

# HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

FORTY-SEVENTH DAY (CONTINUED) — WEDNESDAY, APRIL 7, 1993

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

The roll of the house was called and a quorum was announced present (Record 147).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Granoff; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Williamson; Willis; Wilson; Yarbrough; Yost; Zbranek.

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

The invocation was offered by Reverend Jim Blankenship, San Antonio Church of the Nazarene, San Antonio, Texas.

### LEAVES OF ABSENCE GRANTED

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

Rudd on motion of Ramsay.

Culberson on motion of Talton.

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

Clemons on motion of Johnson.

### CAPITOL PHYSICIAN

Speaker Laney presented Dr. Daniel Voss of Georgetown, Texas, as the "Doctor for the Day."

The house welcomed Dr. Voss and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

## MESSAGE FROM THE SENATE

Austin, Texas, April 7, 1993

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:

- HB 607** by Black, relating to the use of deer and turkey tags. . . .
- SCR 51** by Zaffirini, supporting the World Wise program of the Peace Corps. . . .
- SB 147** by Sibley, relating to the admissibility of evidence. . . .
- SB 226** by West and Lucio, relating to competitive bidding requirements. . . .
- SB 349** by Barrientos, relating to testing of certain deaf or blind students. . . .
- SB 386** by Shelley, relating to liability of persons providing emergency care.
- SB 513** by Ellis and Parker, relating to regional organizations. . . .
- SB 664** by Haley, relating to certain fishing apparatus. . . .
- SB 672** by Montford, relating to the Texas Council on Alzheimer's Disease. . . .
- SB 701** by Leedom, relating to interlocal cooperation contracts for health care. . . .
- SB 702** by Leedom, relating to application of the Texas Health Maintenance Organization Act. . . .
- SB 705** by Haley, relating to a curriculum mastery plan. . . .
- SB 721** by Luna, relating to . . . a juvenile court. . . .
- SB 726** by Luna, relating to the use by state agencies of biosolids. . . .
- SB 771** by Rosson, relating to medical records. . . .
- SB 807** by West, relating to the establishment . . . of a school-community guidance center.
- SB 811** by West, relating to the offense of a parent's failure. . . .
- SB 952** by Wentworth, relating to the authority of certain cities. . . .
- SB 962** by Sims, relating to the sale . . . of state-owned oil. . . .
- SB 964** by Sims, relating to the location . . . of vacant and unsurveyed public school land. . . .
- SB 1018** by Wentworth, relating to authority of boards of directors. . . .
- SB 1073** by Parker, relating to time of operation of water skis. . . .
- SB 1075** by Parker, relating to payment of fees. . . .
- SB 1111** by Haley, relating to consolidation of independent school districts.
- SB 1243** by Montford, relating to . . . funds in the state treasury. . . .
- SB 1302** by Barrientos, relating to a gymnasium renovation fee. . . .

Respectfully,  
Betty King  
Secretary of the Senate

**SIGNED BY SPEAKER**

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

**HB 995, SB 81, HJR 3**

**HCM 104 - ADOPTED**

Representative Black moved to suspend all necessary rules to take up and consider at this time, **HCM 104**.

The motion prevailed without objection.

The speaker laid before the house the following motion:

By Black:

**HCM 104**, Congratulating Christina Sepulveda on her marriage.

The motion was adopted without objection.

**SCR 58 - ADOPTED  
(Ogden - House Sponsor)**

Representative Ogden moved to suspend all necessary rules to take up and consider at this time, **SCR 58**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

**SCR 58**, Expressing appreciation to Carlton Van Doren for his 25 years of service to the people of the State of Texas.

The resolution was adopted without objection.

**SCR 60 - ADOPTED  
(Ogden - House Sponsor)**

Representative Ogden moved to suspend all necessary rules to take up and consider at this time, **SCR 60**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

**SCR 60**, Expressing sincere appreciation to Dr. Louis Hodges for his 25 years of service to the people of Texas.

The resolution was adopted without objection.

**HR 506 - ADOPTED**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time, **HR 506**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Dutton:

**HR 506**, Congratulating Jason Crabtree on his attainment of the rank of Eagle Scout.

The resolution was adopted without objection.

**HR 444 - ADOPTED**

Representative Berlanga moved to suspend all necessary rules to take up and consider at this time, **HR 444**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Berlanga:

**HR 444**, Congratulating Miss Patricia Bonilla on the occasion of her 13th birthday.

The resolution was adopted without objection.

**HR 503 - ADOPTED**

Representative Swinford moved to suspend all necessary rules to take up and consider at this time, **HR 503**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Swinford:

**HR 503**, Recognizing Josie Ham Feltz on the occasion of her 100th Birthday.

The resolution was adopted without objection.

**HR 504 - ADOPTED**

Representative Swinford moved to suspend all necessary rules to take up and consider at this time, **HR 504**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Swinford:

**HR 504**, Commending the Highland Park Hornets for their great accomplishments and contributions to the citizens of their home town and the State of Texas.

The resolution was adopted without objection.

(Speaker pro tempore in the chair)

**CONGRATULATORY AND MEMORIAL CALENDAR**

The chair laid before the house the following memorial motions:

By Oliveira:

**HMM 5**, Paying tribute to the life of Alicia G. "Baby" Cavazos.

By Goolsby:

**HMM 6**, Paying tribute to the life of Fladger F. Tannery.

By Giddings:

**FMM 7**, Paying tribute to the life of Michael Wayne Owens.

By De La Garza:

**HMM 8**, Paying tribute to the life of Yesmin Moreno.

The motions were unanimously adopted by a rising vote.

