentally ill and their families in celebrating the progress in mental health care since the first ringing of the Mental Health Bell.

The Senate discharged the conferees for SB 89 and concurred in House amendments by 26 yeas and 1 nay.

Respectfully,
Betty King
Secretary of the Senate

SENATE BILLS ON FIRST READING

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

SB 326 to Committee on Public Education.
SB 148 to Committee on Transportation.
RESOLUTIONS REFERRED TO COMMITTEE

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

By W. Hall:
HCR 178, Honoring Gaby Canizales.
To Committee on Rules and Resolutions.

By Kuempel:
HCR 186, Congratulating Benno C. Heinemeyer.
To Committee on Rules and Resolutions.

By Kuempel:
HCR 187, Congratulating Mr. and Mrs. Kermit Altwein.
To Committee on Rules and Resolutions.

By Blanton, et al.:
HCR 188, Commending William Roy Samuels, Jr.
To Committee on Rules and Resolutions.

By Stiles:
HR 273, In memory of Velma Ann Griffitts Griffin.
To Committee on Rules and Resolutions.

By DeLay:
HR 274, Congratulating the city of Rosenberg.
To Committee on Rules and Resolutions.

By Wolens:
HR 281, In memory of Sylvan and Gloria Brustein.
To Committee on Rules and Resolutions.

By Armbrister:
HR 282, Recognizing the period of April 30 through May 7, 1983, as Hispanic Appreciation Week.
To Committee on Rules and Resolutions.

By G. Hill:
HR 283, Commending Bill Armentrout.
To Committee on Rules and Resolutions.

By Oliver:
HR 284, Congratulating the Reverend H. D. Webb, Sr.
To Committee on Rules and Resolutions.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

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

SCR 20, SCR 44, SCR 60, SB 228, SB 421, SB 435, SB 739

HB 701 ON SECOND READING

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

HB 701, A bill to be entitled An Act relating to the control of brucellosis and other animal diseases; providing penalties.

The bill was on the calendar on April 14 and was postponed until 2 p.m. today.

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

**COMMITTEE AMENDMENT NO. 1**

Amend HB 701 Sec. 163.064 (b) on page 4 on lines 10-12 by striking the following sentence: “Cattle may be classified as suspected of being infected with brucellosis on the basis of tests performed on an adjacent or other herd.”

Committee Amendment No. 1 was adopted without objection.

Representative Saunders offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 2**

Amend HB 701 Sec. 163.070 on page 9 line 4 by striking the words “sufficient labor and facilities” and substituting the following language in its place: “labor and facilities used in normal operation.”

Committee Amendment No. 2 was adopted without objection.

Representative Saunders offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 3**

Amend HB 701 Sec. 163.081 on page 9 line 11 by striking the word “fails” and substituting the words “[fails] refuses.”

Committee Amendment No. 3 was adopted without objection.

Representative Saunders offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 4**

Amend HB 701 Sec. 163.082 (a) on page 9 line 19 by striking the words “or caretaker”

Committee Amendment No. 4 was adopted without objection.

Representative Saunders offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 5**

Amend HB 701 Sec. 163.082 (a) on page 9 line 20 by striking the words “fails or” and substituting the words “[fails or] knowingly.”

Committee Amendment No. 5 was adopted without objection.

Representative Saunders offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 6**

Amend HB 701 Sec. 163.082 (c) on page 9 line 27 by striking the words “failure or” and substituting the words “[failure or].”

Committee Amendment No. 6 was adopted without objection.

Representative Saunders offered the following committee amendment to the bill:
COMMITTEE AMENDMENT NO. 7
Amend HB 701 Sec. 163.084 (a) on page 10 line 9 by inserting the word "knowingly" between the words "person" and "moves"
Committee Amendment No. 7 was adopted without objection.
Representative Saunders offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 8
Amend HB 701 Sec. 163.085 on page 10 line 19 by striking the words "fails or" and substituting the words "[fails or] knowingly"
Committee Amendment No. 8 was adopted without objection.
Representative Saunders offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 9
Amend HB 701 Sec. 163.086 on page 11 line 5 by striking the words "or has reason to believe is" and substituting the words "[or has reason to believe is] to be"
Committee Amendment No. 9 was adopted without objection.
Representative Saunders offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 10
Amend HB 701 Section 163.081 and 163.082 on page 9, line 9 and page 9, line 18 by striking the word "FAILURE" and substituting the words "[FAILURE] REFUSAL"
Committee Amendment No. 10 was adopted without objection.
Representative Patterson offered the following amendment to the bill:

