

HOUSE JOURNAL

SEVENTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-FIRST DAY — MONDAY, MARCH 8, 1999

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 31).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Capelo; Carter; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Cuellar; Culberson; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilbert; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, C.; Jones, D.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Krusee; Kuempel; Lengefeld; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Palmer; Pickett; Pitts; Puente; Ramsay; Rangel; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Siebert; Smith; Smithee; Solis, J.; Solis, J. F.; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Van de Putte; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Chavez; Eiland.

The invocation was offered by Edward Lee Poe, pastor, First Baptist Church, Livingston, as follows:

Our gracious Heavenly Father, we give you praise and thank you for this new day of life and all the opportunities that it brings. May we be found faithful stewards in the most precious gift of all, our time. I lift these, our state representatives, before your throne asking your blessing on them in the important work they do, giving voice to the people of Texas in the process of government. Many are away from their homes in the conduct of their duties. I pray that you protect and provide for their families while in their absence. Give their families understanding and a sense of pride in the service that these, standing here with me, give to their state.

Bless these representatives. Give them wisdom that they might know your mind, insight that they might discern truth in these proceedings, and courage to vote their convictions on what is best for this great state. Guide them in the decisions they make and the laws they enact that all would come to your honor and to the best of the people of Texas.

May your grace supply their need and guide them in all that they do. In the powerful and holy name of Jesus we pray, Amen.

LEAVES OF ABSENCE GRANTED

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

Chavez on motion of Capelo.

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

Eiland on motion of Janek.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 17).

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CAPITOL PHYSICIAN

The speaker recognized Representative Longoria who presented Dr. Amy Offutt of San Antonio as the "Doctor for the Day."

The house welcomed Dr. Offutt and thanked her for her participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

LEAVE OF ABSENCE GRANTED

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

Woolley on motion of Hunter.

**HCR 116 - ADOPTED
(by Corte)**

Representative Corte moved to suspend all necessary rules to take up and consider at this time **HCR 116**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 116, Honoring Brigadier General Wayne D. Marty on his birthday.

HCR 116 was read and was adopted without objection.

On motion of Representative Longoria, the names of all the members of the house were added to **HCR 116** as signers thereof.

**HR 376 - ADOPTED
(by Talton)**

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HR 376**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 376, Congratulating Clyde Winford West on his 90th birthday.

HR 376 was adopted without objection.

On motion of Representative J. Davis, the names of all the members of the house were added to **HR 376** as signers thereof.

(Goolsby in the chair)

HR 353 - ADOPTED
(by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 353**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 353, Recognizing March 8, 1999, as Jasper Day at the State Capitol and paying tribute to the memory of James Byrd, Jr.

HR 353 was read and was adopted without objection. (Wilson recorded voting no)

(Speaker in the chair)

HR 374 - ADOPTED
(by Hunter)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 374**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 374, Recognizing the Texas Forts Trail.

HR 374 was read and was adopted without objection.

On motion of Representative Counts, the names of all the members of the house were added to **HR 374** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representatives Hunter, Junell, Counts, Keffer, and B. Turner, who introduced representatives from the Texas Forts Trail organization.

HR 351 - ADOPTED
(by Noriega)

Representative Noriega moved to suspend all necessary rules to take up and consider at this time **HR 351**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 351, In memory of MaryLou Trevino-Lopez.

HR 351 was unanimously adopted by a rising vote.

HR 371 - ADOPTED
(by Tillery)

Representative Tillery moved to suspend all necessary rules to take up and consider at this time **HR 371**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 371, Honoring HomeBank of Seagoville.

HR 371 was adopted without objection.

HR 147 - ADOPTED
(by Tillery)

Representative Tillery moved to suspend all necessary rules to take up and consider at this time **HR 147**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 147, Honoring Johnathan Colby McMahon for his outstanding citizenship.

HR 147 was read and was adopted without objection.

INTRODUCTION OF GUEST

The speaker recognized Representative Tillery, who introduced Johnathan Colby McMahon.

HCR 65 - ADOPTED
(by Isett)

Representative Isett moved to suspend all necessary rules to take up and consider at this time **HCR 65**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 65, Designating Lubbock and West Texas as the "Music Crossroads of Texas."

HCR 65 was adopted without objection.

On motion of Representative D. Jones, the names of all the members of the house were added to **HCR 65** as signers thereof.

HCR 90 - ADOPTED
(by Isett and D. Jones)

Representative Isett moved to suspend all necessary rules to take up and consider at this time **HCR 90**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 90, Declaring March Collegiate Service Month in Texas.

HCR 90 was adopted without objection.

On motion of Representative D. Jones, the names of all the members of the house were added to **HCR 90** as signers thereof.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, on adjournment today, speakers committee room.

PROVIDING FOR ADJOURNMENT

Representative Uher moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:09 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 2141 (by Williams), Relating to disadvantaged county designation for purposes of financing a highway project.

To Transportation.

HB 2142 (by Goodman), Relating to the appreciation or increase in value of separate property during a marriage.

To Juvenile Justice & Family Issues.

HB 2143 (by Goodman), Relating to the applicability of the sex offender registration requirements to certain offenders 16 years of age or younger.

To Juvenile Justice & Family Issues.

HB 2144 (by A. Reyna), Relating to the adoption and use of certain plumbing codes.

To Licensing & Administrative Procedures.

HB 2145 (by Allen), Relating to persons subject to sex offender registration requirements and to the conditions for supervised release of those persons.

To Public Safety.

HB 2146 (by Allen), Relating to the application of the sales tax to certain items sold through coin-operated vending machines.

To Ways & Means.

HB 2147 (by Flores), Relating to the identification of real property owned by the state that is suitable for the development of affordable housing.

To Urban Affairs.

HB 2148 (by Maxey), Relating to certain federally funded long-term care Medicaid programs.

To Human Services.

HB 2149 (by Bosse), Relating to the award of state highway improvement contracts.

To Transportation.

HB 2150 (by Bosse), Relating to the eligibility of a delinquent child support obligor to receive state grants or loans or receive payment on state contracts.

To Juvenile Justice & Family Issues.

HB 2151 (by Bosse), Relating to immunity from liability of a member of the board of directors of a public facility corporation.

To Civil Practices.

HB 2152 (by P. King), Relating to a partial lump-sum distribution on retirement from the Texas County and District Retirement System.

To Pensions & Investments.

HB 2153 (by P. King), Relating to an exemption from regulation under the Private Investigators and Private Security Agencies Act for certain peace officers.

To Public Safety.

HB 2154 (by P. King), Relating to the possession or carrying of weapons on certain premises associated with a school or educational institution; providing penalties.

To Criminal Jurisprudence.

HB 2155 (by Yarbrough), Relating to the creation and operation of the Texas Board of Plumbing and Mechanical Work and the regulation of plumbing and mechanical laws and programs by that board; providing penalties.

To Licensing & Administrative Procedures.

HB 2156 (by Keffer), Relating to the county and road district highway fund.

To Ways & Means.

HB 2157 (by Dukes), Relating to the preliminary investigation of a report of child abuse or neglect.

To Juvenile Justice & Family Issues.

HB 2158 (by Dukes), Relating to ascertaining the identity of a defendant at the time of arraignment in a criminal case.

To Criminal Jurisprudence.

HB 2159 (by Bosse), Relating to the retainage of payments under certain contracts entered into by the Texas Department of Transportation for improvements to state highways.

To Transportation.

HB 2160 (by Bosse and J. Moreno), Relating to the certification of municipal police officers to enforce commercial motor vehicle safety standards.

To Public Safety.

HB 2161 (by Naishtat), Relating to standards and other requirements for long-term care insurance coverage.

To Insurance.

HB 2162 (by Naishtat), Relating to public participation in the development of certain state-owned real property.

To Land & Resource Management.

HB 2163 (by Farabee), Relating to the name of certain political committees.

To Elections.

HB 2164 (by Naishtat), Relating to the appointment of a guardian for a person with severe or profound mental retardation.

To Judicial Affairs.

HB 2165 (by Naishtat), Relating to guardianships for incapacitated persons.

To Judicial Affairs.

HB 2166 (by Naishtat), Relating to the appointment of the Department of Protective and Regulatory Services as guardian of incapacitated persons.

To Judicial Affairs.

HB 2167 (by Naishtat), Relating to the right of junior college district employees to voluntarily designate a portion of their earned income to certain organizations.

To Higher Education.

HB 2168 (by Naishtat), Relating to the appointment of a registered agent to accept service of process in this state on behalf of a business entity.

