

THIRTY-SEVENTH DAY

(CONTINUED)

THURSDAY, MARCH 20, 1997

PROCEEDINGS

AFTER RECESS

The Senate met at 8:30 a.m. and was called to order by Senator Harris.

SESSION HELD FOR LOCAL AND UNCONTESTED CALENDAR

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Harris Tuesday, March 18, 1997.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions in the order listed were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time, and passed. The votes on suspension of the Constitutional Three-day Rule and final passage are indicated after each caption.

SB 51 (Shapiro) Relating to the forfeiture of good conduct time by certain inmates confined in the institutional division or a transfer facility of the Texas Department of Criminal Justice. (31-0) (31-0)

CSSB 69 (Haywood) Relating to the control and management of university property by the board of regents of Midwestern State University. (31-0) (31-0)

SB 82 (Ellis) Relating to written communications used by voters in a polling place. (31-0) (31-0)

SB 394 (Ellis) Relating to the application process for state loan and loan guaranty programs. (31-0) (31-0)

Senator Ellis offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 394** as follows:

On page 1, line 8, amend SECTION 1, after the words "Education Code" by inserting "and the Texas Higher Education Coordinating Board".

The committee amendment was read and was adopted by a viva voce vote.

CSSB 446 (Haywood) Relating to the posting of political signs on private property along certain highways. (31-0) (31-0)

SB 465 (Moncrief on behalf of Harris) Relating to the authority of a school district to charge a fee for transporting certain students. (31-0) (31-0)

SB 553 (Brown) Relating to the designation of a portion of State Highway 35 as the Stephen F. Austin Memorial Highway. (31-0) (31-0)

CSSB 616 (Sibley) Relating to the standards of conduct for former directors, officers, and employees of a nonprofit corporation under contract to invest the permanent university fund or certain other university funds and to the corporation's dealings with a former director, officer, or employee; providing a penalty. (31-0) (31-0)

SB 626 (Sibley) Relating to selection by a governmental entity of a provider of professional services. (31-0) (31-0)

CSSB 632 (Brown) Relating to payment of a nonrefundable annual fee in lieu of a bond or other form of financial security required of a person applying for or acting under a railroad commission permit to store, handle, treat, reclaim, or dispose of oil and gas waste. (31-0) (31-0)

CSSB 639 (Brown) Relating to acceptance, approval, or revocation by the Railroad Commission of Texas of organization reports, applications for permits, or certificates of compliance. (31-0) (31-0)

SB 655 (Lindsay) Relating to the payment of fees and other charges to counties by credit card. (31-0) (31-0)

SB 673 (Brown) Relating to garnishment of money held in an inmate trust fund. (31-0) (31-0)

SB 694 (Brown) Relating to the use of alternative dispute resolution procedures by state agencies. (31-0) (31-0)

Senator Brown offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 694** as follows:

In SECTION 1, (page 3, line 1) following the end of Section 2008.004, add

"Section 2008.005. SOVEREIGN IMMUNITY. (a) This chapter does not waive immunity from suit and does not affect a waiver of immunity from suit contained in other law.

(b) The state's sovereign immunity under the Eleventh Amendment to the United States Constitution is not waived by this chapter.

(c) Nothing in this chapter authorizes binding arbitration as a method of alternative dispute resolution."

The committee amendment was read and was adopted by a viva voce vote.

Senator Brown offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend **SB 694** as follows:

(1) In SECTION 1, Section 2008.051, Subsection (a), (page 3, line 4) between "(a)" and "Alternative", insert "Each state agency may develop and use alternative dispute resolution procedures."

(2) In SECTION 1, Section 2008.051, Subsection (b), (page 3, line 10) strike "Each agency that is subject to Chapter 2001 shall adopt its alternative dispute resolution procedure by rule." and substitute "If a state agency that is subject to Chapter 2001 adopts an alternative dispute resolution procedure, it shall do so by rule."

The committee amendment was read and was adopted by a viva voce vote.

Senator Brown offered the following committee amendment to the bill:

Committee Amendment No. 3

Amend **SB 694** as follows:

In SECTION 1, Section 2008.052, Subsection (b), (page 3, line 18) strike ", except to the extent that an informed person voluntarily agrees in advance to be bound by the outcome of an alternative dispute resolution procedure".

The committee amendment was read and was adopted by a viva voce vote.

Senator Brown offered the following committee amendment to the bill:

Committee Amendment No. 4

Amend **SB 694** as follows:

In SECTION 1, Section 2008.054, add Subsection (e) to read as follows:

(e) An impartial third party may not be required to testify in any proceedings relating to or arising out of the matter in dispute.

The committee amendment was read and was adopted by a viva voce vote.

SB 756 (Brown) Relating to certain juror donations used to compensate victims of crime. (31-0) (31-0)

CSSCR 24 (Truan) Relating to directing the Texas Department of Transportation to monitor discussions addressing overweight trucks. (viva voce vote)

SCR 25 (Armbrister) Encouraging the Texas Department of Transportation to apply technological advancements to our state's transportation infrastructure. (viva voce vote)

SCR 28 (Moncrief) Relating to investigations of abuse in psychiatric facilities operated by the University of Texas System. (viva voce vote)

SCR 29 (Brown) Granting Benita Fogarty permission to sue the state. (viva voce vote)

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator Harris announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 8:40 a.m. adjourned until 10:00 a.m. today.

THIRTY-EIGHTH DAY

THURSDAY, MARCH 20, 1997

PROCEEDINGS

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

The Reverend Dr. Bennie Slack, Pastor, First Baptist Church, Gainesville, offered the invocation as follows:

Dear heavenly Father, we thank You deeply for Your creative work and Your gift of life to each of us personally. Father, we thank You for our home, the great State of Texas. May she forever be blessed and flourish. May we always be mindful of the good that is ours in being called Texan.

Father, thank You for the fortune and process that is ours to govern ourselves through elected officials. For my own Texas Senator, I pray that You bless Tom Haywood. Give special leadership to our President of the Texas Senate, Lieutenant Governor Bob Bullock, as he presides over this body. Finally, for each Texas Senate Member, we pray divine guidance in their deliberations and decisions.