Amend HB 701 by striking the words "except as authorized by rule of the commission" on page 14, line 19.
Representative B. Gibson moved to table the Patterson amendment.
The motion to table prevailed.
Representative Patterson offered the following amendment to the bill:

Amend HB 701 on page 7, after line 27, by adding Subsection (c) to amended Section 163.066, Agriculture Code, to read as follows:
(c) If the commission by rule quarantines an area, the commission shall prevent any cattle from moving into the quarantined area while the quarantine is in effect.
Representative B. Gibson moved to table the Patterson amendment.
A record vote was requested.
The motion to table prevailed by (Record 216): 95 Yeas, 44 Nays, 2 Present, not voting.
Yeas — Agnich; Arnold; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Bush; Cain; Carriker; Clark; Colbert; Connelly; Coody; Craddick; Criss; DeLay; Denton; Edwards; Eikenburg; Evans, C.; Evans, L.; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Granoff; Green; Grisham; Hackney; Haley; Hall, T.; Hall, W.;
Representative Wilson offered the following amendment to the bill:

Amend HB 701 by adding a new Section 24, and renumbering the following sections accordingly, to read as follows:

SECTION 24. A person may not receive federal or state indemnity payments from the brucellosis program while that person serves as a member of the Texas Animal Health Commission.

Representative B. Gibson moved to table the Wilson amendment.

The motion to table prevailed.

Representative Wilson offered the following amendment to the bill:

Amend HB 701 by renumbering Sections 24-26 as Sections 25-26 and adding a new Section 24 to read as follows:

SECTION 24. From funds appropriated for administration of the brucellosis program, the Texas Animal Health Commission shall reimburse a person for medical expenses resulting from having contracted brucellosis as a result of participation in the program.

Representative B. Gibson moved to table the Wilson amendment.

The motion to table prevailed.

HB 701, as amended, was passed to engrossment. (DeLay, McWilliams, W. Hall, Clark, Stiles, Green, Uher, Delco, Collazo, Geistweidt, Toomey, Patterson, Hinojosa, and Kuempel recorded voting no)

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

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

HB 166, HB 600, HB 687, HB 691, HB 1214, HCR 43, HCR 49, HCR 66, HCR 74, HCR 150, HCR 155, HCR 167, HCR 168, HCR 169
SB 660 ON SECOND READING
(G. Hill - House Sponsor)

The speaker laid before the house, in lieu of HB 610, on its second reading and passage to third reading.

SB 660, A bill to be entitled An Act relating to certain fees imposed by county and district court clerks; amending Article 1064, Code of Criminal Procedure, 1925, as amended.

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

HB 610 - LAID ON THE TABLE SUBJECT TO CALL.
Representative G. Hill moved that HB 610 be laid on the table subject to call.
The motion prevailed without objection.

HJR 43 - POSTPONED
Representative Haley moved that consideration of HJR 43 be postponed until Thursday, April 28, at 10 a.m.
The motion prevailed without objection.

SB 358 ON THIRD READING
(Buchanan - House Sponsor)

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

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.

A record vote was requested.

The bill was read third time and was passed by (Record 217): 127 Yea's, 8 Nays, 1 Present, not voting.

Yea's - Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carrizales; Cavazos; Cervera; Clark; Clemans; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Eikenburg; Evans, C.; Evans, L.; Finnell; Gandy; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hefflin; Hernandez; Hightower; Hilbert; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKee; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Millsap; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Patterson; Pennington; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieters; Willis; Wilson; Wolens; Wright.

Nays - Fox; Garcia, A.; Green; Jackson; Robnett; Schlueter; Smith, C.; Uher.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; English; Hill, A.
Absent — Agnich; Berlanga; Edwards; Emmett; Gamez; Messer; Moreno, A.; Patrick; Peveto; Sutton; Word.

SB 168 ON THIRD READING  
(Tejeda - House Sponsor)

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

The bill was read third time and was passed.

On motion of Representative Tejeda and by unanimous consent, the caption of SB 168 was ordered amended to conform to the body of the bill.

SB 445 ON THIRD READING  
(Cain - House Sponsor)

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

A record vote was requested.

