

**ADJOURNMENT**

On motion of Senator Aikin the Senate at 12:21 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

**APPENDIX****Sent to Governor**

(April 5, 1977)

**S.B. 613**  
**S.C.R. 45**  
**S.C.R. 53**

**FORTY-SEVENTH DAY**  
(Wednesday, April 6, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Clower.

A quorum was announced present.

The Reverend Don Benton, Spring Valley United Methodist Church, Dallas, Texas, offered the invocation as follows:

Father, we affirm that You alone are worthy of our total allegiance. You are the source of our creation and the continuously sustaining power of our lives. Sensitize our sight then that we may see things as they are and understand what You would have them be. Then give us the faith and courage to reach to the limit of our vision of a world made better by You, through us. For Thy Holy Name's sake, and in quest of our own fulfillment we offer this prayer. Amen.

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

**LEAVE OF ABSENCE**

Senator Clower was granted leave of absence for today on account of important business on motion of Senator Mauzy.

**CO-AUTHOR OF SENATE BILL 867**

On motion of Senator Jones of Harris and by unanimous consent, Senator Parker will be shown as Co-author of **S.B. 867**.

**PRESENTATION OF GUEST**

The President presented to the Members of the Senate Miss Rosemary Murray, Vice-Chancellor, University of Cambridge, who addressed the Senate.

**MESSAGE FROM THE HOUSE**

House Chamber

April 6, 1977

Honorable William P. Hobby  
President of the Senate

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

The House refused to concur in Senate amendments to House Bill No. 502 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House Conferees: Bird, Chairman; Grant, Lewis, Bock, Hall of Harris.

The House has concurred in Senate amendments to House Bill No. 3 by record vote of 116 Ayes, 22 Noes.

**H.B. 188**, A bill to be entitled An Act relating to the creation and composition of the University of Houston System; vesting authority in the Board of Regents of the University of Houston System; amending Subchapter B, Chapter 111, Texas Education Code, by adding Section 111.20.

**H.B. 298**, A bill to be entitled An Act relating to the uses to which local hotel occupancy taxes may be put; amending Subsection (a), Section 3c, Chapter 63, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1269j-4.1, Vernon's Texas Civil Statutes).

**H.B. 390**, A bill to be entitled An Act amending Section 43, Chapter 284, Acts of the 64th Legislature, Regular Session, 1975, relating to exclusions from the provisions of the Harris-Galveston Coastal Subsidence District; and declaring an emergency.

**H.B. 443**, A bill to be entitled An Act converting Sections 9b and 9c, Texas Election Code (Articles 2.01b and 2.01c, Vernon's Texas Election Code), relating to uniform dates for holding elections and joint elections held by different political subdivisions, enacted by Chapter 715, Acts of the 64th Legislature, 1975, as

temporary laws, into permanent laws, and declaring their effect on other laws; repealing Section 3(b) of the aforesaid Chapter 715.

**H.B. 589**, A bill to be entitled An Act relating to publication of notice of intent to apply for the passage of a local or special law; amending Article 2, Revised Civil Statutes of Texas, 1925.

**H.B. 920**, A bill to be entitled An Act relating to nonresident hunting licenses; amending Sections 42.005 and 42.014, Parks and Wildlife Code; adding Section 42.0141 to Chapter 42 and Subsection (c) to Section 42.022, Parks and Wildlife Code.

**H.B. 1126**, A bill to be entitled An Act relating to assessment, equalization, and collection of taxes for a joint county junior college district; amending Section 130.121, Texas Education Code, by adding Subsection (g).

**H.B. 1148**, A bill to be entitled An Act relating to guaranteed student loans; adding Chapter 57 to the Texas Education Code, as amended.

**H.B. 1292**, A bill to be entitled An Act relating to the interest rate charged on certain purchases, sales, and transfers by the Texas Water Development Board; amending Sections 11.356, 11.357, 11.358, 11.409, 11.604, Water Code, as amended; adding Subdivisions (11), (12), (13), and (14) to Section 11.001, Water Code, as amended; adding Section 11.3571 to the Water Code, as amended.

Respectfully submitted,  
**BETTY MURRAY**, Chief Clerk  
 House of Representatives

#### REPORTS OF STANDING COMMITTEES

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

**H.B. 145** (Amended)  
**S.B. 266** (Amended)  
**S.B. 275**  
**S.B. 865**

Senator Adams submitted the following report for the Committee on Administration:

**H.C.R. 26** (Ordered not printed)  
**H.C.R. 53** (Ordered not printed)  
**H.B. 314** (Ordered not printed)  
**S.C.R. 64** (Ordered not printed)  
**H.C.R. 50** (Ordered not printed)  
**H.C.R. 47** (Ordered not printed)  
**H.C.R. 29** (Ordered not printed)  
**H.C.R. 43** (Ordered not printed)  
**S.C.R. 66** (Ordered not printed)  
**H.B. 828** (Ordered not printed)  
**S.R. 322** (Ordered not printed)  
**H.C.R. 2** (Ordered not printed)

Senator Schwartz submitted the following report for the Committee on Jurisprudence:

S.B. 784  
S.B. 385 (Amended)  
S.B. 992  
S.B. 889  
S.B. 466  
S.B. 858  
C.S.H.B. 1048 (Read first time)  
C.S.S.B. 790 (Read first time)  
C.S.S.B. 79 (Read first time)  
C.S.S.B. 61 (Read first time)  
C.S.S.B. 208 (Read first time)  
C.S.S.B. 928 (Read first time)  
C.S.S.B. 587 (Read first time)  
C.S.S.B. 588 (Read first time)  
C.S.S.B. 977 (Read first time)