To Business & Industry.

HB 2169 (by Naishtat), Relating to construction and operation of outdoor shooting ranges; providing penalties.

To Public Safety.

HB 2170 (by Naishtat), Relating to investigations and protective services for elderly and disabled persons.

To Human Services.

HB 2171 (by Luna), Relating to the evaluation of medical and health-care services provided by hospital districts.

To Public Health.

HB 2172 (by Luna), Relating to school district compliance with special education laws.

To Public Education.

HB 2173 (by Deshotel), Relating to service retirement benefits for certain members of the Employees Retirement System of Texas who are affected by a workforce reduction.

To Pensions & Investments.

HB 2174 (by Uher), Relating to the disclosure and consideration in a child support proceeding of certain financial assistance received by or for a child.

To Juvenile Justice & Family Issues.

HB 2175 (by Uher), Relating to the regulation of the practice of chiropractic.

To Public Health.

HB 2176 (by Siebert), Relating to the discharge of a lien against a motor vehicle.

To Transportation.

HB 2177 (by Woolley), Relating to the governing board and territory of certain metropolitan rapid transit authorities.

To Urban Affairs.

HB 2178 (by Woolley), Relating to the governing board and territory of certain metropolitan rapid transit authorities.

To Urban Affairs.

HB 2179 (by Uresti), Relating to regulation of a product that is a combination of a drug and a device.

To Public Health.

HB 2180 (by Averitt), Relating to usury and the regulation of lenders.

To Financial Institutions.

HB 2181 (by Coleman), Relating to authorizing a recreational and wellness facility fee at the University of Houston.

To Higher Education.

HB 2182 (by Dutton), Relating to a legislative continuance of a contested case before a state agency.

To State Affairs.

HB 2183 (by Dutton), Relating to the automatic expunction of criminal records.

To Criminal Jurisprudence.

HB 2184 (by Dutton), Relating to a parent's right to discipline a child.

To Juvenile Justice & Family Issues.

HB 2185 (by Dutton), Relating to a parent's right to discipline a child and a parent's liability for failure to control a child.

To Juvenile Justice & Family Issues.

HB 2186 (by Dutton), Relating to summary judgments issued by a court.

To Civil Practices.

HB 2187 (by Hinojosa), Relating to required counseling for a person placed on community supervision following conviction of an offense involving family violence.

To Criminal Jurisprudence.

HB 2188 (by Hinojosa), Relating to the procedure for accepting a plea of guilty or nolo contendere from certain misdemeanants.

To Criminal Jurisprudence.

HB 2189 (by Hinojosa), Relating to criminal asset forfeiture of real property.

To Criminal Jurisprudence.

HB 2190 (by Hinojosa), Relating to prima facie evidence of the offense of theft by check.

To Criminal Jurisprudence.

HB 2191 (by Wise), Relating to the allocation of tax credits to housing projects in counties with high unemployment and low median family incomes.

To Urban Affairs.

HB 2192 (by Wise), Relating to the requirement that certain persons receive training in recognizing child abuse and neglect.

To Human Services.

HB 2193 (by Wise), Relating to the punishment for the offense of possessing or promoting child pornography.

To Criminal Jurisprudence.

HB 2194 (by Wise), Relating to the criminal prosecution of insurance fraud.

To Criminal Jurisprudence.

HB 2195 (by Shields), Relating to the creation of a municipal court of record in Hill Country Village.

To Judicial Affairs.

HB 2196 (by Hope), Relating to the duties of the district attorney for the 9th Judicial District.

To Judicial Affairs.

HB 2197 (by Bailey), Relating to the treatment of certain emergency vehicles in connection with the ad valorem taxation of a dealer's motor vehicle inventory.

To Ways & Means.

HB 2198 (by Chisum), Relating to certain out-of-state transactions and the operation of certain out-of-state business entities.

To Business & Industry.

HB 2199 (by Chisum), Relating to the authority and name of the Panhandle Ground Water Conservation District Number Three, South of the Canadian River.

To Natural Resources.

HB 2200 (by Swinford), Relating to the ability of a county to obtain criminal history record information on an applicant for county employment.

To County Affairs.

HB 2201 (by Tillery), Relating to the authority of a municipal court judge to sit for another municipal court judge under certain circumstances.

To Judicial Affairs.

HB 2202 (by Tillery and Naishtat), Relating to student health centers on public school campuses.

To Public Education.

HB 2203 (by Tillery), Relating to benefits for certain disabled peace officers.

To Appropriations.

HB 2204 (by Bosse, Gray, McCall, and B. Turner), Relating to the continuation and functions of the Department of Public Safety of the State of Texas.

To Public Safety.

HB 2205 (by Hardcastle), Relating to the possession and transport of anhydrous ammonia and to the use of anhydrous ammonia equipment; providing penalties.

To Agriculture & Livestock.

HB 2206 (by B. Brown), Relating to conditions of community supervision, parole, and mandatory supervision for certain violent offenders.

To Corrections.

HB 2207 (by Olivo), Relating to parking of a commercial motor vehicle in a residential subdivision.

To Transportation.

HB 2208 (by Goodman), Relating to amending Subchapter E, Family Code, to permit the office of the attorney general to contract with a statewide program having expertise in the establishment of children's advocacy centers.

To Juvenile Justice & Family Issues.

HB 2209 (by McClendon), Relating to the ability of a public housing authority to use a public facility corporation to promote development of residential housing and accomplish other public purposes.

To Urban Affairs.

HB 2210 (by J. Jones), Relating to cemeteries in municipalities.
To Urban Affairs.

HB 2211 (by J. Jones), Relating to certain information that is exempt from the expunction requirement.
To Criminal Jurisprudence.

HB 2212 (by J. Jones), Relating to the offense of failure to identify and to including information on a person who gives a false name to a peace officer in the computerized criminal history system.
To Criminal Jurisprudence.

HB 2213 (by J. Jones), Relating to the automatic expunction of certain arrest records related to an offense the prosecution of which is barred by limitations.
To Criminal Jurisprudence.

HB 2214 (by Olivo), Relating to the authority of a county to operate a water or sewer utility system; granting the power of eminent domain.
To County Affairs.

HB 2215 (by Wise), Relating to criminal history checks for certain applicants under the Private Investigators and Private Security Agencies Act.
To Public Safety.

HB 2216 (by Hilbert), Relating to the disclosure of the rates for long distance calls made from a pay telephone.
To State Affairs.

HB 2217 (by Hilbert), Relating to the liability of an officer of a nonprofit corporation.
To Civil Practices.

HB 2218 (by Hilbert), Relating to requiring certified food managers in certain counties.
To Public Health.

HB 2219 (by Hilbert), Relating to an exemption from investment training for officers and employees of emergency services and rural fire prevention districts.
To County Affairs.

HB 2220 (by Hilbert), Relating to refunds of overpayments or erroneous payments of ad valorem taxes.
To Ways & Means.

HB 2221 (by Danburg), Relating to the regulation of certain political contributions by candidates; providing a criminal penalty.
To Elections.

HB 2222 (by Danburg), Relating to the regulation of certain political contributions by candidates; providing a criminal penalty.
To Elections.

HB 2223 (by Solomons), Relating to reporting requirements of a license holder under The Sale of Checks Act.
To Financial Institutions.

HB 2224 (by Solomons), Relating to requiring disclosure notices for the sale of real property governed by a property owners' association and requiring the filing of dedicatory instruments governing property owners' associations.

To Business & Industry.

HB 2225 (by Uher), Relating to the regulation of certain political contributions and political expenditures; providing a civil penalty.

To Elections.

HB 2226 (by Cuellar), Relating to the Texas Academy of Foreign Languages and Culture.

To Appropriations.

HB 2227 (by Homer), Relating to the punishment for certain offenses under the Texas Controlled Substances Act by a person using a minor to facilitate the commission of the offense.

To Criminal Jurisprudence.

HB 2228 (by Noriega), Relating to eligibility of certain fire fighters for Dispatcher promotional examinations.

To Urban Affairs.

HB 2229 (by Noriega), Relating to reimbursement of public safety employees for work-related exposure to contagious disease or hazardous materials.

To Business & Industry.

HB 2230 (by Crabb), Relating to a uniform jury summons.

To Judicial Affairs.

HB 2231 (by Crabb), Relating to the punishment for the offense of burglary of a rail car.

To Criminal Jurisprudence.

HB 2232 (by Alexander), Relating to the written notice that a school district is required to provide to property owners before adopting the annual ad valorem tax rate for the district.

