

SIXTY-SIXTH DAY

(CONTINUED)

MONDAY, MAY 10, 1999

PROCEEDINGS

AFTER RECESS

The Senate met at 10:00 a.m. and was called to order by Senator Bivins.

MESSAGES FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

May 10, 1999

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:

SB 39, Relating to jury instructions and charges in capital cases.

SB 46, Relating to the creation of the offense of fraudulent use or possession of identifying information.
(Amended)

SB 93, Relating to the regulation of assisted living facilities and requiring disclosures by certain other facilities serving persons who are elderly or disabled.
(Amended)

SB 94, Relating to home health services; providing administrative penalties.
(Amended)

SB 95, Relating to studies and strategic plans concerning the delivery of long-term care, community services, and certain health services.
(Amended)

SB 96, Relating to the transfer of licensing, certification, and regulation of home health and community support services agencies.

SB 183, Relating to the acceptance of gifts by certain state agencies.

SB 324, Relating to applications for coverage under the market assistance program operated by the Texas Department of Insurance.

SB 478, Relating to filing of financing statements and certain other filings with the secretary of state.

SB 501, Relating to a state agency's strategic plan for serving geographic regions of the state, including the border region.

(Amended)

SB 506, Relating to suits to recover damages resulting from construction defects; providing for recovery of a penalty from certain contractors.

SB 525, Relating to compensation and benefits for members of the state military forces and their dependents.

SB 565, Relating to the creation of a sex offender compliance unit in the Texas Department of Public Safety.

SB 643, Relating to awards for members of the state or other military forces.
(Committee Substitute)

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

SB 712, Relating to requiring manufactured home rental communities to comply with county infrastructure regulations.

SB 839, Relating to security bars on residential dwellings.
(Amended)

SB 1049, Relating to venue for certain judicial actions involving intermediate care facilities for the mentally retarded.

SB 1132, Relating to due process requirements for renewal, modification, or revocation of medical staff membership and privileges.

SB 1276, Relating to a misdemeanor's liability for the cost of confinement in a county jail.
(Amended)

SB 1308, Relating to approval of water quality management plans by the Texas Natural Resource Conservation Commission.

SB 1388, Relating to management of property recovered in a suit for the benefit of a minor or incapacitated person.

SB 1480, Relating to the sharing of revenue among a municipality and other municipalities that jointly operate an airport in the territory of the municipality.

SB 1607, Relating to the establishment of infant care and parenting programs in the Texas Youth Commission.

SB 1706, Relating to money paid into the registry of courts in certain populous counties.

SB 1857, Relating to the study of barriers to the binational exchange of health information.
(Committee Substitute)

SCR 17, Honoring Thomas L. Heffernan for his 40 years of continuous service to the Parks and Wildlife Department.

SCR 27, Honoring Major General and Mrs. Billie Gene Hollowell on the special occasion of their marriage.

SCR 65, Congratulating Jose "Cheo" Cruz, Sr., of Houston.

HB 209, Relating to exempting the purchase of certain school supplies, school books, and other school materials from the sales tax.

HB 551, Relating to exempting certain small corporations from the franchise tax and to the reporting requirements for those corporations.

HB 731, Relating to municipal courts of record.

HB 820, Relating to review of certain children's continued eligibility for medical assistance.

HB 900, Relating to a bill of review by a civil court.

HB 1910, Relating to the disposal or assured isolation of low-level radioactive waste and to the transfer of certain land purchased for a disposal site.

HB 2371, Relating to exempting diapers from the sales tax.

HB 2372, Relating to exempting certain drugs, medicines, and medical devices from the sales tax.

HB 2909, Relating to the nursing and convalescent home trust fund.

HB 3042, Relating to investment requirements for certain insurance companies.

HB 3079, Relating to the development and financing of a statewide aquatic vegetation management plan.

HB 3215, Relating to the methods by which the Texas Department of Criminal Justice and the Texas Youth Commission obtain samples or specimens for the purpose of creating a DNA record.

HCR 35, In memory of the Honorable Annette Strauss.

HCR 141, Memorializing congress to maintain their commitment to the veterans of America.

HCR 181, Designating Plano as the Hot Air Balloon Capital of Texas.

HCR 254, In memory of Chicora "Chic" Ann Lee Graham Williams.

HCR 262, Honoring Julie MacLemore for her service to the Presbytery of New Covenant.

HCR 263, Recognizing May 7, 1999, as Kids Day in El Paso.

HJR 16, Proposing a constitutional amendment to authorize garnishment of wages for the enforcement of court-ordered spousal maintenance.

THE HOUSE HAS CONCURRED IN SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

HB 1174 (Viva-voce vote)

HB 1254 (140 AYES, 0 NAYS, 1 PRESENT NOT VOTING)

HB 1373 (Viva-voce vote)

HB 2719 (Viva-voce vote)

THE HOUSE HAS REFUSED TO CONCUR IN SENATE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

HB 869

House Conferees: Goodman - Chair/King, Phil/Lewis, Glenn/Smith/Truitt

THE HOUSE HAS APPOINTED CONFEREES ON THE FOLLOWING MEASURES:

HB 713

House Conferees: Cuellar - Chair/Brown, Fred/Jones, Jesse/Junell/Rangel

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 287

House Conferees: Kuempel - Chair/Cook/Hope/McReynolds/Zbranek

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 509, Relating to disputes concerning enforcement of deed restrictions in justice court.

HB 617, Relating to waiver applications by a public school campus or district.

HB 652, Relating to the application of the sales tax to certain eating utensils.

HB 668, Relating to missing children, to the duty of law enforcement with respect to missing children, and to certain criminal offenses frequently committed against missing children.

HB 792, Relating to the regulation of viatical settlement agreements and life settlement agreements.

HB 943, Relating to regulation of the use of laser pointers; providing a criminal penalty.

HB 1058, Relating to limiting the liability of a municipality for certain recreational activities.

HB 1078, Relating to restoration of benefits to a fire fighter or police officer on reinstatement to a position as a result of a successful appeal of a disciplinary suspension.

HB 1176, Relating to certain documents required to be filed with an application for probate of a foreign will.

HB 1211, Relating to health maintenance organization plans for small employers.

HB 1248, Relating to the regulation of the practice of architecture, landscape architecture, and interior design; providing administrative penalties.

HB 1265, Relating to the penalty for trespassing onto a Superfund site.

HB 1333, Relating to the time limit regarding a protest for potential chargebacks under the unemployment compensation system.

HB 1337, Relating to evidence of domestic violence in the appointment of a managing conservator for a child.

HB 1374, Relating to contracts executed by and the election of the board of directors of the Val Verde County Hospital District.

HB 1453, Relating to coverage under a title insurance policy issued with respect to residential real property.

HB 1583, Relating to the confidentiality of certain juvenile records or files.

HB 1586, Relating to the coverage by long-term care insurance policies of the parents of an insured or the parents of the spouse of an insured.

HB 1606, Relating to the assignment of visiting judges in certain county courts.

HB 1607, Relating to the assignment of a statutory probate court judge to hear a contested probate matter.

HB 1627, Relating to certain requirements for insurers that contract with municipalities.

HB 1822, Relating to the regulation of air conditioning and refrigeration contractors; providing penalties.

HB 1829, Relating to membership in the Texas Property and Casualty Insurance Guaranty Association.

HB 2021, Relating to the requirements for purchasing in school districts that adopt site-based decision-making plans.

HB 2047, Relating to the creation of an offense prohibiting the covert visual recording of another for an improper sexual purpose and to certain consequences on conviction of that offense.

HB 2164, Relating to the appointment of a guardian for certain incapacitated minors.

HB 2166, Relating to the appointment of successor guardians for wards of guardianship programs or governmental entities serving as guardians.