Senator Mauzy submitted the following report for the Committee on Education:

S.B. 892  
S.B. 872  
S.B. 918 (Amended)  
S.B. 482 (Amended)  
S.B. 911

#### SENATE BILLS AND RESOLUTION ON FIRST READING

By unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1231 by McKnight, Harris Intergovernmental Relations  
Relating to the requirement for an election to change the zoning ordinance in incorporated or annexed territory; repealing Section 2, Chapter 392, Acts of the 51st Legislature, Regular Session, 1949 (Article 976a, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 1232 by McKnight, Harris Intergovernmental Relations  
Validating the consolidation of certain cities and the governmental proceedings of the consolidated cities, subject to certain conditions; and declaring an emergency.

S.B. 1233 by Ogg Intergovernmental Relations  
Relating to the creation of residential, commercial or industrial subdivisions of land lying within a duly incorporated city or town of this state or within ten miles of the boundary thereof; providing for the filing of a subdivision plat; the designation of operating sites for use by Possessory Mineral Interest owners; the dedication of roadways and pipeline easements to such sites, the restriction of surface operations for oil, gas and other minerals to such operating sites; permitting subsurface use of any such subdivision for the exploration for and production of oil, gas and other minerals; and declaring an emergency.

**S.B. 1234** by Hance Human Resources  
 Relating to duties of a managing conservator; amending Section 14.02(b), Family Code.

**S.B. 1235** by Hance Intergovernmental Relations  
 Relating to the compensation of the judges of certain courts in Lubbock County; amending Sec. 22, Chap. 109, Acts of the 55th Legislature, Regular Session, 1957, as amended (Art. 1970.340.1, Vernon's Texas Civil Statutes); and declaring an emergency.

**S.C.R. 83** by Jones of Harris Administration  
 Creating a special interim committee to study capital punishment in Texas.

### HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committee indicated:

- H.B. 888**, To Committee on Intergovernmental Relations.
- H.B. 1181**, To Committee on Natural Resources.
- H.B. 300**, To Committee on Economic Development.
- H.B. 625**, To Committee on State Affairs.
- H.B. 633**, To Committee on Economic Development.
- H.B. 704**, To Committee on Economic Development.
- H.B. 706**, To Committee on Economic Development.
- H.B. 1490**, To Committee on Economic Development.
- H.B. 880**, To Committee on Human Resources.
- H.B. 918**, To Committee on State Affairs.
- H.B. 298**, To Committee on Human Resources.
- H.B. 920**, To Committee on Natural Resources.
- H.B. 1126**, To Committee on Education.
- H.B. 1148**, To Committee on Education.
- H.B. 1292**, To Committee on Natural Resources.
- H.B. 188**, To Committee on Education.
- H.B. 390**, To Committee on Natural Resources.
- H.B. 443**, To Committee on State Affairs.
- H.B. 589**, To Committee on Administration.

### NOTICE OF EXECUTIVE SESSION

Senator McKnight gave Notice that he would move for an Executive Session of the Senate at 11:00 o'clock a.m. tomorrow.

### SENATE BILL 23 WITH HOUSE AMENDMENT

Senator Williams called **S.B. 23** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1

Amend **S.B. No. 23** by inserting "or state school" between "hospital" and the comma following it on line 25 of page 1, by deleting the word "medical" on page 2,

line 2, and by inserting "or state school" after "hospital" on line 3 of page 2, each being an amendment to Subdivision (8) of quoted Section 46.002.

The amendment was read.

Senator Williams moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Clower.

### BILLS ORDERED NOT PRINTED

On motion of Senator Schwartz and by unanimous consent, C.S.S.B. 61, C.S.S.B. 587, C.S.S.B. 588, C.S.S.B. 790, C.S.S.B. 928, C.S.S.B. 977, S.B. 466, S.B. 784, S.B. 858, S.B. 889, and S.B. 992 were ordered not printed.

### HOUSE BILL 694 ON SECOND READING

On motion of Senator Aikin 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 third reading:

**H.B. 694**, A bill to be entitled An Act relating to the application of the sales and use tax to periodicals and to certain property used in the publication and distribution of periodicals; amending Section (Y) of Article 20.01 and Section (BB) of Section 20.04, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended.

The bill was read second time and was passed to third reading.

### RECORD OF VOTES

Senators Mauzy and Moore asked to be recorded as voting "Nay" on the passage of the bill to third reading.

### HOUSE BILL 694 ON THIRD READING

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 694** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Mauzy, Moore.

Absent-excused: Clower.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### RECORD OF VOTES

Senators Mauzy, Moore, and Harris asked to be recorded as voting "Nay" on the final passage of the bill.

#### CONFERENCE COMMITTEE ON HOUSE BILL 502

Senator Kothmann called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on **H.B. 502** and moved that the request be granted.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on **H.B. 502** before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Kothmann, Traeger, Lombardino, Mauzy, and Clower.

#### HOUSE BILL 455 ON SECOND READING

On motion of Senator Andujar 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 third reading:

**H.B. 455**, A bill to be entitled An Act relating to the term "workmen's compensation" as used in the laws of this state.