To Public Education.

HB 2233 (by Alexander), Relating to exempting items used exclusively for wildlife management from the sales tax.

To Ways & Means.

HB 2234 (by Denny), Relating to the distance between certain pits that are part of quarrying operations and adjacent property.

To Land & Resource Management.

HB 2235 (by Truitt), Relating to the issuance of installment sale obligations and lease-purchasing obligations.

To Financial Institutions.

HB 2236 (by Gray), Relating to contracts for Medicaid managed care.

To Public Health.

HB 2237 (by Cook), Relating to the creation, administration, powers, duties, operation, and financing of the Bastrop-Lee Counties Groundwater Conservation District; granting the power of eminent domain.

To Natural Resources.

HB 2238 (by Cook), Relating to exempting certain persons from requirements related to the sale, exchange, or lease-purchase of a manufactured home.

To Urban Affairs.

HB 2239 (by Berman), Relating to membership in the Texas County and District Retirement System.

To Pensions & Investments.

HB 2240 (by Hupp), Relating to establishing a procedure for a person to renew the person's driver's license and the person's license to carry a concealed handgun at the same time.

To Public Safety.

HB 2241 (by Hupp), Relating to allowing state agency officials to hold town hall meetings in various parts of the state.

To State Affairs.

HB 2242 (by Truitt), Relating to the conservatorship of and access to certain children by parents having a history of family violence.

To Juvenile Justice & Family Issues.

HB 2243 (by Goodman), Relating to compliance with government standards as a defense to an award of exemplary damages in certain products liability actions.

To Civil Practices.

HB 2244 (by Maxey), Relating to coordination of transportation services provided to clients of health and human services agencies.

To Human Services.

HB 2245 (by Krusee), Relating to the withdrawal of territory from a mass transit authority.

To Urban Affairs.

HB 2246 (by Homer), Relating to the responsibilities of the district attorney for the 8th Judicial District and the county attorney of Rains County.

To Judicial Affairs.

HB 2247 (by Hawley), Relating to the method of payment of fees for goods sold or services provided by the Texas Department of Transportation or for the administration of Texas Department of Transportation programs.

To Transportation.

HB 2248 (by Hawley), Relating to the establishment of a statewide transit expenditure database.

To Transportation.

HB 2249 (by Chisum), Relating to the creation and administration of the Texas Environmental Education Partnership Fund and the Texas Environmental Education Partnership trust fund.

To Environmental Regulation.

HB 2250 (by Haggerty), Relating to eligibility to establish credit for military service in the Texas County and District Retirement System.

To Pensions & Investments.

HB 2251 (by Eiland), Relating to the reduction of certain windstorm insurance rates.

To Insurance.

HB 2252 (by Eiland), Relating to commercial windstorm insurance rates.

To Insurance.

HB 2253 (by Eiland), Relating to the operation of the catastrophe reserve trust fund.

To Insurance.

HB 2254 (by Eiland), Relating to models used in conjunction with a hearing before the Texas Department of Insurance relating to windstorm insurance.

To Insurance.

HB 2255 (by Swinford), Relating to the regulation of the sale of certain items used in funerals.

To Business & Industry.

HB 2256 (by Swinford), Relating to indicating on a driver's license that the holder of the license is a person convicted of certain intoxication offenses.

To Public Safety.

HB 2257 (by Allen), Relating to the issuance by the Texas Department of Public Safety of special permits authorizing concealed handgun license holders and other individuals to carry weapons in certain restricted areas.

To Public Safety.

HB 2258 (by Najera), Relating to the disposition of certain stolen property.

To Criminal Jurisprudence.

HB 2259 (by Goodman), Relating to the regulation of dangerous wild animals; imposing civil and criminal penalties.

To County Affairs.

HB 2260 (by Noriega), Relating to contracts for the replacement or repair of public school equipment or portions of public school facilities.

To Public Education.

HB 2261 (by B. Turner), Relating to the testing of natural gas piping systems in private school district facilities.

To Energy Resources.

HB 2262 (by Ramsay), Relating to electronic filing of records with a county clerk.

To County Affairs.

HB 2263 (by Hamric), Relating to the composition of certain sheriff's department civil service panels.

To County Affairs.

HB 2264 (by Hamric), Relating to the qualifications of a county purchasing agent and to county purchasing procedures.

To County Affairs.

HB 2265 (by Hamric), Relating to the Harris County Road Law; providing a civil penalty.

To County Affairs.

HB 2266 (by Hamric), Relating to the requirements for the registration of certain motor vehicles in certain counties.

To Transportation.

HB 2267 (by Hamric), Relating to the payment and use of a bid guaranty for a state highway improvement contract.

To Transportation.

HB 2268 (by Hamric), Relating to the award of state highway improvement contracts.

To Transportation.

HB 2269 (by Hamric), Relating to the exemption from ad valorem taxation of property owned by certain charitable organizations performing certain functions.

To Ways & Means.

HB 2270 (by Ritter), Relating to compensation time for staff development.

To Public Education.

HB 2271 (by Ritter), Relating to contingent payment clauses in certain construction contracts.

To Business & Industry.

HB 2272 (by Ritter), Relating to advisory committees to the Parks and Wildlife Commission.

To State Recreational Resources.

HB 2273 (by R. Lewis), Relating to the certification of certain activities relating to discharges into water.

To Natural Resources.

HB 2274 (by Keel), Relating to the administration, powers, duties, operation and financing of Wells Branch Municipal Utility District in Travis and Williamson Counties.

To Natural Resources.

HB 2275 (by Keel), Relating to the board of directors, boundaries, and financing of the Southwest Travis County Water District.
To Natural Resources.

HB 2276 (by Madden and Pitts), Relating to the period for filing an application for a place on the general primary election ballot and to related dates and deadlines.
To Electitons.

HB 2277 (by Janek), Relating to donation of organs.
To Public Health.

HB 2278 (by Coleman), Relating to the substitution of certain drugs by a pharmacist.
To Public Health.

HB 2279 (by Swinford), Relating to county regulation of fireworks.
To State Affairs.

HB 2280 (by Dutton), Relating to sales tax exemptions for children's clothing and school supplies bought in August.
To Ways & Means.

HB 2281 (by Garcia), Relating to a program of the Texas Department of Housing and Community Affairs to promote for-profit construction of affordable homes for low income homebuyers.
To Urban Affairs.

HB 2282 (by Garcia), Relating to the funding allotment for bilingual education programs in public schools.
To Public Education.

HB 2283 (by Maxey), Relating to the establishment of a common information center for state government through which public inquiries can be transferred to the appropriate state governmental entity and frequently requested information can be forwarded.
To State Affairs.

HB 2284 (by Averitt), Relating to a change in notice requirements for escrow agents when increasing premiums.
To Financial Institutions.

HB 2285 (by Woolley), Relating to state assessment of public school students.
To Public Education.

HB 2286 (by A. Reyna), Relating to an order of legal separation in a marriage.
To Juvenile Justice & Family Issues.

HB 2287 (by T. King), Relating to the creation of a municipal court of record in Rio Bravo.
To Judicial Affairs.

HB 2288 (by McCall), Relating to the consent to ownership or beneficiary of certain life insurance policies.
To Insurance.

HB 2289 (by Isett), Relating to establishment of juvenile curfews in counties and municipalities.

To Juvenile Justice & Family Issues.

HB 2290 (by Isett), Relating to a review that health care benefits be provided under certain health benefit plans.

To Insurance.

HB 2291 (by Naishtat), Relating to the regulation of social workers and social work associates; providing an administrative penalty.

To Human Services.

HB 2292 (by Uresti), Relating to county restriction on the use of aerial fireworks during drought conditions.

To State Affairs.

HB 2293 (by Uresti), Relating to certification of food managers.

To Public Health.

HB 2294 (by Dukes), Relating to the identification and location of absent parents and relatives for children removed from their parents' care.

To Juvenile Justice & Family Issues.

HB 2295 (by Hilderbran), Relating to referrals to occupational therapists.

To Public Health.

HB 2296 (by Bonnen), Relating to the regulation of boilers.

To Economic Development.

HB 2297 (by Longoria), Relating to the compensation of certain county tax assessor-collectors.

To County Affairs.

HB 2298 (by Tillery), Relating to benefits for certain disabled peace officers.

To Appropriations.

HB 2299 (by Greenberg), Relating to naming the former life skills building at the Texas School for the Blind and Visually Impaired in honor of Ann Silverrain.

To State Affairs.

HB 2300 (by Hunter), Relating to the publication of a roster by the Texas Board of Professional Engineers.

