

My office has attempted to piece together information concerning the major items of concern during the 66th Session. I hope it will benefit by assisting you with constituent questions. This by no means represents all of the subjects that were considered. If you need further assistance please feel free to call on my office.

BILL CLAYTON

INDEX

	Page
Appropriations	1
School Finance	3
Tax Relief	4
Energy	5
Transportation	6
Environmental Affairs	7
Natural Resources	8
School Measures	10
Intergovernmental Affairs	12
Agriculture	13
Sunset	15
Landlord-Tenant Rights	16
Deceptive Trade	16
Housing	17
Bingo	18
Little Bitty Beer Bottle	18
Products Liability	19
Elections	20
Board of Control	21
Regions, Compacts & Districts	22
Presidential Primary	23
Judiciary	24
Health & Human Services	29
Insurance	31
Appropriations Chart	33

Don't believe it if you hear that the just completed session of the Legislature was pro-business/anti-consumer. The facts just don't match up with what actually happened.

It is a fact that in August the state's interest-rate ceiling will be able to float from 10 to 12 per cent, but it is only for a two year period. The change was necessitated by money market conditions that sent costs of borrowing to record highs. The only alternative was the drying up of the Texas housing industry and the jobs it produced. Hundreds of thousands of future home owners would have likely been denied home ownership.

The usury rate bill, then should not be termed anti-consumer, because consumers will have the product available to them and an entire industry will not be strangled to death.

Some say the consumer protection and deceptive trade practices laws were weakened, but the fact is that both sides of the issues agreed and in the final analysis the acts can be viewed as consumer oriented.

Also to be counted are new health care programs, tighter regulation of hazardous toys, wider choice for selected medical service under insurance policies, broader automobile insurance coverage and doing away with automatic insurance increases because of speeding ticket convictions.

The Sixty-sixth Legislature must be characterized as one of the most efficiently managed sessions in some time. Long before the final gavel was to fall, the General Appropriations Bill was adopted, a public school finance bill was approved, and the implementing legislation to the "Tax Relief Amendment" was overwhelmingly passed. These three bills constitute the most important work of the session.

The appropriations bill totaled \$20,177,519,049 for the biennium. This amount represents a 19.2% increase over the last biennium. More importantly, the bill was lower than the recommended amounts of both the House of Representatives and the Senate.

The two bodies worked diligently to develop a compromise which would be less than a 10% annual growth factor. Previous sessions have approved appropriations which increased budgeting from 25% to 32% biennially. The reversal of this trend of increasing state budgets by well over 20% is a significant step toward efficiency and proper fiscal management.

Over half of the \$20.2 billions is designated for education. Colleges and universities, as well as the elementary and secondary schools, will receive the majority of the State's tax dollars. This is an appropriate function of state government, and it is very important that our public schools continue to be appropriately financed.

Approximately 23% of the State budget is delivered to health and welfare related needs. Such service agencies as the Commission on Alcoholism, the Commission for the Blind, the Commission for the Deaf, the Department of Health, the Department of Mental Health and Mental Retardation, the Department of Human Resources, the Texas Rehabilitation Commission, the Texas Youth Council, the schools for the mentally retarded, and mental hospitals are funded by the State. All of the agencies serve some public need.

Transportation funding continues to amount to 13% of the State budget. Our highway system has stabilized along with its budget needs.

All other functions of government, including the judicial and legislative branches, constitute almost 14% of the total. It is significant that the bureaucracy constitutes such a small portion of the budget. The most important increase in this category was for the judiciary. Our courts and their duties are vital to the State. An approximate 40% increase was provided.

This is a significant improvement for the proper operation of the State's legal system.

Many improvements were made throughout the budget. State employees were provided 5.1% annual raises. The law enforcement officers of the Department of Public Safety received an additional 3.4% to more adequately compensate these person. Group insurance payments by the State increased to \$35, and more funds were appropriated for

travel expenses.

The bill included funds for more bed space at the Department of Corrections, the state hospitals, and other institutions. These additions should sufficiently provide for increased population needs in the future.

The appropriative process properly dealt with inflationary pressures, the growth of population in the State, and needed improvements. The budget is a good compromise which is funded at a level of growth that is within the available tax revenue.

#### PUBLIC SCHOOL FINANCE

A school finance bill costing approximately \$970 million for the biennium was approved by the Legislature. Over \$330 million of this amount was designated for teachers' salaries which represents a raise of 5.1% annually in addition to the step increases found in the salary schedule. This raise provided as much as a 9% annual increase for teachers who have dedicated their careers to the education of the children of Texas.

An important feature of the bill was the minimum staffing provision for small schools. A guaranteed number of personnel units was provided to insure that all schools can meet accreditation requirements.

The local share of the cost of the Foundation School Program was maintained at the 1979 level of approximately \$350 million annually. Because of the increased value of property, this stabilization cost \$259 million biennially in State dollars.

More funding was included for maintenance and operation, community education, transportation, and equalization aids. Additional dollars were provided in compensatory education with student eligibility dependent on those participating in the free lunch program.

A new formula for fast growth districts was established in law. Any district having an enrollment growth of over 6% per year and meeting certain tax effort requirements is

eligible for funding under this program. This new aspect of school finance should be very beneficial to the special needs of many suburban districts.

#### TAX RELIEF

Closely related to the provisions of the school finance legislation was the implementing legislation to the "Tax Relief Amendment." House Bill 1060 was a comprehensive package representing all aspects of the provisions in the Constitutional amendment adopted by the voters in November 1978.

The bill exempted intangibles from the property tax base. This exemption was greatly needed by the State's urban areas in terms of future state support for public schools and tax relief for taxpayers.

It also clearly defined and established guidelines for productivity valuation of agricultural and timber land. A capitalization rate was set in law as were procedures for local taxing jurisdictions to use in appraising this open-space property. This law is very important to the future of the State's farmers and ranchers, as well as its timber producers.

The homestead exemption of \$5,000 which was established in the Constitutional amendment was supplemented by law with a \$10,000 exemption on homesteads owned by persons over age 65 and disabled persons. Homeowners throughout the State must apply for these exemptions in order to obtain them from school districts.

The bill also exempted personal property from taxation, provided for local option taxation on automobiles, and established spending limitation on state government. The spending limitation is based on economic growth in Texas as determined by the Legislative Budget Board and a committee composed of the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the Comptroller of Public Accounts. This measure should "hold-the-line" on future spending by the State.

Reimbursement provisions were also included in the bill. Approximately \$220

million was provided for direct reimbursement to school districts for revenue lost as a result of homestead exemptions and the use of agricultural productivity valuations. From the total revenue loss amounts were deducted increased State dollars directed to local fund assignment reductions and increased maintenance and operation support. About \$184 million was funneled through the school finance bill to pay for these deductions in direct reimbursement. Without this funding from the School Taxing Ability Protection Fund, the school finance bill could not have included such sizeable increases in maintenance and operation dollars (from \$115 per student to \$128 in 1979-80 and \$139 in 1980-81) and the stabilization of the statewide local share of the Foundation School Program.