The bill was read second time.

Senator Andujar offered the following committee amendment to the bill:

Amend **H.B. 455** by adding immediately following Section 2 of the bill a new section thereof designated as Section 2.1 which reads as follows:

"Sec. 2.1. Amend Section 1 of Chapter 279, Acts of the 53rd Legislature, Regular Session, 1953 (codified as V.A.T.S., Insurance Code, art. 5.76), as amended, by changing the words 'Workmen's compensation' to 'workers' compensation' wherever such words appear therein."

The committee amendment was read and was adopted.

Senator Andujar offered the following committee amendment to the bill:

Amend the caption to conform to the body of the bill.

The bill as amended was passed to third reading.

### HOUSE BILL 455 ON THIRD READING

Senator Andujar moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 455** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Jones of Taylor.

Absent-excused: Clower.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

### COMMITTEE SUBSTITUTE SENATE BILL 629 ON THIRD READING

On motion of Senator Ogg 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 (The bill having been read third time on yesterday.):

**C.S.S.B. 629**, Relating to the approval by existing school districts of the acquisition of control of school districts by cities; amending Subsection (a), Section 19.161, Texas Education Code.

Question - Shall the bill be finally passed?

By unanimous consent, Senator Schwartz offered the following amendment to the bill:

Amend **C.S.S.B. No. 629** by adding the following language after the words "must be approved," in Section 1. thereof:

"by resolution adopted at a regularly scheduled public meeting."

The amendment was read and was adopted.

On motion of Senator Ogg and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was then finally passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Clower.



**COMMITTEE SUBSTITUTE SENATE BILL 70 ON THIRD READING**

On motion of Senator Lombardino 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:

**C.S.S.B. 70**, Authorizing honorably retired peace officers to carry handguns; relating to the termination of such authorization under certain conditions; amending Section 46.03, Penal Code, as amended.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 5.

Yeas: Aikin, Andujar, Braecklein, Brooks, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Adams, Creighton, Mauzy, Parker, Sherman.

Absent: Moore.

Absent-excused: Clower.

**SENATE BILL 709 ON SECOND READING**

On motion of Senator Aikin 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:

**S.B. 709**, Relating to state appropriations for public junior colleges; amending Subsections (a) and (c), Section 130.003, Texas Education Code, and adding Subsections (f)-(l).

The bill was read second time.

Senator Aikin offered the following committee amendment to the bill:

Amend **S.B. No. 709** by striking quoted Subsection (c) in Section 1 and substituting the following:

“(c) All funds allocated under the provisions of this code, with the exception of those necessary for paying the costs of audits as provided, shall be used exclusively for the purpose of paying the following elements of cost: instructional administration, general administration and student services, faculty salaries, departmental operating expense, library, staff benefits, general institutional expense, and organized activities (~~salaries of instructional and administrative forces of the several institutions and the purchase of supplies and materials for instructional purposes~~).”

The committee amendment was read and was adopted.

On motion of Senator Aikin and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

(Senator Brooks in Chair)

### SENATE BILL 709 ON THIRD READING

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 709** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Jones of Harris, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Traeger, Truan, Williams.

Nays: Jones of Taylor.

Absent: Harris, Moore, Snelson.

Absent-excused: Clower.

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Jones of Harris, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Jones of Taylor.

Absent: Harris, Moore.

Absent-excused: Clower.

### SENATE BILL 1148 ON SECOND READING

On motion of Senator Aikin 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:

**S.B. 1148**, Relating to the payment of travel expenses for prospective state employees; amending Section 2, Travel Regulations Act of 1959, as amended (Article 6823a, Vernon's Texas Civil Statutes).

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

**SENATE BILL 1148 ON THIRD READING**

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1148** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: Harris, Moore.

Absent-excused: Clower.

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent: Harris, Moore.

Absent-excused: Clower.

(President in Chair)

**SENATE JOINT RESOLUTION 45 ON THIRD READING**

Senator Schwartz asked unanimous consent to suspend the regular order of business to take up for consideration on its third reading and final passage:

**S.J.R. 45**, Proposing an amendment to Article V, Section 6, Texas Constitution, to permit more associate justices on a court of civil appeals, to permit a court of civil appeals to sit in sections, and requiring a concurrence of a majority of justices for a decision.

There was objection.

Senator Schwartz then moved to suspend the regular order of business and take up **S.J.R. 45** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Creighton, Sherman.

Absent: Harris, Moore.

Absent-excused: Clower.

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Doggett, Farabee, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Creighton, Hance, Sherman.

Absent: Harris, Moore.

Absent-excused: Clower.

#### SENATE BILL 945 ON SECOND READING

On motion of Senator Sherman 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:

**S.B. 945**, Relating to the procedure for incorporating a state bank; amending Article 4, amending Section C and D of, and adding Section E to, Article 5, Subchapter III, The Texas Banking Code of 1943, as amended (Article 342-101 et seq., Vernon's Texas Civil Statutes).

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

#### SENATE BILL 945 ON THIRD READING

Senator Sherman moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 945** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28. Nays 0.

Absent: Harris, Moore.

Absent-excused: Clower.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent: Harris, Moore.

Absent-excused: Clower.

