The house met at 9:30 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 296).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Carricker; Cary; Cavazos; Ceverha; Clark; Clemmons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Elkenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Helin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Lacy; 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; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shear; Short; Simpson; Smith, A.; Smith, C.; 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; Wright.

Absent, Excused — Cain.

The invocation was offered by Pastor Allen C. Knuckles, Greenvine Baptist Church, Greenvine, Texas.

COMMUNICATION FROM HOUSE ETHICS COMMITTEE

TO: Speaker, Texas House of Representatives
FROM: House Ethics Committee
SUBJECT: Appointment of four members to House Ethics Committee

The House Ethics Committee on the 4th day of May, 1983, selected the following individuals to serve as members of the House Ethics Committee along with the standing members of that Committee.

Representative Jim Turner
Representative Patricia Hill
Representative Frank Tejeda
Representative Jesse Oliver

Respectfully submitted,
Bill Hollowell, Chairman
House Ethics Committee

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business:
Cain on motion of Willis.

**HR 334 - ADOPTED**

Representative D. Harrison moved that all necessary rules be suspended to take up and consider at this time, **HR 334**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By D. Harrison:

**HR 334**, Congratulating the city of Marfa.

The resolution was adopted.

On motion of Representative D. Harrison, the names of all the members of the house were added to **HR 334** as signers thereof.

**MESSAGE FROM THE SENATE**

Austin, Texas, May 5, 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**

- **HCR 84** by Polk, et al., requesting the State Board of Insurance to study the feasibility of requiring optional health insurance coverage of pregnancy-related expenses incurred by dependent minor children of policyholders.
- **HB 46** by Bush, relating to execution of a directive under the Natural Death Act.
- **HB 68** by Criss, relating to the assignment of workers’ compensation benefits in occupational disease cases.
- **HB 94** by M. Garcia, relating to the right of a possessory conservator of a child to the child’s medical and educational records.
- **HB 99** by Criss, relating to the reduction of workers’ compensation death benefits because of benefits paid for prior period of incapacity.
- **HB 131** by Watson, et al., relating to worker’s compensation funeral benefits.
- **HB 176** by Turner, relating to disqualification of a juror who is legally blind.
- **HB 218** by D. Lee, et al., relating to the compensation of the district judges in Cameron County.
- **HB 266** by Green, relating to the appointment of guardians ad litem and attorneys ad litem in probate proceedings.
- **HB 267** by Green, relating to compliance with a will admitted to probate as a muniment of title.
- **HB 276** by G. Thompson, relating to the persons authorized to request an autopsy.
- **HB 304** by Eikenburg, relating to jurisdiction to enforce criminal laws in a public park or recreational facility at a water resource development project under the control of the Department of the Army.
- **HB 333** by Whaley, relating to establishment of a juvenile board for the 110th Judicial District.
HB 373 by Hinojosa, et al., relating to the terms of court of certain district courts in Hidalgo County.
HB 375 by Wright, relating to the authority of the personal representative of a decedent to institute proceedings to determine heirship.
HB 376 by Wright, relating to the liability of certain personal representatives for attorney’s fees.
HB 502 by Polumbo, et al., relating to the description of opiates and opium derivatives, including fentanyl, for the purposes of schedules and penalty groups in the Texas Controlled Substances Act.
HB 553 by Harrison, relating to sale of property of a minor by a parent without guardianship.
HB 665 by Barton, relating to a transcript form for distinguishing the academic achievement record of a student who has completed an advanced high school program.
HB 797 by Hanna, relating to exemptions from licensing requirements for insurance adjusters.
HB 1020 by Polumbo, relating to nomination for and election to the office of county school trustee in certain counties.
HB 1231 by Geistweit, relating to correcting patents.
HB 1255 by Haley, relating to the powers of an electric cooperative corporation.
HB 1341 by Emmett, relating to compensation of members of governing boards of water control and improvement districts, fresh water supply districts, municipal utility districts, water improvement districts, drainage districts, and levee improvement districts.
HB 1346 by Craddick, relating to regulation of the in situ recovery of tar sands.
HB 2194 by Craddick, relating to the power of the railroad commission to review and approve, for purposes of the Outer Continental Shelf Lands Act amendments of 1978 and any other federal authorities, applications for the purchase of natural gas.
HB 2304 by A. Moreno, relating to approval of bonds and taxes by the qualified voters of the Hidalgo County Drainage District No. One.

Respectfully,
Betty King
Secretary of the Senate

MOTION TO INTRODUCE A HOUSE BILL

Representative M. Garcia moved to suspend the constitutional rule for permission to introduce and have placed on first reading a house bill.

Representative Ceverha raised a point of order against further consideration of the M. Garcia motion on the grounds that 2 hours notice had not been given.

The speaker sustained the point of order.

HR 338 - ADOPTED

Representative M. Garcia moved that all necessary rules be suspended to take up and consider at this time, HR 338.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By M. Garcia:

HR 338, In memory of Joe Munoz.
The resolution was unanimously adopted by a rising vote.

On motion of Representative Barrientos, the names of all the members of the house were added to HR 338 as signers thereof.

HR 323 - ADOPTED

Representative Barrientos moved that all necessary rules be suspended to take up and consider at this time, HR 323.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Barrientos, et al.:

HR 323, Commending Officer Joel Quintanilla and the Capitol Security Police.

The resolution was adopted without objection.

On motion of Representative Barrientos, the names of all the members of the house were added to HR 323 as signers thereof.

CSSB 179 ON SECOND READING
(Presnal - House Sponsor)

The speaker laid before the house, as pending business, on its passage to third reading.

CSSB 179, the General Appropriations Act.

CSSB 179 was read second time on May 4 and was amended.

Representative Green offered the following amendment to Article III, CSSB 179:

Amend the committee substitute for SB 179 as follows:
(1) On page III-13, appropriations to Texas Central Education Agency-Programs, add a new rider to read as follows:

"It is the intent of the Legislature that the Regional Service Center serving Harris County shall begin a multiple-handicapped work-study pilot program in fiscal 1984, $50,000 each year of the biennium shall be expended from General Revenue for this purpose from item 1.1 above."

The amendment was adopted without objection.

Representative Craddick offered the following amendment to Article III, CSSB 179:

Amend the committee substitute for SB 179 as follows:
(1) On page I-151, Railroad Commission, add the following rider:

Contingent on passage of HB 716, Sixty-eighth Legislature, Regular Session, 1983, (1) amounts shown above in line-item 4.f. Rail Safety are not appropriated; (2) the General Revenue appropriations shown above under Method of Financing are reduced by $305,301 in 1984 and $245,246 in 1985; and (3) rider number 6 above shall be null and void.

(2) On page III-13, Texas Central Education Agency-Programs, add the following rider:

Contingent on passage of HB 716, Sixty-eighth Legislature, Regular Session, 1983, the amounts of $305,301 in 1984 and $245,246 in
1985 are appropriated from the General Revenue Fund to item 2.
Adult and Adult Vocational Education, Texas Central Education
Agency - Programs.

Representative Clemons moved to table the Craddick amendment.
The motion to table prevailed.

Representative E. F. Lee offered the following amendment to Article III,
CSSB 179:

Amend the committee substitute for SB 179 as follows:
(1) On page III-33, appropriations to Available University Fund, in
appropriation item 2 following "physical plant operation and maintenance," insert
the words "minority scholarships and recruitment".

The amendment was adopted without objection.

Representatives Rangel, Danburg, Polk, Gossbrenner, and Luna offered the
following amendment to Article III, CSSB 179:

Amend the committee substitute for SB 179 as follows:
(1) On page I-44, appropriations to Texas Department of Community Affairs
increase the amounts in line item 4.b. Grants/Contracts by $2,000,000 in 1984 and
$3,000,000 in 1985.
(2) On page III-50, appropriations to The University of Texas System Cancer
Center increase the amounts in line item 13. Cancer Prevention by $200,000 in
(3) On page III-54, appropriations to Texas A&M University at Galveston
change the amounts in line-item 8. Special Items/Major Repairs to $412,129 in
1984.
(4) On page II-36, appropriations to Department of Human Resources
increase the amounts in line item 8.b. Family Planning Services (XX) to $1,000,000
in 1984 and $2,000,000 in 1985.
(5) On page II-35, appropriations to Department of Human Resources
increase the amounts in line item 1.a. Aid to Families with Dependent Children
Assistance Payments by $1,150,000 in 1984 and $1,150,000 in 1985.
(6) Change all subtotals and totals as necessary.

Representative Wolens moved to table the Rangel, et al., amendment.
The motion to table prevailed.

Representative Colbert offered the following amendment to Article III,
CSSB 179:

Amend the committee substitute for SB 179 as follows:
(1) On page III-50, appropriations to The University of Texas System Cancer
Center, increase item 13. Cancer Prevention to show the following amounts:

<table>
<thead>
<tr>
<th>Fund</th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue</td>
<td>$640,386</td>
<td>$646,949</td>
</tr>
<tr>
<td></td>
<td>&amp; U.B.</td>
<td>&amp; U.B.</td>
</tr>
</tbody>
</table>

(2) On page III-50, appropriations to The University of Texas System Cancer
Center change the method of financing to show an increase from the identified funds
by the following amounts:

<table>
<thead>
<tr>
<th>Fund</th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue</td>
<td>$100,000</td>
<td>$100,000</td>
</tr>
<tr>
<td></td>
<td>&amp; U.B.</td>
<td>&amp; U.B.</td>
</tr>
</tbody>
</table>
(3) On page 1-162, appropriations to the Texas Sesquicentennial Commission, reduce item 2, Program Development and Services to show the following amounts:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$295,628</td>
<td>$497,766</td>
</tr>
</tbody>
</table>

& U.B.

(4) Change all totals and subtotals as necessary.

(Armbrister in the chair)

Representative McWilliams moved to table the Colbert amendment.

A record vote was requested.

The motion to table prevailed by (Record 297): 107 Yeas, 35 Nays, 1 Present, not voting.

Yeas — Agnich; Armbrister(C); Arnold; Barrientos; Barton, B.; Barton, E.; Banton; Bomer; Buchanan; Burnett; Bush; Carriker; Cary; Clark; Clemons; Collazo; Connelly; Coody; Craddock; Criss; Davis; DeLay; DeLeo; Eckels; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Gandy; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Granoff; Grisham; Haley; Hall, L.; Hall, T.; Hull, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hellin; Hightower; Hibbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Jackson; Jones; Keller; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; McKenna; McWilliams; Madla; Mankins; Messer; Millsap; Oliveira; Parker; Patrick; Patterson; Pennington; Peveto; Pierce; Presnal; Robnett; Rudd; Russell; Salinas; Saunders; Schluter; Schoolcraft; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Tejeda; Thompson, G.; Thompson, S.; Tow; Turner; Uher; Vowell; Waldrop; Watson; Whaley; Wieting; Wolens; Word; Wright.

Nays — Cavazos; Ceverha; Colbert; Crockett; Danburg; Denton; Edwards; Fox; Gamez; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Green; Huckney; Hernandez; Hudson, S.; Kemp; Luna; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliver; Patronella; Polk; Polumbo; Price; Ragsdale; Rangel; Shaw; Toomey; Valles; Wallace; Willis.

Present, not voting — Mr. Speaker.

Absent, Excused — Cain.

Absent — Berlanga; Hury; Robinson; Smith, C.; Sutton; Wilson.

Representative Sutton offered the following amendment to Article III, CSSB 179:

Amend CSSB 179 as follows:

On page III-106, Special Provisions Relating Only to Agencies of Higher Education by substituting the following for the last paragraph:

Public Colleges and Universities

Sec. 10 (c). Each of the general academic, medical and health science institutions (Texas Education Code 61.0003(3)(3)) named in this article shall limit expenditures of estimated income received for the fiscal years ending August 31, 1984 and August 31, 1985 to a sum not to exceed the income estimated in this Act for the respective fiscal year plus $50,000 or 20 percent of estimated income as defined herein, whichever is greater. Estimated income is that amount specified in this article for each institution as "other educational and general income" or "other education, general and patient income."
Each institution described above which has "other education, and general income" restricted may expend twenty-five (25) percent of any balance of such restricted estimated income in excess of the sum authorized above for the recruitment, retention and financial support of educationally deprived students of Texas residency at their respective institutions. Any balance of the recruitment, retention and financial support fund shall be used to establish High School and Middle School Programs for educationally deprived children and youth interested in preparation for careers in the Technological, Biological and/or Health Sciences areas.