The bill was read third time and was passed by (Record 218): 114 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Clark; Clemons; Colbert; Collazo; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delco; Denton; Edwards; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hanna; Harrison, D.; Harrison, W.; Hernandez; Hightower; Hill, G.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Kemp; Kubiak; Laney; Lee, D.; Lee, E. F.; Luna; McKenna; McWilliams; Macla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, P.; Oliveira; Oliver; Patronella; Patterson; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Russell; Salinas; Schoolcraft; Shaw; Short; Smith, C.; Smith, T.; Stiles; Sutton; Tejeda; Thompson, S.; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Nays — Ceverha; Connelly; DeLay; Eckels; Eikenburg; Emmett; Fox; Hammond; Hellin; Hilbert; Hill, P.; Horn; Keller; Khoury; Kuep; Leonard; Parker; Pennington; Robinson; Robnett; Rudd; Schluter; Shea; Simpson; Staniswalis; Thompson, G.; Toomey; Wright.

Present, not voting — Mr. Speaker(C): Smith, A.

Absent, Excused — Cary; English; Hill, A.

Absent — Moreno, A.; Patrick; Saunders.

The speaker stated that SB 445 was passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas.
April 25, 1983

Reason For Vote on SB 445

Not an emergency matter.

SB 396 ON THIRD READING
(Rudd - House Sponsor)

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

SB 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.

The bill was read third time and was passed. (C. Smith, Hollowell, Geistweidt, and Schlueter recorded voting no)

On motion of Representative Rudd and by unanimous consent, the caption of SB 396 was ordered amended to conform to the body of the bill.

SB 127 ON THIRD READING
(Heflin - House Sponsor)

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

SB 127, A bill to be entitled An Act relating to the authority of a county to donate money to a crime stoppers organization and establishing limits to the yearly amount donated by the county.

A record vote was requested.

The bill was read third time and was passed by (Record 219): 139 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Agnew; Armbrister; Arnold; Barrientos; Barton, E.; Berlanga; Blanton; Bomber; Buchanan; Burnett; Bush; Cain; Cavazos; Ceverha; Clark; Clemmons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delay; Delce; Denton; Eckels; Edwards; Eikenburg; Emmett; Evans, C.; Evans, L.; Finnett; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hilbert; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubik; Kuempel; Lance; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madia; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Oliveira; Oliver; Patronella; Patterson; Pennington; Pevelo; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Schluter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valle; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nays — Barton, B.; Carriker; Hernandez; Moreno, P.; Parker.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; English; Hill, A.

Absent — Patrick; Saunders.
The speaker laid before the house on its third reading and final passage,

**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.

A record vote was requested.

The bill was read third time and was passed by (Record 220): 124 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bonner; Buchanan; Burnett; Bush; Cain; Carriker; Cavazos; Cavender; Clark; Clemmons; Colbert; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Edwards; Emmett; Evans, C.; Evans, L.; Finnel; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hernandez; Highower; Hill, G.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Kubiak; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madia; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Patronella; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Schoolcraft; Shaw; Short; Simpson; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wicking; Willis; Wilson; Wolens; Word; Wright.

Nays — Agnich; Connelly; Eckels; Eikenburg; Fox; Heflin; Hilbert; Hill, P.; Horn; Khoury; Kuempel; Mankins; Parker; Pennington; Schlueter; Shea; Smith, A.; Toomey.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; English; Hill, A.

Absent — Collazo; Patrick; Patterson; Saunders.

The speaker stated that **SB 467** was passed subject to the provisions of Article III, Section 49a, of the Constitution of Texas.

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

**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 third time and was passed.

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

**SB 282**, A bill to be entitled An Act making a supplemental appropriation to the General Land Office.
A record vote was requested:

The bill was read third time and was passed by (Record 221): 123 Yea,
17 Nays, 1 Present, not voting.

Yea — Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.;
Berlanga; Blanton; Bomer; Buchanan; Burnett; Cain; Carriker; Cavazos; Clark;
Clemens; Colbert; Collazo; Coody; Craddick; Criss; Crockett; Danburg; Davis;
DeLoe; Denton; Edwards; Eikenburg; Evans, C.; Evans, L.; Finnell; Gamez;
Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley;
Glossbrenner; Granoff; Green; Graham; Hackney; Haley; Hall, L.; Hall, T.;
Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hernandez;
Hightower; Hill, G.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury;
Jackson; Jones; Keller; Kemp; Kubiak; Laney; Lee, D.; Lee, E. F.; Leonard; Luna;
McWilliams; Madia; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap;
Moreno, A.; Moreno, P.; Oliver; Patronella; Patterson; Pierce; Polk; Polumbo;
Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas;
Schoolcraft; Shaw; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis;
Stiles; Sutton; Thompson, G.; Thompson, S.; Tow; Turner; Uher; Valles; Vowell;
WalDROP; Wallace; Watson; Whealy; Wieting; Willis; Wilson; Wolens; Word;
Wright.