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

HB 2236, Relating to contracts for Medicaid managed care.

HB 2252, Relating to commercial windstorm insurance rates.

HB 2253, Relating to the operation of the catastrophe reserve trust fund.

HB 2272, Relating to advisory committees to the Parks and Wildlife Commission.

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

HB 2429, Relating to the method used by the comptroller of public accounts to pay vendors and other persons.

HB 2543, Relating to settlement of a claim for a tax penalty or interest on a tax.

- HB 2547**, Relating to the operation of the Geo-Technology Research Institute.
- HB 2840**, Relating to the definition of "assistance organization" for purposes of state surplus and salvage property.
- HB 2879**, Relating to creating an offense for transporting an individual under certain circumstances.
- HB 2944**, Relating to the transfer of certain state property from the Texas Department of Criminal Justice to the Board of Regents of the Texas State University System.
- HB 2977**, Relating to the authority of the Texas Natural Resource Conservation Commission to certify that the discharge of a pollutant will not cause a violation of certain water quality standards under the Federal Water Pollution Control Act.
- HB 3001**, Relating to authorizing certain trusts to convert to nonprofit corporations.
- HB 3120**, Relating to the duties and salary of the county attorney of Carson County.
- HB 3191**, Relating to the imposition of a criminal penalty for a violation of a rule concerning the use of county parks.
- HB 3300**, Relating to limits on eminent domain and a code of conduct for sports and community venue districts in certain populous counties.
- HB 3425**, Relating to eligibility for the Texas Legislative Medal of Honor.
- HB 3433**, Relating to dismissal of certain traffic offenses occurring in a construction or maintenance work zone.
- HB 3449**, Relating to payment of unemployment compensation tax contributions by certain employers engaged in agriculture.
- HB 3632**, Relating to trustees of certain trusts.
- HB 3809**, Relating to the release of extraterritorial jurisdiction of certain municipalities.
- HB 3815**, Relating to the composition of the Galveston County Juvenile Board.
- HB 3816**, Relating to the creation, administration, powers, duties, operation, and financing of the Wharton County Groundwater Conservation District.
- HB 3832**, Relating to the composition of the Bell County Juvenile Board.
- HB 3847**, Relating to powers and duties of the Jefferson County Drainage District No. 7.
- HB 87**, Relating to restricting written reports required of public school classroom teachers.
- HB 89**, Relating to the delinquent registration of a motor vehicle.
- HB 116**, Relating to judicial review of a decision by a municipal board of adjustment.
- HB 145**, Relating to garnishment of wages for the enforcement of court-ordered spousal maintenance.

- HB 269**, Relating to jury service by public school employees.
- HB 319**, Relating to the penalty for tampering with certain governmental records.
- HB 374**, Relating to the deferral or abatement of a suit to collect delinquent taxes on the homestead of an elderly person.
- HB 564**, Relating to a border advocacy division of the governor's office.
- HB 629**, Relating to medical information provided by certain emergency medical services operators.
- HB 656**, Relating to the penalty for sale or delivery of a substance containing a volatile chemical to a minor.
- HB 703**, Relating to the purchase and sale of lottery tickets; providing a penalty.
- HB 714**, Relating to the establishment of a newborn hearing screening, tracking, and intervention program.
- HB 747**, Relating to certain evaluations made by the governing body of a hospital district, hospital authority, or public hospital.
- HB 817**, Relating to regulation of cemeteries.
- HB 918**, Relating to the copies prepared by a district or county clerk of certain court records.
- HB 921**, Relating to enrichment curriculum requirements.
- HB 928**, Relating to the annual salary supplement paid by the state to certain county judges.
- HB 954**, Relating to the requirement that a taxing unit proposing to increase the unit's tax rate hold a public hearing on the proposal.
- HB 961**, Relating to the right of a public employee to communicate with any elected state official; imposing a civil penalty.
- HB 1032**, Relating to parking of a motor vehicle operated by or for the transportation of a person with a disability.
- HB 1123**, Relating to the salaries of certain statutory county court judges.
- HB 1153**, Relating to the placement of a child in a county detention facility as a condition of probation.
- HB 1223**, Relating to a historical artifacts program under the Texas Historical Commission.
- HB 1224**, Relating to the requirement that alcohol awareness information be included in the curriculum of certain driver education and driving safety courses.
- HB 1353**, Relating to certain information used for emergency management and disaster services.
- HB 1387**, Relating to investigating certain deaths and performing autopsies on certain bodies.
- HB 1542**, Relating to purchasing requirements for school districts and junior college districts.

HB 1544, Relating to registration of engineering firms and to the publication by the Texas Board of Professional Engineers of a roster of engineers and engineering firms.

HB 1700, Relating to lifeline and tel-assistance telecommunications services.

HB 1708, Relating to the maximum fee a tow truck may charge for a nonconsent tow; providing a penalty.

HB 1802, Relating to an affirmative defense to certain gambling offenses committed on an ocean-going vessel.

HB 1827, Relating to information to be included on a driver's license.

HB 1833, Relating to the issuance of a personal identification certificate to a justice of the peace or municipal court judge by the Department of Public Safety.

HB 1864, Relating to the study and development of outreach and education programs for promotoras or community health workers under which community residents provide public health education services.

HB 1918, Relating to the development of a statewide multimodal transportation plan.

HB 1968, Relating to the powers and duties of peace officers commissioned by certain hospital districts.

HB 2019, Relating to the conveyance of certain state-owned real property in Cherokee County to the City of Rusk.

HB 2114, Relating to the application of the open meetings law to a board or committee of a sports and community venue district.

HB 2140, Relating to the tax on motor vehicles purchased or leased outside this state and brought into this state by new residents.

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

HB 2155, Relating to the creation and operation of the Texas State Board of Mechanical Industries and the regulation of plumbing and mechanical laws and programs by that board; providing penalties.

HB 2165, Relating to guardianships for incapacitated persons.

HB 2172, Relating to school district compliance with special education laws.

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

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

HB 2307, Relating to assistance to certain low-performing public school districts.

HB 2337, Relating to additional interest for default on a loan contract including simple interest.

HB 2338, Relating to certain charges for administration of loans and loan applications.

HB 2408, Relating to notice to tenants of certain changes in policy by a landlord.

HB 2420, Relating to an advertisement sent to a facsimile machine.

HB 2421, Relating to the accrual of interest on delinquent child support.

HB 2456, Relating to the statute of limitations for certain civil actions.

HB 2482, Relating to equal access to places of public accommodation.

HB 2585, Relating to the substitution of and equivalency for the single currency of the European Union in certain contracts, securities, and instruments.

HB 2598, Relating to review of projects funded by the Texas Department of Transportation for compliance with facility accessibility standards.

HB 2605, Relating to providing a right of rescission for certain owners executing residential construction contracts for improvements on homestead property.

HB 2621, Relating to the installation of asbestos in public buildings; providing penalties.

HB 2706, Relating to eligibility for workers' compensation benefits for certain persons who provide volunteer services in a declared emergency.

HB 2765, Relating to amending the law regarding determinations of mental competency in the prosecution of criminal cases to correct certain references to other laws.

HB 2787, Relating to the consideration of the location of a bidder's principal place of business in the award of contracts by certain local governments.

HB 2806, Relating to establishing a mentoring program at the University of North Texas.

HB 2819, Relating to the designation of the interchange at U.S. Highways 83 and 84, and Loop 322 in Abilene as the Sam Waldrop Highway Interchange.

HB 3002, Relating to designating the ferry landing at Port Aransas as the Melvin O. Littleton Ferry Landing.

HB 3011, Relating to the funding and operation of the Harris County Psychiatric Center.

HB 3176, Relating to the jurisdiction of the County Court at Law of Parker County.

HB 3381, Relating to the regulation of drinking water at certain youth camps.