The amendment was adopted without objection.

STATEMENT BY REPRESENTATIVE GAMEZ

On record vote 297 my machine inadvertently malfunctioned and the vote should have been yes.

Gamez

HOUSE AT EASE

At 10:49 a.m., the chair announced that the house would stand at ease.

(Speaker pro tempore in the chair)

The speaker pro tempore called the house to order at 10:51 a.m.

COMMITTEE APPOINTED

The speaker announced the appointment of the following committee, pursuant to SCR 43, to escort the Honorable Tony Bonilla to the speaker's rostrum: Representatives Barrientos, Bush, Cavazos, W. Hall, W. Harrison, D. Harrison, D. Lee, R. Martinez, W. Martinez, A. Moreno, Polk, Rangel, Robinson, Shaw, S. Thompson, Wieting, Willis, Wilson, and Wolens.

MESSAGE FROM THE SENATE

Austin, Texas, May 5, 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 234 by viva voce vote; SB 262 by viva voce vote.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 354 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Whitmire, Washington, Brown, Edwards, Caperton

Respectfully,
Betty King
Secretary of the Senate
ADDRESS BY THE HONORABLE TONY BONILLA
(The House of Representatives and the Senate in Joint Session)

In accordance with the provisions of SCR 43, providing for a joint session of the senate and the house of representatives today for the purpose of hearing an address by the Honorable Tony Bonilla, Lieutenant Governor William P. Hobby and the honorable senators were announced at the door of the house and were admitted.

The senators occupied seats arranged for them.

At 11 a.m., the Honorable Tony Bonilla and party escorted by Senators Mauzy, Santiesteban, Sharp, Uribe, and Vale, committee on the part of the senate; and Representatives Barrientos, Bush, Cavazos, W. Hall, W. Harrison, D. Harrison, D. Lee, R. Martinez, W. Martinez, A. Moreno, Polk, Rangel, Robinson, Shaw, S. Thompson, Wieting, Willis, Wilson, and Wolens, committee on the part of the house, were announced at the door of the house and, being admitted, were escorted to the speaker's rostrum.

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

A quorum of the senate was announced present.

Speaker Pro Tempore Hugo Berlanga called the house of representatives to order.

The speaker pro tempore directed all members present to register.

A quorum of the house was announced present.

The speaker pro tempore stated that the two houses were in joint session for the purpose of hearing an address by the Honorable Tony Bonilla, National President of the League of United Latin American Citizens.

The speaker pro tempore recognized Senator Sharp who addressed the joint session briefly and introduced the Honorable Tony Bonilla.

Mr. Bonilla addressed the joint session, speaking as follows:

Thank you very much, Senator Sharp, for your very kind introduction, and thank you members of the house and senate for honoring me with this grand and historic opportunity.

Hispanics, traditionally, have not spoken from this podium. When I was in the state legislature in 1965, I had the first opportunity to do so. We had the Governor of Coahuila from the Republic of Mexico visiting us, and at that time, there were only a handful of house members who could speak Spanish. None of them could read it, and most of them couldn't speak it well. So we drew straws, Bob Vale is probably the only survivor of that bunch. Funny thing happened to the rest of us on the way back to the Capitol. We drew straws, and it was decided that I would be the one to address our honored guests in Spanish. So, the small group of us got together and wrote everything out in English first, and then translated it, and then it was my duty to get up here and speak to the governor in Spanish. Well, Governor Connally, obviously, didn't understand it. Our Hispanic house members didn't understand it. And I found out later that our Governor of Coahuila didn't either. This was before bilingual education came into existence, so everyone started calling me a bi-illiterate.

You do great honor to me, my family, the LULAC organization, and our Hispanic community by extending this invitation to me today. Perhaps many of you may wonder why we would take time out to celebrate Cinco de Mayo, and how can that possibly relate to the people of the great State of Texas or indeed, the people of this nation. You will recall that in the 1860's, our country was involved in a civil war of great magnitude. The Republic of Mexico in the early 1800's had gained its independence from Spain. And during this era, they were experiencing tremendous economic hardships and were deep in debt to several foreign countries. They had
made arrangements with some of these foreign countries to work out those debts, but one country that was unwilling to negotiate or compromise was France. And a group of French warriors, about 6,000 strong, landed at Vera Cruz during this era when Mexico was at its weakest. And a rag-tag group of valiant Mexican soldiers led by a fellow Texan, General Zaragosa defeated the French at Puebla on the Cinco de Mayo in 1862, and thus, forevermore, established and preserved the territorial integrity of the great Republic of Mexico.

The significance of that victory is not only the fact that Mexico was able to obtain their territorial integrity, but the significance was that they defeated the French, who, if they had been successful, history tells us, would have joined the South in the fight of the Civil War, and thus, could possibly have changed the course of history in this nation. And thus, we are indebted to the valiant Mexicans, to our General Zaragosa, and to the Republic of Mexico for doing a service not only in preserving the integrity of their country, but in protecting our own.

I mentioned a moment ago, that in 1965, when I was in the state legislature, there were only a handful of us. Actually, there were only seven Hispanic members in the house and no Hispanic members in the senate. Today, we find 24 Hispanic members in the house and four in the senate. We're proud of that, because it reflects how far we have come as Hispanics in this state. Much of that credit, obviously, goes to the advances we have made through the Voting Rights Act. And, indeed, a great deal of it goes to you for your participation in the redistricting process that has brought about the changes. Much recognition likewise goes to Governor Hobby and to Speaker Gib Lewis, who have opened up the legislative process and made it possible for Hispanic members to serve as chair of various significant committees in both the house and the senate. And I want to pay particular tribute to Speaker Gib Lewis for taking some historic steps in not only naming more chairmen Hispanic members, but also naming as speaker pro tem, Hugo Berlanga. If we could just teach Hugo how to hit a gavel. Not bust it up on people's heads. Especially those of the loyal opposition. We think it would be well for other state government leaders to emulate the lieutenant governor and the speaker of the house in giving Hispanics greater opportunities to serve.

I thought that, after reciting a little bit about Cinco de Mayo and how far we've come in the legislative process, that I would share with you today on this Cinco de Mayo the impact of the Hispanics in American society. I don't know how many of you have stopped to realize that studies reflect that between 1861 and 1960, two-thirds of the immigrants who came to this country came from Europe. But since 1977, four out of five immigrants have come from Latin America or Asia. And everything indicates that there will be a continuous flow of immigrants that will bring with it complex social consequences. Today, there are 20 million Hispanics in this country. And by the end of the 21st century, which is only 17 years away or such, we are expected to be the largest minority in this country. We have a larger family size and a higher birth rate, with a 2.9 birth rate in comparison to the Anglo birth rate of 1.9 and the black birth rate of 2.7. We have a potential of 6 million Hispanic voters in the United States, with a potential of one million in the State of Texas alone. Over 60 percent of the student bodies in the public schools in New York, Chicago, Los Angeles, Denver, the seven largest school districts in Texas, and in Dade County, Florida, are represented by Hispanics and blacks. Indeed, one-half of all the elementary school children in public schools in Texas today are minorities. And yet, we are a young population, with 40 percent of our Hispanic population being 18 years of age or under and only 5 percent being 65 years of age or older.

While we enjoy those numbers and this tremendous potential political clout, we also have substantial economic clout, which many people do not recognize and indeed some take for granted. For as Hispanics, we spend in excess of 100 billion
dollars a year as consumers today. The blacks take home $157 billion dollars. Together, blacks and Hispanics represent one-quarter of a trillion-dollar industry in this country. If you include the black potential voters, together blacks and Hispanics represent a potential of 23 million voters. That’s why some of us who are active in the political activities across this country like to suggest the hands that used to pick cotton and fruits and vegetables will someday be picking the president of the United States.

Despite these statistics, Hispanics today still have too high a drop-out rate from our public schools. We have too few in higher education and even fewer in graduate schools. There is a total lack of Hispanics serving on corporate boards in decision-making positions, in the corporate structure, as well as in many levels of government. We are underrepresented in the media. Farm workers are still struggling for dignity and certain benefits. We are some of the lowest wage earners in the country. And today, we suffer from a 15.8 percent unemployment rate in this country, and in some places like Laredo, it is in excess of 28 percent.

So with these statistics then, you may ask, and indeed the public frequently asks as we travel across the country, what, then, do Hispanics seek? We seek opportunity. For a long time, we have utilized stumbling blocks as stepping stones to reach the pinnacle of success. And what people in today’s society must understand is that Hispanics no longer fit a certain mold, interested only in such issues as bilingual education, or immigration issues. They must understand and come to realize that Hispanics seek a greater role in the decision-making process, much like Governor Hobby and Speaker Lewis have encouraged, and we likewise are encouraged by the initial appointments made by Governor White, Land Commissioner Garry Mauro, and others. But we still seek more. It’s only the beginning.

We know that different areas of the nation will soon be competing with one another for jobs, talented people, resources, high technology industries, and federal dollars. And Hispanics can and should play an important role on how we achieve those efforts. Today Mexico is the third largest trading partner for this country. Bilingualism and biculturalism should therefore be considered an asset for this country. We must overcome the trauma that being bilingual or bicultural is a deficit for our nation and come to grips with the fact that so much more can be accomplished by having a multilingual society.

The emergence of Central America as a key area for strategic importance to the security and economy of our country dictates that Hispanic talent be utilized in a positive manner. And if there are those in today’s society who think that Hispanics do not wish to speak English, I would share with you the results of a recent survey that reflected that 98 percent of the Hispanics in this country feel that it is a top priority to acquire English language proficiency.

You may then ask, what are we supporting now? There are several measures that are pending before this body that should be addressed. And I would be derelict in my duty if I did not share with you what I hear Hispanics in the State of Texas saying. We do not want new taxes. We want higher pay for teachers and classroom discipline. With the reduction in funding for higher education and the elimination of a great number of financial aid programs, we do not want an increase in tuition for our college students. There is pending before this body, a proposal to give farm workers minimum wage and workers’ compensation coverage. Farm workers for too long have been treated like slaves in this state and in this nation. It is not unreasonable for the farm workers to be brought into the 20th century and be given workers’ compensation coverage and at least a minimum wage that compares to the federal minimum wage.

We all know that we are losing individuals for the teaching profession. It is no longer attractive. And we support incentives for getting students into the teaching profession and we would hope that you would enact some legislation of that type.
It's time that we did get tough on alcohol and drug abuse in this state. And we support those efforts. We support legislation that will authorize the deduction of child support payments from wages. For too long, too many people have children and then turn their backs on them. The least they ought to be required to do is to pay support for them. We commend your support of the extension of the Veterans' Land Program, and will work with you to assure its passage as a constitutional amendment, and we support an increase in the AFDC Program.

I know that your task is a difficult one. And we want you to be assured that the Hispanic community is willing to work with you. Let me close, if I may, with a story that someone shared with me about the golfer who liked to go out and play weekend golf and he wasn't a particularly good golfer. Played a little bit like Froly Salinas. Stomach gets in the way. He hit the ball and he sliced it and it landed right in the middle of an ant bed. The golfer got his 5-iron, and walked up there and took a swing at the ball and missed it, and created a divot, and in the process, he killed a bunch of ants. Took another swing and missed the golf ball again. Hit another divot and killed some more ants. Took another swing and killed more ants. And finally, after the third swing, one ant looked at the other and said "You know, if we want to get out of this thing alive, we better get on the ball."

We want you to know that the Hispanic community in America, the Hispanic community in Texas, is on the ball. And we've got the golf clubs, and we're swinging and we're hitting the ball. And it's going straight. And we'd like you to join us in the ball game for economic parity, justice, and opportunity. Thank you very much.

The speaker pro tempore introduced Speaker Lewis who presented Mr. Bonilla with a gavel. The speaker pro tempore introduced Mrs. Bonilla.

SENATE RECESSES

At 11:26 a.m., Senator Bob Vale stated that the business of the joint session had been accomplished and that the senate would recess until 1 p.m.

REMARKS ORDERED PRINTED

Representative Willis moved that Mr. Bonilla's remarks be printed in the journal.

The motion prevailed without objection.