Nays — Cevacha; Connelly; Delay; Eckels; Emmett; Fox; Heflin; Hilbert;
Hill, P.; Houry; Kuempel; McKenna; Parker; Pennington; Schlueter; Shea;
Toomey.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cary; English; Hill, A.

Absent — Bush; Olivera; Patrick; Peveto; Saunders; Tejeda.

The speaker stated that SB 282 was passed subject to the provisions of Article
III, Section 49a, of the Constitution of Texas.

STATEMENT BY REPRESENTATIVE HORN

I meant to vote “No” on SB 282.

(Hadla in the chair)

HB 1147 ON THIRD READING

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

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 third time and was passed.

HB 355 ON THIRD READING

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

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

The bill was read third time and was passed. (Eckels, Horn, Craddick, Bomer,
Schlueter, and Eikenburg recorded voting no)
HB 1775 ON THIRD READING
The chair laid before the house on its third reading and final passage,

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

The bill was read third time and was passed.

HB 723 ON THIRD READING
The chair laid before the house on its third reading and final passage,

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

The bill was read third time and was passed.

HB 296 ON THIRD READING
The chair laid before the house on its third reading and final passage,

HB 296, A bill to be entitled An Act relating to the licensing and regulation of electricians and electrical contractors.

The bill was read third time and was passed. (Patterson, Eckels, R. Martinez, Green, Patronella, Schlueter, D. Harrison, Heflin, and Toomey recorded voting no)

HB 521 ON SECOND READING
The chair laid before the house on its second reading and passage to engrossment,

HB 521, A bill to be entitled An Act relating to application of the workers' compensation law to farm and ranch laborers.

The bill was read second time.

Representative B. Gibson offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 521 by inserting the following after “personal residence,” and before “nor to the employees” in Section 1:

“farm or [laborers] ranch laborers who are employed by an employer who during the preceding calendar year paid wages of Fifty Thousand ($50,000) or less or who employed Ten (10) or fewer employees.”

Committee Amendment No. 1 was adopted without objection.

HB 521, as amended was passed to engrossment. (Connelly, Hilbert, Short, Russell, T. Hall, Blanton, Shaw, Uber, Laney, Khoury, Waldrop, Simpson, Fox, Bomer, Horn, Robnett, Clark, Hollowell, Schlueter, Wieting, Coody, Hanna, Cradick, Parker, W. Harrison, Rudd, Burnett, Finnell, Gritham, Ceverha, Kubiak, Geistweitd, Mankins, P. Hill, Heflin, Shea, Stiles, Whaley, Buchanan, D. Harrison, A. Smith, Robinson, Eckels, Patterson, DeLay, Saunders, Leonard, Kuempel, Toomey, Word, Eikenburg, Keller, Schoolcraft, G. Thompson, Gavin, Presnal, Carriker, McKenna, Polumbo, Wright, and Pierce recorded voting no; Danburg recorded voting yes)

(Speaker in the chair)
HB 859 ON SECOND READING

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

HB 859, A bill to be entitled An Act relating to a requirement that a law enforcement agency that transfers a defendant to the custody of the Texas Department of Corrections provide the department with a written description of the offense for which the defendant was sentenced.

The bill was read second time and was passed to engrossment. (Hollowell recorded voting no)

HB 520 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 520.

CSHB 520

A BILL TO BE ENTITLED
AN ACT
relating to dismissal of certain misdemeanor charges on completion of a driving safety course.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Section 143A, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes), is amended to read as follows:
Sec. 143A. DISMISSAL OF CERTAIN MISDEMEANOR CHARGES UPON COMPLETING DRIVING SAFETY COURSE. (a) When a person is charged with a misdemeanor offense under this Act, other than a violation of Section 50 or 51, committed while operating a motor vehicle, the court:
(1) in its discretion may defer proceedings and allow the person 90 days to present evidence that, subsequent to the alleged act, the person has successfully completed a defensive driver's course approved by the Texas Department of Public Safety or other driving safety course approved by the court; or
(2) shall defer proceedings and allow the person 90 days to present written evidence that, subsequent to the alleged act, the person has successfully completed a driving safety course approved by the Texas Department of Public Safety (court), if:
(1) the person presents to the court an oral request or written motion to take a course;
(2) the person has a valid Texas driver's license or permit; and
(3) the person presents to the court a certified copy of his driving record as maintained by the Texas Department of Public Safety (court) does not indicate successful completion of a driving safety course under this section within the four (two) years immediately preceding the date of the alleged offense.
(b) When the person complies with the provisions of Subsection (a) of this section and the evidence presented is accepted by the court, the court shall dismiss the charge.
(c) When a charge is dismissed under this section, the charge may not be part of the person's driving record or used for any purpose, but the court shall report the fact that a person has successfully completed a driving safety course and the date of completion to the Texas Department of Public Safety for inclusion in the person's driving record to provide information necessary to determine eligibility to have another charge dismissed under this section. (The court shall note in its report
whether the course was taken under the procedure provided by Subdivision (2) of
Subsection (a) of this section for the purpose of providing information necessary to
determine eligibility to take a subsequent course under that subdivision.