The chair laid before the house the following congratulatory motions:

By Moreno:

**HCM 34**, Congratulating Stacy Santiesteban-Salinas.

By Oakley:

**HCM 37**, Congratulating First Assembly Of God Church on their 50th anniversary.

By Oakley:

**HCM 38**, Congratulating James and Polly Townsend on their Golden Anniversary.

By Flores:

**HCM 39**, Commending Jan Widgery on her volunteer work with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 40**, Commending Mary White on her volunteer work with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 41**, Commending Nancy Webb on her volunteer work with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 42**, Commending Lois Thomas on her volunteer service with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 43**, Commending Ruth Strain on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 44**, Commending Julia Ray on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 45**, Commending Debbi Rand on her service as volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 46**, Commending Nancy T. Pulido on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 47**, Commending Hilary Probert on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 48**, Commending Sandra Peterson on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 49**, Commending Keith Peterson on his service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 50**, Commending Lisa Olexy on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 51**, Commending Jo Monaghan on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 52**, Commending Mildred McGill on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 53**, Commending Ellen McFarland on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 54**, Commending Kirit Mahta on her service as a volunteer with Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 55**, Commending Deborah Lundin on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 56**, Commending Leigh Laws on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 57**, Commending Carol Lapin on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 58**, Commending Kathy Kline on her service as a volunteer with the Spring Branch/Memorial Outreach Center, Inc.

By Flores:

**HCM 59**, Commending Carolyn Keeble on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 60**, Commending Frances Jones on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 61**, Commending Mandy Illg on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 62**, Commending Kathy Howe on her service as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 63**, Commending Janice Hale as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 64**, Commending Anne Grimes as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 65**, Commending Sandra Glenn as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 66**, Commending Carol Garrison as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 67**, Commending Twilight Freedman as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 68**, Commending Lisa Frantz as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 69**, Commending Nancy Fischer as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 70**, Commending Isabel Davis as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 71**, Commending Elizabeth Cotton as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 72**, Commending Judy Chaffin as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 73**, Commending Karen Bruce as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 74**, Commending Laurel Brown as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 75**, Commending Colleen Brawner as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 76**, Commending Betty Bayley as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 77**, Commending Dottie Bates as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 78**, Commending Amy Whitehead as a volunteer with the Spring Branch/Memorial Family Outreach Center, Inc.

By Flores:

**HCM 79**, Commending the Spring Branch/Memorial Family Outreach Center, Inc.

By Nieto:

**HCM 80**, Congratulating Isabel Louise Brucks Mumme and Nellie Louise Brucks Mumme on the occasion of their 98th birthdays.

By J. Jones:

**HCM 81**, Congratulating Lawanda Durham Mitchell for being selected as Oliver Wendell Holmes Middle School Teacher of the Year.

By R. Cuellar:

**HCM 82**, Congratulating Weslaco on its 75th anniversary.

By Flores:

**HCM 83**, Congratulating Wesley House Retired Senior Volunteer Program.

By Flores:

**HCM 84**, Congratulating the Magnolia Park Retired Senior Volunteer Program.

By Flores:

**HCM 85**, Congratulating Ripley House Retired Senior Volunteer Program.

By Flores:

**HCM 86**, Congratulating the Magnolia Retired Senior Volunteer Program.

By Flores:

**HCM 87**, Congratulating the Juan Marcos Retired Senior Volunteer Program.

By Flores:

**HCM 88**, Congratulating the Denver Harbor Retired Senior Volunteer Program.

By Flores:

**HCM 89**, Congratulating the El Centro Retired Senior Volunteer Program.

By Erickson:

**HCM 91**, Congratulating Anna Rauilston of Blum, Texas, on receiving her G.E.D.



By Black:

**HCM 93**, Congratulating Fred and Louise Wilkerson on their 64th wedding anniversary.

By Lancy:

**HCM 94**, Congratulating Dimmitt High School girls basketball team as the Class 3A Champions in the 1993 UIL Girls State Basketball Tournament.

By Lancy:

**HCM 95**, Congratulating the Plainview High School boys basketball team on their participation in the 1993 UIL Boys State Basketball Tournament.

By Lancy:

**HCM 96**, Congratulating Petersburg High School boys basketball team for their participation in the 1993 UIL Boys State Basketball Tournament.

By Schechter:

**HCM 97**, Commending Sergeant Eddie Harrold and Detective Tod Schneider of the West University Place Police Department.

By Shields:

**HCM 98**, Congratulating Joey Legere on his appointment to the Merchant Marine Academy.

By Naishtat:

**HCM 99**, Congratulating Dick Oppenheimer on his 60th birthday.

By S. Turner:

**HCM 100**, Congratulating Pedro A. Rubio, M.D., on his election as World President of the College of Surgeons.

The motions were adopted without objection.

#### HOUSE BILLS ON FIRST READING

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

By Combs:

**HB 2830**, A bill to be entitled An Act relating to authorizing the Travis County Water Control and Improvement District No. 17 to exclude certain territory.

To Committee on Natural Resources.

By Sadler:

**HB 2831**, A bill to be entitled An Act relating to the jurisdiction of the statutory county court in Panola County.

To Committee on Judicial Affairs.

By A. Smith:

**HB 2832**, A bill to be entitled An Act relating to a requirement that an inmate carry a certain contract or written statement while the inmate is in a public place as a condition of release on parole or to mandatory supervision.

To Committee on Criminal Jurisprudence.

**RESOLUTION REFERRED TO COMMITTEE**

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

**SCR 69**, Commending the legal assistants of Texas for their outstanding work and the Legal Assistants Division of the State Bar of Texas for its dedication to the State of Texas.

To Committee on Rules and Resolutions.

(Speaker in the chair)

**SB 1313 ON SECOND READING  
(Seidlits - House Sponsor)**

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

**SB 1313**, A bill to be entitled An Act relating to the regulation of motor carriers; providing penalties.

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

**SB 830 ON SECOND READING  
(Marchant and Goodman - House Sponsors)**

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

**SB 830**, A bill to be entitled An Act relating to runoff election dates for certain political subdivisions.

The bill was read second time.

Representative Marchant moved to postpone consideration of **SB 830** until the end of the first calendar, before the first adjournment.

The motion prevailed without objection.