HB 3442, Relating to a Texas Historical Commission program for the identification and preservation of abandoned cemeteries.

HB 3446, Relating to the regulation of the practice of veterinary medicine; imposing criminal, civil, and administrative penalties.

HB 3458, Relating to certain bonds required of a county tax assessor-collector.

HB 3467, Relating to the disposition of the proceeds of fines collected for overweight vehicles.

HB 3469, Relating to certain county and public health district fees regarding certain food establishments.

HB 3549, Relating to the administration and collection of ad valorem taxes and certain local standby fees.

HB 3551, Relating to disposition of proceeds from read to succeed license plates.

HB 3603, Relating to the control of insurance fraud.

HB 3704, Relating to the requirement for the name, address and phone number of the bondsman to appear on the face of performance and payment bonds.

HB 3736, Relating to the applicability of procedures governing restrictive covenants in certain residential subdivisions.

HB 3738, Relating to counties authorized to create coastal county conservation districts.

HB 3746, Relating to the replatting of a part of a subdivision.

HB 3762, Relating to granting college credit for completion of the Texas Youth Commission resocialization program.

HB 3775, Relating to the persons a justice of the peace may order to take a specimen of blood from the body of a person who died in a vehicle accident.

HB 3806, Relating to the creation, administration, powers, duties, operation, and financing of the Trans-Pecos Groundwater Conservation District.

HB 3821, Relating to the creation of a juvenile board in Duval County.

HB 3835, Relating to the creation, administration, powers, duties, operations, and financing of the Robertson-Brazos County Groundwater Conservation District.

HB 3838, Relating to the protection of certain children.

HB 90, Relating to graduated driver's licensing.

HB 804, Relating to salaries and fees for services of certain prosecutors.

HB 2011, Relating to the administration of the Texas Academic Skills Program.

HB 2124, Relating to protective orders and the protection of victims of family violence, including the creation of certain capital offenses.

HB 2896, Relating to the administration and operation of the state Medicaid program.

HCR 109, Declaring El Paso the Sun Capital of Texas.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

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

HB 27 to Committee on Health Services.

HB 87 to Committee on Education.

HB 89 to Committee on State Affairs.
HB 90 to Committee on Education.
HB 116 to Committee on Intergovernmental Relations.
HB 143 to Committee on Health Services.
HB 145 to Committee on State Affairs.
HB 163 to Committee on Criminal Justice.
HB 209 to Committee on Finance.
HB 211 to Committee on Education.
HB 261 to Committee on Criminal Justice.
HB 269 to Committee on Jurisprudence.
HB 275 to Committee on Criminal Justice.
HB 319 to Committee on Economic Development.
HB 374 to Committee on Jurisprudence.
HB 509 to Committee on Intergovernmental Relations.
HB 551 to Committee on Finance.
HB 564 to Committee on Border Affairs - Special.
HB 617 to Committee on Education.
HB 629 to Committee on Health Services.
HB 641 to Committee on Intergovernmental Relations.
HB 652 to Committee on Finance.
HB 656 to Committee on Criminal Justice.
HB 668 to Committee on Criminal Justice.
HB 703 to Committee on Finance.
HB 714 to Committee on Health Services.
HB 731 to Committee on Intergovernmental Relations.
HB 747 to Committee on Health Services.
HB 792 to Committee on Economic Development.
HB 817 to Committee on Administration.
HB 900 to Committee on Jurisprudence.
HB 918 to Committee on Jurisprudence.
HB 921 to Committee on Education.
HB 928 to Committee on Finance.
HB 943 to Committee on Criminal Justice.
HB 954 to Committee on Intergovernmental Relations.
HB 961 to Committee on State Affairs.
HB 1032 to Committee on State Affairs.
HB 1058 to Committee on Economic Development.
HB 1078 to Committee on Intergovernmental Relations.
HB 1123 to Committee on Intergovernmental Relations.
HB 1153 to Committee on Criminal Justice.
HB 1176 to Committee on Jurisprudence.
HB 1211 to Committee on Economic Development.
HB 1223 to Committee on State Affairs.
HB 1224 to Committee on Education.
HB 1248 to Committee on State Affairs.
HB 1265 to Committee on Natural Resources.
HB 1333 to Committee on Economic Development.
HB 1337 to Committee on Jurisprudence.

HB 1353 to Committee on State Affairs.
HB 1374 to Committee on Intergovernmental Relations.
HB 1387 to Committee on Health Services.
HB 1398 to Committee on Finance.
HB 1444 to Committee on Health Services.
HB 1453 to Committee on Economic Development.
HB 1516 to Committee on Jurisprudence.
HB 1542 to Committee on Education.
HB 1544 to Committee on State Affairs.
HB 1583 to Committee on Jurisprudence.
HB 1586 to Committee on Economic Development.
HB 1606 to Committee on Intergovernmental Relations.
HB 1607 to Committee on Jurisprudence.
HB 1627 to Committee on Economic Development.
HB 1700 to Committee on Economic Development.
HB 1708 to Committee on Economic Development.
HB 1802 to Committee on Criminal Justice.
HB 1822 to Committee on Economic Development.
HB 1827 to Committee on State Affairs.
HB 1829 to Committee on Economic Development.
HB 1833 to Committee on State Affairs.
HB 1860 to Committee on Health Services.
HB 1864 to Committee on Human Services.
HB 1910 to Committee on Natural Resources.
HB 1918 to Committee on Border Affairs - Special.
HB 1968 to Committee on Criminal Justice.
HB 2019 to Committee on Natural Resources.
HB 2021 to Committee on Education.
HB 2047 to Committee on Criminal Justice.
HB 2114 to Committee on Intergovernmental Relations.
HB 2140 to Committee on Finance.
HB 2145 to Committee on Criminal Justice.
HB 2155 to Committee on State Affairs.
HB 2164 to Committee on Jurisprudence.
HB 2165 to Committee on Jurisprudence.
HB 2166 to Committee on Jurisprudence.
HB 2172 to Committee on Education.
HB 2186 to Committee on Jurisprudence.
HB 2201 to Committee on Intergovernmental Relations.
HB 2236 to Committee on Health Services.
HB 2247 to Committee on State Affairs.
HB 2252 to Committee on Economic Development.
HB 2253 to Committee on Economic Development.
HB 2261 to Committee on Education.
HB 2272 to Committee on Natural Resources.
HB 2274 to Committee on Natural Resources.
HB 2300 to Committee on State Affairs.
HB 2307 to Committee on Education.

HB 2337 to Committee on Economic Development.
HB 2338 to Committee on Economic Development.
HB 2371 to Committee on Finance.
HB 2372 to Committee on Finance.
HB 2408 to Committee on State Affairs.
HB 2420 to Committee on Economic Development.
HB 2421 to Committee on Jurisprudence.
HB 2429 to Committee on Finance.
HB 2456 to Committee on Jurisprudence.
HB 2482 to Committee on Economic Development.
HB 2543 to Committee on Administration.
HB 2547 to Committee on Education.
HB 2585 to Committee on Economic Development.
HB 2598 to Committee on State Affairs.
HB 2605 to Committee on Economic Development.
HB 2621 to Committee on Economic Development.
HB 2691 to Committee on Jurisprudence.
HB 2706 to Committee on Administration.
HB 2765 to Committee on Criminal Justice.
HB 2787 to Committee on Intergovernmental Relations.
HB 2806 to Committee on Education.
HB 2819 to Committee on State Affairs.
HB 2840 to Committee on Human Services.
HB 2879 to Committee on Criminal Justice.
HB 2909 to Committee on Health Services.
HB 2944 to Committee on State Affairs.
HB 2977 to Committee on Natural Resources.
HB 3001 to Committee on Jurisprudence.
HB 3002 to Committee on State Affairs.
HB 3042 to Committee on Economic Development.
HB 3059 to Committee on Economic Development.
HB 3072 to Committee on State Affairs.
HB 3079 to Committee on Natural Resources.
HB 3120 to Committee on Intergovernmental Relations.
HB 3176 to Committee on Intergovernmental Relations.
HB 3191 to Committee on Intergovernmental Relations.
HB 3215 to Committee on Criminal Justice.
HB 3255 to Committee on Criminal Justice.
HB 3262 to Committee on State Affairs.
HB 3300 to Committee on Intergovernmental Relations.
HB 3381 to Committee on Natural Resources.
HB 3425 to Committee on Veteran Affairs and Military Installations.
HB 3433 to Committee on State Affairs.
HB 3442 to Committee on Administration.
HB 3446 to Committee on Natural Resources.
HB 3449 to Committee on Economic Development.
HB 3458 to Committee on Intergovernmental Relations.
HB 3467 to Committee on Border Affairs - Special.