Through the Lord, Jesus Christ, who created us, loved us, lived for us, died for us, was raised for us, and now mediates on our behalf in eternity, we humbly pray. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

CO-AUTHOR OF SENATE BILL 163

On motion of Senator Zaffirini and by unanimous consent, Senator Lucio will be shown as Co-author of **SB 163**.

CO-AUTHOR OF SENATE BILL 935

On motion of Senator Madla and by unanimous consent, Senator Truan will be shown as Co-author of **SB 935**.

CO-AUTHOR OF SENATE BILL 993

On motion of Senator Cain and by unanimous consent, Senator Wentworth will be shown as Co-author of **SB 993**.

CO-AUTHOR OF SENATE BILL 1060

On motion of Senator Patterson and by unanimous consent, Senator Zaffirini will be shown as Co-author of **SB 1060**.

CO-AUTHOR OF SENATE BILL 1512

On motion of Senator Truan and by unanimous consent, Senator Zaffirini will be shown as Co-author of **SB 1512**.

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **SB 438**

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

Senator Truan was recognized and announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

CAPITOL PHYSICIAN

The "Doctor for the Day," Dr. T. Robert Sharp of Mesquite, was introduced to the Senate by Senator Carona.

The Senate expressed appreciation and gratitude to Dr. Sharp for participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

(Senator Truan in Chair)

SENATE RESOLUTION 356

Senator Lucio offered the following resolution:

WHEREAS, Loyal citizens of the City of Pharr journey to the State Capitol on Thursday, March 20, 1997, to pay tribute to their beloved city; and

WHEREAS, Established in 1909, the city is named after Henry N. Pharr, a sugar planter from Louisiana, who purchased 20,000 acres and promoted the townsite; and

WHEREAS, Located in southern Hidalgo County, Pharr became a shipping point on the St. Louis, Brownsville, and Mexico Railroad in 1911; that same year, a hotel, a bank, an irrigation system, and several businesses were built; and

WHEREAS, Incorporated in 1916, the City of Pharr is blessed with a sunny and warm climate, making it one of the nation's foremost producers of winter vegetables and citrus fruits; and

WHEREAS, The economy of Pharr is prosperous and diversified, and it includes natural gas, cotton production, and a number of rapidly growing industries and companies; and

WHEREAS, Attracted to Pharr for its natural resources, visitors to the area enjoy the nearby Santa Ana National Wildlife Refuge; several local museums, including the Old Clock Museum and Smitty's Juke Box Museum provide other points of interest; and

WHEREAS, Pharr is located just 11 miles from the Mexican border, and a new international bridge connects the town with Reynosa, Mexico; shoppers are encouraged to take advantage of impressive bargains; and

WHEREAS, A thriving and up-to-date community, Pharr is rich in culture and tradition; and

WHEREAS, The citizens of the City of Pharr are to be commended for their industriousness and for their gracious hospitality toward those who visit the beautiful town; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby declare March 20, 1997, City of Pharr Day at the State Capitol and extend best wishes to its citizens for a most memorable and joyous celebration; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a memento of this grand day.

The resolution was read.

On motion of Senator Brown and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lucio, the resolution was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate a delegation of citizens from Pharr.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Barrientos, joined by Senator Armbrister, was recognized and introduced to the Senate a delegation from the San Marcos Chamber of Commerce.

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 157

The Presiding Officer laid before the Senate the following resolution:

HCR 157, Designating March 20, 1997, as Gainesville Chamber of Commerce Day at the Capitol.

HAYWOOD

(President in Chair)

The resolution was read.

On motion of Senator Haywood and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Haywood was recognized and introduced to the Senate a delegation of citizens from Gainesville including his daughter Denise Haywood.

The Senate welcomed its guests.

SENATE RESOLUTION 325

Senator West offered the following resolution:

SR 325, Welcoming the Student Advisory Committee of Senator West to the State Capitol.

The resolution was again read.

The resolution was previously adopted on Wednesday, March 19, 1997.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate the Student Advisory Committee composed of junior high and high school students from the Dallas, Duncanville, DeSoto, Grand Prairie, Cedar Hill, Wilmer-Hutchins, and Lancaster school districts.

The Senate welcomed its guests.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 158**

(Senator Armbrister in Chair)

SENATE CONCURRENT RESOLUTION 57

Senator Moncrief offered the following resolution:

WHEREAS, Texas has become world famous for its many dinosaur discoveries and for many of its unique dinosaur specimens such as the Pleurocoelus; and

WHEREAS, When the sea submerged the Antlers and the Paluxy formations, it put an end to dinosaurs in this region of the earth known as Texas for nearly five million years, approximately 105 to 100 million years ago; and

WHEREAS, There was an interruption in North America's geographic history caused by the expansion of the sea 100 million years ago, creating the Western Interior Sea Way which joined the Gulf of Mexico with the Arctic Ocean, thereby essentially splitting North America into two halves and

remaining that way until very near the end of the Age of Dinosaurs, about 66 million years ago; and

WHEREAS, Several formations were laid down in Central Texas during that interval of marine time, fossilizing the remains of the 65 to 70 foot creature known as Pleurocoelus; and

WHEREAS, Today the footprints of Pleurocoelus created so long ago are visible once more, as featured in the Fort Worth Museum of Science and History's exhibition, Lone Star Dinosaurs; and

WHEREAS, Sauropods, specifically the species Pleurocoelus, inhabited the earth approximately 200 to 65 million years ago, then died out, leaving the footprints and bones in rock as young as 105 million years old, preserving this creature's prevalence in and across the State of Texas, causing the trackway left in Glen Rose, and making this site world famous; and

WHEREAS, All Pleurocoelus disappeared from North America for 35 to 40 million years, then reappeared, returning to what is referred to as the second dinosaur world in the heart of Texas; and

WHEREAS, Brachiosaur tracks are clearly the footprints of the species Pleurocoelus; they are responsible for not only the tracks in the Glen Rose region but those scattered across Texas; and

WHEREAS, Because the Pleurocoelus tracks and bone are found mainly in Texas and a small portion of Southeastern New Mexico, this species and its remains are the last major grouping of the Pleurocoelus, are indigenous to Texas, and are world famous; and

WHEREAS, The important locality referred to as the Jones site excavation of the Pleurocoelus is the biggest dinosaur project undertaken in the State of Texas led by the Fort Worth Museum of Science and History; and

WHEREAS, These discoveries combined with the leadership of the Fort Worth Museum of Science and History in the field of dinosaur research make the Pleurocoelus an ideal candidate to be the Lone Star State Dinosaur; now, therefore, be it

RESOLVED, That the 75th Legislature of the State of Texas hereby name the Brachiosaur Sauropod, Pleurocoelus, the official Lone Star State Dinosaur.