The agricultural productivity valuation portion of H.B. 1060 is effective this year unless the school board of each district takes action to move implementation to 1980. In order to encourage more districts to enact this section, rendition and certification dates were pushed ahead 45 days. Hopefully, most districts will provide this tax change for farmers and ranchers in 1979.

The automobile exemptions and State spending limitations are effective January 1, 1980, and all other provisions are effective immediately.

H.B. 1060, when fully implemented, should go a long way in creating a fair system of property taxation in Texas. The bill goes a long way in allowing future tax relief and stability in appraisals and other ad valorem tax policies.

## ENERGY

Numerous bills on the promotion of alternative energy sources were introduced and some important legislation was passed.

H.B. 1490 by Rep. Hanna, which has been signed by the governor, will help promote the development of geopressured-geothermal resources by characterizing such resources as minerals and eliminating the potential ownership clash between owners of the surface estate and those of the mineral estate. H.B. 1986 by Rep. Keese established the licensure

requirements for the production of alcohol for gasohol, and S.B. 804 by Sen. Vale encourages, the use of solid waste for electrical power generation.

In the area of the traditional energy mainstay - oil and gas production, the House enacted S.B. 257 by Sen. McKnight which allows the Railroad Commission to regulate non-pressure connected oil and gas producing ~~strata~~ as a single field. H.B. 1457 by Rep. Slack will provide additional revenues to the state by allowing General Land Office to lease Relinquishment Act lands if the surface owner is unknown. An uncertainty for offshore production was corrected by S.B. 1176 by Sen. Gene Jones, which settled a controversy over the authority of coastal cities and towns to annex and tax offshore oil and gas production. The environment for the development of energy production was promoted by the House in passage of legislation in the areas of alternative energy supplies, energy conservation, LPG safety, and traditional oil and gas production.

#### TRANSPORTATION

The Transportation Committee wasn't just spinning its wheels this Session. More than 140 bills were referred to this Committee and its new chairman, Don Henderson.

Today, five transportation bills have passed the Legislature. All but one are signed by the Governor:

H.B. 164 by Willis, relating to special license plates for disabled veterans, becomes effective August 27, 1979. H.B. 164 honors veterans of the U.S. Armed Services who suffered a 60% service-connected disability and entitles them to license plates for one vehicle with a waiver of the prescribed annual registration fee.

H.B. 302 by Bode, relating to special parking permits and privileges for disabled veterans and civilians, becomes effective August 27, 1979.

H.B. 1067 by Henderson, relating to competitive bids for work on State highways, becomes effective immediately pending the Governor's signature.

H.B. 1067 increases the present contract ceiling from \$25,000 to \$100,000 and raises the present mailing list deposit from \$15 to \$25.

H.B. 1068, also by Henderson, enables the State Highway and Transportation Commission to acquire land for roadside parks and parking lots through the power of eminent domain. H.B. 1068 becomes effective August 27, 1979.

HCR 116 by Keese, declaring the first week of every May to be Motor Cycle Safety Week for the State.

While the course of this committee may have been swift and sure, a few bills ran into rocky terrain. Ed Emmett's substitute tarping bill for H.B. 116 by Wright was defeated on the House floor by an impressively narrow margin.

#### ENVIRONMENTAL AFFAIRS

During the Sixty-sixth Legislative Session, the Committee on Environmental Affairs reviewed legislation dealing with a wide variety of subjects ranging from the quality of the air, the need for urban parks, to the problems of the saltwater fishing industry in Texas.

As a result of an interim study on the effect of the 1977 amendments to the Federal Clean Air Act on Texas, Rep. Tim Von Dohlen and Rep. Bennie Bock introduced H.B. 726. The Texas Air Control Board will study and evaluate motor vehicle inspection and maintenance, safety, and registration programs and will implement a voluntary pilot program of automobile inspection and maintenance with emphasis on Harris and contiguous counties. H.B. 726 will also amend the Texas Clean Air Act to conform with certain requirements of the 1977 Federal Clean Air Act.

The subcommittee on Urban Parks looked at several pieces of legislation this session which pertain to parks located near or in urban areas. H.B. 867 and was passed by the committee and designated to help a specific urban area. H.B. 233 by Rep. Lance Lalor

addressed the entire urban park problems. H.B. 233 is a vehicle by which Texas could participate in the Federal Urban Park and Recreation Recovery Act of 1978. This legislation, creates a Texas Local Parks, Recreation and Open Space Fund supported by two cents per pack of existing state cigarette tax - no new or increased taxes would be required. The fund would be used for matching federal rehabilitation and rehabilitation and recovery grants for local parks, acquisition and development of state parks in urban areas and provide matching grants of one half the cost of new local parks.

Because of the concern of the overharvesting of fish in Texas coastal waters, a variety of bills were introduced this session in regard to illegal netting in closed bays, bag limits for commercial fishermen, outlawing nets without floats, and requiring finfish to pass through a certified fish house. S.B. 64 by Sen. Schwartz will prevent overharvesting of redfish or spotted seatrout caught during the winter from December 16 to February 28. During the winter of 1978 commercial fishermen in the Galveston Bay area caught 200,000 pounds of trout. During extremely cold winters the fish seek protection in deep water holes and are easily caught with shrimp trawls.

Local game laws regarding the Uniform Wildlife Regulatory Act were reviewed by the committee. One such bill, H.B. 2153 by Rep. Bennie Bock, will allow Comal County Commissioners Court to exempt the county from the uniform regulations for a year. Currently 27 other counties use this provision in the law to operate either under the general game laws or under the Parks and Wildlife Regulations from the previous year. The House approved H.B. 2153, the Senate approved H.B. 2153 and then sent it to the Governor who vetoed the bill. The House then voted to override the Governor's veto by a vote of 90 to 42 followed by the Senate with a vote of 25 to 6. This was the first time in 41 years that a governor's veto has been overridden.

## **NATURAL RESOURCES**

Several important bills in the field of Natural Resources passed the House during the

Sixty-sixth Legislature, many related to the management of water resources of the state.

Numerous bills were introduced to cut the amount of regulation used by the state to govern water policies. H.B. 1794 by Rep. Close, which passed the House on May 4, removes the requirement that towns with a population of 750 or less meet all Water Department standards for water processing as long as two consecutive water quality reports to the state did not indicate poor quality

State stripmining practices were also streamlined to come into compliance with federal legislation. H.B. 1814 and 1368, both by Rep. Craddick, passed the House on May 5 and April 2, respectively. H.B. 1424, also by Rep. Craddick, passed the House on April 2, and has already taken effect.

Two important water compacts with other states were passed to allow increased cooperation with our neighbors in the management of the vital water resource. S.B. 581, by Sen. Howard, ratifying the Caddo Lake Compact, in order to control that lake lying on the border of Texas and Louisiana passed by the House on May 10, as well.