(d) A person may not have more than one charge dismissed under this section
for taking a single driving safety course.

SECTION 2. (a) This Act takes effect September 1, 1983, and applies to
proceedings on offenses committed on or after that date. Proceedings on an offense
committed before the effective date of this Act are subject to the law in effect when
the offense was committed and the former law is continued in effect for that
purpose.

(b) Dismissal of charges against a person on completion of a driving safety
course under Section 143A, Uniform Act Regulating Traffic on Highways (Article
6701d, Vernon's Texas Civil Statutes), for an offense committed before the effective
date of this Act does not affect a person's eligibility to have charges dismissed under
that section for an offense committed on or after the effective date of this Act.

(c) For purposes of this section, an offense is committed before the effective
date of this Act if any element of the offense occurred before that date.

SECTION 3. The importance of this legislation and the crowded condition
of the calendars in both houses create an emergency and an imperative public
necessity that the constitutional rule requiring bills to be read on three several days
in each house be suspended, and this rule is hereby suspended.

CSHB 520 was read second time.

Representative Hackney offered the following amendment to CSHB 520:

Amend CSHB 520 by striking the following:

"(3) (c) the person presents to the court a certified copy of his driving
record as maintained by the Texas Department of Public Safety; and" on page 2,
lines 2 through 4; and adding the word and to page 2, line 1 after the word "permit;"

Representative Staniswalis moved to table the Hackney amendment.

The motion to table was lost.

Representative Khoury offered the following amendment to CSHB 520:

On page 2, line 8 after the words "within the", strike "four" and replace it
with "three".

The amendment was adopted without objection.

Representative Gilley offered the following amendment to CSHB 520:

Amend CSHB 520, page 2 line 25 by striking the words "one charge" and
substitute "two charges", and by adding the following language at the end of the
sentence on page 2 line 26: "when the two offenses arose out of the same
transaction."

(Khoury in the chair)

The amendment was adopted without objection.

A record vote was requested.

CSHB 520, as amended, was passed to engrossment by (Record 222):
81 Yeas, 60 Nays, 1 Present, not voting.

Yeas - Agnich; Arnold; Barton, E.; Blanton; Bomer; Buchanan; Burnett;
Cain; Carriker; Ceverha; Clemons; Colbert; Connelly; Craddick; Danburg; Davis;
HB 1406 ON SECOND READING

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

HB 1406, A bill to be entitled An Act relating to the possession and display of certain documents relating to the origin and status of redfish and speckled sea trout; providing a penalty.

The bill was read second time and was passed to engrossment. (Hury, Criss, Collazo, Oliveira, Ceverha, D. Lee, and Uher recorded voting no)

HB 634 ON SECOND READING

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

HB 634, A bill to be entitled An Act relating to a substantive revision of the laws concerning creation, consolidation, and abolition of school districts.

The bill was read second time.

Representative Haley offered the following amendment to the bill:

Amend HB 634 as follows:

(1) On page 8, lines 21-27, and page 9, lines 1-3, strike Subsection (a) of Section 19.022 and substitute the following:

(a) In accordance with this section, territory may be detached from a school district and annexed to another school district that is contiguous to the detached territory. A petition requesting the detachment and annexation must be presented to the commissioners court of the county to which the receiving district is assigned for administration purposes by the Central Education Agency and to the commissioners court of the county to which the district from which the territory to be detached is assigned for administration purposes. Each commissioners court to which a petition is required to be presented must conduct a hearing and enter an order as provided by this section for the annexation to be effective.
(2) On page 10, line 14, strike “may adopt an order” and substitute “shall make findings as to the social, economic, and educational effects and shall, on the basis of those findings, adopt an order rejecting the petition or”.
(3) On page 10, line 16, before “order” insert “findings and”.
(4) On page 19, strike lines 26 and 27 and substitute “seven trustees.”.