The resolution was read.

On motion of Senator Moncrief and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

(President in Chair)

SENATE CONCURRENT RESOLUTION 40

Senator Shapiro offered the following resolution:

WHEREAS, The Legislature of the State of Texas proudly pays tribute to the members of the Texas Federation of Republican Women for their exceptional efforts on behalf of the candidates of the Republican Party; and

WHEREAS, The members of the Texas Federation of Republican Women have provided a political education forum for women and have volunteered countless hours to the campaigns of Republican Party candidates; and

WHEREAS, The dedication, hard work, and perseverance of these remarkable women helped ensure the election of their candidates to city, county, state, and national offices; and

WHEREAS, Their outstanding accomplishments have increased the political awareness and effectiveness of thousands of women by persuading them that their participation in the political process is important and makes a difference; and

WHEREAS, Organized 19 years after the formation of the National Federation of Republican Women in 1938, the Texas Federation of Republican Women is widely recognized as one of the largest women's political organizations in Texas; and

WHEREAS, Under the able guidance of its leaders, the Texas Federation of Republican Women will continue to assure a leadership role for women in the Republican Party; now, therefore, be it

RESOLVED, That the 75th Legislature of the State of Texas hereby recognize the members of the Texas Federation of Republican women and commend them for their outstanding accomplishments; and, be it further

RESOLVED, That a copy of this resolution be prepared as an expression of the high regard of the Texas Legislature.

SHAPIRO	HAYWOOD
OGDEN	LINDSAY
BIVINS	NELSON
BROWN	NIXON
CARONA	PATTERSON
DUNCAN	RATLIFF
FRASER	SIBLEY
GALLOWAY	WENTWORTH
HARRIS	

The resolution was read.

On motion of Senator Nelson and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Shapiro and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

(Senator Truan in Chair)

GUESTS PRESENTED

Senator Shapiro was recognized and introduced to the Senate Dianne Thompson, President, Texas Federation of Republican Women; Jan Crow, Vice-president; Rebecca Land, Executive Director; and a delegation of the Texas Federation of Republic Women.

The Senate welcomed its guests.

(President in Chair)

**SENATE CONCURRENT RESOLUTION 14
ON SECOND READING**

On motion of Senator Moncrief and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

SCR 14, Directing the Texas Health and Human Services Commission to develop a plan to coordinate long-term care service delivery and administration.

The resolution was read second time.

Senator Moncrief offered the following committee amendment to the resolution:

Committee Amendment No. 1

Amend **SCR 14** on page 3, line 4 by inserting the following language between "state" and ";":

contingent upon the Commission receiving gifts and grants of money, property or services for the purposes of developing and evaluating this assessment process

The committee amendment was read and was adopted by a viva voce vote.

SCR 14 as amended was adopted by a viva voce vote.

SENATE BILL 86 ON THIRD READING

Senator Shapiro moved that the regular order of business be suspended and that **SB 86** be placed on its third reading and final passage.

SB 86, Relating to parental notification before an abortion may be performed on a minor; providing a criminal penalty.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Fraser, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Sibley, Truan, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Luna, Moncrief, Shapleigh, Wentworth, West, Whitmire.

(Senator Armbrister in Chair)

(President in Chair)

SB 86 was read third time and was passed by a viva voce vote.

RECORD OF VOTES

Senators Barrientos, Ellis, Gallegos, Luna, Moncrief, Shapleigh, Wentworth, West, and Whitmire asked to be recorded as voting "Nay" on the final passage of the bill.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Thursday, March 20, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 75, Commending the senior class of Redwater High School on their participation in the Dads Against Drugs in Schools program.

HCR 166, Commending the members of the Texas Federation of Republican Women.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate his mother Mrs. Oliver Teresa Ellis along with a delegation of members of the Legislative Black Caucus.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Thursday, March 20, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 8, Relating to the extension of the full faith and credit of the state to support the Texas tomorrow fund.

HB 9, Relating to the prepaid higher education tuition program.

HB 336, Relating to the administration of retirement systems for paid or partly paid firefighters.

HB 634, Relating to installment payments on a prepaid college tuition contract.

HB 1154, Relating to the purchase by the Texas Water Development Board of certain bonds or other obligations issued by a political subdivision.

HB 1190, Relating to monitoring of water quality in watersheds and river basins.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Gallegos was recognized and introduced to the Senate a group of students from Stephen F. Austin High School in Houston.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Patterson was recognized and introduced to the Senate a delegation of citizens from Deer Park and Plano.

The Senate welcomed its guests.

HOUSE CONCURRENT RESOLUTION 75

The President laid before the Senate the following resolution:

HCR 75, Commending the senior class of Redwater High School on their participation in the Dads Against Drugs in Schools program.

RATLIFF

The resolution was read.

On motion of Senator Ratliff and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Ratliff was recognized and introduced to the Senate a group of students from Redwater High School.

The Senate welcomed its guests.

**COMMITTEE SUBSTITUTE
SENATE BILL 601 ON THIRD READING**

On motion of Senator Lindsay and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

CSSB 601, Relating to withdrawal of a unit from a rapid transit authority.

The bill was read third time and was passed by the following vote:
Yeas 23, Nays 8.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Fraser, Galloway, Harris, Haywood, Lindsay, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Sibley, Wentworth, West, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Lucio, Luna, Shapleigh, Truan, Whitmire.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Thursday, March 20, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 1, General Appropriations Bill.