The House exerted state control over the Lower Colorado River Authority (LCRA) by applying state standards applicable to all other river authorities to it, thereby assuring uniformity and fairness in water law.

The House grappled with vital water supply questions in the state. Some experts estimate that the Panhandle, the richest agricultural region of the state, for example, may be completely running out of water by 2020, and could experience a critical water shortage in the next 10 to 20 years. The Natural Resources Committee considered H.B. 2205, by Rep. Simpson, and cosponsored by other Panhandle representatives, which would establish the Ogallala Water Import Authority for 44 counties in the area. This Authority could tax property, sell bonds, and begin the importation of water, possibly from Arkansas, by 1981.

The House passed many bills to set up or expand the powers of a number of water districts and other districts. H.B. 976, by Rep. Bush established the Greater Texoma

Municipal Utility District for Northern Texas, in order to provide water for both Oklahoma and Texas. H.B. 1175, by Rep. Hanna, set up the Bowie Water District, and H.B. 2161, by Rep. Patterson, expanded the Lamar County Water District. All three have been enacted.

S.B. 1225 defined the duties and powers of the Reagan County Water Supply District. H.B. 2115 defined weather modification duties. H.B. 1262 set up the Rayburn Municipal Utility District, S.B. 1162 established the Itasca Water District, and H.B. 2222 created the Coryell Water Supply District. H.B. 2212, 2238, and 2213 dealt with authority of the Ellis County Water Control and Improvement District, the Bell County Water Control District, and the Brazos River Harbor Navigation District, respectively.

#### SCHOOL MEASURES

-In addition to the school finance bill, the House passed a number of other measures during the 66th session which will affect public schools.

House Bill 508 by Representative Tony Polumbo of Houston changes the requirement that school districts operate on a quarter system basis. Beginning in the 1979-80 school year, districts may offer two semesters per year rather than three quarters. Information collected indicates that an overwhelming majority of Texas school districts will opt for the semester system within the next two years. The measure was signed by the Governor May 24 and is effective immediately.

Recent education polls have indicated that two of the public's chief concerns about public education are discipline and lowered educational standards, particularly in the basic skills areas of reading, written expression and arithmetic computation.

The House addressed these crucial issues in bills introduced by Representative Carlyle Smith of Grand Prairie and Lee Jackson of Dallas. The Smith bill gives greater authority to the classroom teacher in handling incorrigible pupils. The teacher may remove from his or her classroom and recommend suspension for any student who assaults the teacher or who repeatedly interferes with the teacher's ability to communicate effectively with the other students. The principal of the school must then conduct a hearing to determine whether or not the student should be suspended for the remainder of the term.

This bill was passed by both the House and the Senate after amendments which protect the student's rights to due process were added. The bill was sent to the Governor for his signature on May 25.

The Jackson bill requires students to pass tests of competence in basic skills areas at certain grade levels in order to be promoted from grade to grade or graduated from high school. This bill passed the House but did not come up for a vote in the Senate. The author has promised to re-introduce the bill every session until it becomes law.

The House of Representatives in the 66th session has been very sensitive to the diverse needs of children in our schools. Representative Charles Evans of Hurst, for example, introduced legislation which appropriates \$5 million for pilot programs for gifted and talented students. At the other extreme, Representative Bill Blanton of Dallas introduced a measure which expands services for handicapped children and puts Texas statutes in compliance with federal law concerning the education of handicapped children. Both measures have received a great deal of support from both parents and professional educators. Both bills have been included in the school finance bill.

In the past few years our schools have been criticized for straying from the original aims of public education and from the expectations and wishes of parents. Legislation passed by the House during the 66th session indicates that representatives have been listening closely to what their constituents are saying about Texas schools. By responding to the concerns of those who elected them, state representatives have made significant strides in putting the public back in public education.

## INTERGOVERNMENTAL AFFAIRS

Changes in the Firemen's and Policemen's Civil Service Systems in cities of more than 10,000 population have resulted from the work done during the Sixty-Sixth Legislative Session. House Bill 1325 by Representative Doyle Willis of Fort Worth has passed both the House and Senate after careful study by the committee and some changes from the original form of the bill. The version of the bill sent to the Governor will affect such matters as eligibility list, probationary periods, lateral crossovers between departments by firemen in certain cities, military service leave, and sick pay.

Counties with populations less than 35,000 that have been experiencing sharp increases in land values have been spared the necessity of hiring a county auditor as a result of another bill passed by both houses. Representative Suan McBee of Del Rio introduced House Bill 1692. The bill changes the total county tax roll land valuation that will trigger the need for a county auditor from \$15,000,000 to \$35,000,000.

Initiative and Referendum received a lot of attention during this session both from the media and from the members of the legislature, but not one of the several bills introduced on the matter was able to pass both houses. The bills on this issue were studied by the committee and two of them were sent to the floor. House Bill 3 by Representative Bill Clark of Tyler would have given voters a limited say in how high their taxes can go. The bill passed the House but not the Senate. HJR 3 by Representative Carlyle Smith of Grand Prairie provided for limited initiative and referendum, with the legislature included in the approval process. The bill was not adopted by the House.

## AGRICULTURE

The Sixty-sixth Session was concerned with a variety of issues faced by agriculture. The issues ranged from developing a resource to restricting foreign investment in agricultural land.

Agriculture research plays a major role in the advancement of the industry. Without efforts being made to improve technology and productivity, the growing demands placed on agriculture would never be met. We must continue our backing of agriculture research in order to find the most economical way to provide food and fiber. This legislature in the past has played a vital role in agriculture making significant advances, however, we must continue with our support.

Through our past legislative actions, we have shown that livestock diseases can be effectively controlled. We stand at a crossroad in attacking Brucellosis and this legislature has shown its support, as it did in the eradication of screwworms. With the backing of the legislature, control of Brucellosis is imminent.

The Legislature aided technology by supporting and funding research of a viable renewable energy resource in the form of gasohol. By the production of gasohol, farmers will be able to increase productivity of their land, decrease dependency on foreign oil, and use surplus products to their best advantage.

Another bill passed was the Family Farm Security Act. This legislation aids the young farmer and rancher by allowing secured loans with the state guaranteeing up to 90% in the event of default. Current lending practices tend to exclude the young farmer and rancher from obtaining loans to purchase land or finance operations.

One of the more controversial issues was legislation to restrict non-resident alien ownership of land. The bill did not pass the House, but future sessions may be called on to resolve the issue.

Of the 57 bills referred to the committee, eight have been signed by the Governor. Those that have been passed are:

H.B. 638 by Ezzell. Relating to weight, length, and width requirements for vehicles transporting seed cotton modules.

H.B. 1050 by Green, Forrest. Relating to the sale of eggs.

H.B. 1099 by Massey. Relating to the exclusion of implied warranties applicable to the sale or barter of livestock.

H.B. 1381 by Green, Forrest. Relating to fees for testing instruments used in weighing and measuring.

H.B. 1832 by Ezzell. Relating to width and weight requirements and registration of certain vehicles used to haul agricultural products.