To Licensing & Administrative Procedures.

HCR 4 (by Haggerty), Recognizing Juan de Onate and early Spanish explorers and requesting that the State Board of Education and the Texas Education Agency seek proper recognition of their contributions in state-adopted American history books.

To Public Education.

HJR 6 (by Chisum), Proposing a constitutional amendment to abolish the office of constable in Collingsworth County.

To County Affairs.

HJR 7 (by Shields), Proposing a constitutional amendment to impose term limits on the Governor, Lieutenant Governor and Speaker of the House of Representatives.

To State Affairs.

HJR 8 (by Green), Proposing a constitutional amendment to authorize the ad valorem taxation of property owned by a municipality in certain circumstances.

To Ways & Means.

HJR 9 (by Burnam), Proposing a constitutional amendment relating to investment of the Texas growth fund and by statewide public retirement systems.

To Pensions & Investments.

HR 354 (by Hunter), Honoring Betty Hardwick.

To Rules & Resolutions.

HR 355 (by Hunter), Honoring Roy Jordan Ramsay for his first place state win and fourth place national finish in the VFW Voice of Democracy essay competition.

To Rules & Resolutions.

HR 356 (by Hunter), In memory of Navy Fighter Pilot Kara Hultgreen.

To Rules & Resolutions.

HR 357 (by Hunter), Commemorating Texas Women Veterans Day and National Women's History Month.

To Rules & Resolutions.

HR 358 (by Farabee), Honoring the retirement of Burkburnett City Manager Gary Bean.

To Rules & Resolutions.

HR 359 (by Craddick), Honoring the 50th wedding anniversary of Mr. and Mrs. Roy Chamberlain.

To Rules & Resolutions.

HR 360 (by Craddick), Honoring the 50th wedding anniversary of Jack and Bettie Schuler.

To Rules & Resolutions.

HR 361 (by Craddick), Honoring the 64th wedding anniversary of Merejildo and Felipa Heredia.

To Rules & Resolutions.

HR 363 (by Counts), Honoring the retirement of Larry David Carroll from the Texas Department of Human Services.

To Rules & Resolutions.

HR 364 (by Elkins), Honoring Jessica Marie Eccles for completing the Stairway of the Stars achievement program.

To Rules & Resolutions.

HR 365 (by Elkins), Honoring Priscilla Dominick Eguia for completing the Stairway of the Stars achievement program.

To Rules & Resolutions.

HR 366 (by Elkins), Honoring Jessica Ann Mayo for completing the Stairway of the Stars achievement program.

To Rules & Resolutions.

HR 367 (by Elkins), Honoring Ariana Alicia Reyes for completing the Stairway of the Stars achievement program.

To Rules & Resolutions.

HR 368 (by Elkins), Honoring Jennifer Nicole Shoemaker for completing the Stairway of the Stars achievement program.

To Rules & Resolutions.

HR 369 (by Elkins), Honoring Lindsey Dianne King for completing the Stairway of the Stars achievement program.

To Rules & Resolutions.

HR 370 (by Elkins), Honoring Elizabeth Grace Elkins for completing the Stairway of the Stars achievement program.

To Rules & Resolutions.

HR 372 (by Keffer), Honoring Anne Gibson Huddleston on her service to the Comanche Peak Chapter the Daughters of the Republic of Texas.

To Rules & Resolutions.

HR 373 (by Culberson), In memory of police sergeant Kent Dean Kincaid.

To Rules & Resolutions.

SB 86 to State Affairs.

SB 260 to Public Education.

SB 261 to Public Health.

SB 337 to Urban Affairs.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 17

HCR 7, HCR 8, HCR 33, HCR 93, HCR 100

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, March 8, 1999

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 3 Rangel SPONSOR: Truan
Honoring Stephen J. "Tio" Kleberg for his lifetime achievements.

HCR 55 Lewis, Ron SPONSOR: Bernsen
Honoring Sam F. Collins on his retirement from the Sabine River Authority of Texas.

HCR 81 Lewis, Ron SPONSOR: Bernsen
Congratulating the Sabine River Authority of Texas for 50 years of service.

SB 216 Duncan
Relating to the disqualification of a person convicted of theft from selection or service as a grand juror.

SB 217 Duncan
Relating to the exemption of certain persons from grand jury service.

SB 379 Cain
Relating to eligibility to serve on an appraisal review board.

SB 424 Carona
Relating to the examination required for certification as a court reporter.

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 4

County Affairs - **HB 74, HB 662, HB 962, HB 1177, HB 1198, HB 1495**

Criminal Jurisprudence - **HB 149, HB 234, HB 881**

Higher Education - **HB 368, HB 565, HB 1488, SB 345**

Land & Resource Management - **HB 1345**

Public Health - **HB 27, HB 959**

Public Safety - **HB 1121, HB 1500, HCR 57**

March 5

County Affairs - **HB 1506**

Criminal Jurisprudence - **HB 142**

Financial Institutions - **HB 76, HB 366**

Higher Education - **HB 888, HB 1314**

Juvenile Justice & Family Issues - **HB 624, HB 1269**

Land & Resource Management - **HB 423, HB 665**

Public Health - **HB 677**

Ways & Means - **SB 290**

ENROLLED

March 4 - HCR 15, HCR 29, HCR 33, HCR 100

March 5 - HCR 7, HCR 8, HCR 93

HOUSE JOURNAL

SEVENTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-SEVENTH DAY (CONTINUED) — THURSDAY, APRIL 8, 1999

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

The roll of the house was called and a quorum was announced present (Record 76).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Cuellar; Culberson; Danburg; Davis, J.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilbert; Hilderbran; Hinojosa; Hochberg; Hodge; Homer; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, C.; Jones, D.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Krusee; Kuempel; Lengefeld; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Olivo; Palmer; Pickett; Pitts; Puente; Ramsay; Rangel; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Siebert; Smith; Smithee; Solis, J.; Solis, J. F.; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Van de Putte; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbrank.

Absent, Excused — Davis, Y.; Hill; Oliveira.

The invocation was offered by Reverend Ron Durham, Columbus Avenue Baptist Church, Waco.

LEAVES OF ABSENCE GRANTED

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

Hill on motion of Cook.

Oliveira on motion of Cook.

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

Y. Davis on motion of Gutierrez.

CAPITOL PHYSICIAN

The speaker recognized Representative Cuellar who presented Dr. Carlos N. Hornedo III of Laredo as the “Doctor for the Day.”

The house welcomed Dr. Hornedo and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 27).

**HR 528 - ADOPTED
(by West)**

Representative West moved to suspend all necessary rules to take up and consider at this time **HR 528**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 528, Congratulating Tammy Hawkins on being named Distinguished Citizen of the Year by the Buffalo Trail Council of the Boy Scouts of America.

HR 528 was adopted without objection.

**HR 601 - ADOPTED
(by Naishtat)**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 601**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 601, Honoring the Texas Council for the Humanities for over 25 years of service to the citizens of the Lone Star State.

HR 601 was read and was adopted without objection.

On motion of Representative Denny, the names of all the members of the house were added to **HR 601** as signers thereof.

**HR 581 - ADOPTED
(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 581**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 581, In memory of Wiley Bluford Thomas, Jr.

HR 581 was unanimously adopted by a rising vote.

**HR 410 - ADOPTED
(by Hochberg)**

Representative Hochberg moved to suspend all necessary rules to take up and consider at this time **HR 410**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 410, Congratulating Madeleine Appel on her receipt of the Helene Susman Woman of Prominence Award.

HR 410 was adopted without objection.

HR 605 - ADOPTED
(by Swinford)

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 605**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 605, Recognizing April 8, 1999, as "Go Texan" Day at the Capitol.

HR 605 was read and was adopted without objection.

HR 587 - ADOPTED
(by Pickett)

Representative Pickett moved to suspend all necessary rules to take up and consider at this time **HR 587**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 587, Recognizing April 4-10, 1999, as International Building Safety Week.

HR 587 was adopted without objection.

HR 599 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 599**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 599, Honoring the Dallas Bethlehem Center.

HR 599 was adopted without objection.

HR 590 - ADOPTED
(by Kuempel)

Representative Kuempel moved to suspend all necessary rules to take up and consider at this time **HR 590**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 590, Recognizing 1999 Airport Manager of the Year Darrell Phillips.

HR 590 was adopted without objection.

HR 179 - ADOPTED
(by R. Lewis)

Representative R. Lewis moved to suspend all necessary rules to take up and consider at this time **HR 179**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 179, In memory of Beth Dugas of Orange.