HCR 164, Designating March 25, 1997, Richardson Telecom Corridor Legislative Day.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

SENATE BILL 64 ON SECOND READING

Senator Moncrief asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

SB 64, Relating to minimum standards for smoking in certain public places or at certain public meetings; creating an offense and providing penalties.

There was objection.

Senator Moncrief then moved to suspend the regular order of business and take up **SB 64** for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Armbrister, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Truan, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Bivins, Harris, Sibley.

SB 64 was read second time.

Senator Moncrief offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 64** by inserting the following language on page 2, line 18, between "agency" and ".":

, or a hotel, conference center or dormitory owned and operated by an institution of higher education. This section does not prohibit the state agency or institution of higher education from designating an exempted building, hotel, conference center or dormitory in part or in its entirety as a nonsmoking area

The committee amendment was read and was adopted by a viva voce vote.

SB 64 as amended was passed to engrossment by a viva voce vote.

SENATE BILL 64 ON THIRD READING

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 64** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Truan, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Sibley.

SB 64 was read third time and was passed by a viva voce vote.

RECORD OF VOTES

Senators Barrientos and Sibley asked to be recorded as voting "Nay" on the final passage of the bill.

GUEST PRESENTED

The President introduced to the Senate Mrs. Karla Wentworth, wife of Senator Wentworth.

The Senate welcomed Mrs. Wentworth.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Thursday, March 20, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

- HCR 6**, In memory of the Honorable Henry G. "Bud" Lehman.
- HCR 7**, Honoring Richard Metcalf for his efforts to memorialize Texas Department of Public Safety troopers and Texas Rangers killed in the line of duty.
- HCR 10**, In memory of Kasey Lynn Griffith.
- HCR 17**, In memory of Dr. William A. Wiesner.
- HCR 18**, In memory of Mary Evans McDowell.
- HCR 20**, In memory of Dr. Dale Curry.
- HCR 22**, Recognizing the 100th anniversary of the Texas Federation of Women's Clubs.
- HCR 25**, Honoring the Aluminum Company of America.
- HCR 36**, Honoring Anne Farris for her achievements in the field of education.
- HCR 39**, Recognizing May 1, 1997, as the official National Day of Prayer.
- HCR 42**, Honoring Salem Lutheran Church.
- HCR 46**, In memory of the Honorable Frank Tejada.
- HCR 53**, Designating May 23, 1997, Special Olympics Day in Texas.
- HCR 66**, Honoring the Edwards County EMS.
- HCR 70**, Commending Rocky Hernandez on being named 1995 Citizen of the Year by the Oak Hill Business and Professional Association.
- HCR 71**, Congratulating Max Sherman on his designation as the 1996 Austinite of the Year by the Greater Austin Chamber of Commerce.
- HCR 72**, Congratulating Waldine Cason on being the first recipient of the Teacher Retirement System of Texas' 40-Year Pin.
- HCR 73**, In memory of Maria Lucille Gonzales Calderon.
- HCR 74**, In memory of Felicitas "Ollie" Fernandez.
- HCR 78**, Commending Coach Don Haskins on his selection to the Basketball Hall of Fame.
- HCR 84**, Honoring Rick Crawford for his service to the State Preservation Board.
- HCR 87**, In memory of the Honorable Alex H. Short, Jr.
- HCR 90**, In memory of the Honorable Barbara C. Jordan.
- HCR 93**, In memory of the Honorable Erwin Barton.
- HCR 98**, Honoring the 1997 recipients of the Texas Excellence Awards for Outstanding Teachers.

HCR 99, Commemorating the centennial of the commission of the Lavaca County Courthouse.

HCR 104, In memory of Dr. Eugene Morse Addison.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

(Senator West in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 121 ON SECOND READING**

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 121, Relating to the use of closed circuit television to enter a plea or waive a right in a criminal case.

The bill was read second time.

Senator Bivins offered the following amendment to the bill:

Floor Amendment No. 1

(1) Amend **CSSB 121** by striking all below the enacting clause and substituting in lieu thereof the following:

SECTION 1. Chapter 27, Code of Criminal Procedure, is amended by adding Article 27.18 to read as follows:

Art. 27.18. PLEA OR WAIVER OF RIGHTS BY CLOSED CIRCUIT VIDEO TELECONFERENCING. (a) Notwithstanding any provision of this code requiring that a plea or a waiver of a defendant's right be made in open court, a court may accept the plea or waiver by broadcast by closed circuit video conferencing to the court if:

(1) the defendant and the attorney representing the state file with the court written consent to the use of closed circuit video conferencing;

(2) the closed circuit video conferencing system provides for a simultaneous, compressed full motion video, and interactive communication of image and sound between the judge, the attorney representing the state, the defendant, and the defendant's attorney; and

(3) on request of the defendant, the defendant and the defendant's attorney are able to communicate privately without being recorded or heard by the judge or the attorney representing the state.

(b) On motion of the defendant or the attorney representing the state or in the court's discretion, the court may terminate an appearance by closed circuit video conferencing at any time during the appearance and require an appearance by the defendant in open court.

(c) A recording of the communication shall be made and preserved until the 120th day after the date the recording is made. The defendant may obtain a copy of the recording on payment of a reasonable amount to cover the costs of reproduction.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

(2) Amend **CSSB 121** by striking all above the enacting clause and substituting in lieu thereof the following:
relating to the use of closed circuit video teleconferencing to enter a plea or waive a right in a criminal case.

The amendment was read and was adopted by a viva voce vote.

CSSB 121 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 121 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 121** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 121 was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 99 ON SECOND READING

Senator Patterson asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

SB 99, Relating to the wearing of protective headgear by certain motorcycle operators and passengers.

There was objection.

Senator Patterson then moved to suspend the regular order of business and take up **SB 99** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 8.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Nelson, Nixon, Patterson, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West.

Nays: Barrientos, Gallegos, Luna, Moncrief, Ogden, Ratliff, Whitmire, Zaffirini.

Absent: Ellis, Fraser.

SB 99 was read second time.