S.B. 315 by McKnight. Relating to the inspection of milk and milk products.

S.B. 568 by Short. Relating to per diem and mileage expenses of soil and water conservation district directors or their alternates.

S.C.R. 67 by Moore. Memorializing Congress to retain the current law requiring fiber content labels on textiles and apparel products.

With the unique problems of the agricultural industry, legislation must deal directly with each of these problems. The future of agriculture depends on us to insure its success. Every effort must be made to aid the economic well-being of not only agriculture but also our society.

## SUNSET

The Sunset Act, which was passed by the 1977 Legislature as a tool to eliminate unneeded state functions and make others more responsive to public need, was put to its first test this session. During the interim before the 66th Legislature convened, 26 agencies were reviewed by the Sunset Advisory Commission. Under the provisions of the act, the "sun would set" on those agencies reviewed unless re-created or extended by affirmative action by the 1979 Legislature.

Several agencies were abolished this session either because they had not operated in several years or because their functions could be easily absorbed by another existing agency. Those agencies abolished were the Pesticide Advisory Committee, the Pink Bollworm Commission, the Stonewall Jackson Memorial Board, the Texas Vehicle Equipment Safety Commission, the Battleship Texas Commission, the Texas Navy, Inc, the Board of County and District Road Indebtedness, the Burial Association Rate Board, and the Private Employment Agency Regulatory Board.

The Board of Architectural Examiners and the Board of Landscape Architects were combined as were the Board of Registration for Public Land Surveyors and the Board of Examiners of State Land Surveyors.

Those agencies which were given new life are the Good Neighbor Commission, the Texas Turnpike Authority, the Board of Barber Examiners, the Cosmetology Commission, the Board of Morticians, the Motor Vehicle Commission, the Board of Licensure for Nursing Home Administrators, the Board of Public Accountancy, the Real Estate Commission, the Structural Pest Control Board, the Board of Law Examiners, and the State Bar. The great majority of the bills re-creating these agencies contain several provisions intended to make the agencies more responsive and accountable to the general public.

## LANDLORD--TENANT RIGHTS

For the first time in Texas, the Legislature has enacted a statute dealing with the rights and duties of landlords and tenants. This action was partly due to a recent court case, Kamarath v. Bennett, in which the Supreme Court of Texas held that there is an "implied warrant of habitability" in rental contracts.

House Bill 1773, the result of several months of negotiations between landlords and tenants groups, would set minimum standards for the living conditions of residential rental property and require landlords to correct unsafe or unhealthy conditions unless they were caused by the tenant, tenant's family or guests. The tenant, after giving a landlord written notice of the condition and "reasonable" time to make the repair, could terminate his or her lease and receive a partial refund of his or her rent if the landlord failed to make the repair and the rent was paid. In the alternative, the tenant could obtain a court order requiring the landlord to either make the repairs or compensate the tenant for his or her losses, including court costs and attorney's fees, or both. A tenant could not withhold rent in an attempt to force the landlord to make repairs, and the landlord would be prohibited from retaliating against the tenant for requesting repairs or going to court. The landlord may terminate a rental agreement by giving written notice and agreeing to demolish the property or to close the rental unit. The provisions of the law may be waived if the lease is written and if the waiver is specific and in bold print. The waiver by the tenant must be made knowingly, voluntarily, and for consideration.

## DECEPTIVE TRADE PRACTICES ACT

One controversial issue to face the Legislature this session was the proposed change to the Texas Deceptive Trade Practices and Consumer Protection Act. The Legislature created the Act in 1973 "... to protect consumers against false, misleading, and deceptive business practices, unconscionable actions, and breaches of warranty and to provide efficient and economical procedures to secure such protection." The law lists 22 different acts as examples of false, misleading, or deceptive practices and gives consumers adversely affected by practices in violation of the act a private cause of action for damages or injunctive relief. The act allows consumers to collect treble damages, court costs, and attorneys' fees where they prevail in a suit brought under the act.

Responding to complaints by the business community that many innocent business persons were being held liable for treble damages, the 66th Legislature made several changes in the Consumer Act. As finally passed by both houses, Senate Bill 357 would limit the kinds of deceptive practices for which a consumer could sue under the act to those listed in the bill and would eliminate the mandatory treble damages the Texas Supreme Court has ruled the act now requires. Instead, consumers would be allowed double the first \$1,000 awarded in any lawsuit brought under the act. If the defendant's conduct was "knowingly" deceptive, judges and juries could decide whether treble damages should be imposed past the first \$1,000.

#### HOUSING BILLS

Several bills aimed at providing housing to low and moderate income families were passed by the Legislature this session.

House Bill 1733 by Rep. Lance Lalor of Houston authorizes local housing authorities to issue tax-exempt revenue bonds to finance home mortgage loans to low and moderate income people. The local housing authority sets eligibility requirements based on certain criteria and also sets interest rate limits and property qualifications. Further, local housing authorities may target loans to certain areas and set dollar limits on individual loans and the total amount of loans made. The bill puts a limit on the amount of bonds that can be sold each year. Housing authorities can contract with other local government bodies to carry out the housing loan program.

House Bill 1876 by Rep. David Cain of Dallas authorizes cities and counties to create public nonprofit corporations to finance housing for low and moderate income persons. These corporations may issue tax exempt revenue bonds and make loans to lending institutions to assist in the financing of housing for low and moderate income persons. The corporations may also issue bonds to defray development costs. Housing finance corporations are also limited in the amount of bonds that they may issue in any one year.

Senate Bill 296 by Senator Carl Parker of Port Arthur would do on a statewide basis what the two previously described measures would do on a local level. The bill would set up a state housing agency for families of low and moderate income, composed of a nine-member administrative board headed by the executive director of the Department of Community Affairs. The bill would authorize the housing authority to issue tax-free revenue bonds and to make mortgage loans to low-income people through private lenders.

A joint resolution approved by the House of Representatives and the Senate will give voters a chance to approve a proposed constitutional amendment that would legalize bingo on a local option basis.

Senate Joint Resolution 18, sponsored by Senator A.R. "Babe" Schwartz of Galveston, would allow the Legislature to pass a law authorizing and regulating bingo games conducted by a church, synagogue, religious society, volunteer fire department, non-profit veterans organization, fraternal organization or non-profit organization supporting medical research or treatment programs.

Proceeds from the games would have to be spent for charitable purposes and the games would have to be limited to one location and conducted by one of the authorized organizations. The charitable organizations also would be required to file quarterly reports with the state comptroller to show that proceeds of the bingo games are going to charity.

Texas voters will decide whether to allow bingo on a local option basis at the November 4, 1980 general election.