**HB 220 ON SECOND READING**

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

**HB 220**, A bill to be entitled An Act relating to prohibiting certain employment of former board of trustees members of public junior colleges.

**HB 220** was read second time on March 23, postponed until March 31, postponed until April 5, and again postponed until 10 a.m. today.

Representative Rodriguez moved to postpone consideration of **HB 220** until 10 a.m. Tuesday, April 13.

The motion prevailed without objection.

**HB 1517 ON SECOND READING**

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

**HB 1517**, A bill to be entitled An Act relating to participation and credit in, contributions to, and benefits and administration of the Texas Municipal Retirement System.

**HB 1517** was read second time on April 5, and was postponed until 10 a.m. today.

Representative Kuempel moved to postpone consideration of **HB 1517** until 10 a.m. Tuesday, April 13.

The motion prevailed without objection.

#### **HB 1037 ON SECOND READING**

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

**HB 1037**, A bill to be entitled An Act relating to recreational facility fees at The University of Texas at El Paso.

The bill was read second time.

Representative Moreno moved to postpone consideration of **HB 1037** until 10 a.m. Thursday, April 15.

The motion prevailed without objection.

#### **HB 502 ON SECOND READING**

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

**HB 502**, A bill to be entitled An Act relating to the printing of a statement regarding a health care directive on the reverse side of a driver's license.

The bill was read second time.

Representative Rodriguez offered the following committee amendment to the bill:

#### **COMMITTEE AMENDMENT NO. 1**

Amend **HB 502** by striking Section 1 of the bill and substituting the following:

SECTION 1. Article II, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes), is amended by adding Section 11D to read as follows:

Sec. 11D. DIRECTIVE TO PHYSICIAN ON REVERSE SIDE OF LICENSE. On the reserve side of each driver's license the Department shall print "Directive to physician has been filed at tel. #" followed by a line that the holder of the license may use to indicate the appropriate telephone number.

Committee Amendment No. 1 was adopted without objection.

**HB 502**, as amended, was passed to engrossment.

#### **HB 360 ON SECOND READING**

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

**HB 360**, A bill to be entitled An Act relating to persons who may bring an original suit affecting the parent-child relationship.

The bill was read second time.

Representative Denton offered the following amendment to the bill:

Amend **HB 360** by striking lines 10 thru 23 on page 2.

The Denton amendment was adopted without objection.

**HB 360**, as amended, was passed to engrossment.

#### **HB 724 ON SECOND READING**

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 724**.

**CSHB 724**, A bill to be entitled An Act relating to the determination of paternity and the payment of child support during a suit in which a determination of paternity is sought.

**CSHB 724** was read second time.

Representative Goodman offered the following amendment to **CSHB 724**:

Amend **CSHB 724** as follows:

##### Section 9.

Page 6, line 13: Add after the last sentence of Section 13.42(a), Family Code, the following language: "In making an order for retroactive child support under this subsection, the court shall use the child support guidelines provided by Section 14.053 of this code together with any relevant factors."

##### Section 10.

Redesignate current Section 10 as Section 11.

Add the following language as new Section 10:

Section 14.053, Family Code, is amended by adding new Subsection (1) to read as follows:

(1) Retroactive Support. The guidelines for the support of a child in this chapter are intended to guide the court in determining the amount of retroactive child support, if any, to be ordered under this chapter or Chapter 13 of this code. In ordering retroactive child support, the court shall consider the net resources of the obligor during the relevant time period. In making an order of retroactive support under this subsection, the court shall consider the following evidentiary factors:

(1) whether the mother of the child had made any previous attempts to notify the biological father of his paternity or probable paternity;

(2) whether the biological father had knowledge of his paternity or probable paternity;

(3) whether the order of retroactive child support will impose an undue financial hardship on the obligor or his family; and

(4) whether the obligor has provided actual support or other necessities prior to the filing of the action.

##### Section 11.

Redesignate current Section 11 as new Section 12.

##### Section 12.

Redesignate current Section 12 as new Section 13.

The Goodman amendment was adopted without objection.

**CSHB 724**, as amended, was passed to engrossment.

#### **HB 758 ON SECOND READING**

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 758**.

**CSHB 758**, A bill to be entitled An Act relating to the accrual of interest on delinquent child support.

**CSHB 758** was read second time and was passed to engrossment.

#### **HB 634 ON SECOND READING**

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 634**.

**CSHB 634**, A bill to be entitled An Act relating to the commissioning as peace officers of armed security personnel employed by a school district.

**CSHB 634** was read second time.

Representative Wilson offered the following amendment to **CSHB 634**:

Amend **CSHB 634** as follows:

(1) After SECTION 1 of the bill add new SECTIONS 2 and 3 to read as follows:

SECTION 2. Section 21.483, Education Code, is amended to read as follows:

Sec. 21.483. CAMPUS SECURITY PERSONNEL. (a) The board of trustees of any school district may employ campus security personnel for the purpose of carrying out the provisions of this subchapter.

(b) ~~If [and if]~~ the board of trustees authorizes any officer to bear arms then they must commission them as peace officers.

(c) Any officer commissioned under this section is vested with all the powers, privileges, and immunities of peace officers ~~[while on the property under the control and jurisdiction of the district or otherwise in the performance of his duties].~~

(d) Any officer assigned to duty and commissioned shall take and file the oath required of peace officers, and shall execute and file a good and sufficient bond in the sum of \$1,000, payable to the board of trustees, with two or more good and sufficient sureties, conditioned that he will fairly, impartially, and faithfully perform all the duties that may be required of him by law. The bond may be sued on from time to time in the name of any person injured until the whole amount of the bond is recovered.

(e) Any peace officer commissioned under this section must meet all minimum standards for peace officers established by the Commission on Law Enforcement Officer Standards and Education within one year of his commission, or his commission shall automatically expire.