(President in Chair)

Senator Wentworth offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 99** by striking Section 1 of the bill (committee printing, page 1, lines 11-39) and substituting the following:

SECTION 1. Sections 661.003(c) and (d), Transportation Code, are amended to read as follows:

(c) It is a defense to prosecution under this section that at the time the offense was committed, the person required to wear protective headgear:

(1) was at least 18 years old; and

(2) was covered by a health insurance plan providing the person with at least \$10,000 in medical benefits for injuries incurred as a result of an accident while operating or riding on a motorcycle [~~presented a medical exemption complying with Subsection (d) to the peace officer who arrested the person~~].

(d) In this section, "health insurance plan" means an individual, group, blanket, or franchise insurance policy, insurance agreement, evidence of coverage, group hospital services contract, health maintenance organization membership, or employee benefit plan that provides benefits for health care services or for medical or surgical expenses incurred as a result of an accident. [~~Only a practicing physician licensed by the Texas State Board of Medical Examiners may issue a medical exemption and the physician may issue the medical exemption only to a person who has an acute head or facial injury that would be worsened if the person wore protective headgear. The medical exemption must be on a form prescribed by the department and expires on the 10th day after the date it is issued.~~]

The amendment was read and was adopted by the following vote: Yeas 26, Nays 2.

Yeas: Armbrister, Barrientos, Bivins, Brown, Carona, Duncan, Ellis, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nixon, Ogden, Ratliff, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

Nays: Cain, Patterson.

Absent: Fraser, Nelson, Shapiro.

(Senator Ellis in Chair)

Senator Harris offered the following amendment to the bill:

Floor Amendment No. 2

Amend SB 99 as follows:

(1) In SECTION 1 of the bill, Section 661.003(c)(1), Transportation Code, strike "18" and substitute "21".

The amendment was read and was adopted by a viva voce vote.

Senator Ratliff offered the following amendment to the bill:

Floor Amendment No. 3

Amend SB 99 by inserting a new SECTION 2 and renumbering subsequent sections appropriately.

"SECTION 2. Section 111.060(a), Human Resources Code, is amended to read as follows:

Sec. 111.060. COMPREHENSIVE REHABILITATION FUND.

(a) The comprehensive rehabilitation fund is created by the state treasury. Money in the fund is derived from court costs collected under Subchapter D, Chapter 102, Code of Criminal Procedure. Money in the fund may be appropriated only to the commission for the purposes provided by Section 111.052, except that no funds may be used to provide rehabilitation services for any person who sustains head injuries while operating a motorcycle or riding as a passenger on a motorcycle who was not, at the time of the accident, wearing protective headgear that meets safety standards adopted by the Texas Department of Transportation

The amendment was read.

Question—Shall Floor Amendment No. 3 to **SB 99** be adopted?

POINT OF ORDER

Senator Patterson raised a point of order that Floor Amendment No. 3 to **SB 99** was not germane to the body of the bill.

On motion of Senator Patterson the point of order was withdrawn.

Question recurring on the adoption of Floor Amendment No. 3, the amendment was adopted by the following vote: Yeas 16, Nays 11.

Yeas: Cain, Carona, Ellis, Gallegos, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Ratliff, Truan, Wentworth, Whitmire, Zaffirini.

Nays: Armbrister, Barrientos, Bivins, Brown, Duncan, Galloway, Nixon, Ogden, Patterson, Shapleigh, Sibley.

Absent: Fraser, Nelson, Shapiro, West.

SB 99 as amended was passed to engrossment by a viva voce vote.

RECORD OF VOTES

Senators Barrientos, Gallegos, Lindsay, Luna, Moncrief, Ogden, Ratliff, Truan, Whitmire, and Zaffirini asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 617 ON SECOND READING**

On motion of Senator Moncrief and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 617, Relating to the licensure and regulation of nurses, including the development of certain pilot programs by the Board of Nurse Examiners.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 617 ON THIRD READING**

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 617** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 617 was read third time and was passed by a viva voce vote.

SENATE BILL 513 ON SECOND READING

On motion of Senator Madla and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

SB 513, Relating to the use of a computer modem to transmit certain precinct election results.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 513 ON THIRD READING

Senator Madla moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 513** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SB 513 was read third time and was passed by a viva voce vote.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Madla submitted the following report from the Committee on Nominations:

TO THE SENATE OF THE SEVENTY-FIFTH LEGISLATURE:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed.

To be **ADJUTANT GENERAL**: Brigadier General Daniel James III, Travis County.

To be Members of the **STATE BOARD OF PHARMACY**: Roberta Williams High, Haskell County; Ira Wayne McConnell, Harris County; Oren M. Peacock, Jr., Dallas County; Bill C. Pittman, Travis County.

To be Members of the **TEXAS REAL ESTATE COMMISSION**: Maria Gonzalez-Avila, Bexar County; Charles Michael Brodie, Collin County; Kay Sutton, Midland County.

To be Members of the **STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS**: Ernest David Dorchester, P.E., Midland County; Edmundo R. Gonzalez, Jr., Cameron County; Danny R. Perkins, Harris County.

To be Members of the TEXAS GROWTH FUND BOARD OF TRUSTEES: Suzanne B. Kriscunas, Dallas County; Timothy P. Roth, Ph.D., El Paso County.

To be a Member of the TEXAS STATE BOARD OF MEDICAL EXAMINERS DISTRICT ONE REVIEW COMMITTEE: Herman Lott Koester, M.D., Galveston County.

To be Members of the TEXAS STATE BOARD OF MEDICAL EXAMINERS DISTRICT TWO REVIEW COMMITTEE: David Baucom, Hopkins County; H. Jane Chihal, M.D., Ph.D., Denton County; Allan N. Shulkin, M.D., Dallas County; Bud Roger Siebenlist, M.D., Harrison County; Rodney M. Wiseman, D.O., Smith County.

To be Members of the TEXAS STATE BOARD OF MEDICAL EXAMINERS DISTRICT THREE REVIEW COMMITTEE: Robert C. Henderson II, M.D., Randall County; Irvin Zeitler, D.O., Tom Green County.