#### LITTLE BITTY BEER BOTTLE

Senate Bill 419 by Senator Gene Jones of Houston was passed by the Legislature and signed by the Governor early in the session. The bill essentially does two things. First, it authorizes brewers to sell beer in containers holding 7, 8 and 16 ounces, as well as the current 12, 24 and 32 ounce bottles and cans. Secondly, the bill prohibits distributors from selling directly to consumers and sets up a "three-tier" system that allows brewers to sell only to distributors, distributors to retailers and retailers to customers. Only breweries producing fewer than 75,000 barrels a year would be allowed to sell directly to retailers. Only one company in Texas, Spoetzl Brewery in Shiner, would qualify for the exemption.

## PRODUCTS LIABILITY

One of the most controversial issues to face the 66th Legislature, products liability, was left unresolved this session. House Bill 1161 by Representative McFarland of Arlington failed to obtain the needed two-thirds support in the Senate, after having been approved in the House by a vote of 70-66.

Under the present law, a manufacturer of a product is strictly liable for injuries caused by his or her defective product, without regard to the manufacturer's negligence or privity with the injured party. In a lawsuit brought under a strict liability theory, the plaintiff must prove that the product was in a defective condition when it left the hands of the manufacturer (or supplier or retailer), that the defect was "unreasonably dangerous" and that the defect was the cause of the plaintiff's injuries.

The bill approved by the House provided for the use of comparative fault in products liability cases. Under this concept, an injured consumer who prevails in court would be allowed to collect partial damages even if s/he were primarily responsible for an accident involving a defective product. For example, if a jury determined a consumer was 60 percent responsible and the manufacturer 40 percent responsible for injuries resulting from the use of a defective product, the consumer could collect 40 percent of the total damages a jury determined he had suffered.

Also contained in the House approved bill was a provision establishing a "state of the art" defense for the manufacturer of a defective product. Under this concept a product would not be considered defective if the manufacturer can prove the defect could not have been eliminated by any discoverable or available knowledge at the time the product was manufactured.

Acting in response to cries from many manufacturers that products liability insurance premiums are too high, the House tacked on an amendment to H.B. 1161 that would require income from investment of insurance companies' reserves to be credited against proposed rate increases. The amendment would have also required companies to give more detailed figures on money they set aside in reserves for potential losses to the Board of Insurance when asking for new rate decisions.

## Elections

The House Committee on Elections followed closely the recommendations developed during the interim between the Sixty-fifth and Sixty-sixth Sessions in approving legislation that met success in both houses.

There were five bills that make changes in the Texas Election Code relating to participation in the voting process.

House Bill 575 by Representative Susan McBee of El Paso changes wording in the code to make it clearly state that a voter does not need an "official" absentee ballot request in order to obtain an absentee ballot. All that is needed is a written request, such as a letter. Informal applications were permitted after the Sixty-fourth Legislature but there has been continuous confusion about the necessity for the "official" form.

House Bill 2024 by Representative Ernestine Glossbrenner of Alice affects, for the most part, female registered voters who marry but it also applies to any other type of name change. The bill instructs the county voter registrar to issue a new card with the same voter registration number. In the past a name change resulted in an entirely new registration with the voter possessing two voter registration cards. This bill will shrink the voter registration roles to some degree initially. However, at the same time it will also decrease the opportunity for voter fraud.

House Bill 2025 by Representative Ernestine Glossbrenner of Alice takes aim at voter fraud by making it illegal for anyone, other than an absentee voting clerk or deputy, to witness more than one absentee ballot. The bill makes an exception to this rule for members of the same family. Violation of this new law, pending signature by the Governor, will result in a Class B misdemeanor penalty but will

not cause the ballot to be thrown out.

House Bill 2104 by Representative Ernestine Glossbrenner of Alice makes it illegal for anyone, other than a clerk or deputy clerk or election judge, to assist more than 5 persons in voting. The bill makes an exception to this rule for members of the same family and for Spanish-speaking voters. Violation of this new law, pending signature by the Governor, will result in a Class C penalty but will not cause the ballot to be thrown out.

Senate Bill 1260 by State Senator W. E. (Pete) Snelson of Midland provides clear instruction as to how a person is to be allowed to vote once that person's name has been struck from the voter registration roles. The bill also makes it clear that a person who successfully challenges his name not being on the roles, and is therefore allowed to vote, is also entitled to attend the precinct convention and to participate in the party convention process.

In addition to the above legislation the House Committee on Elections approved a bill to increase the pay of election judges and clerks to \$3.00 per hour (HB 403) and a bill giving political parties more flexibility in scheduling their state conventions (SB 1209).

#### BOARD OF CONTROL

House Bill 1673 by Rep. Stan Schlueter of Salado abolishes the State Board of Control and reconstitutes it as the State Purchasing and General Services Commission. The bill modifies current law regulating leasing of state office space to give more authority to the agencies and less to the new General Services Commission. It allows agencies to make purchases of less than \$500 without going through the commission. The bill also allows the use of the "multiple awards" bidding system.

## Regions, Compacts and Districts

The Sixty-Sixth Session of the Texas Legislature provided a dry run on redistricting for the House Committee on Regions, Compacts and Districts with the adjustment of boundary lines in four legislative districts.

At the request of Tarrant County State Representative Bob McFarland the committee approved a bill providing for an exchange of territory between McFarland's District 32D and Representative Lanny Hall's District 32C. At the request of El Paso County State Representative Ronald Coleman a transfer of territory from Representative Luther Jones' District 72A to Coleman's District 72B.

The House Committee on Regions, Compacts and Districts has jurisdiction over all matters pertaining to House and Senate legislative districts, as well as congressional districts and the district boundaries of other levels of state and local government entities. The committee's busiest and most crucial session comes every ten years, after the United States Census is completed and the time comes for complete legislative redistricting.

With its oversight of the budget of the Good Neighbor Commission the committee followed the current trend of fiscal conservatism by cutting the commissions requested budget of \$748,756 for the biennium to \$338,960. The final appropriations bill as adopted by both houses provides \$350,568 as the commissions budget for the biennium.

During the second half of the session the Committee on Region, Compacts and Districts put in long hours and worked closely with State Representative Betty Denton of Waco and Speaker Bill Clayton to pass a bill of particular importance to the grain producing areas of our state. House Bill 1971 proposed to join Texas with at least six other grain producing states in an interstate compact on grain marketing. This compact would address the wide range of concerns about grain prices and marketing practices and work to improve conditions in those areas. Although the bill did pass the House it was killed in the Senate.

## Presidential Primary

The object of much debate this session, both in the State House chambers and in the media, was proposed legislation on how political parties should conduct their presidential primaries in 1980. Although the end result was that the legislature took no action on any of the bills introduced the issue has made it clear to the voting public that the timing of the 1980 presidential primary in Texas could result in a more benevolent attitude toward the needs of this state's economy on the part of the next administration in Washington, D. C.

The bill which received the most attention was Senate Bill 602 by Senator Jack Ogg of Houston. This bill would have moved the presidential primary to March 11, 1980, drawing candidates into our state early in their campaigns before they would have a chance to make commitments to the concerns of the energy consuming states in the northeast. The bill also would have given all Texas voters the opportunity to decide on which party's presidential primary they cared to vote in and which general state primary they cared to vote in. Opponents of Senate Bill 602 focused on this second element of the bill and refused to yield. Their belief that voters should be locked-in to voting in one party or the other was strong enough to send 12 State Senators into hiding, effectively killing the legislation.