SECTION 3. Article 2.12, Code of Criminal Procedure, is amended to read as follows:

Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace officers:

- (1) sheriffs and their deputies;
- (2) constables and deputy constables;
- (3) marshals or police officers of an incorporated city, town, or village;
- (4) rangers and officers commissioned by the Public Safety Commission and the Director of the Department of Public Safety;
- (5) investigators of the district attorneys', criminal district attorneys', and county attorneys' offices;
- (6) law enforcement agents of the Texas Alcoholic Beverage Commission;
- (7) each member of an arson investigating unit commissioned by a city, a county, or the state;
- (8) officers commissioned under Section 21.483, Education Code, or Subchapter E, Chapter 51, Education Code;
- (9) officers commissioned by the State Purchasing and General Services Commission;
- (10) law enforcement officers commissioned by the Parks and Wildlife Commission;
- (11) airport police officers commissioned by a city with a population of more than one million, according to the most recent federal census, that operates an airport that serves commercial air carriers;
- (12) airport security personnel commissioned as peace officers by the governing body of any political subdivision of this state, other than a city described by Subdivision (11), that operates an airport that serves commercial air carriers;
- (13) municipal park and recreational patrolmen and security officers;
- (14) security officers commissioned as peace officers by the State Treasurer;
- (15) officers commissioned by a water control and improvement district under Section 51.132, Water Code;
- (16) officers commissioned by a board of trustees under Chapter 341, Acts of the 57th Legislature, Regular Session, 1961 (Article 1187f, Vernon's Texas Civil Statutes);
- (17) investigators commissioned by the Texas State Board of Medical Examiners;
- (18) officers commissioned by the board of managers of the Dallas County Hospital District, the Tarrant County Hospital District, or the Bexar County Hospital District under Section 281.057, Health and Safety Code;
- (19) county park rangers commissioned under Subchapter E, Chapter 351, Local Government Code;
- (20) investigators employed by the Texas Racing Commission;
- (21) officers commissioned by the State Board of Pharmacy;
- (22) officers commissioned by the governing body of a metropolitan rapid transit authority under Section 13, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon's Texas Civil Statutes), or by a regional transportation authority under Section 10, Chapter 683, Acts of the 66th Legislature, Regular Session, 1979 (Article 1118y, Vernon's Texas Civil Statutes);

(23) officers commissioned by the Texas High-Speed Rail Authority;  
(24) investigators commissioned by the attorney general under Section 402.009, Government Code; and  
(25) security officers and investigators commissioned as peace officers under the State Lottery Act.

(2) Renumber the remaining SECTIONS as appropriate.

The Wilson amendment was withdrawn.

**CSHB 634** was passed to engrossment.

#### **HB 334 ON SECOND READING**

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

**HB 334**, A bill to be entitled An Act relating to certain devices used to protect nursery stock and the registration and inspection of those devices when used for commercial purposes.

The bill was read second time.

Representative Rabuck offered the following committee amendment to the bill:

#### **COMMITTEE AMENDMENT NO. 1**

Amend **HB 334** as follows:

Delete SECTION 2, and renumber the remaining SECTIONS accordingly.

Committee Amendment No. 1 was adopted without objection.

**HB 334**, as amended, was passed to engrossment. (Schechter recorded voting no.)

#### **HB 16 ON SECOND READING**

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

**HB 16**, A bill to be entitled An Act relating to the punishment for the offense of retaliation.

The bill was read second time.

Representative Place offered the following amendment to the bill:

Amend **HB 16** as follows:

On page 1, line 9, committee report printing strike "first" and substitute "second".

The Place amendment was adopted without objection.

**HB 16**, as amended, was passed to engrossment.

#### **HB 181 ON SECOND READING**

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

**HB 181**, A bill to be entitled An Act relating to the registration of certain persons convicted of obscenity offenses under the sexual offenders registration program.

The bill was read second time.

Representative Hill offered the following amendment to the bill:

Amend **HB 181** as follows:

(1) On page 1, line 15, strike "or" and substitute "[or]".

(2) On page 1, line 20, between "shown" and the period, insert: ; or

(E) a deferred adjudication for an offense listed in Paragraph (A) or (B) of this subdivision

(3) On page 1, between lines 20 and 21, insert a new SECTION 2 to read as follows:

SECTION 2. Section 3(b), Article 6252-13c.1, Revised Statutes, is amended to read as follows:

(b) If a person who is subject to registration under this article receives an order deferring adjudication, probation, or only a fine, the court pronouncing the order or sentence shall conduct the prerelease notification specified in Subsection (a) of this section on the day of entering the order or sentencing.

(4) On page 1, line 21, strike "SECTION 2" and substitute "SECTION 3".

(5) On page 1, strike line 24, and substitute the following: adjudication;

(1) occurring on or after:

(A) September 1, 1991, if the conviction is for or the adjudication is based on an offense listed in Section 1(5)(A) or (C) of this article; or

(B) September 1, 1993, if the conviction is for or the adjudication is based on an offense listed in Section 1(5)(B) of this article; or  
(2) for which an order of deferred adjudication is entered by the court on or after September 1, 1993.

(6) On page 2, strike lines 1 through 6.

(7) On page 2, between lines 6 and 7, insert a new SECTION 4 to read as follows:

SECTION 4. Section 9, Article 6252-13c.1, Revised Statutes, is amended by adding Subsection (c) to read as follows:

(c) The duty to register for a person with a reportable conviction or adjudication based on an order of deferred adjudication under Section 1(5)(E) of this Act ends on the date:

(1) the court dismisses the criminal proceedings against the person and discharges the person; or

(2) the person discharges parole or probation, if the court proceeds to final adjudication in the case.

(8) On page 2, line 7, strike "SECTION 3" and substitute "SECTION 5".

The Hill amendment was adopted without objection.

**HB 181**, as amended, was passed to engrossment.

#### **HB 1216 ON SECOND READING**

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 1216**.



**CSHB 1216**, A bill to be entitled An Act relating to validation of the creation of the Uvalde County Underground Water Conservation District and actions of the district.