HB 3469 to Committee on Health Services.
HB 3516 to Committee on Administration.
HB 3517 to Committee on Jurisprudence.
HB 3549 to Committee on Finance.
HB 3551 to Committee on Education.
HB 3582 to Committee on Natural Resources.
HB 3596 to Committee on Economic Development.
HB 3603 to Committee on Economic Development.
HB 3632 to Committee on Jurisprudence.
HB 3704 to Committee on State Affairs.
HB 3736 to Committee on State Affairs.
HB 3738 to Committee on Natural Resources.
HB 3746 to Committee on Intergovernmental Relations.
HB 3762 to Committee on Education.
HB 3775 to Committee on Administration.
HB 3806 to Committee on Natural Resources.
HB 3809 to Committee on Intergovernmental Relations.
HB 3815 to Committee on Administration.
HB 3816 to Committee on Natural Resources.
HB 3821 to Committee on Intergovernmental Relations.
HB 3832 to Committee on Intergovernmental Relations.
HB 3835 to Committee on Natural Resources.
HB 3838 to Committee on Jurisprudence.
HB 3847 to Committee on Natural Resources.
HCR 141 to Committee on Veteran Affairs and Military Installations.
HCR 181 to Committee on Administration.
HJR 16 to Committee on State Affairs.
HJR 62 to Committee on State Affairs.

(Senator Nixon in Chair)

**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 Thursday, May 6, 1999.

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 or 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.

HB 88 (Duncan) Relating to permitting a county to donate money to certain crime prevention organizations. (30-0) (30-0)

HB 152 (Shapleigh) Relating to the punishment for the offense of graffiti. (30-0) (30-0)

HB 234 (Wentworth) Relating to making certain affidavits required for the issuance of search warrants available for public inspection. (30-0) (30-0)

HB 264 (Cain) Relating to a change of beneficiary by a retiree of the Employees Retirement System of Texas. (30-0) (30-0)

HB 436 (Duncan) Relating to the criminal offense of trespass on agricultural lands. (30-0) (30-0)

HB 510 (Cain) Relating to the composition of the Commission on Uniform State Laws. (30-0) (30-0)

HB 525 (Ratliff on behalf of Nixon) Relating to granting limited state law enforcement authority to special agents and law enforcement officers of the United States Forest Service. (30-0) (30-0)

HB 592 (Armbrister) Relating to a background check of a person who applies for certification as a qualified handgun instructor. (30-0) (30-0)

HB 605 (Armbrister) Relating to reports regarding a missing child or missing person and to the responsibility of local law enforcement to investigate certain missing person reports; creating an offense. (30-0) (30-0)

HB 614 (Carona) Relating to the acceptance of gifts, grants, donations, bequests, and devises by a county. (30-0) (30-0)

HB 788 (Whitmire) Relating to the electronic transmission of certain information to the Texas Department of Criminal Justice. (30-0) (30-0)

CSHB 822 (Cain) Relating to the creation of a task force composed of state and county representatives to study federal reimbursements to counties. (30-0) (30-0)

HB 833 (Shapiro) Relating to the filing of an application for a place on the general primary election ballot. (30-0) (30-0)

CSHB 854 (Armbrister) Relating to the identification of certain persons confined by the Texas Department of Criminal Justice who are subject to a warrant. (30-0) (30-0)

CSHB 875 (Zaffirini) Relating to increasing collections for cases of fraud in the Medicaid, financial assistance, and food stamp programs. (30-0) (30-0)

HB 888 (Jackson) Relating to graduate level instruction at Texas A&M University at Galveston. (30-0) (30-0)

HB 924 (Bivins) Relating to the offense of operation of a vehicle with an expired license plate. (30-0) (30-0)

HB 1037 (Fraser) Relating to the appraisal for ad valorem tax purposes of property located in more than one appraisal district. (30-0) (30-0)

Senator Zaffirini offered the following committee amendment to the bill:

Committee Amendment No. 1

1. Amend **HB 1037**, engrossed version, as follows:

On page 1, lines 11-13, after the word "value." strike "Property appraised by more than one appraisal district shall be valued at the lowest appraised value set by the appraisal districts for that property."

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

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

HB 1074 (Wentworth) Relating to public notification of certain accidental discharges or spills into water. (30-0) (30-0)

HB 1110 (Ellis) Relating to the requirements for notice of violations of certain municipal ordinances. (30-0) (30-0)

Senator Ellis offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 1110** by striking SECTION 1 of the bill and substituting the following:

SECTION 1. Section 342.006, Health and Safety Code, is amended to read as follows:

(a) If the owner of property in the municipality does not comply with a municipal ordinance or requirement under this chapter within seven [~~10~~] days of notice of a violation, the municipality may:

(1) do the work or make the improvements required; and

(2) pay for the work done or improvements made and charge the expenses to the owner of the property.

(b) The notice must be given:

(1) personally to the owner in writing;

(2) by letter addressed to the owner at the owner's [~~post-office~~] address as recorded in the appraisal district records of the appraisal district in which the property is located; or

(3) if personal service cannot be obtained [~~or the owner's post office address is unknown~~]:

(A) by publication at least once [~~twice within 10 consecutive days~~];

(B) by posting the notice on or near the front door of each building on the property to which the violation relates; or

(C) by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.

(c) If a municipality mails a notice to a property owner in accordance with Subsection (b), and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered as delivered.

(d) In a notice provided under this section, a [~~The~~] municipality [~~in the notice of a violation~~] may inform the owner by regular [~~certified~~] mail and a posting on the property [~~, return receipt requested,~~] that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the municipality without further notice may correct the violation at the owner's expense and assess the expense against the property. If a violation covered by a notice under this subsection occurs within the one-year period, and the municipality has not been informed in writing by the owner of an ownership change, then the municipality

without notice may take any action permitted by Subsections (a)(1) and (2) and assess its expenses as provided by Section 342.007.