#### SENATE BILL 529 ON SECOND READING

On motion of Senator Farabee 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:

**S.B. 529**, Adding Section 5.146 to the Water Code so as to exempt a person from obtaining a water permit when the water is to be used for drilling oil and gas wells; protecting water rights; providing that the exemption does not extend to certain other oil and gas field uses; providing for ceasing such use when ordered by the Commission and establishing penalties and injunctive relief to enforce Commission orders; and declaring an emergency.

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

#### **SENATE BILL 529 ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 529** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Moore.

Absent-excused: Clower.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **BILLS SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

**S.C.R. 75**

**S.C.R. 79**

**S.B. 303**

**S.B. 543**

#### **COMMITTEE SUBSTITUTE SENATE BILL 653 ON THIRD READING**

Senator Doggett moved to suspend the regular order of business to take up for consideration at this time on its third reading and final passage:

**C.S.S.B. 653**, Relating to the authority of Travis County to enact ordinances and regulate construction and development in unincorporated areas of the county; providing penalties.

The motion prevailed by the following vote: Yeas 19, Nays 8, Present-Not Voting 1.

man, Yeas: Adams, Aikin, Doggett, Farabee  
Santiesteban, Schwartz, Sherman, Snelson, Truan.

Nays: Andujar, Braecklein, Creighton, Harris, Mengden, Ogg, Traeger,  
Williams.

Present-Not Voting: Brooks.

Absent: Meier, Moore.

Absent-excused: Clower.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 11, Present-Not Voting 1.

Yeas: Adams, Aikin, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Lombardino, Longoria, Mauzy, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Truan.

Nays: Andujar, Braecklein, Creighton, Harris, Kothmann, McKnight, Meier, Mengden, Ogg, Traeger, Williams.

Present-Not Voting: Brooks.

Absent: Moore.

Absent-excused: Clower.

#### SENATE BILL 837 ON SECOND READING

Senator McKnight moved to suspend the regular order of business to take up for consideration at this time:

**S.B. 837**, Relating to family practice residency training conducted by the Texas Board of Health Resources.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Mauzy.

Absent: Moore, Ogg.

Absent-excused: Clower.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator McKnight offered the following committee amendment to the bill:

Amend Senate Bill 837 by striking all of Section 3 and adding in its place the following:

“Sec. 3. The board may enter into contracts and agreements with the Coordinating Board, Texas College and University System, the University of Texas Health Science Center at Houston, the University of Texas Health Science Center at Dallas, the University Health Science Center at San Antonio, the University of Texas Medical Branch at Galveston, the Texas Tech University School of Medicine, and the Medical Program at Texas A&M University, and Licensed Hospitals.”

The committee amendment was read and was adopted.

On motion of Senator McKnight and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### RECORD OF VOTE

Senator Mauzy asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

#### SENATE BILL 837 ON THIRD READING

Senator McKnight moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 837** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Mauzy.

Absent: Moore.

Absent-excused: Clower.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### RECORD OF VOTE

Senator Mauzy asked to be recorded as voting “Nay” on the final passage of the bill.

**SENATE BILL 249 ON SECOND READING**

Senator Hance moved to suspend the regular order of business to take up for consideration at this time:

**S.B. 249**, A bill to be entitled An Act relating to the designation of an alternate juvenile court and providing for its jurisdiction in certain cases in which the judge of the juvenile court is not an attorney licensed in this state; amending Subsection (d), Section 51.04, Family Code, as amended; adding Section 51.18 to Chapter 51, Family Code, as amended.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Parker, Patman, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Doggett, Jones of Harris, Mauzy, Ogg, Santiesteban, Truan.

Absent-excused: Clower.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Hance offered the following committee amendment to the bill:

**S.B. 249**, Amend Section 2 of **S.B. 249** by deleting Subsection (a) in its entirety and substituting the following in lieu thereof:

“(a) If a juvenile court, the judge of which is not an attorney licensed in this state, issues an order that may be appealed as provided in Subsection (c) of Section 56.01 of this code, the child or a representative of the child may file a motion for rehearing with the judge of the alternate juvenile court. The motion for rehearing must be made during the ten-day period beginning on the day after the order is entered in the minutes of the juvenile court or the motion in the alternate court is barred.”

The committee amendment was read and was adopted.

Senator Ogg offered the following amendment to the bill:

Amend Senate Bill 249 as follows:

(1) Amend Section 1 to read as follows:

“Subsection (d), Section 51.04, Family Code, as amended is amended to read as follows:

(d) A court may not be designated as the juvenile court unless its presiding judge:

- (1) is an attorney licensed to practice law in this state, or
- (2) if in a county with 50,000 or fewer inhabitants, is a nonlawyer who has served as the judge of a county court in this state for at least four years. However, if



a nonlawyer is the juvenile judge he may not preside over an adjudication, disposition, or certification hearing, or,

(3) if the judge in (2) above has successfully completed 60 or more hours from an accredited school of law.

(4) There may also be designated an alternate juvenile court, the judge of which need not be an attorney licensed in this state. The judge of the alternate court may rule on motions and hold hearings on emergency matters arising at a time at which the judge of the court is not available, or in cases in which an immediate order from the court is necessary to protect the best interest of the child.

(2) Strike Section 2 in its entirety and renumber the subsequent section accordingly.

The amendment was read.

Senator Ogg offered the following amendment to the amendment:

“Amend the pending amendment to **S.B. 249** by striking Section (2) thereof.

The amendment to the amendment was read and was adopted.

The amendment as amended failed of adoption by the following vote: Yeas 8, Nays 22.