**CSHB 1216** was read second time.

Representatives Linebarger and Puente offered the following amendment to **CSHB 1216**:

Amend **CSHB 1216** as follows:

Delete SECTION 5 (b).

Representative B. Turner moved to table the Linebarger and Puente amendment.

The motion to table prevailed.

**CSHB 1216** was passed to engrossment. (Bosse recorded voting no.)

#### **HB 1702 ON SECOND READING**

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

**HB 1702**, A bill to be entitled An Act relating to an exemption from motor fuel taxes and vehicle registration fees for certain providers of school transportation services.

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

#### **HB 431 ON SECOND READING**

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

**HB 431**, A bill to be entitled An Act relating to the regulation of viatical settlements by the State Board of Insurance.

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

#### **INTRODUCTION OF GUEST**

The speaker recognized Representative Hightower, who introduced David Bernsen, Chairman of the Texas Department of Transportation Commission.

#### **HB 1029 ON SECOND READING**

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 1029**.

**CSHB 1029**, A bill to be entitled An Act relating to the creation of the Texas interactive multimedia communications fund; regulating interactive multimedia communications services and equipment.

**CSHB 1029** was read second time and was passed to engrossment.

(Black in the chair)

**HB 183 ON SECOND READING**

The chair laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 183**.

**CSHB 183**, A bill to be entitled An Act relating to developing and promoting educational technology through pilot, model, or demonstration projects.

**CSHB 183** was read second time.

Representatives Dear and Grusendorf offered the following amendment to **CSHB 183**:

Amend **CSHB 183** as follows:

On page 2, delete paragraph (d), lines 22-26, and replace with the following:

"(d) The agency may suspend for the duration of a project at a particular site a requirement or prohibition imposed by state law limitations that hinders the application of the technology or is made unnecessary by the use of the technology."

The Dear-Grusendorf amendment was adopted without objection.

**CSHB 183**, as amended, was passed to engrossment.

**SB 830 ON SECOND READING  
(Marchant and Goodman - House Sponsors)**

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

**SB 830**, A bill to be entitled An Act relating to runoff election dates for certain political subdivisions.

**SB 830** was read second time earlier today, and was postponed until this time.

Representative Madden offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 1**

Amend **SB 830**, Sec. 1, Subsection (a), Page 1, Line 5 by substituting "may" for "shall".

Committee Amendment No. 1 was adopted without objection.

A record vote was requested.

**SB 830**, as amended, was passed to third reading by (Record 148): 99 Yeas, 40 Nays, 1 Present, not voting.

Yeas — Alexander; Alonzo; Alvarado; Bailey; Berlanga; Black(C); Bomer; Bosse; Cain; Carona; Chisum; Coleman; Conley; Cook; Counts; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Dutton; Earley; Edwards; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Granoff; Gray; Greenberg; Gutierrez; Hernandez; Hightower;

Hilderbran; Hirschi; Hochberg; Hudson; Hunter, T.; Johnson; Jones, J.; Junell; Kubiak; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moreno; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Parra; Patterson; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Solis; Stiles; Tallas; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; Williamson; Willis; Wilson; Yarbrough; Yost; Zbranek.

Nays — Averitt; Blackwood; Brimer; Campbell; Carter; Combs; Corte; Crabb; Craddick; Driver; Duncan; Eckels; Erickson; Goolsby; Haggerty; Hamric; Harris; Heflin; Hilbert; Hill; Holzheuser; Horn; Hunter, B.; Jackson; James; Kamel; Krusee; Kuempel; Moffat; Mowery; Park; Pitts; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Swinford; Talton; West.

Present, not voting — Mr. Speaker.

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Allen; Brady; Grusendorf; Hartnett; Jones, D.

#### STATEMENT BY REPRESENTATIVE CARONA

I was shown voting yes on Record No. 148. I intended to vote no.

Carona

#### MESSAGE FROM THE SENATE

Austin, Texas, April 7, 1993

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:

**HB 424** by Gallego, relating to application of professional prosecutors law. . . (amended)

**SB 465** by Barrientos, relating to the composition . . . and change of the name of the Interagency Council for Services for the Homeless.

**SB 1272** by Montford, relating to allocation and reservation system for private activity bonds. . .

**SB 281** by Wentworth, relating to exempting certain facilities from licensure. . .

**SB 885** by Montford, relating to revolving fund programs. . .

The Senate concurred in House amendments to **SB 384** by 29 yeas, 0 nays.

Respectfully,  
Betty King  
Secretary of the Senate

**RULES SUSPENDED**

Representative Delco moved to suspend the 48-hour subcommittee report rule to allow the Committee on Higher Education to consider **HB 1**, **HB 1165**, **HB 1705**, and **HB 2793**.

The motion prevailed without objection.

Representative Smithee moved to suspend the 48-hour subcommittee report rule to allow the Committee on Insurance to consider **HB 1540**.

The motion prevailed without objection.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Public Education, Subcommittee on **SB 131**, on final adjournment today, Desk 76, to consider **CSSB 131**.

Investments and Banking, on first adjournment today, Desk 27, to consider **HB 272**, **HB 1675**, **HB 2797**, **HB 2799**, and **SB 396**.

State Affairs, Subcommittee on **HB 1815**, on final adjournment today, Desk 49, to consider **HB 1815**.

**ADJOURNMENT**

Representative Heflin moved that the house adjourn until 12:05 p.m.

The motion prevailed without objection.

The house accordingly, at 12 noon, adjourned until 12:05 p.m.

# HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

FORTY-EIGHTH DAY — WEDNESDAY, APRIL 7, 1993

The house met at 12:05 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 149).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Granoff; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Williamson; Willis; Wilson; Yarbrough; Yost; Zbranek.

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

### LEAVES OF ABSENCE GRANTED

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

### RULES SUSPENDED

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

The motion prevailed without objection.

#### HB 2833 - PERMISSION TO INTRODUCE

Representative D. Jones moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 2833**.

The motion prevailed without objection.