The result now is that there is no law in Texas either prohibiting or allowing a presidential primary. The parties will decide whether to hold such a primary. The office of the Secretary of State has yet to answer the question on how such a presidential primary is to be financed. But with the Republic Party already committed to hold one it is possible that question will be answered in court.

HB 354 by Bush: (Effective Immediately)

Amends the Controlled Substances Act and the Dangerous Drug Act. Reclassifies some substances as controlled substances. Requires applicants to furnish certain evidence for registration and to provide grounds for denial of registration. Requires that practitioners may prescribe, dispense or administer a controlled substance or cause a controlled substance to be administered under his direction only for a valid medical purpose and in the course of professional practice. Makes it unlawful to attempt to obtain a controlled substance by misrepresentation, fraud, or forgery. Amends the act so that newly scheduled drugs can be given penalties for abuse.

HB 838 by Nabers: (Effective 9/1/79)

This bill stiffens the existing penalty for transferring or otherwise disposing of valuable secured property. Makes it a third degree felony to sell or transfer secured property without the effective consent of the secured party, with the intent to deprive the secured party of his interest in the property. If the amount is less than \$10,000 it is a Class A misdemeanor. Present law provides only a Class A misdemeanor penalty regardless of the amount of money or cost of property involved.

HB 901 by Gene Green: (Effective 8/27/79)

Makes an assault upon a teacher or other educator engaged in performing his duties a Class B misdemeanor. Present law is only a Class C misdemeanor.

HB 1163 by Crawford: (Effective 8/27/79)

Provides that information pertaining to the mental or emotional health of a person which he furnishes to another individual, corporation etc. is confidential. If this information is further disclosed or transmitted, the person may obtain injunctive relief and civil damages.

SB 131 by Parker: (Effective 8/27/79)

This is a clean up bill for the Family Code to make it consistent with case law and the Constitution. It clarifies the law which provides for the transfer of community property after a divorce petition is filed. It requires either spouse to support the other spouse and minor children. Alienation of affection as a cause for legal action is eliminated. Both parents are given control over the earnings of minor children.

SB 168 by Lindon Williams: (Effective 9/1/79)

Provides for the forfeiture of all money derived from the sale, manufacture, etc. of controlled substances in violation of the Controlled Substances Act. Property too may be forfeited to

the state or agency which employs peace officers.

SB 270 by Santiesteban: (Effective 8/27/79)

Requires periodic review of placements of children under the care, custody or conservatorship of TDHR. This review would be by a court of continuing jurisdiction. The bill is aimed at preventing children from being lost in the system; a current appraisal of each child's situation would be made and adjustments provided if necessary.

SB 116 by Meier: (Effective 9/1/79)

Makes it a Class A Misdemeanor to remove, alter or obliterate the serial number or other permanent identification marking on tangible personal property other than a motor vehicle. This bill will penalize those that would remove such numbers from stolen property in order to resell this property.

SB 548 by Jones of Harris: (Effective 8/27/79)

Requires that an interpreter must be appointed for a person charged who does not speak or understand the English language. Court can hold a pre-trial hearing on a motion for appointment of an interpreter.

SB 529 by Mauzy: (Effective 9/1/79)

Provides that a peace officer must do what he can to prevent injury to a person's spouse or her property. Gives the peace officer specific statutory authority to interfere in domestic quarrels when safety of either spouse is at stake.

HB 244 by Luther Jones: (Effective 9/1/79)

Makes parents liable for personal injury caused by their child. Allows court to order parents to pay not more than \$15 per month while child is on probation. Further defines who can be ordered not to have contact with the child when such contact would be detrimental to the child. The aim of this bill is to make parents take more responsibility for controlling their children.

HB 1521 by Coleman: (Effective immediately)

Requires that deaf persons be provided with interpreters for administrative and judicial proceedings. Specific procedures are to be followed in obtaining these interpreters. Aim of the bill is to guarantee that deaf people will be provided these services as a matter of right.

SB 106 by Farabee: (Effective 9/1/79)

Amends the Speedy Trial Act to allow that misdemeanor cases punishable by a fine only have 60 days in which to have cases tried

rather than the present 30 days. Regardless of whether the penalty has a jail time provided, the court still needs this minimum time to prepare the case adequately.

HB 43 by Bird: (Effective 8/27/79)

This bill changes the definition of sexual contact to include the touching of the breast of any male or female. Child molesters often abuse children both male and female who are less than 10 years old. Thus the present age limit and limited sex reference in our current statute need these new definitions.

SB 394 by Jones of Harris: (Effective 8/27/79)

This bill amends the definition of injury to a child to include bodily injury to a child. Current law requires at least serious bodily injury for a conviction and prosecution to be made. In some cases where a child has been beaten and yet the child does not suffer serious bodily injury, no severe punishment can be given the offender. This bill would make it easier to prosecute such cases.

HB 1436 by Looney: (Effective 9/1/79)

Provides that a district judge may direct that the grand jury panel be selected on a random basis in the same manner as for the selection and summons of panels for the trial of civil cases in the district courts. This provides, then, an alternative to the present blue ribbon system of selecting grand juries and is considered to be a more equitable method of selecting this juries.

HB 426 by Ezzell:

Allows for permanent exemption from jury service for those over 65 who desire such an exemption. This is done by filing a signed statement of age with the county tax assessor-collector. This exemption may be rescinded.

HB 1319 by Hernandez:

Allows that for the convenience of parties and witnesses and in the interest of justice, the court upon motion of the defendant and with consent of the attorney for the state may transfer the proceeding to another district. This also may be done when the defendant stipulates that a plea of guilty will be entered. Thus, this expands the present law regarding conditions which allow for change of venue.

HB 648 by Glossbrenner:

Amends the Texas Probate Code by neutralizing language referring to the sex of persons granted rights of guardianship, administration, bond execution, homestead, family allowance and exempt property and amends the Probate Code to equalize the inheritance rights of all legitimated children and their fathers.

HB 329 by Grant:

This is a comprehensive bill to improve current probate law both procedurally and substantively. This bill is the result of work done by the Committee on the Judiciary who conducted an interim study on the Texas Code which has never had a substantial revision since its adoption in 1955. Among its many provisions are a new requirement that an heir must survive a decedent by 120 hours; specifications for details that must be set out in an application for letter of administration; procedures for removal of an independent executor; court ordered sale of undivisible property; and an extensive chapter on nontestamentary transfers which defines the transactions and sets out the rights of owners, survivors, creditors and specifies liabilities of financial institutions. The nontestamentary transfers section codifies existing case law.

HB 1275 by Nabers:

This bill requires Department of Public Safety to keep records of identifying information about individuals who have DWI convictions. These records can later be used as admissible evidence relative to proving prior convictions of a person. Without this new law there is no systematized procedure whereby positive identification of subsequent DWI offenders can be made. Under this new law, a prosecutor could have access to this information and facts which would establish the identify of a prior offender.