HR 179 was read and was unanimously adopted by a rising vote.

On motion of Representative Deshotel, the names of all the members of the house were added to **HR 179** as signers thereof.

INTRODUCTION OF GUEST

The speaker recognized Representative R. Lewis, who introduced Louis Dugas, husband of the late Beth Dugas.

(Speaker Pro Tempore in the chair)

HR 422 - ADOPTED
(by Wise)

Representative Wise moved to suspend all necessary rules to take up and consider at this time **HR 422**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 422, Honoring Bill Summers and the Rio Grande Valley Partnership for conducting the “Legislative Visit to the Valley.”

HR 422 was adopted without objection.

HR 423 - ADOPTED
(by Wise)

Representative Wise moved to suspend all necessary rules to take up and consider at this time **HR 423**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 423, Honoring Joe and Loretta Barbee on their 50th wedding anniversary.

HR 423 was adopted without objection.

HR 424 - ADOPTED
(by Wise)

Representative Wise moved to suspend all necessary rules to take up and consider at this time **HR 424**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 424, Declaring Dr. Michael M. Duffy of San Antonio an honorary Texan.

HR 424 was adopted without objection.

CONGRATULATORY AND MEMORIAL CALENDAR

The following memorial resolutions were laid before the house:

HCR 10 (by Sadler), In memory of LeRoy LaSalle.

HCR 37, (by Telford), In memory of Norman Nagle Moser.

HCR 39 (by Wilson), In memory of Page Keeton.

HCR 47 (by Uher), In memory of former State Representative Renal Rosson.

HCR 70 (by West), In memory of Robert Marvin Bird.

HCR 71 (by West), In memory of the Reverend Carl J. Grissom.

HCR 72 (by West), In memory of the Reverend Jim R. Wilson.

HCR 73 (by West), In memory of Dr. Orman Lanier “Lanny” Kimbrough IV.

HCR 74 (by West), In memory of Florence McCarley Walker.

HCR 89 (by Gallego, Denny, and Solomons), In memory of Sarah Elisabeth Worley of Denton.

HCR 94 (by Wohlgemuth), In memory of Dr. Jack Burton.

HCR 95 (by West), In memory of Q. L. “Shorty” Hall.

HCR 105 (by Van de Putte), In memory of Dr. Saul Severino Trevino.

HR 159 (by Hodge), In memory of Ocie Lee Hall.

HR 160 (by Hodge), In memory of Mrs. Ona Bell Smith.

HR 165 (by Telford), In memory of Vasco Russell.

HR 166 (by Telford), In memory of J. C. Coggins.

HR 175 (by Counts), In memory of James Rycroft.

HR 179 was previously adopted.

HR 181 (by Madden), In memory of Carl W. Riehn.

HR 184 (by Cook), In memory of A. A. “Sugar” Sanders of Bastrop.

HR 190 (by Junell, George, and B. Turner), In memory of Cecil Smith.

HR 194 (by Cook), In memory of Judge Lester J. Cranek, Sr.

The resolutions were unanimously adopted by a rising vote.

The chair laid before the house the following congratulatory resolutions:

HCR 6 (by West), Honoring Tatum Hubbard, Miss Texas, 1998.

HCR 21 (by Averitt), Congratulating Roy A. Roberts on the occasion of his retirement from the Brazos River Authority.

HCR 22 (by Craddick), Congratulating the Midland Lee High School Rebels for their Class 5A Division II high school football championship.

HCR 25 (by Alexander), Honoring the Trinidad Trojans as the six-man high school football state champions.

HCR 38 (by Eiland and Gray), Congratulating Walter G. Hall, Sr., on being named Galveston County's 1998 Citizen of the Year.

HCR 48 (by Counts), Honoring the Colorado River Municipal Water District for 50 years of service to West Texans.

HCR 51 (by Dutton), Honoring Dr. Jack Christie for his fine work for the State Board of Education.

HCR 69 (by West), Honoring the 50th anniversary of the partnership between The Odessa American and Freedom Communications, Inc.

HCR 78 (by West), Celebrating the birth of Meredith Suzanne Satterwhite.

HCR 104 (by Hunter), Commemorating the Texas Forts Trail.

HCR 112 (by Coleman), Congratulating Lois Jean Moore on her retirement from Harris County Hospital District.

HR 139 (by Craddick), Honoring Jack Stephenson for being named Texas Basketball Coach of the Year.

HR 140 (by Craddick), Honoring the 60th wedding anniversary of Harrison and Ona Bickley.

HR 141 (by Craddick), Congratulating Laura Massey Coston on her 102nd birthday.

HR 142 (by Craddick), Honoring the 50th wedding anniversary of W. D. "Tiny" and Helen Mason.

HR 144 (by Counts), Honoring the Rule High School Bobcats for a successful 1998 season.

HR 153 (by Palmer), Commemorating the city of Sansom Park's 50th anniversary.

HR 156 (by Junell), Honoring Dorothy McKnight Warner on her 100th birthday.

HR 161 was withdrawn.

HR 162 (by Alvarado), Saluting Dellview Elementary School for outstanding achievement.

HR 171 (by Telford), Honoring Franklin Wray on his retirement as superintendent of Leary ISD.

HR 172 (by Craddick), Honoring the 50th wedding anniversary of Dave and Betty Jo Farmer.

HR 176 was withdrawn.

HR 182 (by Madden), Congratulating Mindy Rabalais for receiving the Northeast Texas Library System Award for Outstanding Service to Libraries, 1997.

HR 183 (by Madden), Commemorating the retirement of Justice of the Peace Glen Swaner.

HR 193 (by Janek), Honoring Sharon Pamela Clark and Kevin Robert Peska on the occasion of their wedding.

HR 195 (by Madden), Honoring Jim Swartz of Wylie for his civic leadership.

HR 196 (by Madden), Honoring Collin County Community College District President Dr. John H. Anthony.

HR 197 (by Madden), Honoring the Plano Indian Lions Club for its dedicated community service.

The resolutions were adopted without objection.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING

The following bills were laid before the house, read second time, and passed to third reading, and the following resolutions were laid before the house on committee report and adopted (members registering votes are shown following the caption):

SCR 23 (Thompson - House Sponsor), directing the Office of Court Administration to study and develop uniform guidelines for media pooling agreements for courtroom coverage.

HB 76 (by Solomons, Marchant, Janek, and Thompson), A bill to be entitled An Act relating to exempting certain individual retirement accounts from attachment, execution, and seizure for the satisfaction of debts.

Amendment No. 1 (Committee Amendment No. 1)

Representative Solomons offered the following committee amendment to **HB 76**:

On page 2 Line 5 Section (b) after "Contributions to an individual retirement account" ADD "other than contributions to a Roth IRA described in Section 408A of the Internal Revenue Code of 1986 (26 U.S.C.A. s408A,"

On page 2 Line 13 After "Subsection (a)." ADD "Amounts treated as a qualified rollover contributions under Section 408A of the Internal Revenue code of 1986 (26 U.S.C.A. 408A), are treated as exempt amounts under Subsection (a)."

Amendment No. 1 was adopted without objection.

CSHB 110 was withdrawn.

CSHB 115 (by Smith), A bill to be entitled An Act relating to certain rights of a trustee and settlor concerning a charitable trust.

HB 134 (by McClendon, et al.), A bill to be entitled An Act relating to the applicability of the Hazard Communication Act to certain inmates of the Texas Department of Criminal Justice.

Amendment No. 1 (Committee Amendment No. 1)

Representative McClendon offered the following committee amendment to **HB 134**:

Amend **HB 134** by striking SECTION 1 of the bill and replacing with a new Section 1 to read as follows:

SECTION 1. Add a new Section 502.020, Health and Safety Code, to read as follows:

Although a person imprisoned in a facility operated by or for the Texas Department of Criminal Justice is not an employee for the purposes of this act, the Texas Department of Criminal Justice shall provide a person imprisoned in a facility operated by or for the Texas Department of Criminal Justice with the protections from exposure to hazardous chemicals in the workplace as provided for in this act.

Amendment No. 1 was adopted without objection.

CSHB 153 (by Nixon), A bill to be entitled An Act relating to establishing a procedure to prevent the fraudulent use of an individual's identification in circumstances affecting proper law enforcement.

HB 330 (by Naishtat), A bill to be entitled An Act relating to orders for extended mental health services.

HB 565 (by Oliveira, et al.), A bill to be entitled An Act relating to the use of state research and technology funds on environmental issues in the border region.