HOUSE AT EASE

At 11:27 a.m. the speaker pro tempore stated that the purpose for which the joint session was called having been completed the house would stand at ease pending the departure of guests.

(Speaker in the chair)

The speaker called the house to order at 11:32 a.m.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Business and Commerce, Subcommittee on HB 1209, HB 748, and HB 1665, on noon recess today, Desk 145, to consider HB 1209, HB 748, and HB 1665.

Insurance, Subcommittee on Title Insurance, on noon recess today, Desk 91, to consider SB 352.

Higher Education, Subcommittee on HB 2076, on noon recess today, Desk 110, to consider HB 2076.
MESSAGE FROM THE SENATE

Austin, Texas, May 5, 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 375 by Doggett, relating to certain exceptions to the confidentiality of certain medical and other mental health records regarding a patient.
SB 549 by Truan, relating to areas in which rapid transit authorities may be created.
SB 587 by Mauzy, relating to the furnishing of voter registration lists relating to, cancelled, and changed registrations by voter registrars under the secretary of state's service program.
SB 912 by Truan, relating to the conveyance of certain state-owned real property in Kleberg County.
SB 1038 by Glasgow, relating to protective clothing for firefighters.
SB 1137 by Brown and Glasgow, relating to certain admissions of unadjudicated offenses during sentencing for a criminal conviction.
SB 1192 by Farabee, relating to establishment, membership, staff, powers and duties, and compensation of a juvenile board for the 132nd Judicial District.
SB 1197 by Washington, relating to appointments to the board of hospital managers of certain hospital districts.

Respectfully,
Betty King
Secretary of the Senate

RECESS

Representative Watson moved that the house recess until 1:00 p.m. today. The motion prevailed without objection.
The house accordingly, at 11:35 a.m., recessed until 1:00 p.m. today.

AFTERNOON SESSION

The house met at 1:00 p.m. and was called to order by the speaker.

**CSSB 179 - (consideration continued)**
The house resumed consideration of CSSB 179.

**CSSB 179 - RULES SUSPENDED**

Representative Simpson moved to suspend Rule 5, Section 30 of the House Rules, to limit debate to five minutes for the duration of debate on CSSB 179. The motion prevailed without objection. (J. Gibson recorded voting no)
MESSAGE FROM THE SENATE

Austin, Texas, May 5, 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 223 by Caperton, relating to creation of the County Court at Law of Waller County.
SB 369 by Williams, relating to the purchase of land for highway right-of-way.
SB 461 by Williams, relating to deannexation of territory within certain junior college districts containing not less than six independent school districts and situated within a county of 2,200,000 and establishing a new junior college district.
SB 518 by Washington, relating to the creation of solar easement.
SB 710 by Lyon, relating to positions exempt from civil service in the sheriff’s departments in certain counties.
SB 803 by Brown, relating to the powers of a temporary managing conservator and a temporary possessory conservator of a child.
SB 838 by Lyon, et al., relating to conviction of a sexual offense on the testimony of a child.
SB 856 by Mauzy, relating to the maximum punishment for violation of a municipal ordinance and criminal jurisdiction of municipal courts.
SB 839 by Leedom, relating to the transfer of certain cases from the district courts to the county courts at law in Dallas County.
SB 906 by Truan, relating to mutual assistance among cities and counties in the provision of emergency medical services.
SB 913 by Truan, relating to the conveyance of certain state-owned real property in Hidalgo County.
SB 969 by Henderson, relating to the authority of certain counties to contract for the improvement of highways in the counties and to assess the cost of the improvements to the owners of property benefited by the improvements.
SB 1019 by Truan, relating to liability of a hospital for refusing emergency care.
SB 1110 by McFarland, relating to the duties, functions, and operations of the Legislative Council.
SB 1155 by Truan, relating to elimination of duplicative surveys and inspections by state agencies of hospitals, nursing homes, mental health and mental retardation facilities, alcohol addiction and abuse facilities, and other health care facilities.
SB 1217 by Glasgow, relating to the establishment and powers of a juvenile board in Denton County.
SB 1252 by Farabee, relating to the creation of the County Court at Law No. 2 of Wichita County and membership of the judge of that court on the county juvenile board.
SB 1275 by Glasgow, relating to the election of directors of the Palo Pinto Hospital District.
SB 1282 by Whitmire, providing for a co-presiding judge to act in the absence or disability for any reason of the regular presiding judge.
SB 1291 by Doggett, relating to appointment of masters for certain courts in Travis County.
SB 1293 by McFarland, relating to the removal of corneal tissue from certain decedents.
SB 1316 by Howard, relating to the sale of certain state property in Paris, Texas.
SB 1338 by Farabee, relating to electronic transmission procedures under the Administrative Procedure and Texas Register Act.
SCR 77 by Blake, granting Howard Daniels, Jr., permission to sue the state.
SCR 82 by Brooks, directing the Texas Department of Human Resources to conduct demonstration projects to establish a family violence advisory group to assist the staff and the department in its decision-making and planning efforts regarding the family violence program.
SCR 83 by Truan, directing the Texas Department of Human Resources to conduct demonstration projects to conduct demonstration projects to conduct demonstration projects to assist family violence centers in expanding services responsive to the developmental and psychosocial needs of the children residing in shelters.
SCR 84 by Sarpalius, directing the Texas Department of Human Resources to implement program models, designed to improve the delivery of services to victims of family violence in geographically isolated and underserved areas of the state.
SCR 85 by Sarpalius, directing the Texas Department of Human Resources to pursue activities designed to heighten public awareness of the magnitude and dynamics of spouse abuse and abuse of the elderly.
SCR 86 by Sarpalius, directing the Texas Department of Human Resources to study the feasibility of establishing a statewide, toll-free information, referral, and reporting system to provide assistance to persons involved in spouse or elder abuse.
SCR 87 by Sarpalius, directing the Texas Department of Human Resources to examine existing programs for battered, to analyze the effectiveness of such programs, and to pilot such models, as resources allow, on a demonstration basis.
SCR 88 by Sarpalius, directing the Texas Commission on Law Enforcement Officer Standards and Education to organize a subject area on family violence in its mandatory basic law enforcement training for all peace officers.
SCR 89 by Caperton, directing the Governor's Criminal Justice Division to initiate continuing education programs on family violence for criminal justice professionals.

Respectfully,
Betty King
Secretary of the Senate

CSSB 179 - (consideration continued)

Representatives G. Hill, J. Gibson, Coody, and W. Hall offered the following amendment to Article III. CSSB 179:

Amend CSSB 179 by substituting the following for the indicated riders:

SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES OF HIGHER EDUCATION - Page III-112

Sec. 22. SALARY PROVISIONS. This section shall apply to those agencies of higher education not covered by Section 1, Article V, of this Act. Funds are provided in the appropriations made to those agencies covered by this section in sufficient amounts to permit annual salary increases as follows:

(a) All employees, excluding faculty in the general academic universities; professional positions in the Texas A&M Services; and faculty and professional positions in the health science centers and other medical education programs, shall
receive a minimum annual salary increase of 4.5% in fiscal 1984 and 2% in fiscal year 1985.

(b) Funds are provided in the appropriations to agencies covered in this section to permit salary increases in fiscal 1984 of 4.5% and 2% in fiscal 1985 for all employees excluded by the preceding section. Salary increases for these employees are to be awarded on the basis of merit and performance in accepted activities including teaching, research and service.

**SALARY PROVISIONS - Page V-24**

1. **SALARY RATES FOR CLASSIFIED POSITIONS.** For each fiscal year beginning September 1, 1983, within the limitation of funds available for salaries of classified positions, annual salary rates for classified positions shall be in accordance with the above Classification Salary Schedules. Except as specifically provided by other provisions of this Act, salaries of state employees who in August 1983 are in classified positions shall be converted to the salary schedule set forth in this Act as follows:

   1. For the fiscal year 1983-1984 the salary of an employee who in August 1983 is paid at a numbered salary step in salary groups 2 through 21, shall be converted to the salary schedule in this Act at the same numbered salary step in the same salary group in which paid in August 1983.

   2. For the fiscal year 1984-1985 the salary of an employee, who in August 1984 is paid at a numbered salary step in salary groups 2 through 21, shall be converted to the salary schedule for 1984-1985 in this Act at the same numbered salary step in the same salary group in which paid in August 1983. For fiscal year 1985 each numbered salary step shall be increased by 2% over fiscal year 1984.

Representative Barrientos offered the following amendment to the G. Hill et al., amendment:

Amend CSSB 179 as follows:

1. On page III-112, Section 22(a) strike the figure “4.5%” and substitute in lieu thereof “$70 per month”.

2. On page V-23 strike the classification salary schedules and substitute in lieu thereof the following:

**CLASSIFICATION SALARY SCHEDULE**
*(for the Year Beginning September 1, 1983)*

<table>
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<tr>
<th>Salary Group</th>
<th>1</th>
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### Classification Salary Schedule

(for the Year Beginning September 1, 1984)

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**MESSAGE FROM THE SENATE**

Austin, Texas, May 5, 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 36 by: viva voce vote.

Respectfully,
Betty King
Secretary of the Senate

CSSB 179 - (consideration continued)

Representative Presnal moved to table the Barrientos amendment.

A record vote was requested.

The motion to table prevailed by (Record 298): 75 Yeas, 67 Nays, 1 Present, not voting.
Yea votes: Agnich; Blanton; Bomer; Buchanan; Bush; Ceverha; Clark; Connell; Coody; Craddick; Delay; Eckels; Eikenburg; Emmett; English; Evans; C; Finnell; Fox; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Hefflin; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Jackson; Jones; Keller; Kemp; Khoury; Kubiat; Kueempel; Laney; Lee, D.; Leonard; McKenna; Mankins; Meser; Millsap; Pennington; Peveto; Presnal; Robinson; Robnett; Rudd; Saunders; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Thompson, G.; Toomey; Tow; Turner; Uher; Vowell; Waldrop; Whaley; Wieting; Wright.

Nay votes: Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Burnett; Carriker; Cary; Cavazos; Clemons; Colbert; Collazo; Criss; Crockett; Danburg; Davis; Delco; Denton; Edwards; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, M.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Harrison, W.; Hernandez; Hinojosa; Hudson, D.; Hudson, S.; Lee, E. F.; Luna; McWilliams; Madia; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Patterson; Pierce; Folk; Price; Ragsdale; Rangel; Russell; Salinas; Schoolcraft; Shaw; Smith, C.; Tejeda; Thompson, S.; Wallace; Watson; Willis; Wilson; Wolens; Word.

Present, not voting: Mr. Speaker(C).
Absence, Excused: Cain.
Absent: Gilley; Hurly; Patrick; Polumbo; Schlueter; Valles.

The G. Hill, et al., amendment was adopted.

Representative Whaley offered the following amendment to Article III, CSSB 179:

Amend CSSB 179 as follows:

1. On page III-9, insert the following paragraph after the paragraph in rider number 1 to read as follows: "The sums of $19,000,000 for the fiscal year ending August 31, 1984, and $19,000,000 for the fiscal year ending August 31, 1985, are dedicated from the general revenue fund to any increase in teacher salaries provided by law.

2. On page III-19, strike item 12, Tuition Equalization Grants.

3. On page III-20, strike riders number 6 and 7.

4. On page III-21, strike riders number 13 and 14.

5. On page III-22, strike rider number 15.

Representative G. Thompson moved to table the Whaley amendment.

A record vote was requested.

The motion to table prevailed by (Record 299): 124 Yeas, 16 Nays.

Present, not voting: Mr. Speaker(C).
Representative M. Garcia offered the following amendment to Article III, CSSB 179:

(1) On page III-35, appropriations to the Department of Human Resources, increase item 1., Aid to Families with Dependent Children, by adding the following amount in general revenue:

$156,100,000

(2) On page III-6, appropriations to the Central Education Agency, increase items la., lb., and lc., Foundation School Program Allocations to Local Schools, by adding the following amount in general revenue: $896,309,475

(3) In CSSB 179, reduce non-dedicated general revenue appropriations by ten percent in fiscal year 1984 and ten percent in fiscal year 1985.

(4) Change all totals and subtotals as necessary to reflect appropriate federal matching funds and appropriate allocations between fiscal years and appropriation items.

Representative Rudd moved to table the M. Garcia amendment.