To be a Member of the TEXAS STATE BOARD OF MEDICAL EXAMINERS DISTRICT FOUR REVIEW COMMITTEE: Manuel G. Guajardo, M.D., Cameron County.

To be a Member of the EXECUTIVE COUNCIL OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY EXAMINERS: Martha Rodriguez, Bexar County.

To be Members of the TEXAS STATE BOARD OF PHYSICIAN ASSISTANT EXAMINERS: Dwight M. Deter, P.A., El Paso County; Glenn S. Forbes, Tarrant County; Tony Gene Hedges, D.O., Lamb County.

To be Members of the TEXAS STATE BOARD OF PODIATRIC MEDICAL EXAMINERS: Teresa Barrios-Ogden, D.P.M., Bexar County; Charles Stanley Churchwell, Jr., D.P.M., J.D., Collin County; Alex L. Garcia, Jr., Nueces County; Barbara Gail Joiner Young, Harris County.

To be Members of the PRODUCE RECOVERY FUND BOARD: Steven Dexter Jones, Lubbock County; Robert B. Lyons, Potter County; Ly H. Nguyen, Brazoria County; Joyce Cook Obst, Hidalgo County; Byron Edward White, Tarrant County.

To be Members of the REAL ESTATE RESEARCH ADVISORY COMMITTEE: Joseph Anthony Adame, Nueces County; Carlos Madrid, Jr., Bexar County; Catherine Miller, Tarrant County; Marjory Kay Moore, Howard County; Angela S. Myres, Harris County; Jerry L. Schaffner, Lubbock County; Gloria Van Zandt, Tarrant County.

To be Members of the STATE SEED AND PLANT BOARD: Joe M. Crane, Matagorda County; Charles A. Leamons, Washington County; Katherine Cave Patrick, Nueces County.

To be Members of the BOARD OF TAX PROFESSIONAL EXAMINERS: Carol Autry, Randall County; Wayne R. Hawkins, Bowie County; Linda D. Jaynes, Hale County; Foy Mitchell, Jr., Collin County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Madla gave notice that he would Monday, March 24, 1997, at the conclusion of morning call submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

MOTION TO ADJOURN

On motion of Senator Truan and by unanimous consent, the Senate at 1:08 p.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading until 11:00 a.m. Monday, March 24, 1997.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 1 to Committee on Finance.

SENATE BILLS ON FIRST READING

The following bills, filed on Friday, March 14, 1997, were introduced, read first time, and referred to the committees indicated:

SB 1473 by Ellis

Relating to the establishment of faculty classroom teaching load standards for general academic teaching institutions.

To Committee on Finance.

SB 1474 by Armbrister

Relating to the waste tire recycling fund.

To Committee on Natural Resources.

SB 1475 by Shapiro

Relating to inspection of child-care facilities.

To Committee on Health and Human Services.

SB 1476 by Shapiro, Moncrief

Relating to exempting certain children in foster or residential care from the payment of tuition and fees at state-supported institutions of higher education.

To Committee on Finance.

SB 1477 by Shapiro

Relating to the appointment of a temporary conservator of a child.

To Committee on Jurisprudence.

SB 1478 by Bivins

Relating to the issuance of a marriage license.

To Committee on Jurisprudence.

SB 1479 by Bivins

Relating to civil immunity for volunteers for institutions of higher education.

To Committee on Economic Development.

SB 1480 by Bivins, Nelson

Relating to the diagnosis of reading development and comprehension at certain grade levels in public school.

To Committee on Education.

SB 1481 by Bivins

Relating to prerequisites to sale of certain natural gas outside the state.

To Committee on Natural Resources.

SB 1482 by Bivins

Relating to the regulation of the distribution and sale of towable recreational vehicles.

To Committee on State Affairs.

SB 1483 by Bivins

Relating to the appointment of certain officers and employees of the Department of Public Safety of the State of Texas.

To Committee on Criminal Justice.

SB 1484 by Bivins

Relating to the ex officio members of the Texas Racing Commission.

To Committee on State Affairs.

SB 1485 by Bivins

Relating to the tuition charged to certain students at public institutions of higher education and to state funding related to those students.

To Committee on Finance.

SB 1486 by Bivins

Relating to the regulation of motor carriers.

To Committee on State Affairs.

SB 1487 by Bivins

Relating to the repeal of the in-state need lease restriction on the sale of casinghead gas or natural gas out of the state.

To Committee on Natural Resources.

SB 1488 by Lindsay

Relating to the employment of in-house counsel by a county commissioners court.

To Committee on Intergovernmental Relations.

SB 1489 by Ellis, West

Relating to adult literacy funding and coordination.

To Committee on Finance.

SB 1490 by Ellis, West

Relating to training for local workforce development boards.

To Committee on Health and Human Services.

SB 1491 by Ellis

Relating to the creation of the self-sufficiency fund to develop job training for certain recipients of the financial assistance program for persons with dependent children.

To Committee on Finance.

SB 1492 by Ellis, West

Relating to the provision of job training for AFDC recipients.
To Committee on Finance.

SB 1493 by Ellis, West

Relating to the provision of certain health and human services and to assistance in becoming self-sufficient.
To Committee on Finance.

SB 1494 by Ellis

Relating to work supplementation programs for certain welfare recipients.
To Committee on Health and Human Services.

SB 1495 by Bivins, Truan

Relating to notices required by the Texas Natural Resource Conservation Commission.
To Committee on Natural Resources.

SB 1496 by Brown

Relating to restricting written reports required of classroom teachers.
To Committee on Education.

SB 1497 by Brown

Relating to the special account to fund the Texas Real Estate Research Center.
To Committee on Finance.

SB 1498 by Sibley

Relating to rate filings for certain lines of insurance.
To Committee on Economic Development.

SB 1499 by Sibley

Relating to the regulation and policy forms of certain lines of insurance.
To Committee on Economic Development.

SB 1500 by Ellis

Relating to civil jurisdiction and the awarding of attorney's fees in justice and small claims courts.
To Committee on Jurisprudence.

SB 1501 by Ellis

Relating to certain requirements for escrow accounts maintained in conjunction with title insurance policies.
To Committee on Economic Development.