CSHB 595 (by Maxey), A bill to be entitled An Act relating to allowing a governmental body to discuss its test questions in a closed meeting.

HB 649 (by Flores), A bill to be entitled An Act relating to the waiver of filing fees for persons of low or moderate income who are buying or improving a home.

HB 732 (by Bosse), A bill to be entitled An Act relating to stormwater management and regulation by certain political subdivisions; providing a penalty.

HB 765 (by Maxey), A bill to be entitled An Act relating to the processing of certain fees by the Texas Department of Health.

CSHB 778 (by Thompson), A bill to be entitled An Act relating to the jurisdiction of a statutory probate court in certain matters relating to decedents' estates.

CSHB 788 (by Capelo), A bill to be entitled An Act relating to the electronic transmission of certain information to the Texas Department of Criminal Justice.

CSHB 822 (by Maxey, Wohlgemuth, Keffer, Christian, Chavez, et al.), A bill to be entitled An Act relating to the creation of a task force composed of state and county representatives to study federal reimbursements to counties.

HB 833 (by Denny), A bill to be entitled An Act relating to the filing of an application for a place on the general primary election ballot.

CSHB 854 (by Capelo, et al.), A bill to be entitled An Act relating to the identification of certain persons confined by the Texas Department of Criminal Justice who are subject to a warrant.

HB 856 (by R. Lewis), A bill to be entitled An Act relating to exempting certain persons from the safety belt law.

CSHB 888 (by Gray, et al.), A bill to be entitled An Act relating to graduate level instruction at Texas A&M University at Galveston.

HB 924 (by Craddick), A bill to be entitled An Act relating to the offense of operation of a vehicle with an expired license plate.

HB 960 (by Counts and D. Jones), A bill to be entitled An Act relating to regulation of the Sam Wahl Recreation Area at Lake Alan Henry.

HB 962 (by D. Jones and Isett), A bill to be entitled An Act relating to requiring voter approval for the lease or sale of a certain facility owned and operated by the Lubbock County Hospital District.

HB 1016 (by Maxey), A bill to be entitled An Act relating to the manner in which state agency reports are made available to members of the legislature.

CSHB 1082 (by Bosse), A bill to be entitled An Act relating to the composition of the Harris County Juvenile Board.

CSHB 1085 (by Hunter), A bill to be entitled An Act relating to state agency records management officers.

HB 1141 (by Thompson), A bill to be entitled An Act relating to public access to the names and addresses of parties in civil actions.

HB 1148 (by Seaman), A bill to be entitled An Act relating to reports related to certain offices within the Texas Department of Economic Development.

CSHB 1173 (by Yarbrough), A bill to be entitled An Act relating to a firefighters' relief and retirement fund in certain municipalities.

CSHB 1233 (by Gallego), A bill to be entitled An Act relating to the creation of the Brewster County Groundwater Conservation District.

HB 1254 (by Goolsby), A bill to be entitled An Act relating to issuance of United States passports by district clerks.

HB 1274 (by Tillery), A bill to be entitled An Act relating to the administration of oaths in this state by certain judges and clerks.

CSHB 1297 (by R. Lewis, et al.), A bill to be entitled An Act relating to changing the names of Lamar University at Orange, Lamar University at Port Arthur, and Lamar University Institute of Technology.

HB 1322 was withdrawn.

HB 1437 (by Krusee), A bill to be entitled An Act relating to the powers of the Lower Colorado River Authority to provide water services in Williamson County.

Amendment No. 1 (Committee Amendment No. 1)

Representative Cook offered the following committee amendment to **HB 1437**:

Amend **HB 1437** as follows:

(1) On page 2, lines 4 and 5, strike “cost of service” and substitute “applicable water rate”.

(2) On page 2, line 5, strike “mitigate” and substitute “pay the costs of mitigating”.

(3) On page 2, line 9, between “(b)” and “The”, insert:

“The district may not transfer water under Subsection (a)(3)(B) if the transfer will result in a net loss of water to the Colorado River watershed. (c)”.

(4) On page 2, line 10, between the period and “The”, insert: “The additional charge may not be less than 10 percent of the district’s applicable rate for surface water to be transferred. The district shall deposit any money the district receives from the additional charge, and may deposit any other money as the board of directors determines, into a separate fund designated as the agricultural water conservation fund.”

(5) On page 2, line 11, strike “additional charge” and substitute “agricultural water conservation fund”.

(6) On page 2, line 13, between “water” and “transferred”, insert “to be”.

(7) On page 2, line 14, between “County” and the period, insert: “, including the development and implementation of methods, programs, and strategies relating to groundwater resources, reuse, conservation, and other opportunities to reduce the reliance on surface water for agricultural irrigation”.

(8) On page 2, line 18, strike “in” and substitute “inside”.

(9) On page 2, line 19, strike “area” and substitute “areas”.

(10) On page 2, lines 19 and 20, strike “district described in Sections 2(a) and 26 of this Act” and substitute “district’s irrigation operations”.

Amendment No. 2

Representative Cook offered the following amendment to Amendment No. 1:

Amend committee Amendment 1 to **HB 1437** as follows:

1) strike subdivision (3) of the amendment as printed on page 3, lines 7-11 of the House Committee Report Printing and replace with the following:

“(3) On page 2, line 8, between “directors” and “.” insert the following: “, provided that the district’s board of directors determines that

such transfer will not result in a net loss of water to the Colorado River watershed”

Amendment No. 2 was adopted without objection.

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

HB 1462 (by Dunnam), A bill to be entitled An Act relating to the notification of certain persons of the marriage of the person’s former spouse.

HB 1506 (by McCall), A bill to be entitled An Act relating to the disposal of surplus county property.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Farabee, Representative McCall offered the following committee amendment to **HB 1506**:

HB 1506 is amended by striking the language on Lines 9 and 10 of Page 1 and substituting the following:
bidding or an auction is not necessary if the purchaser is another county or a political subdivision within the county;

Amendment No. 1 was adopted without objection.

HB 1514 (by Maxey), A bill to be entitled An Act relating to implementation of certain procedures to ensure accuracy of medical assistance eligibility lists.

CSHB 1517 (by J. Solis, Oliveira, and Pickett), A bill to be entitled An Act relating to a study and strategic plan concerning the development of the apparel industry in the border region. (Heflin and Hupp recorded voting no)

HB 1532 (by Alexander), A bill to be entitled An Act relating to the Henderson County Juvenile Board.

CSHB 1543 (by Keffer, Gallego, and Christian), A bill to be entitled An Act relating to the residency requirements for directors of certain economic development corporations.

HB 1552 (by Craddick), A bill to be entitled An Act relating to taxpayer protests relating to the appraisal of certain pooled or unitized mineral interests.

CSHB 1603 (by Thompson), A bill to be entitled An Act relating to the deferred disposition of certain misdemeanor offenses.

HB 1611 (by McCall, Gray, Bosse, and Naishtat), A bill to be entitled An Act relating to the continuation and functions of the Governor’s Committee on People with Disabilities.

CSHB 1625 (by Pitts), A bill to be entitled An Act relating to the investment of funds of a nonprofit water supply or sewer service corporation.

CSHB 1723 (by Lengefeld), A bill to be entitled An Act relating to consolidating the juvenile boards in Bosque, Comanche, and Hamilton counties.

CSHB 1744 (by Noriega), A bill to be entitled An Act relating to additional equipment requirements for school buses.

HB 1839 (by Smith), A bill to be entitled An Act relating to the appointment of bailiffs for the criminal district courts in Tarrant County.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Thompson, Representative Truitt offered the following committee amendment to **HB 1839**:

Amend **HB 1839**, on page 1, following line 20, by adding the following to Section 2 of the bill:

“The total number of grand jury bailiffs shall not exceed two.”

Amendment No. 1 was adopted without objection.

CSHB 1840 (by Uher and Hochberg), A bill to be entitled An Act relating to authorizing the board of regents of The University of Texas System to acquire certain properties for campus expansion and other university purposes.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Crabb, Representative Hochberg offered the following committee amendment to **HB 1840**:

Amend **HB 1840**, page 1, line 7 by striking the word “may” and adding the words “is authorized to” between the words “System” and “acquire”.

Amend **HB 1840**, page 4, line 18 by striking the word “may” and adding the words “is authorized to” between the words “System” and “acquire”.

Amendment No. 1 was adopted without objection.

HB 1980 (by Hill), A bill to be entitled An Act relating to a report on performance of certain public transportation providers.