A record vote was requested.

The motion to table prevailed by (Record 300): 84 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barton, E.; Blanton; Bomer; Buchanan; Burnett; Bush; Carriker; Ceverha; Clark; Connelly; Craddick; Criss; Davis; DeLay; Eckels; Eikenburg; Emmett; English; Finnell; Fox; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Haley; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Heflin; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Jones; Keller; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; McKenna; Mankins; Messer; Millsap; Patrick; Patterson; Pennington; Prestial; Robinson; Robnett; Rudd; Russell; Saunders; Schlueter; Schoolcraft; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Thompson, G.; Toomey; Turner; Uher; Vowell; Waldrop; Whaley; Wieting; Wolens; Word; Wright.

Nays — Barrientos; Barton, B.; Berlanga; Cary; Cavazos; Clemmons; Colbert; Coody; Crockett; Danburg; Delco; Denton; Edwards; Evans, C.; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Hall, L.; Harrison, W.; Hernandez; Hinojosa; Hudson, S.; Kemp; Luna; McWilliams; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Pierce; Polk; Polumbo; Price; Ragdale; Rangel; Salinas; Shaw; Smith, C.; Sutton; Tejeda; Thompson, S.; Tow; Valles; Wallace; Watson; Willis; Wilson.
present, not voting — Mr. Speaker (C).

absent, Excused — Cain.

absent — Hury; Jackson; Peveto.

representative criss offered the following amendment to article III, CSSB 179:

Amend CSSB 179 as follows:

on page III-24, amend item 11 to read as follows:

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<td>Academic Education</td>
<td>$1,992,794</td>
<td>$2,111,862</td>
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<tr>
<td>Vocational/Technical Ed.</td>
<td>2,429,126</td>
<td>2,575,015</td>
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<tr>
<td>Insurance</td>
<td>194,040</td>
<td>235,620</td>
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<td><strong>Total</strong></td>
<td><strong>$4,615,960</strong></td>
<td><strong>$4,922,497</strong></td>
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on page III-28, amend the Grand total to read as follows:

GRAND TOTAL, Public Junior Colleges — Academic & Vocational/Technical Programs

<table>
<thead>
<tr>
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<td>$428,966,600</td>
<td>$456,808,793</td>
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</tbody>
</table>

On page III-51, subsection 9(d), to read as follows:

*Construction of new campus perimeter fence at Gainesville State School*

$1,065,665 U.B.

The amendment was adopted without objection.

Representative Wolens offered the following amendment to article III, CSSB 179:

Amend CSSB 179 by inserting a rider in article V-62, directing the State Comptroller to reduce the appropriations from General Revenue in articles I and II by 2.0% in fiscal year 1984 and 4.1% in fiscal year 1985 except for the appropriations to the Department of Highways and Public Transportation financed from General Revenue, and amend article III, page 6, as follows:

Delete the figures for line 1.a. Regular Program, estimated and substitute therefor:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Program, estimated</td>
<td>$3,194,240,000</td>
<td>$3,372,972,000</td>
</tr>
</tbody>
</table>

Delete the figures for line 1.b. Vocational Education and substitute therefor:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vocational Education</td>
<td>238,873,000</td>
<td>255,853,000</td>
</tr>
</tbody>
</table>

Delete the figures for line 1.c. Comprehensive Special Education and substitute therefor:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehensive Special Education</td>
<td>412,536,000</td>
<td>449,767,000</td>
</tr>
</tbody>
</table>

And amend rider number 1, page III-9 to change the multipliers for pay grades 7, 8 and 9 to $1,265 in the 1983-84 school year and $1,332 in the 1984-85 school year.

Representative Khoury offered the following amendment to the Wolens amendment:

Amend Wolens amendment by dividing the addition to the Foundation School Program so that 65% of the added amount is distributed as salaries of the Foundation School Program are distributed and 35% of the added amount is distributed on the basis of the number of students in average daily attendance as Current Operating Cost is distributed, and make the necessary technical changes in rider number 1 and rider number 2 on page III-9.
Representative Wolens moved to table the Khoury amendment.

A record vote was requested.

The motion to table was lost by (Record 301): 61 Yeas, 82 Nays, 2 Present.

Yeas — Barrientos; Barton, B.; Barton, E.; Carriker; Cary; Cavazos; Clemons; Colbert; Collazo; Criss; Crockett; Danburg; Davis; Delco; Denton; Edwards; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Gilley; Glossbrenner; Granoff; Hackney; Haley; Hall, L.; Hall, W.; Hernandez; Hinojosa; Hudson, D.; Hudson, S.; Kemp; Kubiak; Lee, E. F.; Luna; Madia; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Polumbo; Price; Ragsdale; Rangel; Russell; Simpson; Staniswalis; Tejeda; Thompson, G.; Thompson, S.; Tow; Wallace; Watson; Wilson; Wolens.

Nays — Agnich; Armbrister; Arnold; Blanton; Bomer; Buchanan; Burnett; Bush; Ceverha; Clark; Connelly; Coody; Craddick; Delay; Eckels; Eikenburg; Emmett; English; Evans, C.; Finnell; Fox; Geistweidt; Gibson, B.; Gibson, J.; Green; Grisham; Hall, T.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hill, G.; Hill, P.; Hollowell; Horn; Jackson; Jones; Keller; Khoury; Kuempel; Laney; Lee, D.; Leonard; McKenna; McWilliams; Mankins; Messer; Millsap; Patrick; Patterson; Pennington; Peveto; Pierce; Polk; Presnal; Robnett; Rudd; Salinas; Saunders; Schluter; Schoolcraft; Shaw; Shea; Short; Smith, A.; Smith, C.; Smith, T.; Stiles; Sutton; Toomey; Turner; Uher; Valles; Vowell; Waldrop; Whaley; Wieting; Willis; Word; Wright.

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

Absent, Excused — Cain.

Absent — Berlanga; Hill, A.; Hury; Robinson.

A record vote was requested.

The Khoury amendment to the Wolens amendment was adopted by (Record 302): 82 Yeas, 62 Nays, 2 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Blanton; Bomer; Buchanan; Bush; Cary; Ceverha; Clark; Connelly; Coody; Craddick; Delay; Eckels; Eikenburg; Emmett; English; Evans, C.; Finnell; Fox; Geistweidt; Gibson, B.; Gibson, J.; Grisham; Haley; Hall, T.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, S.; Jackson; Jones; Keller; Khoury; Kuempel; Laney; Lee, D.; Leonard; McKenna; Mankins; Messer; Millsap; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Presnal; Robnett; Rudd; Salinas; Saunders; Schluter; Schoolcraft; Shaw; Shea; Short; Smith, A.; Smith, C.; Smith, T.; Stiles; Sutton; Toomey; Turner; Uher; Vowell; Waldrop; Whaley; Wieting; Willis; Word; Wright.

Nays — Barrientos; Barton, B.; Barton, E.; Berlanga; Burnett; Carriker; Cavazos; Clemons; Colbert; Collazo; Criss; Crockett; Danburg; Davis; Delco; Edwards; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Gilley; Glossbrenner; Granoff; Green; Hackney; Haley; Hall, L.; Hall, W.; Hernandez; Hinojosa; Hudson, D.; Hury; Kemp; Lee, E. F.; Luna; McWilliams; Madia; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Polk; Polumbo; Price; Ragsdale; Rangel; Russell; Schoolcraft; Simpson; Sutton; Tejeda; Thompson, S.; Tow; Valles; Wallace; Watson; Wilson; Wolens.
Present, not voting — Mr. Speaker; Hilbert(C).

Absent, Excused — Cain.

Absent — Hill, A.; Laney; Rudd.

Representative Wolens moved to table the Wolens amendment, as amended.

A record vote was requested.

The motion to table prevailed by (Record 303): 128 Yeas, 19 Nays, 2 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Buchanan; Burnett; Bush; Carriker; Cary; Cavazos; Clark; Clemens; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delco; Denton; Eckels; Edwards; Emmett; Evans, C.; Evans, L.; Finnell; Gammel; Gandy; Garcia; A.; 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.; Heflin; Hernandez; Hightower; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Kubik; Kuepsem; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Ragsdale; Rangel; Robinson; Rudd; Russell; Salinas; Schlueuter; Schoolcraft; Shaw; Short; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nays — Agnich; Bomer; Ceverha; DeLay; Eikenburg; English; Fox; Green; Horn; Khourey; McKenna; Price; Robnett; Saunders; Shea; Simpson; Smith, A.; Smith, C.; Toomey.

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

Absent, Excused — Cain.

**STATEMENT BY REPRESENTATIVE CRADDICK**

On Record 303 my voting machine malfunctioned and I was shown voting yes instead of no as I intended.

Craddick

**MESSAGE FROM THE SENATE**

Austin, Texas, May 5, 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:
CSHB 593 by Messer, relating to the administration, powers, duties and continuation of the Railroad Commission of Texas.

Respectfully,
Betty King
Secretary of the Senate

(Speaker in the chair)

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

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

SJR 14, SJR 17, SB 67, SB 99, SB 108, SB 261, SB 408, SB 433, SB 439, SB 442, SB 466, SB 469, SB 670

LEAVE OF ABSENCE GRANTED

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

G. Hill on motion of B. Gibson.

CSSB 179 - (consideration continued)

There being no amendments to Article IV, the house proceeded to the consideration of Article V, CSSB 179.

Representative Presnal offered the following amendment to Article V, CSSB 179:

Amend CSSB 179 on page V-52 by striking “any agency of the state government” in the first sentence of Section 40 and substituting “any agency of the state government (other than those included in Article VI of this Act)”.

The amendment was adopted without objection.

Representative Coody offered the following amendment to Article V, CSSB 179:

Amend CSSB 179 on page V-31, Sec. 4, strike the words “(not to exceed $75 per day)”.

Representative Ceverha raised a point of order against further consideration of the Coody amendment on the grounds that the amendment violates Rule 3, Section 4(2) of the House Rules.

The speaker sustained the point of order.

Representative C. Smith offered the following amendment to Article V, CSSB 179:

Amend the committee substitute for SB 179 as follows:

(1) On page V-39 & V-40, General Provisions, Travel Regulation, in rider 13a strike the words “forty cents (40¢)” following “official business shall be” and “sixty-five cents (65¢)” following “in single engine aircraft and”, and in their place insert the following: “thirty cents (30¢)” following “official business shall be” and “forty cents (40¢)” following “in single engine aircraft and”.

Representative Presnal moved to table the C. Smith amendment.

A record vote was requested.
The motion to table prevailed by (Record 304): 91 Yeas, 43 Nays, 5 Present, not voting.

Yeas — Armbrister; Arnold; Barton, E.; Blanton; Bomer; Buchanan; Bush; Carriker; Cary; Cavazos; Cervera; Clark; Clemmons; Collazo; Connelly; Coody; Criss; Danburg; DeLeo; Denton; Eckels; Eikenburg; English; Evans, C.; Evans, L.; Garcia, M.; Gavin; Gibson, J.; Granoff; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hernandez; Hightower; Hilbert; Hill, A.; Hill, P.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Kemp; Kuempel; Lee, E. F.; Luna; McWilliams; Madia; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Oliveira; Patrick; Patronella; Patterson; Piecic; Presnal; Rangel; Rudd; Russell; Salinas; Saunders; Shea; Short; Stiles; Sutton; Tejeda; Thompson, S.; Tow; Turner; Uher; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Word; Wright.

Nays — Agnich; Barrientos; Barton, B.; Craddick; Crockett; DeLay; Emmett; Finnell; Fox; Gamez; Gandy; Garcia, A.; Geisweidt; Gilley; Glossbrenner; Green; Grisham; Heflin; Keller; Khoury; Kubiak; Lee, D.; McKenna; Moreno, P.; Oliver; Pennington; Peveto; Polumbo; Price; Ragsdale; Robinson; Robnett; Schlueter; Schoolcraft; Shaw; Simpson; Smith, A.; Smith, C.; Staniswalis; Thompson, G.; Toomey; Valles; Wolens.

Present, not voting — Mr. Speaker(C); Burnett; Gibson, B.; Horn; Leonard.

Absent, Excused — Cain; Hill, G.

Absent — Berlanga; Colbert; Davis; Edwards; Hackney; Laney; Parker; Polk; Smith, T.