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

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

HB 1121 (Duncan) Relating to the law enforcement authority of certain investigators acting outside their county of jurisdiction. (30-0) (30-0)

HB 1149 (Jackson) Relating to the ability of tenant representatives to serve a certain number of consecutive terms as commissioners of local housing authorities. (30-0) (30-0)

HB 1173 (Brown) Relating to a firefighters' relief and retirement fund in certain municipalities. (30-0) (30-0)

CSHB 1362 (Ogden) Relating to the selection of appraisers for the determination of compensation paid to certain retail public utilities. (30-0) (30-0)

CSHB 1400 (Zaffirini) Relating to the continuation and functions of the Texas Commission for the Blind. (30-0) (30-0)

HB 1413 (Carona) Relating to the sale of land by a municipality to organizations providing housing for low-income families and individuals. (30-0) (30-0)

CSHB 1437 (Ogden) Relating to the powers of the Lower Colorado River Authority to provide water services in Williamson County. (30-0) (30-0)

HB 1495 (Ratliff on behalf of Nixon) Relating to eligibility for appointment to the board of a rural fire prevention district. (30-0) (30-0)

HB 1506 (Shapiro) Relating to the disposal of surplus county property. (30-0) (30-0)

Senator Shapiro offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 1506**, in SECTION 1 of the bill, in Section 263.152(a), Local Government Code (House engrossed printing page 1, line 10), by inserting the following after "within the county":
"that is selling the surplus or salvage property"

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

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

CSHB 1514 (Zaffirini) Relating to implementation of certain procedures to ensure accuracy of medical assistance eligibility lists. (30-0) (30-0)

HB 1539 (Nelson) Relating to validating certain conveyances of land formerly used for the superconducting super collider research facility. (30-0) (30-0)

CSHB 1744 (Gallegos) Relating to additional equipment requirements for school buses. (30-0) (30-0)

HB 1985 (Armbrister) Relating to recovery of certain relocation costs by a gas utility. (30-0) (30-0)

CSHB 2025 (Shapleigh) Relating to the establishment and operation of the Border Health Institute. (30-0) (30-0)

HB 2122 (Wentworth) Relating to competitive bid requirements for certain emergency services districts. (30-0) (30-0)

HB 2181 (Ellis) Relating to authorizing a recreational and wellness facility fee at the University of Houston. (30-0) (30-0)

HB 2332 (Armbrister) Relating to the administration and consolidation of drainage districts. (30-0) (30-0)

HB 2398 (Carona) Relating to funding the housing trust fund. (30-0) (30-0)

HB 2442 (Wentworth) Relating to the administration and funding of a premarital education handbook and certain marital education courses. (30-0) (30-0)

HB 2465 (Armbrister) Relating to the powers of a limited liability company. (30-0) (30-0)

HB 2932 (Wentworth) Relating to the designation of water quality protection zones in certain areas. (30-0) (30-0)

HB 3155 (Harris) Relating to the adoption of a nonsubstantive revision of statutes relating to the licensing and regulation of certain professions and business practices including conforming amendments, repeals, and penalties. (30-0) (30-0)

Senator Harris offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 3155** in SECTION 1 of the bill as follows:

(1) In added Section 604.001, Occupations Code, after Subdivision (4) of that section (Engrossed version page 1364, line 14), strike "(V.A.C.S. Art. 4512I, Secs. 1(1), (2),)" and substitute the following:

(5) "Respiratory care procedure" means respiratory care provided by the therapeutic and diagnostic use of medical gases, humidifiers, and aerosols, the administration of drugs and medications to the cardiorespiratory system, ventilatory assistance and ventilatory control, postural drainage, chest drainage, chest percussion or vibration, breathing exercises, respiratory rehabilitation, cardiopulmonary resuscitation, the maintenance of natural airways, and the insertion and maintenance of artificial airways. The term includes a technique used to assist in diagnosis, monitoring, treatment, and research, as ordered by a patient's physician, including:

(A) the measurement of ventilatory volumes, pressures, and flows;

(B) the specimen collection of blood and other materials;

(C) pulmonary function testing; and

(D) hemodynamic and other related physiological forms of monitoring or treating the cardiorespiratory system. (V.A.C.S. Art. 4512I, Sec. 1.)

(2) At the end of added Section 604.001, Occupations Code (Engrossed version page 1364), strike line 15.

(3) In added Section 604.101(b), Occupations Code (Engrossed version page 1368, line 3), between "direction of a" and "physician", insert "qualified medical director or other".

(4) In added Section 604.201(b), Occupations Code (Engrossed version page 1373, line 18), in Subdivision (7) of that section, between "direction of a" and "licensed physician", insert "qualified medical director or other".

(5) In added Section 651.157(b), Occupations Code (Engrossed version page 1434, line 14), between "open" and "to inspection", insert "at all times".

(6) In added Section 651.405(a), Occupations Code (Engrossed version page 1462, line 10), in Subdivision (7) of that subsection, strike "a casket" and substitute "caskets".

(7) In added Section 651.405(a), Occupations Code (Engrossed version page 1462, line 11), in Subdivision (8) of that subsection, strike "an outer enclosure" and substitute "outer enclosures".

(8) Strike added Section 2001.357, Occupations Code (Engrossed version page 2109, lines 12-15), and substitute the following:

Sec. 2001.357. JUDICIAL REVIEW. (a) An applicant for or the holder of a license issued or to be issued under this chapter whose application has been denied, whose license has been revoked or suspended, or who is otherwise aggrieved by an action of the commission relating to licensing under this chapter may appeal the decision of the commission to a district court in Travis County not later than the 30th day after the date on which the commission's decision becomes final and appealable.

(b) Judicial review of a commission decision is under the substantial evidence rule as provided by Chapter 2001, Government Code. (V.A.C.S. Art. 179d, Sec. 34.)

(9) Strike added Section 2153.306, Occupations Code (Engrossed version page 2290, lines 17-27 and page 2291, lines 1-14), and substitute the following:

Sec. 2153.306. DETERMINATION HEARING. (a) An applicant for a license or registration certificate or a license or registration certificate holder is entitled to not less than 20 days' written notice and, if requested, a hearing in the following instances:

(1) after an application for an original or renewal license or registration certificate has been refused;

(2) before the comptroller may revoke a license or registration certificate; and

(3) before the comptroller may impose any other sanction under this chapter other than the sealing of a machine.

(b) Written notice required by Subsection (a) may:

(1) be personally served by the comptroller or the comptroller's authorized representative;

(2) be sent by United States certified mail addressed to the last known address of the applicant or license or registration certificate holder; or

(3) if, after due diligence, notice cannot be given as provided by Subdivision (1) or (2), be given by any reasonable method of notice prescribed by the comptroller calculated to inform a person of average intelligence and prudence in the conduct of the person's affairs, including publishing notice in a newspaper of general circulation in the area in which the applicant or license or registration holder conducts the person's business activities. (V.A.C.S. Art. 8817, Secs. 20(2), 22.)

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

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

HB 3157 (Harris) Relating to the adoption of a nonsubstantive revision of statutes relating to public securities, including conforming amendments, repeals, and penalties. (30-0) (30-0)

HB 3271 (Harris) Relating to the coordination of child support collection and parent location functions of certain state agencies. (30-0) (30-0)

HB 3319 (Bivins) Relating to the approval of certain construction projects by the Texas Higher Education Coordinating Board. (30-0) (30-0)

HB 3591 (Wentworth) Relating to the addition of land to a defined area of a water control and improvement district. (30-0) (30-0)

HB 3790 (Madla) Relating to the ability of an employee of a public housing authority to participate in certain contracts or agreements for housing assistance. (30-0) (30-0)

HCR 23 (Haywood) Requesting the United States Fish and Wildlife Service to consider the economic impact of the double-crested cormorant on sport fishing. (viva voce vote)

HCR 31 (Cain) Proclaiming Commerce the Official Bois d'Arc Capital of Texas. (viva voce vote)

HCR 179 (Armbrister) Declaring Gonzales to be the "Lexington of Texas." (viva voce vote)

SB 329 (Haywood) Relating to the date on which certain tax payments are due. (30-0) (30-0)

Senator Haywood offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 329**, Section 6. (a) by deleting "1999" and inserting "2001" in its place.

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

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

CSSB 659 (Cain) Relating to authorizing certain state agencies and state employees to participate in charitable activities. (30-0) (30-0)

SB 694 (Cain) Relating to the written notice of the appraised value of property for ad valorem tax purposes delivered by a chief appraiser to the property owner. (30-0) (30-0)

Senator Cain offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 694** as follows:

On page 1, lines 9-10, insert "clear and understandable" between the word "a" and the word "written".