HB 2008 (by Walker), A bill to be entitled An Act relating to the approval of contracts entered by the Texas Department of Transportation for the development of aeronautics.

HB 2060 (by Counts and Hardcastle), A bill to be entitled An Act relating to the terms of court of the 50th District Court.

HB 2122 (by Kuempel), A bill to be entitled An Act relating to competitive bid requirements for certain emergency services districts.

CSHB 2159 (by Bosse), A bill to be entitled An Act relating to the retainage of payments under certain contracts entered into by the Texas Department of Transportation for improvements to state highways.

HB 2176 (by Siebert), A bill to be entitled An Act relating to the discharge of a lien against a motor vehicle.

HB 2199 (by Chisum), A bill to be entitled An Act relating to the authority and name of the Panhandle Ground Water Conservation District Number Three, South of the Canadian River.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Walker, Representative Chisum offered the following committee amendment to **HB 2199**:

Amend **HB 2199** as follows:

(1) On page 1, line 10, strike “Ground Water” and substitute “Groundwater [~~Ground Water~~]”.

(2) On page 1, line 16, strike “Ground Water” and substitute “Groundwater [~~Ground Water~~]”.

(3) On page 1, line 22, strike “Ground Water” and substitute “Groundwater”.

Amendment No. 1 was adopted without objection.

HB 2200 (by Swinford), A bill to be entitled An Act relating to the ability of a county to obtain criminal history record information on an applicant for county employment.

CSHB 2398 (by Carter), A bill to be entitled An Act relating to funding the housing trust fund.

HB 2450 (by Haggerty), A bill to be entitled An Act relating to the discipline of certain individuals authorized to sell certain alcoholic beverages.

HB 2465 (by Cook), A bill to be entitled An Act relating to the powers of a limited liability company.

CSHB 2575 (by Counts), A bill to be entitled An Act relating to the operations of the Texas Water Bank.

Representative Counts moved to postpone consideration of **CSHB 2575** until 10 a.m. Monday, April 19.

The motion prevailed without objection.

HB 2622 (by Chavez), A bill to be entitled An Act relating to the authority of the governing board of an institution of higher education to waive certain fees.

CSHB 2664 (by George), A bill to be entitled An Act relating to authorizing private or independent institutions of higher education to operate a student debit card program.

HCR 18 (by Oliveira), Urging the United States Department of Transportation to provide additional funding for the Texas Department of Public Safety to increase manpower at the border to perform truck inspections.

HCR 19 (by Oliveira), Urging the United States Department of Transportation to fund one-stop truck inspection facilities along the Texas-Mexico border.

LEAVE OF ABSENCE GRANTED

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

Wilson on motion of Thompson.

HR 578 - ADOPTED
(by Green)

Representative Green moved to suspend all necessary rules to take up and consider at this time **HR 578**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 578, Honoring the Dripping Springs High School Lady Tigers for winning the District 25-4A basketball championship and advancing to the regional final of the state playoffs.

HR 578 was read and was adopted without objection.

HR 579 - ADOPTED
(by Green)

Representative Green moved to suspend all necessary rules to take up and consider at this time **HR 579**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 579, Honoring Dripping Springs High School Lady Tigers head basketball coach Jerry English.

HR 579 was read and was adopted without objection.

HR 585 - ADOPTED
(by Kuempel)

Representative Kuempel moved to suspend all necessary rules to take up and consider at this time **HR 585**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 585, Honoring Eva Camunez Tucker of San Angelo on her 88th birthday.

HR 585 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The chair recognized Representatives Kuempel and Junell, who introduced Eva Camunez Tucker of San Angelo and her daughter. The house wished Ms. Tucker a happy 88th birthday.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HR 400 - ADOPTED
(by Dukes)

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 400**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 400, Recognizing the 100th anniversary of Mt. Sinai Missionary Baptist Church.

HR 400 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The chair recognized Representative Dukes, who introduced the Reverend and Mrs. Mayes from Mt. Sinai Missionary Baptist Church.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Agriculture and Livestock, 2:15 p.m. today, E1.004 (auditorium), for the unveiling of the "Go Texan" promotional campaign.

STATEMENT OF VOTE

When Record No. 75 was taken, I was temporarily out of the house chamber. I would have voted yes.

Alvarado

ADJOURNMENT

Representative Laney moved that the house adjourn until 10:50 a.m. today.

The motion prevailed without objection.

The house accordingly, at 10:46 a.m., adjourned until 10:50 a.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 27

HCR 43, HCR 122

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, April 8, 1999

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 76 Truan
Relating to requiring the Texas Natural Resource Conservation Commission to develop a water supply model for the Rio Grande.

SB 122 Nelson
Relating to automated external defibrillator devices.

SB 656 Wentworth
Relating to the transfer of certain products containing ephedrine to a person 17 years of age or younger; creating an offense.

SB 779 Madla
Relating to the payment of ad valorem taxes by electronic funds transfer.

SB 1252 West, Royce
Relating to broadcasting public meetings over the Internet.

SB 1319 Ratliff
Relating to procedures for tax auditing and collection.

SCR 62 Sibley
Declaring April 7, 1999, as Hood County Day at the Capitol.

Respectfully,

Betty King
Secretary of the Senate

HOUSE JOURNAL

SEVENTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-EIGHTH DAY — THURSDAY, APRIL 8, 1999

The house met at 10:50 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 77).

Present — Mr. Speaker; Alexander; Alvarado; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Cuellar; Culberson; Danburg; Davis, J.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilbert; Hilderbran; Hinojosa; Hochberg; Hodge; Homer; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, C.; Jones, D.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Krusee; Kuempel; Lengefeld; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Olivo; Palmer; Pickett; Pitts; Puente; Rangel; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Siebert; Smith; Smithee; Solis, J.; Solis, J. F.; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Van de Putte; Walker; West; Williams; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Davis, Y.; Hill; Oliveira; Wilson.

Absent — Allen; Burnam; Ramsay.

LEAVES OF ABSENCE GRANTED

On motion of Representative Gutierrez 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 Gutierrez moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed without objection.

MOTION FOR ONE RECORD VOTE

On motion of Representative Gutierrez and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local,

consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
THIRD READING**

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

HB 115

HB 153

HB 565

HB 595

HB 765

HB 778

HB 833

HB 854

HB 856

HB 888

HB 924

HB 960

HB 1016

HB 1082

HB 1085

HB 1141

HB 1173

HB 1437

HB 1462

HB 1506

HB 1514

HB 1517 (Heflin and Hupp - no)

HB 1532

HB 1543

HB 1552

HB 1603

HB 1611

HB 1744

HB 1839

HB 1980

HB 2060

HB 2122

HB 2199

HB 2200

HB 2450

HB 2465

HB 2622

(Allen, Burnam, and Ramsay now present)

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by (Record 78): 144 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Cuellar; Culberson; Danburg; Davis, J.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilbert; Hilderbran; Hinojosa; Hochberg; Hodge; Homer; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, C.; Jones, D.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Krusee; Kuempel; Lengefeld; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Olivo; Palmer; Pickett; Pitts; Puente; Ramsay; Rangel; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Siebert; Smith; Smithee; Solis, J.; Solis, J. F.; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uresti; Van de Putte; Walker; West; Williams; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

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

Absent, Excused — Davis, Y.; Hill; Oliveira; Wilson.

HB 76 (144-0-2)

HB 134 (144-0-2)

HB 330 (144-0-2)

HB 649 (144-0-2)
HB 732 (144-0-2)
HB 788 (144-0-2)
HB 822 (144-0-2)
HB 962 (144-0-2)
HB 1148 (144-0-2)
HB 1233 (144-0-2)
HB 1254 (144-0-2)
HB 1274 (144-0-2)
HB 1297 (144-0-2)
HB 1625 (144-0-2)
HB 1723 (144-0-2)
HB 1840 (144-0-2)
HB 2008 (144-0-2)
HB 2159 (144-0-2)
HB 2176 (144-0-2)
HB 2398 (144-0-2)
HB 2664 (144-0-2)

MEMBERS REUNION DAY

The speaker announced that the members reunion day ceremony would be held during recess.

RECESS

Representative West moved that the house recess until 1:30 p.m. today.

The motion prevailed without objection.

The house accordingly, at 10:59 a.m., recessed until 1:30 p.m. today.

AFTERNOON SESSION

The house met at 1:30 p.m. and was called to order by the speaker.

LEAVES OF ABSENCE GRANTED

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

Tillery on motion of Luna.