STATEMENT BY REPRESENTATIVE KUEMPEL

On record vote 304 I inadvertently voted yes when I wanted to vote no.

Kuempel

STATEMENT BY REPRESENTATIVE GAMEZ

On record vote 304 the voting machine malfunctioned and the vote should have been yes.

Gamez

Representative Messer offered the following amendment to Article V, CSSB 179:

Amend CSSB 179 on page V-62 by inserting Section 77 after Section 76 to read as follows:

Sec. 77. (a) It is the intent of the Legislature that the state achieve a ratio of 100 full-time state employees per 10,000 population. To achieve this goal, it is recommended that a state agency with 100 or more full-time employees may replace only two out of every three full-time employees who leave employment with that agency, and a state agency with less than 100 full-time employees may not increase the number of full-time employees employed by that agency.

(b) In this section, "full-time employee" means an employee who maintains a 40-hour work week, excluding authorized vacations and leaves. A part-time employee is counted as a fractional full-time employee according to the ratio that the number of hours ordinarily worked each week bears to 40.

(c) This section does not apply to institutions of higher education, medical schools, the Texas Department of Corrections, or the Department of Public Safety.

(d) It is the intent of the Legislature that the Legislative Budget Board shall determine:
(1) the number of full-time employees employed by a state agency by determining the annual average of the number of full-time employees employed with that agency each month during each fiscal year;

(2) the average statewide turnover rate per fiscal year for all state agencies with 100 or more full-time employees; and

(3) the average turnover rate per fiscal year for each individual agency with 100 or more full-time employees.

e) The administrative head of each agency with 100 or more full-time employees shall choose one of the turnover rates provided by Subsection (d) of this section to apply to that agency.

f) It is the intent of the Legislature that in each fiscal year the administrative head of an agency with 100 or more full-time employees may replace its annual employee turnover by not more than two-thirds of the average turnover rate that applies to that agency. The administrative head of an agency with less than 100 full-time employees may not increase the number of full-time employees to an amount greater than that determined by the Legislative Budget Board under Subsection (d)(1) of this section.

g) The administrative head of an agency covered by this section may apply to the Legislative Budget Board for an exemption from the requirements of this section for reasons of public necessity.

The amendment was adopted.

(Connelly in the chair)

Representative J. Gibson offered the following amendment to Article V, CSSB 179:

Amend the committee substitute to SB 179 as follows:

1. On page V-62, add the following rider:

Funds appropriated in this Act for Fiscal Year 1984 which are not encumbered for agency operations during that fiscal year may be retained by a state agency or institution of higher education for the purpose of providing the salary increases authorized in this Act for Fiscal Year 1985. The Comptroller of Public Accounts shall credit such amounts to the appropriations of state agencies and institutions of higher education for Fiscal Year 1985; however, these amounts shall not exceed the amount necessary to provide a two percent salary increase for each employee in Fiscal Year 1985 and may be used only to provide such a salary increase.

The amendment was adopted without objection.

The house proceeded to the consideration of Article VI, CSSB 179.

Representative Presnal offered the following amendment to Article VI, CSSB 179:

Amend CSSB 179 on page VI-4 by striking the first unnumbered paragraph and substituting the following:

Any unexpended balances as of August 31, 1983, for the Legislative Council and the Legislative Information System Committee in the general appropriations made by the Sixty-seventh Legislature, Regular Session (House Bill No. 656), are hereby reappropriated to the Legislative Council for the same purposes for the biennium beginning September 1, 1983. Any unexpended balances as of August 31, 1983, for the Commission on Uniform State Laws in the general appropriations made by the Sixty-seventh Legislature, Regular Session (House Bill No. 656), are
hereby reappropriated to the Commission on Uniform State Laws for the same purposes for the biennium beginning September 1, 1983.

The amendment was adopted without objection.

Representative W. Hall offered the following amendment to Articles I and II, CSSB 179:

Amend the committee substitute for SB 179 as follows:
(1) On page 1-44, in appropriations to the Department of Community Affairs, amend item 4.b. Grants/Contracts to read as follows:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$5,718,354</td>
<td>$5,680,409</td>
</tr>
</tbody>
</table>


(3) On page 1-45 add the following rider:
Funds appropriated above in item 4.b. Drug Abuse Grants/Contracts include $227,914 for fiscal year 1984 and $189,969 for fiscal year 1985 to be allocated by grant or contract to the Laredo State Center for Human Development for the provision of drug abuse services.

(4) On page II-28, in appropriations to the State Centers for Human Development (TDMHMR), amend item 3. Client Services Program to read as follows:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$17,327,418</td>
<td>$17,299,948</td>
</tr>
</tbody>
</table>

(5) On page II-28 increase the Method of Financing by the following amounts:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interagency Contracts, estimated</td>
<td>$227,914</td>
<td>$189,969</td>
</tr>
<tr>
<td>Departmental Revenue, estimated</td>
<td>$25,000</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

(6) On page II-28 amend the amount enumerated for Laredo State Center for Human Development to read as follows:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$2,957,963</td>
<td>$2,642,588</td>
</tr>
</tbody>
</table>

(7) On page II-11, appropriations to Commission for the Deaf reduce rider provision 5. to show the following amounts:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$123,114</td>
<td>$240,668</td>
</tr>
</tbody>
</table>

(8) On page I-135, appropriations to Adult Probation Commission reduce item 3.d., Restitution Centers by the following amounts:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$114,614</td>
<td>$189,969</td>
</tr>
</tbody>
</table>

(9) Change all totals and subtotals as necessary.

The amendment was adopted without objection.

Representative Presnal offered the following amendment to Article I, CSSB 179:

Amend the committee substitute for SB 179 as follows:
(1) On page I-125, appropriations to Parks and Wildlife Department, amend the Schedule of Exempt Positions to add U.L. to the following:
Captain Game Warden, U.L.
Lieutenant Game Warden, U.L.
Sergeant Game Warden, U.L.
Game Warden III, U.L.
Representative Rudd offered the following amendment to Article I, CSSB 179:

On page I-55, APPROPRIATIONS TO TEXAS DEPARTMENT OF CORRECTIONS: delete the existing language and substitute the following: 11. Wardens, The Director of Classifications, The Chief of Food Services, Assistant Directors, The Administrative Assistant to The Director, The Medical Director, Psychiatrists, Physicians, The Supervisor Anesthetist, Dentist III’s, Dentist II’s, and Dentists.

The amendment was adopted without objection.

Representative Emmett offered the following amendment to Article I, CSSB 179:

Amend the committee substitute for SB 179 as follows:
1. On page I-87, appropriations to Texas Historical Commission. add the following positions to the list of classified positions:
   0334 Photocompositor III
   0361 Photographer I
   1862 Information Specialist I
   2253 Architect Assistant II
   2256 Architect II
   0515 Planning Assistant
2. Change all subtotals and totals as necessary.

The amendment was adopted without objection.

Representative Messer offered the following amendment to Article I, CSSB 179:

Amend CSSB 179 on page I-138 by inserting the following after the paragraph on the bottom of the page:
"It is the intent of the Legislature that not more than two percent of the funds appropriated under item 2., State Aid, may be used each year by the commission for purposes of training, auditing, and technical assistance."

The amendment was adopted without objection.

Representative M. Garcia offered the following amendment to Article I, CSSB 179:

Amend the committee substitute for SB 179 as follows:

The amendment was adopted without objection.

Representative M. Garcia offered the following amendment to Article V, CSSB 179:

Amend the committee substitute for SB 179 as follows:
1. On page V-62, Article V, General Provisions, add a new rider to read as follows:
An agency, institution, department, commission, board or other unit of state government accepting bids for contractual services shall award such contract to the lowest qualified bidder.

The amendment was adopted without objection.

Representative Fox offered the following amendment to Article I, CSSB 179:

Amend the committee substitute for SB 179 as follows:

(1) On page I-64, appropriations to Employees Retirement System, change the amounts in line-item 3.c.(1) to $98,757,000 in 1984 and $101,606,000 in 1985.
(2) Change all subtotals and totals as necessary.
(3) On page I-66, appropriations to Employees Retirement System, add a new rider to read as follows:

"None of the funds appropriated above in item 3.c. may be used to pay the employee’s share of social security contribution for state paid judges, and add the equivalent amounts ($1,200,000 each year) to page I-II item 1a Aid to Families with Dependent Children: Assistance Payments”.

Representative Willis moved to table the Fox amendment.

A record vote was requested.

The motion to table prevailed by (Record 305): 103 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, E.; Blanton; Bomer; Buchanan; Burnett; Bush; Carriker; Cavazos; Clark; Collazo; Coody; Criss; Crockett; Danburg; Davis; DeLay; Denton; English; Evans, C.; Evans, L.; Gamez; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Granoff; Green; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Harrison, W.; Hernandez; Hightower; Hilbert; Hill, P.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Jones; Keller; Kemp; Kubiak; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Moreno, A.; Oliveira; Parker; Patronella; Patterson; Pennington; Peveto; Polumbo; Presnul; Price; Ragsdale; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Watson; Wieting; Willis; Wilson; Wolens; Word; Wright.

Nays — Agnich; Barton, B.; Ceverha; Colbert; Craddock; Delco; Eckels; Edwards; Eikenburg; Emmett; Finnell; Fox; Gandy; Garcia, A.; Glossbrenner; Hanna; Harrison, D.; Hellin; Hill, A.; Horn; Jackson; Khoury; Kuempel; McKenna; Moreno, P.; Oliver; Patrick; Polk; Rangel; Schluter; Schoolcraft; Shaw; Shea; Smith, C.; Thompson, G.; Wallace; Whaley.

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

Absent, Excused — Cain; Hill, G.

Absent — Berlanga; Cary; Clemens; Hackney; Millsap.

**STATEMENT BY REPRESENTATIVE CROCKETT**

I inadvertently voted yes on the motion to table. I intended to vote no.

Crockett
MESSAGE FROM THE SENATE

Austin, Texas, May 5, 1983

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

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

SB 884 by Traeger, relating to the definition of water and sewer utilities and to their regulation.
SB 342 by Caperton, relating to motor fuel marketing franchises and to the prohibition of certain practices relating to those franchises.

Respectfully,
Betty King
Secretary of the Senate

Representative Uher offered the following amendment to Article I, CSSB 179:

Amend CSSB 179 by changing the figure $100 to $45, line item 1, on page 1-17 under Board of Vocational Nurse Examiners, Administration, Licensing and Enforcement.

The amendment was adopted without objection.

Representative L. Evans offered the following amendment to Article II, CSSB 179:

Amend CSSB 179 at page II-35, Department of Human Resources, by adding a new item i.e. to read as follows:

"i.e. In addition to funds appropriated elsewhere in this Act for the payment of AFDC benefits and Medicaid benefits, there is hereby appropriated the following amounts out of the General Revenue Fund which, along with federal funds, will increase the average monthly AFDC payment to $60 and will provide the necessary additional Medicaid costs."

$37.3 $57.9

Such funds are to be financed by decreasing the following specific line items in the following amounts:

<table>
<thead>
<tr>
<th>Page No.</th>
<th>Line</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>III-78</td>
<td>14</td>
<td>Texas College of Osteopathic Medicine, Construction of new library</td>
<td>13,956,458</td>
</tr>
<tr>
<td>III-85</td>
<td>18</td>
<td>Texas Tech Health Science Center, New construction</td>
<td>13,873,489</td>
</tr>
<tr>
<td>I-145</td>
<td>A</td>
<td>State Purchasing and General Services Administration, New Capitol parking</td>
<td>15,176,417</td>
</tr>
<tr>
<td>I-145</td>
<td>Rider #</td>
<td>Unobligated balances - State Purchasing and General</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10</td>
<td>Services</td>
<td>18,373,192</td>
</tr>
</tbody>
</table>

Such funds are to be further financed by decreasing all remaining specific line item appropriations for repair renovation and construction, excluding dedicated and federal funds by 13%. All of the above decreased line items shall be appropriated contingent upon certification by the Comptroller of Public Accounts that sufficient funds are available.

(G. Hill now present)
Representative J. Gibson moved to table the L. Evans amendment. A record vote was requested.

The motion to table prevailed by (Record 306): 75 Yeas, 66 Nays, 2 Present, not voting.