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

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

CSSB 875 (Shapiro) Relating to the financial accountability of school districts. (30-0) (30-0)

CSSB 983 (Madla) Relating to a branch office of a home health or personal assistance services agency. (30-0) (30-0)

CSSB 1207 (Cain) Relating to the Texas State Board of Medical Examiners and the licensure of physicians; appropriating fees and providing penalties. (30-0) (30-0)

SB 1364 (Harris) Relating to out-of-state political committees. (30-0) (30-0)

Senator Harris offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 1364** by adding a new SECTION 2 to read as follows:

"Section 253.032, Election Code, is amended by adding subsections (f) and (g):

(f) Notwithstanding Section 253.003 or any other section of Title 15, Election Code, a candidate, officeholder or political committee shall not violate any provision of Title 15, Election Code, by accepting any contribution or transfer from any out-of-state political committee, regardless of such out-of-state political committee's compliance with any reporting requirement of Title 15, Election Code.

(g) Out-of-state persons, including but not limited to out-of-state political committees, that make contributions or transfers of funds to a political party pursuant to Section 253.104 or Section 257.002 are exempt from the reporting requirements of this Title."

(h) Any federally-registered out-of-state political committee that contributes to a Texas candidate may satisfy the reporting requirements of Title 15, Election Code, by:

(1) Filing with the commission a copy of its federal registration (Federal Election Commission Form 1 - Statement of Organization); and

(2) Filing with the commission a copy of the committee's most recently filed Federal Election Commission finance report (Federal Election Commission Form 3 — Report of Receipts and Disbursements) when a contribution is made to a Texas candidate or committee.

Renumber the subsequent sections appropriately.

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

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

SB 1520 (Madla) Relating to the authority of certain cities, counties, districts, authorities, agencies, and nonprofit corporations to enter into lease-leaseback transactions. (30-0) (30-0)

SB 1890 (Madla) Relating to voter eligibility in Maverick County Water Control and Improvement District No. 1. (30-0) (30-0)

SCR 68 (Armbrister) Creating a interim study committee to coordinate emergency efforts during floods and other natural disasters. (viva voce vote)

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator Nixon 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 11:02 a.m. adjourned, in memory of Dr. Américo Paredes of Austin, Zachary B. Bell, and Willie Lee Campbell Glass of Tyler, until 1:30 p.m. today.

SIXTY-SEVENTH DAY

MONDAY, MAY 10, 1999

PROCEEDINGS

The Senate met at 1:30 p.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, Harris, Haywood, Jackson, Lindsay, Lucio, Madla, Moncrief, Nixon, Ogden, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

Absent-excused: Bernsen, Luna, Nelson.

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

The Reverend Dr. James L. Mayfield, Senate Chaplain, offered the invocation as follows:

God, bless the women and men of this Senate as they invest their energies on legislation for the people of this state. Bring out the best in each of them. Make them sensitive to what they know in their hearts is right. Protect each of them from temptations to do less than their best. Give each of them the wisdom and patience, the compassion and courage they need to be the persons and the Senators You want them to be.

And, God, You know the personal needs and concerns of each of these Senators, the members of their staffs, and all the persons who work in this place. We pray for each of them and their families. May each of them be able to draw upon the resources You are providing so that they will have the healing, hope, and strength they need in order for each of them to live as You intend them to live. Trusting You and Your love, we pray. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 7, 1999, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

On motion of Senator Brown, Senator Bernsen was granted leave of absence for today on account of important business.

On motion of Senator Barrientos, Senator Luna was granted leave of absence for today on account of illness.

On motion of Senator Zaffirini, Senator Nelson was granted leave of absence for today on account of important business.

CO-AUTHOR OF SENATE BILL 876

On motion of Senator Shapiro and by unanimous consent, Senator Shapleigh will be shown as Co-author of **SB 876**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 4

On motion of Senator Madla and by unanimous consent, Senator Shapleigh will be shown as Co-author of **SJR 4**.

CAPITOL PHYSICIAN

Senator Brown was recognized and presented Dr. J. C. Burns of West Columbia as the "Doctor for the Day."

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

PERMISSION TO INTRODUCE BILLS

On motion of Senator Truan and by unanimous consent, Senate Rule 7.07(b) and Section 5, Article III of the Texas Constitution were suspended to permit the introduction of the following bills: **SB 1908, SB 1909**.

GUESTS PRESENTED

Senator Truan was recognized and introduced to the Senate members of the Senior Orchestra of Corpus Christi.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Moncrief was recognized and introduced to the Senate representatives of area nursing centers.

The Senate welcomed its guests.

SENATE BILL ON FIRST READING

The following bill was introduced, read first time, and referred to the committee indicated:

SB 1909 by Truan, Ratliff

Relating to the authority of a municipality to use a design-build contract for public improvement projects and facilities.

To Committee on Intergovernmental Relations.

HOUSE BILLS AND RESOLUTION ON FIRST READING

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

HB 804 to Committee on Finance.

HB 2011 to Committee on Education.

HB 2124 to Committee on Jurisprudence.

HB 2896 to Committee on Health Services.

HCR 109 to Committee on Administration.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
May 7, 1999

TO THE SENATE OF THE SEVENTY-SIXTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE MEMBERS OF THE LOWER COLORADO RIVER AUTHORITY BOARD OF DIRECTORS:

For a term to expire February 1, 2003

Ann E. Jones
104 Lake Drive
Brownwood, Texas 76801
(filling the unexpired term of
John J. Weidner of Brownwood who resigned)

For terms to expire February 1, 2005

David L. Kithil
HC4 Box 40
Marble Falls, Texas 78654
(replacing Michael Lucksinger
of Burnet whose term expired)

Robert W. Lambert
P.O. Box 8628
Horseshoe Bay, Texas 78657
(replacing Dr. Richard Arellano of
Llano whose term expired)

F. Scott LaGrone
104 Blue Sky Court
Georgetown, Texas 78628
(replacing Pix D. Howell of Austin
who resigned)

John H. Matthews
P.O. Box 784
Eagle Lake, Texas 77434
(replacing George Cason of
Eagle Lake whose term expired)

Rosemary Ann Rust
616 Bob-O-Link Lane
Wharton, Texas 77488
(replacing I. O. Coleman, Jr.
of Bay City whose term expired)

TO BE A MEMBER OF THE TEXAS STRUCTURAL PEST CONTROL BOARD
for a term to expire February 1, 2005:

Madeline K. Gamble
3418 Willowcrest Lane
Dallas, Texas 75233
(reappointment)

TO BE A MEMBER OF THE STATE BOARD OF DENTAL EXAMINERS for a
term to expire February 1, 2005:

Karen Flo Hembry, Ph.D.
816 Blaylock Drive
Dallas, Texas 75203
(replacing Felipe Reyna of Waco
whose term expired)

TO BE A MEMBER OF THE LAVACA-NAVIDAD RIVER AUTHORITY BOARD
OF DIRECTORS for a term to expire May 1, 2005:

Robert Michael "Mike" Myers
410 Brackenridge
Edna, Texas 77957
(reappointment)

TO BE A MEMBER OF THE STATE SECURITIES BOARD for a term to expire
January 20, 2005:

Kenneth W. Anderson, Jr.
3612 Asbury
Dallas, Texas 75205
(replacing Dan R. Waller of
Dallas whose term expired)

TO BE MEMBERS OF THE TEXAS DIABETES COUNCIL for terms to expire
February 1, 2005:

Belinda Bazán-Lara
4926 Brandeis
San Antonio, Texas 78249
(replacing Cheryl Porter of
Midland whose term expired)

Judith E. Lowe Haley
13158 Kimberley Lane
Houston, Texas 77079
(reappointment)

Richard S. Hayley
6649 Mountainwood
Corpus Christi, Texas 78413
(reappointment)

Mike Thompson, Jr.
2710 Grennock Drive
Austin, Texas 78745
(replacing Philip L. Ricks
of San Antonio whose term expired)

TO BE A MEMBER OF THE BOARD OF REGENTS OF TEXAS WOMAN'S UNIVERSITY for a term to expire February 1, 2005:

Linda R. Hughes, M.D.
7220 Cliffbrook Drive
Dallas, Texas 75240
(will be filling the unexpired
term of Sheila Whitaker-Kellagher
of Dallas who resigned)

TO BE A MEMBER OF THE STATE BOARD OF BARBER EXAMINERS for a term to expire January 31, 2005:

William "Kirk" Kuykendall
10809 Redmont Cove
Austin, Texas 78739
(reappointment)

Respectfully submitted,

/s/George W. Bush
Governor

GUESTS PRESENTED

Senator Duncan was recognized and introduced to the Senate Marsha Sharp, coach of the Texas Tech University Lady Raiders basketball team, and senior players, Cara Gibbs, Rene Hanebutt, and Julie Lake, accompanied by faculty members of Texas Tech University.