Yeas: Brooks, Doggett, Jones of Harris, Mauzy, Meier, Ogg, Santiesteban, Williams.

Nays: Adams, Aikin, Andujar, Braecklein, Creighton, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Mengden, Moore, Parker, Patman, Schwartz, Sherman, Snelson, Traeger, Truan.

Absent-excused: Clower.

On motion of Senator Hance and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by the following vote: Yeas 25, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Creighton, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Doggett, Jones of Harris, Mauzy, Ogg.

Absent: Brooks.

Absent-excused: Clower.

#### SENATE BILL 249 ON THIRD READING

Senator Hance moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 249** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Creighton, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Doggett, Jones of Harris, Mauzy.

Absent: Brooks.

Absent-excused: Clower.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### RECORD OF VOTES

Senators Jones of Harris, Ogg, Mauzy, and Doggett asked to be recorded as voting "Nay" on the final passage of the bill.

#### SENATE BILL 469 ON SECOND READING

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

**S.B. 469**, Amending the Securities Act, Chapter 269, Acts of the 55th Legislature, Regular Session, 1957, as amended (Articles 581-1 et seq., Vernon's Texas Civil Statutes), by amending Section 33 to provide for liability of sellers, buyers, issuers control persons and aiders; to clarify damages and rescission rights and allow recovery of attorney's fees; to provide statutes of limitations; to permit rescission offers.

There was objection.

Senator Jones of Taylor then moved to suspend the regular order of business and take up **S.B. 469** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Sherman, Snelson, Truan, Williams.

Nays: Doggett, Mauzy, Patman, Schwartz.

Absent: Traeger.

Absent-excused: Clower.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Jones of Taylor offered the following committee amendment to the bill:

Amend **S.B. 469**, introductory copy on page 1, line 5 by inserting a comma between the words "issuers" and "control".

The committee amendment was read and was adopted.

Senator Jones of Taylor offered the following committee amendment to the bill:

Amend **S.B. 469** introductory copy on page 7, line 10 by striking the word "or" and substituting in lieu thereof, the word "on".

The committee amendment was read and was adopted.

On motion of Senator Jones of Taylor and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

Question - Shall the bill as amended be passed to engrossment?

#### MESSAGE FROM THE HOUSE

House Chamber  
April 6, 1977

Honorable William P. Hobby  
President of the Senate

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

**S.B. 536**, An act authorizing the Public Utility Commission to transfer certain appropriations; making a supplemental appropriation.

Respectfully submitted,  
BETTY MURRAY, Chief Clerk  
House of Representatives

#### WELCOME AND CONGRATULATORY RESOLUTIONS

**S.R. 458** - by Traeger: Extending congratulations to J. K. Montgomery.

**S.R. 474** - by Andujar: Extending welcome to Reverend Don Benton.

**S.R. 475** - by Harris: Extending welcome to Girl Scout Troop No. 1346.

**S.R. 476** - by Snelson: Extending congratulations to James P. "Jim" Crawford.

**S.R. 477** - by Adams: Extending congratulations to Jasper County honorees of the Family Land Heritage Program.

**S.R. 478** - by Ogg: Extending welcome to Theron, Lee and Stephanie Garrison.

**S.R. 479** - by Doggett: Extending welcome to Zilker Elementary School 3rd Grade Class.

**S.R. 480** - by Aikin: Extending welcome to Mr. and Mrs. Max Linthicum.

### RECESS

On motion of Senator Aikin the Senate at 12:32 o'clock p.m. took recess until 1:00 o'clock p.m. today.

### FORTY-SEVENTH DAY (Continued) (Wednesday, April 6, 1977)

### AFTER RECESS

The Senate met at 1:00 o'clock p.m. and was called to order by Senator Adams.

### LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 32**.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

**C.S.S.B. 61** (Jones of Haris) Relating to a requirement that a probationer reimburse the county in which he was prosecuted for compensation paid an appointed counsel. (31-0)(31-0)

**C.S.S.B. 252** (Hance) Relating to workmen's compensation for employees of Texas Tech University, Pan Tech farm, and Texas Tech University School of Medicine at Lubbock (31-0)(31-0)

**C.S.S.B. 373** (Tracger) Relating to the aggregate amount of water development bonds for water quality enhancement purposes which may be issued. (31-0)(31-0)

**S.B. 466** (Mauzy) Relating to retired district judges or appellate judges sitting as commissioners to the courts of civil appeals. (31-0)(31-0)

**S.R. 477** - by Adams: Extending congratulations to Jasper County honorees of the Family Land Heritage Program.

**S.R. 478** - by Ogg: Extending welcome to Theron, Lee and Stephanie Garrison.

**S.R. 479** - by Doggett: Extending welcome to Zilker Elementary School 3rd Grade Class.

**S.R. 480** - by Aikin: Extending welcome to Mr. and Mrs. Max Linthicum.

### RECESS

On motion of Senator Aikin the Senate at 12:32 o'clock p.m. took recess until 1:00 o'clock p.m. today.

### FORTY-SEVENTH DAY

(Continued)

(Wednesday, April 6, 1977)

### AFTER RECESS

The Senate met at 1:00 o'clock p.m. and was called to order by Senator Adams.

### LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 32**.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

**C.S.S.B. 61** (Jones of Haris) Relating to a requirement that a probationer reimburse the county in which he was prosecuted for compensation paid an appointed counsel. (31-0)(31-0)

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**C.S.S.B. 373** (Tracger) Relating to the aggregate amount of water development bonds for water quality enhancement purposes which may be issued. (31-0)(31-0)

**S.B. 466** (Mauzy) Relating to retired district judges or appellate judges sitting as commissioners to the courts of civil appeals. (31-0)(31-0)

**S.B. 522** (Brooks) Relating to creation of Probate Court No. 3 of Harris County. (31-0)(31-0)

**C.S.S.B. 569** (Ogg) Relating to creation, jurisdiction, administration and procedure of one new county civil court at law for Harris County. (31-0)(31-0)

**C.S.S.B. 587** (Schwartz) Relating to the duties of official court reporters. (31-0)(31-0)

**C.S.S.B. 588** (Schwartz) Relating to the provisions of court reporting services to a party in a civil case if the party is unable to pay therefor. (31-0)(31-0)

**S.B. 758** (Brooks) Relating to authority of the Board of Regents of Texas Southern University to dispose of certain land and collect certain fees. (31-0)(31-0)

**C.S.S.B. 779** (Ogg) Relating to supervision of dental hygienists and provision of dental hygiene advice to the Board of Dental Examiners. (31-0)(31-0)

**S.B. 784** (Longoria) Relating to suit for the recovery of debts by a foreign executor or administrator. (31-0)(31-0)

**C.S.S.B. 787** (Doggett) Relating to authorized sentences for corporations and associations adjudged guilty of an offense. (31-0)(31-0)

**C.S.S.B. 788** (Doggett) Relating to an annual report to be filed by a corporation. (31-0)(31-0)

**C.S.S.B. 790** (Doggett) Relating to notice by a corporation of indemnification payments and of certain liability insurance claims or payments. (31-0)(31-0)

**S.B. 822** (Snelson) Relating to the Parks and Wildlife Commission's authority to set the seasons, bag limits and means and methods of taking the wildlife resources in Trans-Pecos Counties. (31-0)(31-0)

**C.S.S.B. 831** (Doggett) Relating to permitting counties to destroy certain public records. (31-0)(31-0)

**S.B. 833** (Jones of Harris) Relating to the term of office of judge of Probate Court No. 2 of Harris County. (31-0)(31-0)

**S.B. 843** (Parker) Relating to state financial assistance to local public agencies or nonprofit corporations that operate programs to recruit retired persons to perform volunteer community services. (31-0)(31-0)

**S.B. 844** (Santiesteban) Relating to a court administrator system for county courts at law in certain counties. (31-0)(31-0)

**C.S.S.B. 851** (Jones of Taylor) Relating to licenses to practice podiatry. (31-0)(31-0)

**C.S.S.B. 857** (Jones of Harris) Relating to financial records of certain nonprofit corporations. (31-0)(31-0)

**S.B. 858** (Mauzy) Relating to weekly workmen's compensation benefits. (31-0)(31-0)

**S.B. 871** (Doggett) Relating to the transferral of public records to regional historical resource depositories. (31-0)(31-0)

**S.B. 875** (Traeger) Permitting management of street transportation systems to be placed with the governing body of a city or a board of trustees whether the system is encumbered or not. (31-0)(31-0)

**S.B. 889** (Sherman) Relating to the distribution of an estate on affidavit. (31-0)(31-0)

**S.B. 899** (Brooks) Relating to the purchase of insurance for or reimbursement of certain foster parents. (31-0)(31-0)

**C.S.S.B. 900** (Brooks) Relating to cooperative associations. (31-0)(31-0)

**C.S.S.B. 907** (Jones of Harris) Relating to the jurisdiction of municipal courts of record in certain cities. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

**S.B. 915** (Farabee) Relating to the creation of juvenile boards in Carson, Childress, Collingsworth, Donley, and Hall counties. (31-0)(31-0)

**S.B. 920** (Longoria) Relating to creation of the County Court at Law No. 2 of Hidalgo County and making other provisions relative to the court. (31-0)(31-0)

**S.B. 922** (Longoria) Relating to terms of the County Court at Law of Hidalgo County. (31-0)(31-0)

**C.S.S.B. 928** (Mauzy) Relating to workmen's compensation insurance policies and the liability of the association for artificial appliances. (31-0)(31-0)

**S.B. 949** (Brooks) Relating to retirement allowances of judges while assigned to court or serving as commissioner to court of criminal appeals. (31-0)(31-0)

**S.B. 951** (Moore) Relating to state fire marshal to conduct certain hearings. (31-0)(31-0)

**S.B. 952** (Moore) Relating to license for selling fireworks. (31-0)(31-0)

**C.S.S.B. 977** (Doggett) Relating to legal representation of State Department of Public Welfare. (31-0)(31-0)

**S.B. 992** (Doggett) Relating to licensing division of State Department of Public Welfare. (31-0)(31-0)

**S.B. 1017** (Traeger) Relating to the membership of the juvenile boards in the 81st Judicial District and the compensation of the members. (31-0)(31-0)

**C.S.S.B. 1042** (Doggett) Relating to the use of the word "cooperative" by certain corporations. (31-0)(31-0)

**S.B. 1062** (Mauzy) Relating to service of citation against a school district. (31-0)(31-0)

**C.S.S.B. 1065** (Mauzy) Relating to workmen's compensation insurance for employees of political subdivisions. (31-0)(31-0)