#### HB 2834 - PERMISSION TO INTRODUCE

Representative Smithee moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 2834**.

The motion prevailed without objection.

**HB 2835 - PERMISSION TO INTRODUCE**

Representative Marchant moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 2835**.

The motion prevailed without objection.

**HB 2836 - PERMISSION TO INTRODUCE**

Representative Johnson moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 2836**.

The motion prevailed without objection.

**HB 2837 - PERMISSION TO INTRODUCE**

Representative Johnson moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 2837**.

The motion prevailed without objection.

**HCR 39 - ADOPTED**

Representative Yost moved to suspend all necessary rules to take up and consider at this time, **HCR 39**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Yost:

**HCR 39**, Designating April 10-17, 1993, as Because I Care — Bone Marrow Donor Awareness Week in Texas.

The resolution was adopted without objection.

**SCR 59 - ADOPTED  
(Ogden - House Sponsor)**

Representative Ogden moved to suspend all necessary rules to take up and consider at this time, **SCR 59**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

**SCR 59**, Expressing sincere appreciation to Leslie M. Reid for his 28 years of service to the people of the State of Texas.

The resolution was adopted without objection.

**HR 507 - ADOPTED**

Representative Berlanga moved to suspend all necessary rules to take up and consider at this time, **HR 507**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Berlanga:

**HR 507**, Commending Victor Lara for his many contributions to public affairs broadcasting in South Texas.

The resolution was adopted without objection.

#### **HR 510 - ADOPTED**

Representative Solis moved to suspend all necessary rules to take up and consider at this time, **HR 510**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Solis:

**HR 510**, Commending Helen Foehner for her service as executive director of the West Cameron County Chapter of the American Red Cross.

The resolution was adopted without objection.

#### **PROVIDING FOR LOCAL AND CONSENT BILLS AND RESOLUTIONS CALENDARS**

Representative Rodriguez moved to suspend all necessary rules to set local and consent bills and resolutions calendars for 10 a.m. Thursday, April 15.

The motion prevailed without objection.

#### **COMMITTEE ON CALENDARS RULE ADOPTED**

Pursuant to House Rule 3, Section 4(2), Representative Stiles moved to adopt the following Committee on Calendars rule governing floor consideration of **CSSB 5** (the general appropriations bill):

An amendment that adds or increases an item of appropriation in Articles I - VI is not in order unless the amendment contains an equal or greater reduction in one or more other items of appropriation in one of those articles from the fund or funds against which the appropriation is to be certified.

An amendment that adds or increases an item in Article VII is not in order unless the amendment contains an equal or greater reduction in one or more other items in that article from the fund or funds against which an appropriation for the increased or added item would be certified.

This rule does not apply to an amendment that makes an adjustment in an item of appropriation solely to correct a technical clerical error.

The motion prevailed without objection.

#### **SB 266 - REQUEST OF SENATE GRANTED**

On motion of Representative McDonald, the house granted the request of the senate for the appointment of a conference committee on **SB 266**.

#### **SB 266 - APPOINTMENT OF CONFERENCE COMMITTEE**

The speaker announced the appointment of the following conference committee, on the part of the house, on **SB 266**: McDonald, chair; Berlanga, Delisi, Bomer, and Chisum.

**SB 1313 ON THIRD READING**  
(Seidlits - House Sponsor)

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

**SB 1313**, A bill to be entitled An Act relating to the regulation of motor carriers; providing penalties.

The bill was read third time and was passed.

**SB 830 ON THIRD READING**  
(Marchant and Goodman - House Sponsors)

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

**SB 830**, A bill to be entitled An Act relating to runoff election dates for certain political subdivisions.

A record vote was requested.

The bill was read third time and was passed by (Record 150): 93 Yeas, 44 Nays, 0 Present, not voting.

Yeas — Mr. Speaker(C); Alexander; Alonzo; Alvarado; Bailey; Berlanga; Black; Bomer; Bosse; Brady; Cain; Chisum; Coleman; Conley; Cook; Counts; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Denton; Dutton; Earley; Edwards; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Granoff; Gray; Greenberg; Gutierrez; Hernandez; Hightower; Hirschi; Hochberg; Hudson; Hunter, T.; Johnson; Jones, J.; Junell; Kubiak; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moreno; Munoz; Naishtat; Nieto; Oakley; Oliveira; Parra; Patterson; Place; Price; Puente; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Solis; Stiles; Tallas; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; Willis; Yarbrough; Zbranek.

Nays — Averitt; Brimer; Campbell; Carona; Carter; Combs; Corte; Crabb; Craddick; Driver; Duncan; Eckels; Erickson; Goolsby; Haggerty; Hamric; Harris; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Horn; Hunter, B.; Jackson; James; Kamel; Krusee; Kuempel; Moffat; Mowery; Ogden; Pitts; Rabuck; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Swinford; Talton; West; Williamson; Yost.

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Allen; Blackwood; Delisi; Grusendorf; Hartnett; Jones, D.; Park; Wilson.

On motion of Representative Marchant and by unanimous consent, the caption of **SB 830** was ordered amended to conform to the body of the bill.

**HB 757 ON THIRD READING**

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

**HB 757**, A bill to be entitled An Act relating to the parties entitled to citation in a suit affecting the parent-child relationship.



The bill was read third time and was passed.

**HB 1179 ON THIRD READING**

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

**HB 1179**, A bill to be entitled An Act relating to the protection of certain unmarked burials and associated human remains or burial objects and to the creation of certain offenses concerning unmarked burials; providing criminal penalties.

The bill was read third time and was passed.

**HB 458 ON THIRD READING**

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

**HB 458**, A bill to be entitled An Act relating to the application for monthly survivor benefits under the Teacher Retirement System of Texas for certain persons whose remarriage disqualified them from those benefits.

The bill was read third time and was passed.

**HB 1581 ON THIRD READING**

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

**HB 1581**, A bill to be entitled An Act relating to certain employment of disability retirees of the Teacher Retirement System of Texas.