The Senate welcomed its guests.

(Senator Jackson in Chair)

(President in Chair)

HOUSE BILL 1516 REREFERRED

Senator Armbrister submitted a Motion In Writing requesting that **HB 1516** be withdrawn from the Committee on Jurisprudence and rereferred to the Committee on Criminal Justice.

The Motion In Writing prevailed without objection.

SENATE BILL 894 WITH HOUSE AMENDMENT

Senator Ogden called **SB 894** 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.

Floor Amendment No. 1 on Third Reading

Amend **SB 894** on third reading by adding an appropriately numbered SECTION to read as follows and by renumbering existing SECTIONS accordingly:

SECTION __. Section 39.04, Penal Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) An employee of the Texas Department of Criminal Justice commits an offense if the employee engages in sexual contact, sexual intercourse, or deviate sexual

intercourse with an individual who is not the employee's spouse and who the employee knows is under the supervision of the department but not in the custody of the department.

(g) An offense under Subsection (f) is a state jail felony.

The amendment was read.

On motion of Senator Ogden, the Senate concurred in the House amendment to **SB 894** by a viva voce vote.

HOUSE BILL 1702 REREFERRED

Senator Bivins submitted a Motion In Writing requesting that **HB 1702** be withdrawn from the Committee on State Affairs and rereferred to the Committee on Education.

The Motion In Writing prevailed without objection.

SENATE BILL 744 WITH HOUSE AMENDMENT

Senator Shapleigh called **SB 744** 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.

Floor Amendment No. 1

Amend **SB 744** on page 1, line 11, after "attorney" and insert "when the attorney is requesting information that is subject to disclosure under this chapter".

The amendment was read.

Senator Shapleigh moved to concur in the House amendment to **SB 744**.

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

Absent-excused: Bernsen, Luna, Nelson.

CONCLUSION OF MORNING CALL

The President at 2:12 p.m. announced the conclusion of morning call.

(Senator Truan in Chair)

COMMITTEE SUBSTITUTE

SENATE BILL 229 ON SECOND READING

On motion of Senator Ellis 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 229, Relating to the collection of certain fines, court costs, and restitution in criminal cases.

The bill was read second time.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 229** as follows:

On page 1, lines 31-32, Subsection (c), strike "the last day of the first month following each calendar quarter" and restore "monthly"

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

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 229** as follows:

(1) In SECTION 1 of the bill, strike the introductory language (Committee Printing page 1, lines 13-15) and substitute the following:

SECTION 1. Section 51.921, Government Code, is amended by amending Subsections (a) and (c) and adding Subsection (f) to read as follows:

(2) In SECTION 1 of the bill, strike amended Section 51.921(d), Government Code (Committee Printing page 1, lines 34-43).

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

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 229**, adding an appropriately numbered SECTION to read as follows:

"SECTION _____. This Act takes effect only if a specific appropriation for the implementation of this Act is provided in **HB 1** (General Appropriations Act), Acts of the 76th Legislature, Regular Session, 1999. If no specific appropriation is provided in **HB 1**, the General Appropriations Act, this Act has no effect."

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

On motion of Senator Ellis 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 a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 229 ON THIRD READING**

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 229** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna, Nelson.

CSSB 229 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 4 ON SECOND READING**

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

CSSJR 4, Proposing a constitutional amendment to allow the voters of El Paso County to adopt a charter that restructures and empowers the county government,

that consolidates each municipality located completely in the county, and that allows the integration of the county government with certain other political subdivisions located, in whole or in part, in the county.

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

Nays: Duncan.

Absent-excused: Bernsen, Luna, Nelson.

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

RECORD OF VOTE

Senator Duncan asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 4 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 **CSSJR 4** be placed on its third reading and final passage.

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

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Ellis, Fraser, Gallegos, Harris, Haywood, Jackson, Lindsay, Lucio, Madla, Moncrief, Nixon, Ogden, Ratliff, Shapiro, Shapleigh, Sibley, Truan, West, Whitmire, Zaffirini.

Nays: Duncan, Wentworth.

Absent-excused: Bernsen, Luna, Nelson.

CSSJR 4 was read third time and was passed by the following vote: Yeas 27, Nays 1.

Nays: Duncan.

Absent-excused: Bernsen, Luna, Nelson.

SENATOR ANNOUNCED PRESENT

Senator Nelson, who had previously been recorded as "Absent-excused," was announced "Present."

SENATE BILL 1464 ON SECOND READING

On motion of Senator Cain 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 1464, Relating to the appraisal of furniture, fixtures, and equipment for ad valorem tax purposes.

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

SENATE BILL 1464 ON THIRD READING

Senator Cain moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1464** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

SB 1464 was read third time and was passed by a viva voce vote.

HOUSE BILL 1376 ON SECOND READING

On motion of Senator Carona 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:

HB 1376, Relating to the notice provided to an owner of a vehicle towed to a vehicle storage facility.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1376** as follows:

(1) In SECTION 1 of the bill, strike Subsection (f), Section 13, Vehicle Storage Facility Act (Article 6687-9a, Revised Statutes), as amended by the bill (Senate committee report, page 1, lines 55-60), and substitute the following:

(f) Notice by publication under Subsection (e) of this section is not required if all correctly addressed notices sent with sufficient postage under Subsection (a) or (b) of this section are returned because:

(1) the notices were unclaimed or refused; or

(2) the addressees moved without leaving a forwarding address.

(2) In SECTION 1 of the bill, Subsection (j), Section 13, Vehicle Storage Facility Act (Article 6687-9a, Revised Statutes), as amended by the bill (Senate committee report, page 2, lines 11 and 12), strike "31st [~~61st~~]" and substitute "61st".

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

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 1376** as follows:

(1) In SECTION 1 of the bill, in the first line of Subsection (d), Section 13, Vehicle Storage Facility Act (Article 6687-9a, Revised Statutes), as amended by the bill (Senate committee report, page 1, line 32), between "be" and "sent", insert the following: "correctly addressed, with sufficient postage.".

(2) In SECTION 1 of the bill, strike Subsection (e), Section 13, Vehicle Storage Facility Act (Article 6687-9a, Revised Statutes), as amended by the bill (Senate committee report, page 1, lines 46-54), and substitute the following:

(e) Notice by publication in a newspaper of general circulation in the county in which the vehicle is stored may be used if:

- (1) the vehicle is registered in another state;
- (2) the operator of the storage facility submits a written request that is correctly addressed, with sufficient postage, and is sent by certified mail, return receipt requested, to the governmental entity in which the vehicle is registered requesting information relating to the identity of the last known registered owner and any lienholder of record;
- (3) the identity of the last known registered owner cannot be determined;
- (4) the registration does not contain an address for the last known registered owner; and
- (5) the operator of the storage facility cannot reasonably determine the identity and address of each lienholder.