The amendment was adopted without objection.

HB 634, as amended, was passed to engrossment. (Patterson, Uher, and Schlueter recorded voting no)

HB 715 - POSTPONED

Representative Haley moved that consideration of HB 715 be postponed until Thursday, April 28, at 10 a.m.

The motion prevailed without objection.

HB 734 - POSTPONED

Representative Heflin moved that consideration of HB 734 be postponed until Thursday, April 28, at 10 a.m.

The motion prevailed without objection.

HB 149 ON SECOND READING

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

HB 149, A bill to be entitled An Act relating to bidding procedures under the state employees group insurance program.

The bill was read second time.

Representative Presnal offered the following amendment to the bill:

Amend HB 149 as follows:
(1) Add a new Section 2 to read as follows:
SECTION 2. Subdivision (4), Subsection (b), Section 4, Chapter 32, Acts of the 65th Legislature, Regular Session, 1977 (Article 3.50-3, Vernon’s Texas Insurance Code), is amended to read as follows:
(A) determine basic coverage standards which shall be at least equal to those commonly provided in private industry and those provided employees of other agencies of the State of Texas under the Texas Employees Uniform Group Insurance Benefits Act, after considering recommendations of the advisory committee.
(B) require each institution to include in its respective bid documents for the various coverages a provision calling for each bidder to identify its administrative cost as a distinguishable figure and to enumerate what services the bidder will render in exchange for the administrative costs so identified.
(C) determine basic procedural and administrative practices for insurance coverages to be provided employees covered under the provisions of this Act, after considering recommendations of the advisory committee.
(D) determine if existing institutional programs meet, equate to, or exceed standards for such basic coverages. If so, such programs may be continued in accordance with existing contractual arrangements between those institutions and their carrier or carriers, provided, however, that each program so continued shall be submitted by the institution for competitive bidding within standards established
by the administrative council at least once during each six-year [four-year] period following the effective date of coverage under this Act. It is further provided that:

(i) The State Board of Insurance shall provide, by request of the institution, a list of all carriers authorized to do business in the State of Texas and who will be eligible to bid on the insurance coverage or coverages provided in this Act.

(ii) The State Board of Insurance shall, upon request by the institution, examine and evaluate the bidding contracts and certify their actuarial soundness to the institution within 15 days from the date of request.

(iii) The institution is not required to select the lowest bid, but shall take into consideration other factors such as ability to service contracts, past experience, financial stability, and other relevant criteria. Should the institution select a carrier whose bid differs from that advertised, such deviation shall be reported to the administrative council and the reasons for such deviation shall be fully justified and recorded in the minutes of the next meeting of the administrative council.

(iv) The institution may select and contract for services performed by health maintenance organizations that are approved by this state to offer health-care services to eligible employees and retired persons in a specific area of the state. Eligible employees and retired persons may participate in a selected health maintenance organization in lieu of participation in the health insurance benefits under this Act, and the employer contributions provided by Section 13 of this Act for health-care coverage shall be paid to the selected health maintenance organizations on behalf of the participants.

(E) determine those institutions whose programs contain deficiencies with regard to the basic standards, administrative costs, and practices provided for under this Act. Where such program deficiencies occur, the president of each institution found to be deficient shall be notified of such program deficiencies by the administrative council, which shall also report its action to the commissioner of higher education, and the institution shall be provided a reasonable deadline not to exceed two years for correcting said deficiencies. The affected institution may appeal this determination of deficiency to the Coordinating Board, Texas College and University System. The board shall within 90 days from receipt of the appeal either affirm or reverse the decision of the administrative council. In case of reversal the board shall return the appeal to the administrative council with written instructions for disposition. Where institutions do not correct said deficiencies as directed by the administrative council, the council is hereby authorized and empowered to direct the institution to establish such plans as determined by the council, and to report its action to the commissioner of higher education. If such plans are not established within a reasonable time period not to exceed six months from date of notification, the council shall notify the state comptroller of public accounts, who shall withhold state insurance premium matching funds from the affected institutions until notified by the administrative council that the deficiencies have been corrected. These notifications to the state comptroller shall be reported to the commissioner of higher education.