Yea - Agnich; Arnold; Blanton; Bomer; Buchanan; Burnett; Bush; Ceverha; Clark; Craddick; Criss; DeLay; Eckels; Eikenburg; English; Evans, C.; Fennell; Gavin; Geistweldt; Gibson, B.; Gibson, J.; Gilley; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Harrison, D.; Harrison, W.; Heflin; Hilbert; Hill, P.; Hollowell; Horn; Hudson, D.; Jackson; Jones; Keller; Khoury; Kuempel; Laney; Lee, D.; Leonard; McKenna; Millcap; Patrick; Patterson; Pennington; Peveto; Pierce; Presnal; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shea; Short; Smith; A.; Staniswalis; Stiles; Toomey; Tow; Turner; Uher; Vowell; Waldrop; Whaley; Wieting; Willis; Word; Wright.

Nay - Armbrister; Barrientos; Barton, B.; Barton, E.; Berlanga; Cary; Cavazos; Colbert; Collazo; Coody; Crockett; Danburg; Davis; Delco; Denton; Edwards; Emmett; Evans, L.; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Glossbrenner; Granoff; Green; Hackney; Hanna; Hernandez; Heightower; Hill, A.; Hill, G.; Hinojosa; Hudson, S.; Kemp; Kubiat; Lee, E. F.; Luna; McWilliams; Madla; Martinez, R.; Martinez, W.; Messer; Moreno, A.; Moreno, P.; Oliveira; Parker; Patronella; Polk; Polumbo; Price; Ragsdale; Rangel; Shaw; Simpson; Smith, C.; Smith, T.; Sutton; Tejeda; Thompson, G.; Valles; Wallace; Watson; Wilson; Wolens.

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

Absent, Excused — Cain.

Absent — Carriker; Clemons; Hury; Mankins; Robinson; Thompson, S.

Representative L. Evans offered the following amendment to Article II, CSSB 179:

Amend CSSB 179 at page II-35, Department of Human Resources, by adding a new item i.e. to read as follows:

"i.e. In addition to funds appropriated elsewhere in this Act for the payment of AFDC benefits and Medicaid benefits, there is hereby appropriated the following amounts out of the General Revenue Fund which, along with federal funds, will increase the average monthly AFDC payment to $57 and will provide the necessary additional Medicaid costs."

$30 $494

Such funds are to be financed by decreasing the following specific line items in the following amounts:

<table>
<thead>
<tr>
<th>Page No.</th>
<th>Line</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>III-85</td>
<td>18</td>
<td>Texas Tech Health Science Center. New Construction ..................</td>
<td>13,873,489</td>
</tr>
<tr>
<td>I-145 A</td>
<td></td>
<td>State Purchasing and General Services Administration, New Capitol parking ......</td>
<td>15,176,417</td>
</tr>
<tr>
<td>I-145 #</td>
<td>10</td>
<td>Unobligated balances - State Purchasing and General Services</td>
<td>18,373,192</td>
</tr>
</tbody>
</table>

Such funds are to be further financed by decreasing all remaining specific line item appropriations for repair renovation and construction, excluding dedicated and federal funds by 8%.
Representative J. Gibson moved to table the L. Evans amendment.

A record vote was requested.

The motion to table prevailed by (Record 307): 77 Yeas, 67 Nays, 1 Present, not voting.

Yeas - Agnieh; Arnold; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cervetti; Clark; Connolly(C); Coody; Craddick; DeLay; Eckels; Eikenburg; English; Evans, C.; Finnell; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hibert; Hill, P.; Hollowell; Horn; Hudson, D.; Jackson; Jones; Khourey; Kuempel; Laney; Leonard; McKenna; McWilliams; Mankins; Messer; Millsap; Patrick; Patterson; Pennington; Pierce; Presnal; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schoolcraft; Shea; Short; Simpson; Smith, A.; Staniswalis; Toomey; Tow; Turner; Uher; Vowell; Waldrop; Whaley; Wieling; Willis; Word; Wright.

Nays - Armbrister; Barrientos; Barton, B.; Barton, E.; Cary; Cavazos; Clemens; Colbert; Collazo; Cnss; Crockett; Danburg; Davis; Delco; Denton; Edwards; Emmett; Evans, L.; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Granoff; Hackney; Hernandez; Hightower; Hill, A.; Hill, G.; Hinojosa; Hudson, S.; Hur; Kemp; Kubiak; Lee, D.; Lee, E. F.; Luna; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Peveto; Polk; Polumbo; Price; Ragsdale; Rangel; Shaw; Smith, C.; Smith, T.; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Valles; Wallace; Watson; Wilson; Wolens.

Present, not voting — Mr. Speaker.

Absent, Excused — Cain.

Absent — Carriker; Green; Keller; Schleuter.

STATEMENT BY REPRESENTATIVE SHAW

My voting machine malfunctioned on record vote #305, 306, & 307 and showed me voting no when I intended to vote yes.

Shaw

Representative M. Garcia offered the following amendment to Article III, CSSB 179:

Amend the committee substitute for SB 179 as follows:

(1) On page III-112, Special Provisions Relating Only to State Agencies of Higher Education, at the end of Sec. 22(a), add the following words:

All employee positions except those excluded above shall receive salaries at least equal to minimum starting salaries for equivalent classifications (if any) listed in Article V, Section 1. Equivalent classifications shall be determined by the State Classification Officer.

Representative Presnal moved to table the M. Garcia amendment.

The motion to table prevailed.

Representative Barrientos moved to reconsider the vote by which the G. Hill amendment was adopted earlier today.

Representative Presnal moved to table the motion to reconsider.
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The vote of the house was taken on the motion to table the motion to reconsider and the vote was announced yeas 71, nays 68.

A verification of the vote was requested and was granted.

The roll of those voting yea was again called and the verified vote resulted as follows (Record 308): 71 Yeas, 68 Nays, 1 Present, not voting.

Yeas — Agnich; Blanton; Bomer; Buchanan; Ceverha; Clark; Connelly(C); Coody; Craddick; DeLay; Eikenburg; Emmett; English; Finnell; Fox; Gavin; Geiswoldt; Gibson, B.; Gibson, J.; Grisham; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Heflin; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hollowell; Horn; Hudson, D.; Jackson; Jones; Keller; Khoury; Kuempel; Leonard; McKenna; Mankins; Messer; Millsap; Pennington; Peveto; Pierce; Presnal; Robinson; Robnett; Rudd; Saunders; Schlueter; Schoolcraft; Shea; Short; Simpson; Smith, A.; Staniswalis; Thompson, G.; Toomey; Tow; Turner; Uher; Vowell; Waldrop; Whaley; Wieting; Willis; Wolens; Word; Wright.

Nays — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Burnett; Bush; Carriker; Cary; Cavazos; Clemens; Colbert; Collazo; Criss; Crockett; Danburg; Davis; Delco; Denton; Eckels; Edwards; Evans, L.; Gamez; Gandy; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Granoff; Haley; Harrison, D.; Harrison, W.; Hernandez; Hightower; Hinojosa; Hudson, S.; Hurv; Kemp; Kubiak; Lee, D.; Lee, E. F.; Luna; McWilliams; Madia; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Patterson; Polk; Polumbo; Price; Ragsdale; Rangel; Salinas; Smith, C.; Stiles; Sutton; Tejeda; Thompson, S.; Valles; Watson; Wilson.

Present, not voting — Mr. Speaker.

Absent, Excused — Cain.

Absent — Evans, C.; Green; Hackney; Laney; Patrick; Russell; Shaw; Smith, T.; Wallace.

By unanimous consent, the house dispensed with the verification of those voting nay.

The chair stated that the motion to table prevailed by the above vote.

Representative D. Hudson offered the following amendment to Article III, CSSB 179:

Amend the committee substitute for SB 179 as follows:

(1) On page III-29, appropriations to Public Junior Colleges, amend rider 4f to read as follows: "File by December 1, of the fiscal year, with the Coordinating Board, Education Agency, Legislative Budget Board, and the Legislative Reference Library a copy of an annual operating budget, and subsequent amendments thereto, approved by the Junior Colleges Governing Board. Said operating budget shall be in such form and manner as may be prescribed by said board and/or agency with the advice of the state auditor, providing, however, that such report include departmental operating budgets by function and salaries and emoluments for faculty and staff listed by position".

(Speaker pro tempore in the chair)

The amendment was adopted without objection.

Representative Keller offered the following amendment to Article II, CSSB 179:
Amend the committee substitute for SB 179 as follows:

(1) On page 11-10, appropriations to Commission for the Deaf/Blind, increase item 5.c., Services to the Deaf/Blind to show the following amounts:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$196,000</td>
<td>$498,831</td>
</tr>
</tbody>
</table>

(2) On page 1-135, appropriations to Adult Probation Commission, reduce item 3.d., Restitution Centers to show the following amounts:

<table>
<thead>
<tr>
<th></th>
<th>1984</th>
<th>1985</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$8,084,382</td>
<td>$9,432,612</td>
</tr>
</tbody>
</table>

(3) Change all totals and subtotals as necessary.

The amendment was adopted without objection.

(Speaker in the chair)

STATEMENT BY REPRESENTATIVE SHAW

On record vote No. 308 my machine again malfunctioned and registered no vote at all. In following debate with the chair the parliamentarian ruled against my position and refused to allow my vote to be recorded.

Representative L. Evans offered the following amendment to Article II, CSSB 179:

Amend CSSB 179 at page II-35, Department of Human Resources, by adding a new item i.e. to read as follows:

"i.e. In addition to funds appropriated elsewhere in this Act for the payment of AFDC benefits and Medicaid benefits, there is hereby appropriated the following amounts out of the General Revenue Fund which, along with federal funds, will increase the average monthly AFDC payment to $48 and will provide the necessary additional Medicaid costs."

Such funds are to be financed by decreasing the following specific line items in the following amounts:

<table>
<thead>
<tr>
<th>Page No.</th>
<th>Line</th>
<th>State Purchasing and General Service-Parking Garage</th>
<th>State Purchasing and General Services</th>
<th>Unobligated Balances</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-145</td>
<td>A</td>
<td>15.2</td>
<td>18.4</td>
<td>$</td>
</tr>
<tr>
<td>1-145</td>
<td>Rider 10</td>
<td></td>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

Representative J. Gibson moved to table the L. Evans amendment.

The motion to table was lost.

A record vote was requested.

The L. Evans amendment was adopted by (Record 309): 83 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Bomer; Burnett; Bush; Carriker; Cary; Cavazos; Ceverha; Clemens; Colbert; Collazo; Criss; Crockett; Danburg; Davis; Delco; Denton; Edwards; Emmett; Evans, L.; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gilley; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hernandez; Hill, A.; Hill, G.; Hinojosa; Hudson, D.; Hudson, S.; Kemp; Kubiak; Lee, E. F.; Leonard; Luna;
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McWilliams; Madla; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Peveto; Polk; Polumbo; Price; Ragdale; Rangel; Russell; Salinas; Schoolcraft; Shaw; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tijerina; Thompson, G.; Thompson, S.; Valles; Wallace; Watson; Wieting; Wilson; Wolens.

Nays — Agnich; Blanton; Buchanan; Clark; Connelly; Coody; Craddick; DeLay; Eckels; Elkenburg; English; Evans, C.; Finnek; Gavin; Geistwalt; Gibson, B.; Gibson, J.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hibbert; Hill, P.; Hollowell; Horn; Jackson; Jones; Keller; Khoury; Kuempel; Laney; Lee, D.; McKenna; Mankins; Messer; Millsap; Patterson; Pennington; Pierce; Presnal; Robinson; Robnett; Rudd; Saunders; Schlueter; Shea; Short; Simpson; Smith, A.; Toomey; Tow; Turner; Uher; Vowell; Waldrop; Whaley; Willis; Word; Wright.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cain.

Absent — Hurry; Patrick.

STATEMENT BY REPRESENTATIVE W. HALL

On Record Vote 309, I mistakenly cast a vote against the amendment thinking the funds were being taken from construction funds helping higher education institutions in South Texas. I would have voted for the amendment had I realized that the funds were being taken from funds allocated to the Travis State Building and a state parking garage.