SB 1502 by Ellis

Relating to the transfer of certain money into the housing trust fund.
To Committee on Finance.

SB 1503 by Ellis, Lucio

Relating to incentives for development of housing in an enterprise zone.
To Committee on Finance.

SB 1504 by Ellis

Relating to the authority of a county to acquire, own, operate, or maintain

a water or sewer utility system.
To Committee on Natural Resources.

SB 1505 by Ellis
Relating to the transfer of tax liens.
To Committee on Jurisprudence.

SB 1506 by Gallegos
Relating to special license plates for the Houston Livestock Show and Rodeo.
To Committee on Finance.

SB 1507 by Gallegos
Relating to special license plates for persons retired from service in the merchant marine of the United States.
To Committee on Finance.

SB 1508 by Gallegos
Relating to the maximum amount that may be charged for an electronic transfer of funds.
To Committee on Economic Development.

SB 1509 by Brown
Relating to Brazoria Drainage District Number 4; clarifying the powers of the district; providing definitions; and specifically granting said District the authority to make and adopt rules regulating construction which affects drainage within the District's jurisdictional boundaries.
To Committee on Natural Resources.

SB 1510 by Truan
Relating to the establishment of the Texas Literacy Pilot Program to exempt literacy tutors from tuition and fees at public junior colleges and public universities.
To Committee on Finance.

SB 1511 by Truan
Relating to the tuition charged to certain foreign students with financial need at certain public institutions of higher education.
To Committee on Finance.

SB 1512 by Truan, Zaffirini, Lucio, Shapleigh
Relating to the provision of utility service in economically distressed subdivisions.
To Committee on International Relations, Trade, and Technology.

SB 1513 by Truan
Relating to highway route designations for non-radioactive hazardous materials.
To Committee on State Affairs.

SB 1514 by Truan
Relating to coordinating colonia initiatives.
To Committee on International Relations, Trade, and Technology.

SB 1515 by Truan

Relating to coordinating and directing the modernization of state and local law enforcement agencies' telecommunications and automated information systems.

To Committee on Criminal Justice.

SB 1516 by Truan

Relating to the reporting of occupational conditions.

To Committee on Health and Human Services.

SB 1517 by Truan

Relating to the repeal of certain advisory committees of the Texas Department of Health.

To Committee on Health and Human Services.

SB 1518 by Truan

Relating to the creation of a Texas High Technology Partnership Center at the Geo-Technology Research Institute.

To Committee on International Relations, Trade, and Technology.

SB 1519 by Ellis

Relating to the authority of the Texas Workforce Commission to accept donations.

To Committee on State Affairs.

SB 1520 by Lucio

Relating to amendment or modification of certain permits and licenses issued by the Texas Natural Resource Conservation Commission.

To Committee on Natural Resources.

SB 1521 by Lucio

Relating to taxation of certain water supply or sewer service expansion.

To Committee on Finance.

SB 1522 by Lucio

Relating to the validation of acts and proceedings of South Texas Community College.

To Committee on Education.

SB 1523 by Lucio

Relating to the manner in which grand jurors are selected.

To Committee on Criminal Justice.

SB 1524 by Lucio

Relating to the assignment of property and casualty insurance guaranty fund assessment credits.

To Committee on Economic Development.

SB 1525 by Lucio

Relating to the appointment of a guardian ad litem in certain civil actions.

To Committee on Jurisprudence.

SB 1526 by Lucio

Relating to the collection of delinquent obligations to the state.

To Committee on State Affairs.

SB 1527 by Ellis, Lucio

Relating to establishing a home buyer education program.
To Committee on Intergovernmental Relations.

SB 1528 by Moncrief

Relating to false claims made with certain governmental entities; providing a civil penalty.
To Committee on Jurisprudence.

SB 1529 by Brown

Relating to utility services for certain dwellings.
To Committee on Natural Resources.

SB 1530 by Brown

Relating to the forced sale of a co-owner's interest in certain real property.
To Committee on Jurisprudence.

SB 1531 by Brown

Relating to the imposition and rate of the gas severance tax.
To Committee on Finance.

SB 1532 by Barrientos

Relating to eligibility determination and service delivery of health and human services.
To Committee on Health and Human Services.

SB 1533 by Barrientos

Relating to the regulation of sailboat competitions.
To Committee on Natural Resources.

SB 1534 by Barrientos, Truan, Wentworth, Armbrister, Lucio, West

Relating to additional court filing fees to provide basic civil legal services to the indigent.
To Committee on Finance.

SB 1535 by Barrientos

Relating to the creation of the State Board of Communities In Schools and the operation and expansion of a statewide Communities In Schools program.
To Committee on State Affairs.

SB 1536 by Barrientos

Relating to legislative oversight of an integrated delivery system for health and human services.
To Committee on Health and Human Services.

SB 1537 by West

Relating to restrictions on the siting of solid waste facilities and to the Texas Natural Resource Conservation Commission's consideration of cumulative risks in certain administrative proceedings.
To Committee on Natural Resources.

SB 1538 by West

Relating to the regulation of commercial burning of hazardous waste by

cement kilns.

To Committee on Natural Resources.

SB 1539 by West

Relating to the regulation of certain facilities, homes, and agencies that provide child care services and of child care administrators; providing penalties.

To Committee on Health and Human Services.

SB 1540 by Galloway

Relating to the sale and installation of monuments on cemetery plots; providing a penalty.

To Committee on State Affairs.

SB 1541 by Galloway

Relating to the suspension of the licenses held by a person delinquent in the payment of certain student loans.

To Committee on State Affairs.

SB 1542 by Galloway

Relating to payroll deductions for insurance premiums paid by certain county employees.

To Committee on Intergovernmental Relations.

SB 1543 by Galloway

Relating to the authority of a county to charge fees for the regulation of wild animals.

To Committee on Intergovernmental Relations.

SB 1544 by Ogden

Relating to public access to certain personal information about employees of the Texas Department of Criminal Justice and certain law enforcement personnel.

To Committee on State Affairs.