A record vote was requested.

The bill was read third time and was passed by (Record 151): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Granoff; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; West; Williamson; Willis; Wilson; Yarbrough; Yost; Zbrank.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Kamel; Vowell.

**HB 36 ON THIRD READING**

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

**HB 36**, A bill to be entitled An Act relating to the compensation of certain statutory county court judges and to certain fees and costs collected by district and county clerks for deposit in the judicial fund.

The bill was read third time and was passed.

**HB 1200 ON THIRD READING**

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

**HB 1200**, A bill to be entitled An Act relating to decedents' estates, multiple-party accounts, and trusts.

The bill was read third time and was passed.

**HB 1285 ON THIRD READING**

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

**HB 1285**, A bill to be entitled An Act relating to a uniform single-party or multiple-party account form and to convenience accounts.

The bill was read third time and was passed.

**HB 395 ON THIRD READING**

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

**HB 395**, A bill to be entitled An Act relating to regulating certain slaughterers; providing penalties.

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

**HB 633 ON THIRD READING**

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

**HB 633**, A bill to be entitled An Act relating to the commission and duties of school district peace officers.

The bill was read third time.

Representative Bailey offered the following amendment to the bill:

Amend **HB 633** on third reading as follows:

In Section 21.483, Education Code, as amended in Section 1 of the bill, add Subsection (e) to read as follows, and redesignate existing Subsections (e)-(g) as Subsections (f)-(h):

(e) The board of trustees of the district shall determine the scope of the on-duty and off-duty law enforcement activities of school district peace officers. A school district must authorize in writing any off-duty law enforcement activities performed by a school district peace officer.

The Bailey amendment was adopted without objection.

A record vote was requested.

**HB 633**, as amended, was passed by (Record 152): 139 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bomer; Bosse; Brimer; Cain; Campbell; Carona; Carter; Chisum; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Willis; Wilson; Yarbrough; Yost; Zbranek.

Nays — Hightower; Williamson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Blackwood; Brady; Granoff.

#### **HB 1039 ON THIRD READING**

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

**HB 1039**, A bill to be entitled An Act relating to the abolition of the office of elected county public weigher.

The bill was read third time and was passed.

#### **HB 697 ON THIRD READING**

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

**HB 697**, A bill to be entitled An Act relating to civil actions to abate certain activities of combinations or criminal street gangs.

The bill was read third time and was passed.

#### **HB 15 ON THIRD READING**

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

**HB 15**, A bill to be entitled An Act relating to the prosecution of the offense of engaging in organized criminal activity.

The bill was read third time and was passed.

**HB 293 ON THIRD READING**

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

**HB 293**, A bill to be entitled An Act relating to the deferral of adjudication and dismissal of a case on completion of an alternative commitment program by certain juvenile offenders.

The bill was read third time and was passed.

**HB 1278 ON THIRD READING**

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

**HB 1278**, A bill to be entitled An Act relating to administration of retirement systems for municipal employees in certain cities.

The bill was read third time and was passed.

**HB 1493 ON THIRD READING**

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

**HB 1493**, A bill to be entitled An Act relating to the transfer of persons serving determinate sentences from the Texas Youth Commission to the institutional division of the Texas Department of Criminal Justice.

A record vote was requested.

The bill was read third time and was passed by (Record 153): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Carona; Carter; Chisum; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Giddings; Glaze; Goodman; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Williamson; Willis; Wilson; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Campbell; Gallegos; Goolsby; Granoff; Jackson; Linebarger; Smithee.

**HB 850 ON THIRD READING**

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

**HB 850**, A bill to be entitled An Act relating to permitting certain students to take the examination for a license to practice law in this state.

The bill was read third time.

Representative Denton offered the following amendment to the bill:

Amend **HB 850** on third reading as follows:

(1) On page 1, line 13, add: This section expires on January 1, 1994, unless the administration of Reynaldo G. Garza School of Law before that date submits to the Board of Law examiners evidence that the school has applied for accreditation by the American Bar Association.

(2) Add the same sentence as in (1) above on page 2, line 3.

(Page and line references are to second reading engrossment. Amending Sections 82.0241(c) and 82.0242(c), Government Code)

The Denton amendment was adopted without objection.

A record vote was requested.

**HB 850**, as amended, was passed by (Record 154): 102 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Alexander; Alonzo; Alvarado; Bailey; Berlanga; Black; Blackwood; Bosse; Brady; Cain; Carona; Chisum; Coleman; Conley; Cook; Corte; Counts; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Denton; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Granoff; Gray; Greenberg; Gutierrez; Haggerty; Harris; Hernandez; Hightower; Hirschi; Hochberg; Holzheuser; Hudson; Hunter, T.; Johnson; Jones, J.; Junell; Krusee; Kubiak; Lewis; Linebarger; Longoria; Martin; Maxey; McCoulskey; McDonald; Moffat; Moreno; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Smith, D.; Solis; Stiles; Swinford; Tallas; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; Willis; Wilson; Yarbrough; Zbranek.

Nays — Allen; Averitt; Bomer; Brimer; Campbell; Carter; Combs; Crabb; Craddick; Delisi; Driver; Duncan; Goodman; Grusendorf; Hamric; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Horn; Hunter, B.; James; Jones, D.; Kamel; Kuempel; Madden; Marchant; Mowery; Shields; Siebert; Smith, A.; Smithee; Talton; West; Williamson; Yost.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Goolsby; Jackson; McCall; Price; Telford.

**HB 220** was postponed on second reading.

**HB 1517** was postponed on second reading.

**HB 1037** was postponed on second reading.

**HB 502 ON THIRD READING**

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

**HB 502**, A bill to be entitled An Act relating to the printing of a statement regarding a health care directive on the reverse side of a driver's license.

The bill was read third time and was passed.

**HB 360 ON THIRD READING**

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

**HB 360**, A bill to be entitled An Act relating to persons who may bring an original suit affecting the parent-child relationship.