(F) provide that the governing boards of two or more institutions of higher education may procure one or more group contracts with any insurance company or companies authorized to do business in this state, insuring the employees of each participating institution. The purpose of such authorization shall be to provide institutions of higher education with the ability to obtain the benefits of economy and/or improved coverages for their employees which may occur through increased purchasing economies for larger groups of employees. All contracts for basic coverages negotiated from the effective date of this Act shall be in compliance with basic coverage standards, rules, and regulations of the administrative council promulgated pursuant to this Act. Each governing board may provide such
additional or optional insurance programs and coverages as it deems desirable for its employees.

(G) adopt rules and regulations consistent with the provisions of this Act and its purpose as it deems necessary to carry out the statutory responsibilities.

(H) require that procedures be established by each institution to allow each covered employee to obtain prompt action regarding claims pertaining to insurance provided under this Act.

(I) publish such additional goals, guidelines, and surveys as are necessary to assist covered institutions in providing their employees with effective benefits programs.

(J) develop policies, practices, and procedures as necessary in accordance with provisions of applicable statutes to provide for greater uniformity in the administration of retirement annuity insurance programs available to employees of Texas state colleges and universities through the Optional Retirement Program, Article 51.351 et seq., Texas Education Code, as amended, and tax sheltered annuity programs as provided in Chapter 22, Acts of the 57th Legislature, 3rd Called Session, 1962, as amended (Article 6228a-5, Vernon’s Texas Civil Statutes).

(K) establish rules, regulations, and procedures for preparation and review of the annual reports of the institutions as further provided for under Section 6 of the Act.

(2) Renumber the remaining sections accordingly.

The amendment was adopted without objection.

HB 149, as amended, was passed to engrossment.

HB 1828 ON SECOND READING

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

HB 1828, A bill to be entitled An Act relating to the maximum interest rate on certain school district obligations.

The bill was read second time and was passed to engrossment. (Ulber and Patterson recorded voting no)

HB 634 - VOTE RECONSIDERED

Representative Price moved to reconsider the vote by which HB 634, as amended, was passed to engrossment today.

The motion to reconsider prevailed.

Representative Price offered the following amendment to the bill:

Amend HB 634 by renumbering Sections 2 and 3 as Sections 3 and 4, and by adding a new Section 2 to read as follows:

SECTION 2. Any school district that held a vote on consolidation during 1983 may, before September 1, 1984, seek another consolidation or abolition of the district in accordance with the law in effect on January 1, 1983, and the former law is continued in effect for that purpose.

Representative Haley moved to table the Price amendment.

The motion to table prevailed.

HB 634, as amended, was passed to engrossment. (Schlueter recorded voting no)

(Speaker in the chair)
Representative Schlueter moved that all necessary rules be suspended to take up and consider at this time, HR 290.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Schlueter:

HR 290

WHEREAS, Our colleague, the Honorable David Cain and his lovely wife, Kathryn, have been blessed with the birth of a daughter; and
WHEREAS, Jennifer Diane Cain was born at 7:30 p.m. on April 21, 1983, at Baylor Hospital in Dallas, weighing 9 pounds and 11-1/2 ounces; and
WHEREAS, The young Miss Cain will enjoy the benefits of an outstanding family heritage and the privilege of Texas citizenship; now, therefore, be it
RESOLVED, That the House of Representatives of the 68th Legislature hereby extend official greetings to a new Texan, Jennifer Diane Cain, and congratulate Representative and Mrs. David Cain on her birth; and, be it further
RESOLVED, That official copies of this resolution be prepared for Jennifer Diane Cain and her parents as tokens of high regard from the members of the Texas House of Representatives.

The resolution was read and was adopted without objection.

On motion of Representative Schlueter, the names of all the members of the house were added to HR 290 as signers thereof.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Local and Consent Calendars, on adjournment today, Room G-14.
Transportation, on adjournment today, Desk 43, to consider HB 1114.
Business and Commerce, Subcommittee on HB 1790, on adjournment today, Room 346, to consider HB 1790.
County Affairs, Subcommittee on HB 804, on adjournment today, Desk 20, to consider HB 804.
County Affairs, Subcommittee on HB 570, on adjournment today, Desk 55, to consider HB 570.
Criminal Jurisprudence, Subcommittee on HB 765, on adjournment today, Desk 4, to consider HB 765.
Criminal Jurisprudence, Subcommittee on D.W.I. related bills, on adjournment today, Room 411, Reagan Building.
Cultural and Historical Resources, Subcommittee on Sunset Legislation, on adjournment today, Desk 123, to consider SB 135 and SB 231.
Cultural and Historical Resources, Subcommittee on HB 1017, on adjournment today, Desk 89, to consider HB 1017.
Elections, Subcommittee on HB 1745, on adjournment today, back hall, to consider HB 1745.
Elections, Subcommittee on HB 198 and HB 210, on adjournment today, back hall, to consider HB 198 and HB 210.