**S.B. 1183** (Traeger) Relating to the Texas Employees Uniform Group Insurance Benefits Act. (31-0)(31-0)

**S.B. 1210** (Snelson) Relating to the creation, administration, maintenance, operation, and financing of the Midland County Hospital District. (31-0)(31-0)

**S.C.R. 64** (Jones of Harris) Instructing the Texas Legislative Council and the Engrossing and Enrolling Department of the Senate to discontinue the practice of referring only to the male gender when drafting legislation. (vv)

**S.C.R. 66** (Doggett) Instructing the Board of Control to construct a ramp at the east entrance of the Capitol. (vv)

**S.R. 268** (Schwartz) Commending E. M. "Buck" Schiwetz. (vv)

**S.R. 322** (Longoria) Authorizing the Special Committee on Trade and Tourism to continue its studies of undue hindrance of trade and tourism. (vv)

**H.B. 149** (Harris) Providing that the parties to administrative proceedings may file exceptions and replies to proposals for administrative decisions. (31-0)(31-0)

**H.B. 230** (Jones of Taylor) Relating to the compensation and expenses of members of the Texas State Board of Podiatry Examiners. (31-0)(31-0)

**H.B. 314** (Farabee) Relating to regulation of the style and format of certain periodic reports to the governor or the legislature. (31-0)(31-0)

**H.B. 377** (Brooks) Relating to the amount and proportioning of loans, grants, and scholarships to medical students. (31-0)(31-0)

**H.B. 570** (Schwartz) Relating to compensation of commissioners of certain navigation districts. (31-0)(31-0)

**H.B. 760** (Williams) Relating to the regulation and inspection of boilers. (31-0)(31-0)

**H.B. 810** (Moore) Relating to the creation, jurisdiction, administration, and procedures of the County Court at Law of Walker County. (31-0)(31-0)

**H.B. 828** (Aikin) Relating to the delivery of a state of the judiciary message by the Chief Justice of the Supreme Court. (31-0)(31-0)

**H.B. 879** (Sherman) Relating to operation of a commercial motor vehicle or truck tractor by a person other than the owner or his agent. (31-0)(31-0)

**H.C.R. 1** (Jones of Harris) Requesting a review by the Social Security Administration of regulations governing certification of representative payees. (vv)



**H.C.R. 2** (Aikin) Granting permission to W. H. Hunt, Jr., and Annie L. Hunt to sue the State of Texas. (vv)

**H.C.R. 26** (Snelson) Granting permission to Border Road Construction Company to sue the State of Texas. (vv)

**H.C.R. 29** (Lombardino) Granting permission to Mario Figueroa to to sue the State of Texas. (vv)

**H.C.R. 43** (Longoria) Granting permission to National Seafoods, Inc., to sue the State of Texas. (vv)

**H.C.R. 47** (Schwartz) Granting permission to Kathleen Burke Dunbar to sue the State of Texas. (vv)

**H.C.R. 50** (Jones of Taylor) Authorizing C. E. Gladden to sue the State of Texas. (vv)

**H.C.R. 53** (Doggett) Providing that Capitol Historical Marker be placed in permanent position on Capitol Grounds. (vv)

The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment printed following bill number, as well as vote on suspension of Constitutional Three-Day Rule and final passage.)

**S.B. 276** (Mauzy) Relating to the creation, jurisdiction, administration, and procedures of the County Criminal Court No. 6 of Dallas County. (31-0)(31-0)

Senator Mauzy offered the following amendment to the bill:

Amend **S.B. 276** by deleting Section 3.

Amend **S.B. 276** by renumbering Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 as Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 accordingly.

The amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**C.S.S.B. 566** (Doggett) Relating to regulation of political activity of state employees. (31-0)(31-0)

Senator Mauzy offered the following amendment to the bill:

Amend **C.S.S.B. No. 566** by striking subsection (4) of Section 3.

The amendment was read and was adopted.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**C.S.S.B. 707** (Longoria) Relating to the qualifications and disqualifications of elections judges, clerks and watchers, and certain executive committee members. (31-0)(31-0)

Senator Longoria offered the following amendment to the bill:

Amend **C.S.S.B. 707** by striking paragraph (a) and substituting in lieu thereof the following:

(a) All judges and clerks of any general, special, or primary election shall be qualified voters of the election precinct in which they are named to serve. Unless otherwise provided in a statute pertaining to the specific type of election being held, in any general, special, or primary election, all watchers shall be qualified voters of the county if the election is countywide, and shall be qualified voters of the city or other political subdivision in which the election is held if less than countywide, but it shall not be necessary that they reside within the election precinct in which they are named to serve.

The amendment was read and was adopted.

On motion of Senator Longoria and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**S.B. 912** (Brooks) Relating to exemptions from the Administrative Procedures Act. (31-0)(31-0)

Senator Brooks offered the following committee amendment to the bill:

Amend **S.B. 912** by deleting Section 1 and renumbering the following sections accordingly.

The committee amendment was read and was adopted.

Senator Brooks offered the following committee amendment to the bill:

Amend **S.B. 912**, Section 2, by adding Subsection (e), to read as follows:

“(e) Sections 12 through 20 of this act do not apply to the Texas Board of Pardons and Paroles in the conducting of hearings or interviews relating to the grant, rescission or revocation of parole or other form of administrative release.”