SB 172 by Doggett:

Provides that in a suit affecting the parent-child relationship, the parties may enter into a written agreement which contains provisions for modifications of agreements or orders providing for conservatorship and support of the child, and appointment of joint managing conservators. Thus, this bill provides statutory justification for joint managing conservatorship in friendly divorce situations where it would be for the best interest of the child.

SB 324 by Mengden:

This bill authorizes the Texas Commission on Law Enforcement Officer Standards and Education to certify jailers or guards of county jails according to the various educational, physical and mental standards which the Commission establishes. This certification will insure that those individuals in these positions will be well trained and qualified.

SB 1202 by Meier:

Provides that only a judge of a statutory county court, district court, the Court of Criminal Appeals or the Supreme Court can issue search warrants. This new law will preclude other magistrates from issuing these warrants. The aim of this bill is to provide a safety lock on the unnecessary intrusion of private residences or property. It would be difficult to get search warrants and thus they would be obtained only when absolutely necessary.

SB 254 by Gene Jones:

This important bill expands the arson statute to cover a wider range of acts which could be construed as arson. Specifically, it would be made an act of arson if someone burns his own property in order to collect the insurance on it. Also included in the bills is a provision which makes the burning of vehicles subject to the arson statute.

HB 1742 by Wallace:

This bill establishes the offense of Sexual Performance by a Child and amends a section of the Penal Code which a U.S. District Court recently declared unconstitutional. Under the bill, a person commits an offense if, knowing the character and content of a sexual performance, he employs, authorizes or induces a child younger than 17 years to engage in such performance or, if the person is the child's legal guardian or parent, consents to the child's participation in the performance. This would be a second degree felony. A third degree felony offense is provided if, knowing the character and content of the material, he produces, directs, or promotes a performance or an obscene performance that includes sexual conduct by a child younger than 17 years.

SB 844 by Gene Jones:

This bill known as the Misdemeanor Adult Probation and Supervision Law repeals former statutes dealing with misdemeanor probation and creates new statutes which provide for the manner in which the Court may grant probation; revocation hearings and the right to counsel; provides that nothing shall limit the power of the court to grant probation regardless of the recommendation of the jury or prior convictions of the defendant; provides for shock probation in misdemeanor cases; provides for a full pre-sentence report when directed by the court; sets out that alcohol and/or traffic safety programs can be used as a discretionary term of probation; etc.  
(Repeals HB 588 by Danny Hill, 66th, because it encompasses it.)

SB 546 by Ogg:

This bill makes it a third degree felony offense for a peace officer, jailer or guard to intentionally violate the civil rights of a prisoner. Furthermore if an officer or guard mistreats a person in his custody or denies him the exercise of any right, privilege, power or immunity and knows that such conduct is unlawful, he is committing a crime.

HB 1741 by Wallace:

This bill expands and redefines certain terms including obscene. It provides for a third degree felony penalty for those who wholesale promote or possess with intention to wholesale promote obscene material or devices. A Class A misdemeanor penalty is allotted to those who knowing the content and character of the obscene material or devices promote or possess with intent to promote any such material or if they produce, present or direct an obscene performance.

HB 15 by Jackson, Gene Green:

This bill amends the Texas General Arbitration Act. It removes the requirement for two attorney signatures with the exception of those claims involving personal injury. It allows for arbitration on insurance and construction contracts. However, workers compensation and collective bargaining between employer and labor union are forbidden. Disputes between employer and employee are permitted under the act.

## HEALTH AND HUMAN SERVICES

NEW PROGRAMSHB 548 by Keller--effective 8/27/79

Extends the provisions of the crippled children's act to cover services for persons over the age of 21 who have cystic fibrosis. Prior to passage of this act, the crippled children's program provided services to people up to the age of 21. In the past this was sufficient because the life expectancy of persons with this disease was very short. However, medical advances have made it possible for at least some of the victims of this disease to live beyond age 21. Cystic Fibrosis is a hereditary disease--the two most common organs affected by the disease and the ones which cause the greatest problems are the gastrointestinal system (wherein the patient starves to death) and the respiratory system where the victim suffers from chronic bronchitis which erodes the lung to the point where it can no longer sustain life. Approximately 12% of the people with cystic fibrosis live to the age of 21.

HB 853 by Denton--effective 9/1/79

Establishes a cancer registry to be maintained by the Department of Health. All facilities and hospitals engaged in the treatment of cancer are required to give the Department certain information from the records of cancerous and pre-cancerous patients. The identity of individual patients will not be revealed, but the statistical information collected by the Department will be open to the public.

Establishment of this program is essential to the development of preventive means of diagnosing and treating cancer. The Department will inform physicians engaged in the treatment of cancer of the total number of patients who have cancer and of the type of treatment administered. This information can also be broken down by geographical area to allow the Department and treatment facilities to engage in educational programs to get people to come in for early diagnosis. The availability of this information on a large scale will allow a physician treating a patient with a particular type of cancer to see how many other people have been treated for the same disease and what type of treatment was most effective.

HB 1075 by Lalor--effective 9/1/79

Requires the Department of Human Resources to contract with up to 12 shelter centers that provide shelter and services to victims of family violence. Hopefully the bill will reduce domestic violence and help save lives. Often victims of family violence are forced to remain in dangerous situations because they have no other place to go. One fourth of all murders occur within the family, and at least half of these murders were preceded by calls to the police concerning spouse abuse. Providing a victim with a safe place to stay can help defuse a violent situation and give the family time to figure out ways to solve its problems.

SB 805 by Vale--sent to the governor 5/24/79

Requires the Department of Health to provide medical and rehabilitative services for children under 21 who have cancer if the children meet the financial eligibility standards set for the crippled children's services program. A child would not be eligible for services to the extent that the child or a person who has a legal obligation to support the child is eligible for some other benefit that would pay for the service or part of the service provided by this bill. Cancer is the second leading cause of death among children between the ages of three and seventeen. Prior to enactment of this law, families without health insurance had no way of getting any kind of financial aid for treatment of children with cancer.

HB 1714 by Berlanga--sent to the governor 5/23/79

Provides for a program of respite care in nursing homes for the elderly when their caretaker suffers some sort of crisis or emergency situation. Emergency situation will be defined by the Department of Human Resources. The maximum length of time a person may remain in respite care is two weeks. Under the bill persons who participate in respite care do not have to apply a portion of his income to the cost of care so that they can maintain their normal living arrangements.

SB 139 by Brooks--sent to the governor 5/28/79

Authorizes the Texas Department of Human Resources to pay for the foster care of children who are not currently eligible for foster care under the Department's Aid to Families with Dependent Children program. Prior to passage of this law the state paid only for foster care for children whose families were eligible for AFDC. Only about half of the children who need to be placed in foster homes are AFDC children.