W. Hall

Representative Cavazos offered the following amendment to Article III, CSSB 179:

CSSB 179, Article III, Agencies of Public Education, Sec. 1, is amended as follows:

1. On page III-6, No. 1 amend as follows:

<table>
<thead>
<tr>
<th></th>
<th>August 31, 1984</th>
<th>August 31, 1985</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Foundation School Program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allocations to Local School Districts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Regular Program, Estimated</td>
<td>$3,231,425,000</td>
<td>$3,405,841,000</td>
</tr>
<tr>
<td>b. Vocational Education</td>
<td>234,343,000</td>
<td>246,193,000</td>
</tr>
<tr>
<td>c. Comprehensive Special Education</td>
<td>413,736,000</td>
<td>432,179,000</td>
</tr>
<tr>
<td>d. Statewide Program for Visually Handicapped</td>
<td>5,533,524</td>
<td>5,663,842</td>
</tr>
<tr>
<td>e. Regional School for Deaf</td>
<td>21,389,000</td>
<td>21,892,730</td>
</tr>
<tr>
<td>f. Bilingual Education</td>
<td>10,125,000</td>
<td>10,125,000</td>
</tr>
<tr>
<td>g. Driver Education</td>
<td>1,502,500</td>
<td>1,502,500</td>
</tr>
</tbody>
</table>
### h. Compensatory Education

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$1,600,000</td>
<td>$1,600,000</td>
</tr>
</tbody>
</table>

### i. Equalization Aid, estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>275,000,000</td>
<td>300,000,000</td>
</tr>
<tr>
<td>Less: Prior Year Adjustments</td>
<td>[2,796,400]</td>
<td>[2,796,400]</td>
</tr>
</tbody>
</table>

### j. Regional Media Centers, estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,714,937</td>
<td>2,714,937</td>
</tr>
<tr>
<td>Less: Prior Year Adjustments</td>
<td>[2,796,400]</td>
<td>[2,796,400]</td>
</tr>
</tbody>
</table>

### k. Computer Services, estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,714,937</td>
<td>2,714,937</td>
</tr>
<tr>
<td>Less: Prior Year Adjustments</td>
<td>[2,796,400]</td>
<td>[2,796,400]</td>
</tr>
</tbody>
</table>

### l. Education Service Centers, estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7,330,330</td>
<td>7,491,727</td>
</tr>
</tbody>
</table>

### m. Incentive Aid, estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>600,000</td>
<td>600,000</td>
</tr>
</tbody>
</table>

### n. Educational Television

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,271,219</td>
<td>1,271,219</td>
</tr>
</tbody>
</table>

### o. Sick Leave, estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7,790,000</td>
<td>7,890,000</td>
</tr>
</tbody>
</table>

### p. Student Teaching

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,200,000</td>
<td>2,200,000</td>
</tr>
</tbody>
</table>

### q. Community Education

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,505,000</td>
<td>1,505,000</td>
</tr>
<tr>
<td>Less: Prior Year Adjustments</td>
<td>[2,796,400]</td>
<td>[2,796,400]</td>
</tr>
</tbody>
</table>

### r. Minimum Aid

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20,905,000</td>
<td>21,000,000</td>
</tr>
<tr>
<td>Less: Prior Year Adjustments</td>
<td>[4,511,400]</td>
<td>[4,511,400]</td>
</tr>
</tbody>
</table>

### s. Gifted and Talented

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4,380,000</td>
<td>4,380,000</td>
</tr>
</tbody>
</table>

### t. Less: Prior Year Adjustments

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,000,000</td>
<td>3,000,000</td>
</tr>
</tbody>
</table>

### Total, Foundation School Program Cost excluding Agency Administration, sums certain and estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4,293,065,447</td>
<td>4,523,764,892</td>
</tr>
<tr>
<td>Less: Total local funds, estimated</td>
<td>[4,088,000,000]</td>
<td>[4,088,000,000]</td>
</tr>
</tbody>
</table>

### LESS: Total local funds, estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>936,700,000</td>
<td>616,400,000</td>
</tr>
<tr>
<td>Less: Prior Year Adjustments</td>
<td>[936,700,000]</td>
<td>[936,700,000]</td>
</tr>
</tbody>
</table>

### Balance to be paid from state funds, sums certain and estimated

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,756,365,447</td>
<td>3,907,364,892</td>
</tr>
</tbody>
</table>

II. On page 111-9, #1. amend as follows:

1. **Multiplication for Salary Index Factors**

   In accordance with Section 16.056(a) of the Texas Education Code, the value of each cell in the salary index for each year of the 1984-1985 biennium shall be determined by multiplying the index factor for the cell by the following multipliers: for pay grades one through six, the multiplier shall be $1.263 for the 1983-1984 school year and $1.297 for the 1984-1985 school year, except that the multiplier shall be $1.235 for pay grade 1, step 12; $1.276 for the 1983-1984 school year and $1.311 for the 1984-1985 school year; $1.235 for pay grade 2, step 12; $1.297 for the 1983-1984 school year and $1.332 for the 1984-1985 school year; and $1.263 for pay grade 3, step 12. For pay grades seven through nine, the multiplier shall be $1.285 for the 1983-1984 school year and $1.320 for the 1984-1985 school year; for pay grades ten through fourteen, the multiplier shall be $1.212 and for pay grades fifteen through eighteen, the multiplier shall be $1.189.
III. On page III-1, #9, amend as follows:

9. Minimum Aid

It is the intent of the legislature that no school district shall receive less state aid, plus pay raises exclusive of service increments, for foundation personnel provided by Section 16.055(b) of the Texas Education Code, per student in average daily attendance under the Foundation School Program for the 1980-1981 school year plus additional funds received from the State by each district to replace school taxes lost because of state-mandated reduction of the ad valorem tax base pursuant to Section 20.85(e) of the Texas Education Code, except that the total allocation of funds under this Act shall not exceed $20,905,000 in 1983-1984 nor $21,000,000 in 1984-1985 for Minimum Aid.

IV. On page III-11, #10, amend as follows:

10. Local Share of Program Cost

The multiplier of [0.01 in 1983-1984 and 0.01 in 1984-1985] 0.015 is hereby authorized to be used in the calculation of each school district's share of its guaranteed entitlement under the Foundation School Program.

Representative Rudd moved to table the Cavazos amendment.

The motion to table prevailed.

Representative Turner offered the following amendment to Article V, CSSB 179:

Amend the Committee Substitute for SB 179 as follows:

On page V-62, General Provisions, Article 5, add a new rider to read as follows:

(1.) Prior to the beginning of the second year of the biennium, the Comptroller shall determine the availability of funds generated from revenue sources in effect or enacted by the Sixty-eighth Legislature, Regular Session, and shall certify that sufficient revenues are available, in accordance with Article 3, Section 49a, Texas Constitution, to fund the greater of the following contingency appropriations. Upon certification by the Comptroller and finding of fact by the Governor, the following appropriations are enacted for the second year of the biennium:

(a) Upon certification of $300 million in additional funds; $240 million shall be appropriated as indicated below:
   (1) $133,000,000 to be distributed to school districts eligible to participate in the Foundation School Program; and
   (2) $107,000,000 to fund state employee salaries on a basis proportional to those in effect in fiscal year 1984;
   OR

(b) Upon certification of $500 million in additional funds; $400 million shall be appropriated:
   (1) $234,000,000 to be distributed to school districts eligible to participate in the Foundation School Program; and
   (2) $166,000,000 to fund state employee salaries on a basis proportional to those in effect in fiscal year 1984;
   OR

(c) Upon certification of $700 million in additional funds; $560 million shall be appropriated:
   (1) $394,000,000 to be distributed to school districts eligible to participate in the Foundation School Program; and
   (2) $166,000,000 to fund state employee salaries on a basis proportional to those in effect in fiscal year 1984;
   OR

(d) Upon certification of $900 million in additional funds; $720 million shall be appropriated:
(1) $554,000,000 to be distributed to school districts eligible to participate in the Foundation School Program; and
(2) $166,000,000 to fund state employee salaries on a basis proportional to those in effect in fiscal year 1984.

It is the intent of the Legislature that teacher salaries rise at the same rate as state employees up to 4.5 percent, and past that rate, all additional revenues shall be applied to teaching salaries. In addition, it is the intent of the Legislature that any sums appropriated hereinabove, except for state employee salaries, shall be distributed to school districts with 35% of the amount distributed on the basis of the number of students in average daily attendance to be used for any legal purpose, except additional funding for regional educational service centers, and 65% to be distributed on the basis of personnel units as established under the Texas Public Education Compensation Plan (Sec. 16.056, Texas Education Code) and to be used for teachers salaries.

(2.) To supplement the teaching salary amounts appropriated in Subsection 1 above, there is hereby appropriated from the General Revenue Fund the amount designated in Subsection 1 above.

To supplement the salary and salary matching benefit amounts for state employees appropriated in Subsection 1 above, there is hereby appropriated from the General Revenue Fund an amount not to exceed 80 percent of the amount designated in Subsection 1 above, and from special funds an amount estimated to be 20 percent of the amount designated in Subsection 1 above.

The Comptroller may transfer appropriation authority or cash from this appropriation to accounts within the General Revenue Fund and to special funds in the State Treasury as specified in Subsection 3 below.

(b) COMPENSATION INCREASE. Each state agency, board, commission, department or institution for which appropriations out of the State Treasury are made herein shall pay an increase in monthly compensation to each of its employees. The increase is in addition to other compensation that is to be paid from the legislative appropriations in this bill or from other available funds. The increase may not be paid to employees of the house of representatives or the senate without the approval of the Speaker of the House and/or Lieutenant Governor. The increase shall not be applied to the compensation of any person paid a salary set by the constitution.

(c) AMOUNT OF INCREASE. (1) The increase in the compensation for an employee position is the percentage established in Subsection 1 above based on the monthly compensation rate in effect for the position on September 1, 1984.
(2) If compensation for a position is based on a contract salary for a period of less than 12 months, such as for a faculty member in a university, the monthly compensation rate that determines the percentage increase for the position is the total contract salary divided by the number of months in the contract period.
(3) If an employee holds a position that is covered by the state's position classification plan and that is classified in a salary group by this Act or holds a position that is covered by a position classification plan of an institution of higher education, the increase in compensation shall be paid to the employee regardless of the maximum limit imposed on the salary group by this Act or the position classification plan of an institution of higher education.

(c) INCREASE DETERMINED ON FULL-TIME EMPLOYMENT. An increase in compensation under this Act shall be determined on the basis of regular full-time employment. A person who is paid hourly wages shall receive an increase
in compensation in the proportion that the number of hours worked bears to regular full-time employment for that type of work.

(d) INCREASE PAID FROM TREASURY FUNDS. A state agency, board, commission, department, or institution shall pay the increase in compensation from its funds in the State Treasury in the same proportion as the employee’s regular compensation.

(e) AUXILIARY EMPLOYEES OF INSTITUTIONS OF HIGHER EDUCATION. Within the limit of institutional funds available, the increase in compensation shall be granted to auxiliary employees of institutions of higher education.

(f) TRANSFER OF FUNDS TO PRESERVE FUND EQUITIES. To preserve fund equities, the Comptroller of Public Accounts shall transfer to the General Revenue Fund an amount necessary to reimburse the fund for the payment of the increase in compensation. The amount shall be transferred from the unexpended and unencumbered cash balances in the special funds in the State Treasury on August 31, 1985. If the unexpended and unencumbered cash balances are insufficient to reimburse completely the General Revenue Fund, the legislature shall appropriate from the income to the special funds during the state fiscal biennium beginning September 1, 1985, an amount necessary to reimburse completely the General Revenue Fund for the payment of the increase in compensation.

(g) TRANSFER OF FUNDS TO PAY INCREASE. (1) The Comptroller of Public Accounts may transfer to accounts in the General Revenue Fund and to special funds in the State Treasury the funds appropriated from the General Revenue Fund to pay the increase in compensation.

(2) A State agency, board, commission, department, or institution seeking reimbursement for an expenditure made from funds held in the State Treasury shall file a certified statement with the Comptroller detailing the actual cost of increases in compensation under this Act. The statement shall be filed during the month after the month in which the expenditure is made from the State Treasury and shall reconcile to the Comptroller financial statements furnished to the agency, board, commission, department, or institution. The Comptroller may prescribe the information necessary for qualification for the reimbursement.