The committee amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**S.B. 914** (Farabee) Relating to the creation of municipal courts in Sweetwater. (31-0)(31-0)

Senator Farabee offered the following amendment to the bill:

Amend Sec. 12 of Senate Bill 914 by adding a new sentence at the end thereof to read as follows:

"If the court finds, after hearing in response to affidavit by defendant that he is unable to pay or give security for the record on appeal, the court will order the reporter to make such transcription without charge to the defendant."

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**C.S.S.B. 943** (Jones of Harris) Relating to additional municipal courts in incorporated cities. (31-0)(31-0)

Senator Jones of Harris offered the following amendment to the bill:

Amend **C.S.S.B. 943** by striking Section 1 and substituting in lieu thereof the following:

"Section 1. Article 1196(a) (V.A.C.S.) is amended to read as follows:

"The Municipal [~~Corporation~~] Court in any city heretofore or hereafter incorporated, or adopting or amending its Charter, under Article 11, Section 5, of the Constitution of the State of Texas, commonly known and referred to as the 'Home Rule Amendment', shall be presided over by one or more [a] judges to be known as the 'recorder', 'City Judge', or 'Judge of the Municipal [~~Corporation~~] Court', as such official may be called in the charter of any city, and who shall be selected under the provisions of the City Charter concerning the election or appointment of a judge or [the] judges to preside over the Municipal [~~Corporation~~] Court. Additional Municipal Courts may be created and one or more judges for such courts may be authorized in any such city by action of the governing body of the city through a legally adopted ordinance that specifies that the condition of the dockets in the other Municipal Court or Courts of the city is such as to require additional Municipal Courts in order to properly dispose of the cases on the docket of these courts, and that enumerates the number of Municipal Courts necessary to properly dispose of those cases. Such additional judges shall have all the powers and discharge all of the duties of the judge of the Municipal Courts established."

All judges now holding office and presiding over any such Municipal [~~Corporation~~] Court in any such city and heretofore appointed or elected in accordance with the provisions of the Charter of such city are hereby declared to be the duly constituted, appointed or elected judge of such Court and shall hold office until his successor shall have been duly selected in accordance with the provisions hereof and shall have qualified according to law."

The amendment was read and adopted.

On motion of Senator Jones of Taylor and by unanimous consent the caption was amended to conform to the body of the bill as amended.

**C.S.H.B. 293** (Jones of Taylor) Relating to the penalty for shooting on a public road. (31-0)(31-0)

Senator Jones of Taylor offered the following amendment to the bill:

Amend Senate Committee Substitute for **H.B. 293** by striking all above the enacting clause and substituting the following in lieu thereof:

“relating to the penalty for shooting on a public road; amending Subsection (a) and amending Subsection (d), Section 42.01, Penal Code.”

The amendment was read and was adopted.

**H.B. 628** (Doggett) Relating to a system for gathering and dispensing notices of certain state job opportunities. (31-0)(31-0)

Senator Doggett offered the following committee amendment to the bill:

Amend **H.B. No. 628** as follows:

(1) Strike lines 20 through 24 on page 1 and substitute the following:

“Sec. 2. SUBMISSION OF JOB INFORMATION. (a) When a job vacancy occurs or is filled in Travis County within a state agency, the agency shall complete and submit to the commission and to the equal employment office as soon as possible the appropriate information form prescribed by the commission regarding the job vacancy or placement.”

(2) Strike “Section 2(b)” on page 2, line 23 and substitute “this subsection”.

(3) Strike Subsection (c) of Section 4 beginning on page 2, line 26 and substitute the following:

“(c) When a person expresses to the commission an interest in a job vacancy listed in accordance with Subsection (a) of this section for which the commission considers him qualified and which may be filled only after the person has complied with the Merit System Council’s employment procedures, the commission shall inform the person of those procedures.”

The committee amendment was read and was adopted.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**H.B. 926** (Snelson) Relating to the creation, jurisdiction, administration, and procedures of the County Court at Law of Comal County. (31-0)(31-0)

Senator Snelson offered the following committee amendment to the bill:

Amend **H.B. No. 926** by striking “from and after its passage,” on Page 6, Line 18, and inserting “according to its provisions.”

The committee amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

#### CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

**ADJOURNMENT**

On motion of Senator Aikin the Senate at 2:03 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

**APPENDIX****Sent to Governor**

(April 6, 1977)

**S.C.R. 75**

**S.C.R. 79**

**S.B. 303**

**S.B. 543**

**FORTY-EIGHTH DAY**

(Thursday, April 7, 1977)

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

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabec, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Moore, Parker, Patman, Santiesteban, Schwartz, Sherman, Traeger, Truan, Williams.

Absent-excused: Clower, Harris, Mengden, Ogg, Snelson.

A quorum was announced present.

The Reverend Zane Crawford, Associate Pastor, Bannockburn Baptist Church, Austin, Texas, offered the invocation as follows:

Father, we come to You today realizing that we cannot bring to pass all that we would like to see in our world for we are finite and the task before us is an infinite one. Nevertheless, we pray that You would not let us rest as long as we have left undone any portion of that which we can do. Give us hearts that hurt for our people when they hurt. Give us a wisdom that supercedes our own as we try to heal their hurt. Give us the desire to spend ourselves on them. Finally, Father, we thank You that in the end You will bring to pass a world of which we can only dream. This we pray in the name of Jesus. Amen.

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