SB 828 by Brooks--sent to the governor 5/24/79

Allows the Department of Human Resources to set standards for adult day care facilities regarding such areas as eligibility for attendance and scope of services. DHR would also contract with political subdivisions or individuals for transportation of persons to a facility. The Department of Health is the licensing agency and will set standards for safety and sanitation, issue licenses to qualified applicants, inspect premises, and deny, suspend or revoke the license of a facility which is not in compliance with standards. This bill should help to prevent premature or inappropriate institutionalization of elderly and handicapped persons because if a quality day care program is available to the elderly, more senior citizens would have the chance to continue to live in their own communities.

#### HEALTH

HB 12 by Allee--effective immediately

Sets the standards for determining when someone is dead. If breathing and heart-beat are being maintained artificially, death will be determined by the cessation of brain activity. Because medical technology has advanced to the point where it is possible to keep a person alive for a long period of time through artificial life support, this bill was necessary.

SB 102 by Doggett--sent to the governor 5/24/79

Expands the definition of hazardous substance to include any toy or other article, other than clothing, intended for use by children if the article presents an electrical, mechanical or thermal hazard. Such a toy is exempt from regulation if it necessarily presents such a hazard by reason of its functional purpose and is properly labeled. The Texas Department of Health is given the authority to regulate certain types of toys in the intra-state level. The bill brings Texas law into conformity with federal law. In some cases, toys which are banned by federal regulations have been repackaged and distributed within the state.

#### INSURANCE

HB 291 by Anita Hill--effective 8/27/79

Gives patients more choice in selecting medical services by adding doctors of chiropractic medical services to those whose services are covered by insurance. Although 90% of the insurance companies in Texas provided this type of coverage prior to passage of the act, some major carriers, such as Blue Cross/Blue Shield and the insurance program for state employees did not provide this coverage.

SB 96 by Traeger--effective immediately

Includes optometrists in the list of authorized health care professionals who may be reimbursed by insurance policies. The bill gives people greater freedom of choice in selecting health care practitioners.

HB 860 by Browder--sent to the governor 5/24/79

Requires insurance companies to give equal coverage for similar services performed by dentists and physicians. Examples of these services are minor surgery of the mouth. The bill does not lead to mandatory inclusion of dental services (care of the teeth) in health insurance plans, but merely says that if a dentist can legally perform a service covered by insurance, he is entitled to be paid under the policy.

HB 155 by Cofer--sent to the governor 5/22/79

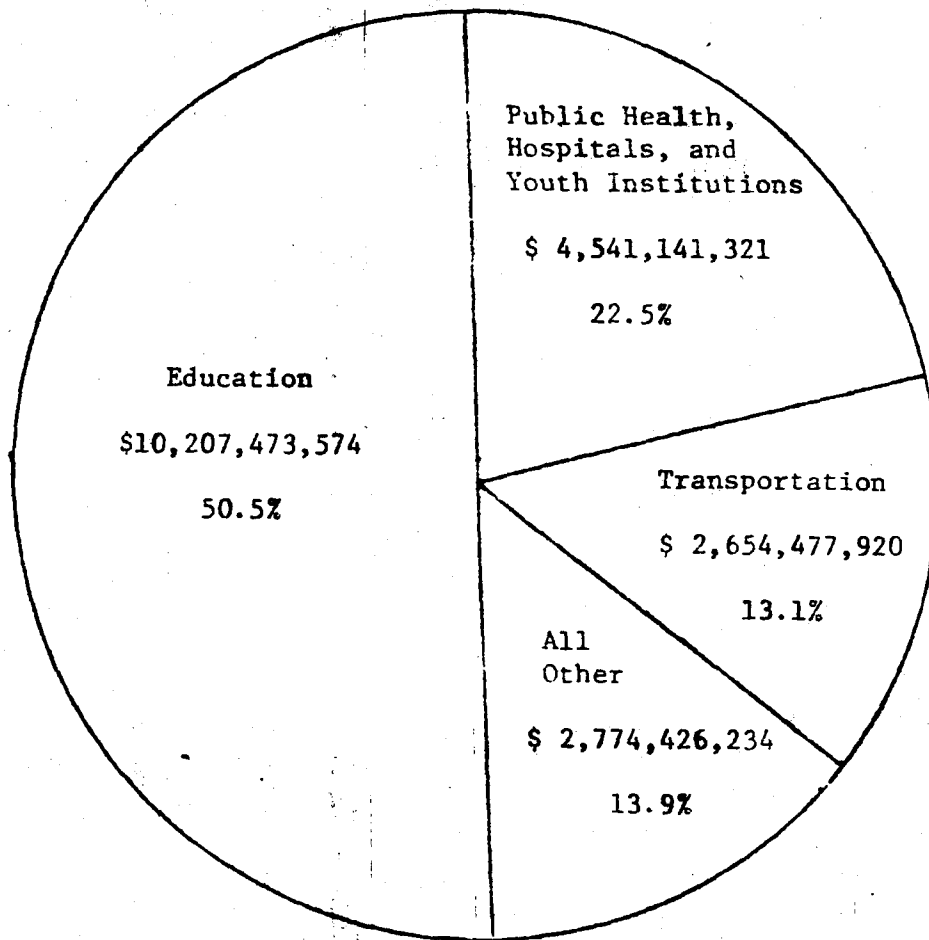
Provides that if a group health insurance policy allows an insured person to convert to an individual policy upon termination with the group, the policy must extend the conversion privilege to the spouse of the insured under certain circumstances: divorce of the couple, or death, retirement of, or termination of group membership of the insured person. This bill protects people who suddenly find themselves without insurance because of loss of group coverage. Elderly people especially will benefit from this protection because they frequently cannot get individual insurance policies.

HB 1029 by Blake--sent to the governor 5/25/79

Permits a person to recover under either uninsured motorist or collision coverage. Prior to passage of the bill a person could only recover under the coverage with the lowest deductible which often meant less benefits.

HB 1209 by Ezzell

R. B. McAllister Drug Treatment Program Act. Authorizes the Texas Department of Community Affairs to establish and supervise a comprehensive drug dependence treatment and rehabilitation program. The philosophy of the program is to de-emphasize the criminal aspects of drug dependence of persons in the program and emphasize an effective method of treatment and rehabilitation. The treatment program is to be available state-wide, the overall purpose of which is to enable the individual to live productively and function as a member of society. Particular attention is paid to emergency treatment of persons in custody on controlled substances or in an incapacitated condition. Prevention services include information, education, and intervention.



APPROPRIATIONS FOR THE 1980-1981 BIENNIUM

ALL FUNDS

EDUCATION	\$10,207,473,574	50.5%
PUBLIC HEALTH, HOSPITALS, AND YOUTH INSTITUTIONS	4,541,141,321	22.5%
TRANSPORTATION	2,654,477,920	13.1%
ALL OTHER	2,774,426,234	13.9%
<b>GRAND TOTAL</b>	<b>\$20,177,519,049</b>	<b>100.0%</b>