The bill was read third time and was passed.

**HB 724 ON THIRD READING**

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

**HB 724**, A bill to be entitled An Act relating to the determination of paternity and the payment of child support during a suit in which a determination of paternity is sought.

The bill was read third time and was passed.

**HB 758 ON THIRD READING**

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

**HB 758**, A bill to be entitled An Act relating to the accrual of interest on delinquent child support.

The bill was read third time and was passed.

**HB 634 ON THIRD READING**

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

**HB 634**, A bill to be entitled An Act relating to the commissioning as peace officers of armed security personnel employed by a school district.

The bill was read third time and was passed.

**HB 334 ON THIRD READING**

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

**HB 334**, A bill to be entitled An Act relating to certain devices used to protect nursery stock and the registration and inspection of those devices when used for commercial purposes.

The bill was read third time and was passed.

**HB 16 ON THIRD READING**

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

**HB 16**, A bill to be entitled An Act relating to the punishment for the offense of retaliation.

The bill was read third time and was passed.

#### **HB 181 ON THIRD READING**

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

**HB 181**, A bill to be entitled An Act relating to the registration of certain persons convicted of obscenity offenses under the sexual offenders registration program.

The bill was read third time and was passed.

#### **HB 1216 ON THIRD READING**

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

**HB 1216**, A bill to be entitled An Act relating to validation of the creation of the Uvalde County Underground Water Conservation District and actions of the district.

A record vote was requested.

The bill was read third time and was passed by (Record 155): 114 Yeas, 23 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Averitt; Berlanga; Black; Blackwood; Bomer; Brimer; Cain; Campbell; Carona; Carter; Chisum; Coleman; Combs; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Davila; De La Garza; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Granoff; Gray; Grusendorf; Gutierrez; Hamric; Harris; Heflin; Hightower; Hilbert; Hilderbran; Hill; Hochberg; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Lewis; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Solis; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; West; Williamson; Willis; Yost; Zbranek.

Nays — Alonzo; Alvarado; Bailey; Bosse; Conley; Danburg; Davis; Dear; Greenberg; Hernandez; Hirschi; Holzheuser; Kuempel; Linebarger; Longoria; McDonald; Puente; Saunders; Schechter; Seidlits; Stiles; Van de Putte; Yarbrough.

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

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Brady; Goodman; Goolsby; Haggerty; Vowell; Wilson.

#### **HB 1702 ON THIRD READING**

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

**HB 1702**, A bill to be entitled An Act relating to an exemption from motor fuel taxes and vehicle registration fees for certain providers of school transportation services.

The bill was read third time and was passed.

**HB 431 ON THIRD READING**

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

**HB 431**, A bill to be entitled An Act relating to the regulation of viatical settlements by the State Board of Insurance.

The bill was read third time and was passed.

**HB 1029 ON THIRD READING**

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

**HB 1029**, A bill to be entitled An Act relating to the creation of the Texas interactive multimedia communications fund; regulating interactive multimedia communications services and equipment.

The bill was read third time and was passed.

**HB 183 ON THIRD READING**

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

**HB 183**, A bill to be entitled An Act relating to developing and promoting educational technology through pilot, model, or demonstration projects.

A record vote was requested.

The bill was read third time and was passed by (Record 156): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Campbell; Carona; Carter; Chisum; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nieto; Oakley; Ogden; Oliveira; Park; Parra; Patterson; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; West; Williamson; Willis; Wilson; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Culberson; Rudd; Wolens.

Absent — Berlanga; Cain; Dutton; Granoff; Junell; Vowell.



**RULES SUSPENDED**

Representative Campbell moved to suspend the 5-day posting rule to allow the Committee on County Affairs to consider **HB 2631**.

The motion prevailed without objection.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Criminal Jurisprudence, Subcommittee on Substantive Law, on adjournment, Desk 111, to consider **HB 1092**.

Appropriations, Subcommittee on Regulations, 1:15 p.m. today, Room E1.030, Capitol Extension, to consider **HB 1193** and **HB 1595**.

Urban Affairs, on adjournment, Desk 73, to consider **HB 1112**.

Elections, Subcommittee on **HB 74** and **HB 75**, on adjournment, Desk 82, to consider **HB 74** and **HB 75**.

Investments and Banking, on adjournment, Desk 27, to consider **HB 272**, **HB 1675**, **HB 2797**, **HB 2799**, and **SB 396**.

Insurance, on adjournment, Desk 24, to consider **HB 889**, **HB 1540**, and **HB 1568**.

Local and Consent Calendars, on adjournment, Desk 81, to consider **HB 795**, **HB 925**, **HB 965**, **HB 1144**, **HB 1974**, **HB 1975**, **HB 2113**, **HB 2515**, and **HB 2815**.

State Affairs, Subcommittee on **HB 1815**, on adjournment, Desk 49, to consider **HB 1815**.

Economic Development, on adjournment, regular meeting room, to consider posted bills and pending business.

Criminal Jurisprudence, Subcommittee on Sexual Assault, on adjournment, Desk 111, to consider **HB 77**.

Urban Affairs, Subcommittee on **HB 1379** and **HB 2323**, on adjournment, Desk 119, to consider **HB 1379** and **HB 2323**.

State Affairs, Subcommittee on General Services Commission and State Purchasing, on adjournment, Desk 99, to consider **HB 31**.

Public Education, Subcommittee on **SB 131**, on adjournment, Desk 76, to consider **CSSB 131**.

Agriculture and Wildlife Management, on adjournment, Desk 17, to consider **HB 1287** and **HB 2204**.

Judicial Affairs, on adjournment, Desk 67, to consider **HR 508**.

Appropriations, 1:30 p.m. today, Appropriations Committee room.

**ADJOURNMENT**

Representative Stiles moved that the house adjourn until 10 a.m. Tuesday, April 13.

The motion prevailed without objection.

The house accordingly, at 1:12 p.m., adjourned until 10 a.m. Tuesday, April 13.