Energy, Subcommittee on HB 2005, on adjournment today, Desk 109, to consider HB 2005.

Financial Institutions, Subcommittee on Securities, on adjournment today, Desk 111, to consider HB 1138 and HB 763.

Judicial Affairs, Subcommittee on HB 33, on adjournment today, Desk 125, to consider HB 33.

Judiciary, Subcommittee on Family Code, on adjournment today, Room G-B, Reagan Building, to consider HB 63, HB 1478, HB 1504, HB 1759, HB 478, HB 1654, and HB 1949.

Public Health, Subcommittee on SB 78, on adjournment today, Room 410, to consider SB 78.

Public Health, Subcommittee on HB 1648 and SB 705, on adjournment today, Room 410, Reagan Building, to consider HB 1648 and SB 705.

HB 198, HB 210, AND HB 1745 - RULES SUSPENDED

Representative Russell moved to suspend the 48-hour subcommittee report rule to allow the Committee on Elections to consider HB 198, HB 210, and HB 1745.

The motion prevailed without objection.

SENATE BILLS ON FIRST READING

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

SB 405 to Committee on Financial Institutions.

SB 661 to Committee on Business and Commerce.

SB 384 to Committee on Public Education.

HOUSE BILL ON FIRST READING

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

By Criss:

HB 2386, A bill to be entitled An Act relating to the powers, duties, operations, and financing of the Galveston County Drainage District No. 2; providing a penalty.

To Committee on Natural Resources.

SENATE JOINT RESOLUTION ON FIRST READING

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

SJR 12 to Committee on Public Education.
RESOLUTIONS REFERRED TO COMMITTEES

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

**SCR 90**, Extending cordial greetings to Mrs. Rosalynn Carter on the occasion of her visit to the State Capitol.
To Committee on Rules and Resolutions.

**SCR 91**, Recognizing the Mental Health Association for the dedicated service it provides to mentally ill persons.
To Committee on Public Health.

ADJOURNMENT

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

The motion prevailed without objection.

The house accordingly, at 4:48 p.m., adjourned until 10 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Agriculture and Livestock - HB 2083
County Affairs - HB 1340, HJR 91, SB 826
Criminal Jurisprudence - HB 98, HB 658, HB 1048, HB 1547, HB 1611, SB 173
Financial Institutions - HB 1372, HB 2115, HB 2311, SB 623
House Administration - HCR 151, HCR 152, HR 272, SCR 43
Human Services - HB 914
Insurance - HB 1554, SB 234, SB 1131
Judicial Affairs - HB 36, HB 42, HB 281, HB 1139, HB 1883, HB 1884, HB 2224, SB 118, SB 244, SB 565
Labor and Employment Relations - HB 340, SB 448
Law Enforcement - HB 785, HB 1429, HB 1954, HB 2186
Natural Resources - HB 1023, SB 588
Public Education - HB 1689
Public Health - HB 1384
Retirement and Aging - HB 1679, HB 1995, SB 610
Transportation - HB 287, HB 1007, HB 1084, HB 1571, HB 1598, HB 1658, HB 1967, HCR 127, HR 151, SB 763
Urban Affairs - HB 282, HB 977, HB 1750, HB 2153
Ways and Means - HB 163, HB 534, HB 616, HB 647, HB 1203, HB 1308, HB 1316, HB 1395, HB 1446, HB 1500, HB 1582, HB 1736, HB 1748, HB 1836, HB 2032, SB 433, SB 500, SB 570, SB 580, SB 581, SB 582, SB 594, SB 614, SB 637, SB 638, SB 741

COAUTHORS AUTHORIZED

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

HB 12 - W. Harrison
HB 1157 - Gamez
HB 1184 - Short
HB 1230 - W. Harrison
HB 1631 - Danburg
HB 1645 - Gamez, Wallace, G. Hill, Staniswalis, Robinson, Horn
HB 1690 - Toomey
HB 1776 - Criss
HJR 43 - Colbert
HJR 77 - Criss
HCR 188 - Ceverha
HR 236 - Toomey

BILL TRANSMITTED TO GOVERNOR
UNDER ARTICLE XVI, SECTION 59

The following house bill was transmitted by the chief clerk to the governor:

April 25 - HB 2391