(h) AUTHORITY OF COMPTROLLER. The Comptroller of Public Accounts shall adopt procedures necessary to administer this section. Before funds are disbursed under this section, the Comptroller may require appropriate persons to file information necessary for the Comptroller to carry out this section. The information shall include a statement from each state agency, board, commission, department, or institution showing the compensation of each employee position, including auxiliary, staff, and other employee positions compensated from institutional funds of institutions of higher education that are in or outside the State Treasury, and a statement showing the fund from which the compensation was paid during fiscal year 1984.

(4) It is the intent of the Legislature that this contingency appropriation shall be a one-time response to the existing emergency situation and will not be repeated.

Representative Jackson raised a point of order against further consideration of the Turner amendment on the grounds that the Turner amendment violates Rule 3, Section 4(2) of the House Rules.

The speaker sustained the point of order.
STATEMENT BY REPRESENTATIVE STANISWALIS

Had the Turner amendment not been overruled on a point of order by Mr. Jackson, I would have supported the amendment.

Staniswalis

A record vote was requested.

CSSB 179, as amended, was passed to third reading by (Record 310):
98 Yeas, 48 Nays, 1 Present, not voting.

Yea — Agnich; Arnold; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Cary; Ceverha; Clark; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Danburg; DeLay; Delco; Eckels; Edwards; Emmett; English; Evans, C.; Finnell; Garcia, A.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Gilley; Grisham; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Jones; Keller; Kemp; Khoury; Kubik; Kuempel; Laney; Lee, D.; Leonard; Luna; McKenna; Madla; Mankins; Messer; Millsap; Patterson; Pennington; Peveto; Pierce; Robinson; Robnett; Rudd; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Thompson, G.; Thompson, S.; Tow; Turner; Uher; Vowell; Waldrop; Whaley; Wieting; Willis; Wolens; Wright.

Nay — Armbrister; Barrientos; Barton, B.; Bush; Carriker; Cavazos; Clemens; Crockett; Davis; Denton; Eikenburg; Evans, L.; Fox; Gamez; Gandy; Garcia, M.; Glossbrenner; Granoff; Green; Hackney; Hernandez; Hudson, S.; Hury; Jackson, Lee, E. F.; McWilliams; Martinez, R.; Martinez, W.; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patronella; Polk; Polumbo; Price; Ragsdale; Rangel; Russell; Smith, C.; Tejeda; Toomey; Valles; Wallace; Watson; Wilson; Word.

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

Absent, Excused — Cain.

Absent — Patrick; Presnal.

CORRECTION IN REFERRAL

SB 578, relating to the authority of the Board of Regents of the Texas A&M University System to grant, sell, lease, or otherwise dispose of certain Texas A&M University System property was inadvertently referred to the Committee on Higher Education. HB 512, relating to the same subject matter, was referred to the Committee on State Affairs. The chair, after consultation with author and chairmen of the respective committees, now corrects the referral of SB 578 to the Committee on State Affairs.

RESOLUTIONS REFERRED TO COMMITTEES

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

By Simpson:

HCR 213, Requesting the State Board of Insurance to study the various advantages and disadvantages of the various forms of property/casualty ratemaking and policy form implementation.

To Committee on Insurance.
By Hanna:

HCR 233, Granting Genevieve Sewell Conner, Joann Pankey, and James L. Sewell, trustee for himself, Phyllis R. Sewell, Edward L. Sewell, Jr., and Thomas D. Sewell permission to sue the state.

To Committee on Judicial Affairs.

HOUSE BILLS ON FIRST READING

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

By A. Smith:

HB 2413, A bill to be entitled An Act amending the Act creating the Coastal Industrial Water Authority; providing that Texas Department of Water Resources approval of bonds and of plans and specifications for projects to be financed by the sale of bonds shall not be required of the Coastal Industrial Water Authority; finding and declaring that the requirements of Article XVI, Section 59(d) and Section 59(e), Constitution of Texas, have been performed and accomplished; and declaring an emergency.

To Committee on Natural Resources.

By W. Hall:

HB 2426, A bill to be entitled An Act relating to the creation, board of directors, administration, powers, duties, operation, expansion, and financing of the Webb County Water Authority; giving political subdivisions authority to contract with the authority and other powers authorized by Chapter 30, Water Code.

To Committee on Natural Resources.

By Tow:

HB 2427, A bill to be entitled An Act relating to creation, administration, powers, duties, operations, and financing of the Montgomery County Flood Control District; providing a civil penalty.

To Committee on Natural Resources.

SENATE BILLS ON FIRST READING

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

SB 325 to Committee on Environmental Affairs.

SB 884 to Committee on State Affairs.

SB 1110 to Committee on State Affairs.

SB 1275 to Committee on County Affairs.

HR 332 - ADOPTED

Representative Glossbrenner moved that all necessary rules be suspended to take up and consider at this time, HR 332.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Glossbrenner:

HR 332, Commending Dimmit County.

The resolution was adopted without objection.

On motion of Representative Glossbrenner, the names of all the members of the house were added to HR 332 as signers thereof.
HR 328 - ADOPTED

Representative Polumbo moved that all necessary rules be suspended to take up and consider at this time, HR 328.

The motion prevailed without objection.

The speaker laid before the house the following resolution:
By Polumbo:

HR 328, Welcoming the delegation sponsored by Crime Reduction Involvement Means Education.

The resolution was adopted without objection.

RULES SUSPENDED

Representative G. Thompson moved to suspend the 5-day posting rule to allow the Committee on County Affairs to meet at 7:30 a.m. tomorrow instead of 8 a.m.

The motion prevailed without objection.

HB 1481 - RULES SUSPENDED

Representative G. Thompson moved to suspend the 5-day posting rule to allow the Committee on County Affairs to consider HB 1481.

The motion prevailed without objection.

HR 336 - ADOPTED

Representative Gandy moved that all necessary rules be suspended to take up and consider at this time, HR 336.

The motion prevailed without objection.

The speaker laid before the house the following resolution:
By Gandy:

HR 336

WHEREAS, The Honorable Al Granoff, an outstanding state representative from Dallas, will celebrate his 35th birthday on May 5, 1983; and

WHEREAS, This grand graduate of Southern Methodist University Law School has learned compassion, dignity and the nature of reciprocity from a boy and his dog through many years of television instruction—Lassie; and

WHEREAS, After seven years as companion and political consultant, we think it is time the real intelligence behind the man step before the public; and

WHEREAS, Mr. Jones, a dog with a rather pure color for a man with such a musky past, we believe it should be known that the boundaries of the Trinity River State Park, of which Mr. Granoff has adroitly spent his time explaining the bill's august merits, were first marked on a Sunday afternoon jaunt by Mr. Jones; and

WHEREAS, If it were not for Mr. Jones' dexterity of tongue and teeth in opening packaged food, Messrs. Granoff and Jones would be neither so rotund nor so jolly; and

WHEREAS, Messrs. Granoff and Jones continue to evade any commitments beyond each other's singleness in life; now, therefore be it

RESOLVED, That the House of Representatives of the 68th Legislature hereby recognize the dog of the man and wish the Honorable Al Granoff a Happy Birthday and many more years of exceptional service to the state; and be it further
RESOLVED. That an official copy of this resolution be prepared for Representative Granoff and Mr. Jones as a memento of this day and as a token of good wishes from the Texas House of Representatives.

The resolution was adopted.

On motion of Representative Salinas, the names of all the members of the house were added to HR 336 as signers thereof.

MESSAGE FROM THE SENATE

Austin, Texas, May 5, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

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

SB 160 by Glasgow, relating to creation of the offense of tampering with food or a drug.
SB 382 by Mauzy, relating to the number of ballots furnished for each polling place.
SB 383 by Jones, relating to the accounting treatment of the exchange of certain permanent school fund securities.
SB 468 by Caperton, relating to the establishment, objectives, duties and ownership interests of the Institute for Ventures in New Technology as a part of the Texas Engineering Experiment Station.
SB 787 by Vale, relating to the authority of certain cities to undertake and finance certain improvements and/or services.
SB 964 by McFarland, relating to the measurement of distances in connection with the sale of alcoholic beverages near a public school, church or public hospital.
SB 1287 by Brooks, relating to coverage for mental and emotional illness and disorders in certain accident and sickness insurance policies.
SB 1299 by Doggett, relating to the acceptance by the state of the primary care block grant.
SB 1056 by Kothmann, relating to the information required on a voter registration application.
SB 1044 by Lyon, relating to conflicts of interest of local public officials.
SB 1096 by Uribe and Santiesteban, relating to refunding bonds of school districts and to an authorizing election if constitutionally required.
SB 948 by Harris and Henderson, relating to the regulation of compensation paid for the sale of credit insurance.

Respectfully,
Betty King
Secretary of the Senate

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Affairs, Subcommittee on HB 394, on recess today, back hall, to consider HB 394.

State Affairs, Subcommittee on Ethics, after adjournment of the P.U.C. hearing today, Room 100-B, Reagan Building, to consider HJR 108, SB 995, HB 2201, HB 2202, HB 1075, HB 2095, and HJR 37.
Cultural and Historical Resources, upon recess today, Desk 89, to consider SB 682.

State Affairs, Subcommittee on Utilities, thirty minutes after recess today, Room 100-B of the Reagan Building, to consider HB 587 and SB 232.

Judiciary, on recess today, Room F, Reagan Building, to consider HJR 87, HJR 102, HB 30, HB 52, HB 337, HB 1119, HB 1370, SB 878, and SB 1190.

Public Education, Subcommittee on SB 208, on recess today, at the feet of Gov. Jim Hogg, to consider SB 208.

Judicial Affairs, 6 p.m. today, Desk 102, to consider HB 1473, HB 2310, HB 940.

Urban Affairs, Subcommittee on HB 2344, on recess today, speakers committee room, to consider HB 2344.

State Affairs, five minutes after recess today, Room 100-B, Reagan Building, to consider subcommittee reports and bills, including SB 884.

Criminal Jurisprudence, on recess today, Old Supreme Court room.

Higher Education, Subcommittee on HB 809 and HB 1528, upon recess today, Desk 123, to consider HB 809 and HB 1528.

RECESS

Representative G. Thompson moved that the house recess until 9 a.m. tomorrow in memory of A. B. Morris.

The motion prevailed without objection.

The house accordingly, at 6:18 p.m., recessed until 9 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Business and Commerce - HB 179, HB 1103, HB 1451, HB 1456, HB 1898, HB 2205, SB 436, SB 661, SB 864

County Affairs - HB 804, HB 908, HB 1322, HB 1733, SB 379, SB 1029, SB 1030, SB 1031, SB 1032, SB 1267, SB 1268

Criminal Jurisprudence - HB 1291, HB 1730, HB 2008, SB 400

Energy - SB 197

Financial Institutions - HB 1129, HB 2387, SB 106

Higher Education - SB 703

Insurance - HB 1412, HB 1786, HB 1792, SB 255, SB 353, SB 967, SB 996, SB 1020

Judicial Affairs - HB 775, HB 895, HB 1186, HB 1210, HB 2188, HB 2189, HB 2217, HB 2258, HB 2259, HB 2382, HCR 99, HCR 60, HCR 100, HCR 165, HCR 173, HCR 174, SB 1062, SB 1082, SB 1144, SC 38
Labor and Employment Relations - HB 696, HB 1908
Law Enforcement - HB 888
Liquor Regulation - HB 2150, HR 287, SB 554
Natural Resources - HB 2386, SB 1269, SB 1270
Public Health - HB 1785, SB 126, SB 845, SB 1130
Retirement and Aging - HCR 117, SB 860
State Affairs - HB 330, HB 512, HB 1454, HB 1701, HB 1921, HB 2067, HB 2154, SB 133, SB 225, SB 465, SB 544
Urban Affairs - SB 641
Ways and Means - HB 1282, HB 1502, HB 1603, HB 1655, HB 2016, HB 2156, HB 2261, HB 2262, HB 2263, HB 2264, HB 2282, SB 541

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

HB 1125 - Oliveira
HB 2117 - Danburg, D. Hudson
HCR 170 - A. Hill


BILLs TRANSMITTED TO GOVERNOR
UNDER ARTICLE XVI, SECTION 59

The following house bills were transmitted by the chief clerk to the governor:
May 4 - HB 2426
May 5 - HB 2427, HB 2428, HB 2429