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

Berman on motion of Hupp.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

HB 1 - COMMITTEE ON CALENDARS RULE ADOPTED

Pursuant to House Rule 3, Section 4(2), and House Rule 6, Section 16(f), Representatives Telford and Junell moved to adopt the following rule proposed by the Committee on Calendars governing floor consideration of **CSHB 1** (the General Appropriations Bill):

Section 1. All original amendments that will be offered during second reading consideration of the bill must be filed with the chief clerk by 5 p.m. on Sunday, April 11, 1999.

Section 2. (a) During second reading and third reading consideration of the bill:

(1) An amendment that adds or increases an item of appropriation in Articles I-X 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.

(2) An amendment that adds or increases an item in Article XII 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.

(b) The provisions of this section do 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.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**SB 351 ON THIRD READING
(Gray and Naishtat - House Sponsors)**

SB 351, A bill to be entitled An Act relating to the continuation and functions of the Children's Trust Fund of Texas Council.

SB 351 was passed.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

HB 1244 ON THIRD READING
(by Crownover)

HB 1244, A bill to be entitled An Act relating to control of animal diseases.

HB 1244 was passed.

HB 1400 ON THIRD READING
(by Gray, Bosse, McCall, and Naishtat)

HB 1400, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission for the Blind.

HB 1400 was passed.

HB 875 ON THIRD READING
(by Maxey)

HB 875, A bill to be entitled An Act relating to increasing collections for cases of fraud in the Medicaid, financial assistance, and food stamp programs.

HB 875 was passed.

HB 1433 ON THIRD READING
(by Hunter, Delisi, Hochberg, Cuellar, and West)

HB 1433, A bill to be entitled An Act relating to expanding the TexShare library consortium.

HB 1433 was passed.

HB 525 ON THIRD READING
(by McReynolds, Christian, and Ellis)

HB 525, A bill to be entitled An Act relating to granting limited state law enforcement authority to special agents and law enforcement officers of the United States Forest Service.

A record vote was requested.

HB 525 was passed by (Record 79): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Cuellar; Culberson; Danburg; Davis, J.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Greenberg; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hinojosa; Hochberg; Hodge; Homer; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, C.; Jones, D.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Krusee; Kuempel; Lengefeld; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Olivo; Palmer; Pickett; Pitts; Puente; Ramsay; Rangel; Reyna, A.; Reyna, E.;

Ritter; Sadler; Salinas; Seaman; Shields; Siebert; Smith; Smithee; Solis, J.; Solis, J. F.; Solomons; Staples; Swinford; Talton; Telford; Thompson; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Van de Putte; Walker; West; Williams; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Davis, Y.; Hill; Oliveira; Tillery; Wilson.

Absent — Grusendorf; Hilbert.

STATEMENT OF VOTE

When Record No. 79 was taken, I was in the house but away from my desk. I would have voted yes.

Hilbert

HB 1459 ON THIRD READING (by Dunnam)

HB 1459, A bill to be entitled An Act relating to facilities and services for the care of the elderly or a person with a disability in certain municipal hospital authorities.

HB 1459 was passed.

HB 746 ON THIRD READING (by Gallego)

HB 746, A bill to be entitled An Act relating to a report on certain higher education employees serving as expert witnesses in suits against the state.

HB 746 was passed. (Salinas recorded voting no)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Criminal Jurisprudence, Subcommittee on DWI, 2 p.m. or on adjournment today, E2.002, for a formal meeting, to consider pending bills in subcommittee.

Economic Development, on adjournment today, E1.010, for a formal meeting, to consider the agenda and pending business.

Urban Affairs, on adjournment today, Desk 46, for a formal meeting, to consider **HB 1029**.

ADJOURNMENT

Representative Averitt moved that the house adjourn until 10 a.m. Monday, April 12.

The motion prevailed without objection.

The house accordingly, at 1:55 p.m., adjourned until 10 a.m. Monday, April 12.

The motion prevailed without objection.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 3809 (by R. Lewis), Relating to the release of extraterritorial jurisdiction of certain municipalities and to revenue sharing between municipalities following annexations.

To Land & Resource Management.

HB 3810 (by Truitt), Relating to criminal law magistrates in Tarrant County.

To Judicial Affairs.

HB 3811 (by Allen), Relating to the appointment of a judge of a municipal court of record in Grand Prairie.

To Judicial Affairs.

HCR 182 (by Van de Putte), In memory of Wilbur L. Matthews.

To Rules & Resolutions.

HCR 183 (by G. Lewis), Congratulating Carolyn Wills on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 184 (by G. Lewis), Congratulating Gillian Hall on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 185 (by G. Lewis), Congratulating Donna Hood on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 186 (by G. Lewis), Congratulating Carleta Scott on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 187 (by G. Lewis), Congratulating Pamela Lowe on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 188 (by G. Lewis), Congratulating Shirley Hucaby on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 189 (by G. Lewis), Congratulating Doris Hill on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 190 (by G. Lewis), Honoring the participants of the crime and violence summit, "Facing the Challenges."

To Rules & Resolutions.

HCR 191 (by G. Lewis), Honoring Carter Metropolitan CME Church's "Men of Quality."

To Rules & Resolutions.

HCR 192 (by Farabee and Hardcastle), Designating April 14, 1999, as Wichita Falls Day at the State Capitol.

To Rules & Resolutions.

HCR 193 (by G. Lewis), Congratulating Susan Earl on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 194 (by G. Lewis), Honoring Coach Lee Williams and the 1998 UIL Class 5A state track champions of O. D. Wyatt High School.

To Rules & Resolutions.

HCR 195 (by G. Lewis), Congratulating Glenda Gibson on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 196 (by G. Lewis), Congratulating Willie Green on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 197 (by G. Lewis), Congratulating Gerald Judd on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 198 (by G. Lewis), Congratulating Gloria Nelson on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 199 (by G. Lewis), Congratulating Shirley Johnson on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 200 (by G. Lewis), Congratulating Kathy Cash on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 201 (by G. Lewis), Congratulating Ernestine Rose on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 202 (by G. Lewis), Congratulating Willie B. Jones on being named an Outstanding Teacher.

To Rules & Resolutions.

HCR 203 (by G. Lewis), Congratulating Kimberly Dennis on being named an Outstanding Teacher.

To Rules & Resolutions.

HR 588 (by Van de Putte), In memory of the Honorable Blair "Bruzzy" Reeves.

To Rules & Resolutions.

HR 589 (by Keel), Honoring the 30th anniversary of the CE-Bar Volunteer Fire Department.

To Rules & Resolutions.

HR 591 (by Kuempel), Honoring Amy Philips-Redclift for her recognition as 1999 New Braunfels Junior Miss and 1999 Texas' Junior Miss.

To Rules & Resolutions.

HR 592 (by Hinojosa), Honoring students of the Edcouch-Elsa School District for their outstanding scholastic achievements.

To Rules & Resolutions.

HR 593 (by Hinojosa), Honoring the 30th Anniversary of the Expanded Nutrition Program of the Texas Agricultural Extension Service.

To Rules & Resolutions.

HR 595 (by Smith), Recognizing May 12, 1999, as Chronic Fatigue Syndrome and Fibromyalgia Awareness Day in the State of Texas.

To Rules & Resolutions.

HR 598 (by Carter), Honoring members of Leadership Fort Worth on the occasion of their visit to the State Capitol.

To Rules & Resolutions.

SB 631 to Agriculture & Livestock.

SB 677 to Insurance.

SB 681 to State, Federal & International Relations.

SB 717 to Civil Practices.

SB 1245 to Licensing & Administrative Procedures.

SB 1320 to Public Education.

SB 1321 to Ways & Means.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 7

Corrections - **HB 621**

Energy Resources - **HB 2449, HB 3476**

Human Services - **HB 2148, HB 2624**

Insurance - **HB 1750, HB 2061, HB 2748, HB 3016, HB 3023, SB 91, SB 92, SB 105, SB 333**

Land & Resource Management - **HB 1363, HB 1982, HB 2932**

Natural Resources - **HB 1574, HB 1654, HB 1847, HB 3554**

Public Education - **HB 597, HB 1961**

Public Safety - **HB 243, HB 318, HB 452, HB 825, HB 1409, HB 1758, HB 1983, HB 1984, HB 2617**

ENGROSSED

April 7 - HB 381, HB 1018, HB 1066, HB 1193, HB 1355, HB 1401, HB 1402, HB 1610, HB 1713, HB 1814

ENROLLED

April 7 - HCR 122

SIGNED BY THE GOVERNOR

April 7 - HCR 161