SB 1545 by Ogden

Relating to the payment for proceeds derived from the sale of oil or gas from an oil or gas well located in this state.

To Committee on Natural Resources.

SB 1546 by Ogden

Relating to crime stoppers organizations and their reward funds.

To Committee on Criminal Justice.

SB 1547 by Ogden, Ellis, Wentworth

Relating to the appointment and duties of criminal magistrates for certain courts of Williamson County.

To Committee on Jurisprudence.

SB 1548 by Cain

Relating to vehicle or motor vehicle equipment requirements.

To Committee on State Affairs.

SB 1549 by Cain

Relating to a signal indicating the approach of a train.

To Committee on State Affairs.

SB 1550 by Cain

Relating to the regulation and maintenance of county roads.

To Committee on Intergovernmental Relations.

SB 1551 by Cain

Relating to furnishing certain information necessary for preparing county budgets.

To Committee on Intergovernmental Relations.

SB 1552 by Cain

Relating to county requisition orders.

To Committee on Intergovernmental Relations.

SB 1553 by Ogden

Relating to the service areas of certain public junior colleges.

To Committee on Education.

SB 1554 by Ogden

Relating to the ability of municipalities to provide water or wastewater service to a residence to preserve the quality of an aquifer the municipality uses as a water source.

To Committee on Natural Resources.

SB 1555 by Ogden

Relating to counties and local government corporations authorized to undertake certain causeway, bridge, tunnel, turnpike, or highway projects.

To Committee on State Affairs.

SB 1556 by Ogden

Relating to the determination of the amount of child support for a child of certain retired or disabled obligors.

To Committee on Jurisprudence.

SB 1557 by Sibley, Nelson

Relating to certain contributions and tax abatement agreements of a school district for the support of reinvestment zones.

To Committee on Economic Development.

SB 1558 by Wentworth

Relating to adding land to a defined area within a water control and improvement district by petition of landowner.

To Committee on Natural Resources.

SB 1559 by Wentworth

Relating to the sale of real property placed in the name of the state as a result of a tax foreclosure sale.

To Committee on Jurisprudence.

SB 1560 by Wentworth

Relating to the appointment of citizens by a political subdivision to assist in the enforcement of the Texas Litter Abatement Act.

To Committee on State Affairs.

SB 1561 by Wentworth

Relating to recording certain depositions.
To Committee on Jurisprudence.

SB 1562 by Wentworth

Relating to providing for public participation in municipal hearings to consider the replat of certain subdivisions.
To Committee on Intergovernmental Relations.

SB 1563 by Wentworth

Relating to the objection to certain assigned judges.
To Committee on Jurisprudence.

SB 1564 by Wentworth, Armbrister, Bivins, Carona, Madla, Patterson, Zaffirini, Lucio, Ratliff

Relating to the reapportionment of state legislative, congressional, and judicial districts and the creation, function, and duties of the Texas Redistricting Commission.
To Committee of the Whole Senate on Legislative and Congressional Redistricting.

SB 1565 by Cain

Relating to the qualifications and compensation of persons performing examinations of insurance organizations.
To Committee on Economic Development.

SB 1566 by Cain

Relating to licensing regulations for physician assistants and acupuncturists; providing an administrative penalty.
To Committee on Health and Human Services.

SB 1567 by Madla

Relating to the appointment, senate confirmation, and suspension or removal of port pilots.
To Committee on State Affairs.

SB 1568 by Madla

Relating to a retirement health trust for firefighters and police officers of certain municipalities.
To Committee on Intergovernmental Relations.

SB 1569 by Madla

Relating to requiring a certificate for certain persons who sell alcohol or tobacco products.
To Committee on State Affairs.

SB 1570 by Madla

Relating to the hunting, taking, or killing of certain endangered species.
To Committee on Natural Resources.

SB 1571 by Madla, Gallegos, Luna

Relating to pricing methodology for wheeling.
To Committee on State Affairs.

SB 1572 by Madla

Relating to the use of certain tax revenue for publicly owned airports.
To Committee on Finance.

SB 1573 by Madla

Relating to disclosure and collection of electric and magnetic field information in certain real property transactions.
To Committee on Jurisprudence.

SB 1574 by Madla, West

Relating to the health care provider network of the state Medicaid program health care delivery system.
To Committee on Health and Human Services.

SB 1575 by Madla

Relating to the practice of advanced practice nurses and physician assistants in collaborative practice with a physician.
To Committee on Health and Human Services.

MEMORIAL RESOLUTION

SR 364 - by Truan: In memory of Fred Brulloths, Sr., of Corpus Christi.

WELCOME AND CONGRATULATORY RESOLUTIONS

SR 357 - by Ellis: Congratulating Bishop Cephus Berryman of Houston.

SR 358 - by Ellis: Congratulating Usha Medi and Atul Dhingra of Houston.

SR 359 - by Zaffirini: Congratulating Adelfa V. Flores of Laredo.

SR 360 - by Moncrief: Congratulating Leonard H. Roberts of Fort Worth.

SR 361 - by Luna: Welcoming Robert Gilmore to San Antonio.

SR 362 - by Ellis: Congratulating James Matthew Douglas of Houston.

SR 363 - by Truan: Congratulating Rosie Moncrief of Fort Worth.

SR 365 - by Ogden: Commending the Brenham Baseball Alumni Association.

HCR 166 - (Shapiro): Commending the members of the Texas Federation of Republican Women.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 1:24 p.m. adjourned, in memory of Joe Charles Dyer, Sr., until 11:00 a.m. Monday, March 24, 1997.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Senate:

March 20, 1997

INTERNATIONAL RELATIONS, TRADE, AND TECHNOLOGY —
SB 771, SB 811

INTERGOVERNMENTAL RELATIONS — SB 191, SB 63, SB 571,
SB 720, SB 823, SB 1000

EDUCATION — SB 520, SB 698 (Amended), SB 730

FINANCE — CSSB 1706, CSSB 1898

EDUCATION — CSSB 656

ECONOMIC DEVELOPMENT — SB 641, CSSB 253

SENT TO GOVERNOR

March 20, 1997

SB 438