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

On motion of Senator Carona 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 third reading by a viva voce vote.

HOUSE BILL 1376 ON THIRD READING

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1376** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

HB 1376 was read third time and was passed by a viva voce vote.

(President in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 1353 ON SECOND READING

On motion of Senator Barrientos 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 1353, Relating to the regulation of the practice of software engineering.

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

COMMITTEE SUBSTITUTE SENATE BILL 1353 ON THIRD READING

Senator Barrientos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1353** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

CSSB 1353 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
HOUSE BILL 381 ON SECOND READING**

On motion of Senator Truan 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:

CSHB 381, Relating to rights of survivorship transfer of a motor vehicle or manufactured home.

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 381 ON THIRD READING**

Senator Truan moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 381** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

CSHB 381 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 168 ON SECOND READING**

On motion of Senator Armbrister 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 168, Relating to the provision of electric transmission services by a river authority.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 168 ON THIRD READING**

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 168** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

CSSB 168 was read third time and was passed by a viva voce vote.

**VOTE RECONSIDERED ON
COMMITTEE SUBSTITUTE SENATE BILL 168**

On motion of Senator Armbrister and by unanimous consent, the vote by which **CSSB 168** was finally passed was reconsidered.

Question—Shall **CSSB 168** be finally passed?

CSSB 168 was finally passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Bernsen, Luna.

HOUSE BILL 565 ON SECOND READING

On motion of Senator Lucio 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:

HB 565, Relating to the use of state research and technology funds on environmental issues in the border region.

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

HOUSE BILL 565 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 565** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

HB 565 was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Bernsen, Luna.

HOUSE BILL 1462 ON SECOND READING

On motion of Senator Shapiro 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:

HB 1462, Relating to the notification of certain persons of the marriage of the person's former spouse.

The bill was read second time.

Senator Shapiro offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 1462** in SECTION 1 of the bill, in amended Section 153.076, Family Code (house engrossment, page 2, between lines 3 and 4), by inserting a new Subsection (d) to read as follows:

(d) A person commits an offense if the person fails to provide notice in the manner required by Subsections (b) and (c). An offense under this subsection is a Class C misdemeanor.

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

Senator Brown offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1462** as follows:

(1) In SECTION 1 of the bill, in added Section 153.076(b), Family Code (senate committee printing page 1, line 28), strike "marries or intends to marry" and substitute "resides with for at least 30 days, marries, or intends to marry".

(2) In SECTION 1 of the bill, in added Section 153.076(c), Family Code (senate committee printing page 1, line 38), between "date" and "the marriage" insert "the person begins to reside with the parent or the date".

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

On motion of Senator Shapiro 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 third reading by a viva voce vote.

HOUSE BILL 1462 ON THIRD READING

Senator Shapiro moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1462** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

HB 1462 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1615 ON SECOND READING**

On motion of Senator Lucio 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 1615, Relating to the creation and operation of health services districts; granting the power of eminent domain and the authority to issue bonds.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1615** of the bill (Committee Printing, page 5, lines 12 through 39) by striking Sections 287.079 and 287.080 and renumbering the subsequent sections accordingly.

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

On motion of Senator Lucio 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 a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1615 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1615** be placed on its third reading and final passage.

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

Nays: Wentworth.

Absent-excused: Bernsen, Luna.

CSSB 1615 was read third time and was passed by a viva voce vote.

SENATE BILL 1129 WITH HOUSE AMENDMENT

Senator Armbrister called **SB 1129** 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.

Floor Amendment No. 1

Amend **SB 1129** in SECTION 19 of the bill, at the end of amended Section 843.601, Government Code (house committee report, page 23, between lines 17 and 18), by adding the following:

(g) The governing body of a subdivision that has authorized the establishment of credited service for military service as provided by this section and also has adopted the plan provisions of Section 844.210 may authorize a reduction in the minimum credited service requirement for eligibility to establish credit under this section from 10 to 8 years.

The amendment was read.

Senator Armbrister moved that the Senate do not concur in the House amendment, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the conference committee on **SB 1129** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Armbrister, Chair; Madla, Brown, Lucio, and Lindsay.

SENATE BILL 184 WITH HOUSE AMENDMENT

Senator Barrientos called **SB 184** 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.

Amendment

Amend **SB 184** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to the student loan program administered by the Texas Higher Education Coordinating Board; authorizing the issuance of bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 52.01, Education Code, is amended to read as follows:

Sec. 52.01. ADMINISTRATION. The Texas Higher Education Coordinating Board, or its successors, shall administer the student loan program authorized by this chapter pursuant to Article III, Sections 50b, 50b-1, 50b-2, 50b-3, ~~and~~ 50b-4, and 50b-5 of the Texas Constitution. Personnel and other expenses required to properly administer this chapter shall be funded by:

- (1) the general appropriations acts; or
- (2) any other source of revenue received by the board in connection with the operation of the student loan program.

SECTION 2. Section 52.501(4), Education Code, is amended to read as follows:

(4) "Bond" means a general obligation bond issued by the board under Article III, Section 50b, 50b-1, 50b-2, 50b-3, ~~or~~ 50b-4, or 50b-5 of the Texas Constitution.

SECTION 3. Section 52.81(2), Education Code, is amended to read as follows:

(2) "Bond" means a general obligation bond issued by the board under Article III, Section 50b-3, ~~or~~ 50b-4, or 50b-5 of the Texas Constitution.

SECTION 4. Section 52.82(a), Education Code, is amended to read as follows:

(a) The board may by resolution authorize the issuance of general obligation bonds in total aggregate amounts not to exceed:

- (1) \$300 million under Section 50b-3, Article III, Texas Constitution; ~~and~~
- (2) \$300 million under Section 50b-4, Article III, Texas Constitution; and
- (3) \$400 million under Section 50b-5, Article III, Texas Constitution.

SECTION 5. Section 52.87, Education Code, is amended to read as follows:

Sec. 52.87. MANDAMUS. The performance of official duties prescribed by this subchapter and Article III, Sections 50b-3, ~~and~~ 50b-4, and 50b-5 of the Texas Constitution, in reference to the payment of the bonds, may be enforced in a court of competent jurisdiction by mandamus or other appropriate proceedings.

SECTION 6. This Act takes effect on the date on which the constitutional amendment proposed by the 76th Legislature, Regular Session, 1999, providing for the issuance of \$400 million in general obligation bonds to finance educational loans to students takes effect. If that amendment is not approved by the voters, this Act has no effect.

SECTION 7. 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 according to its terms, and it is so enacted.

The amendment was read.

Senator Barrientos moved to concur in the House amendment to **SB 184**.

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

Absent-excused: Bernsen, Luna.

SENATE RULE 11.18 SUSPENDED
(Posting Rule)

On motion of Senator Nelson and by unanimous consent, Senate Rule 11.18 was suspended in order that the Committee on Health Services might consider **HB 2636** tomorrow.

SENATE RULE 11.18 SUSPENDED
(Posting Rule)

On motion of Senator Armbrister and by unanimous consent, Senate Rule 11.18 was suspended in order that the Committee on Criminal Justice might consider **HB 1516** today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Brown and by unanimous consent, Senate Rule 11.10 and Senate Rule 11.18 were suspended in order that the Committee on Natural Resources might meet and consider the following bills today:

SB 1403, HB 1845, HB 2619, HB 3793.

SENATE RULE 11.18 SUSPENDED
(Posting Rule)

On motion of Senator Sibley and by unanimous consent, Senate Rule 11.18 was suspended in order that the Committee on Economic Development might consider the following bills tomorrow:

HB 1687, HB 1058, HB 3041, HB 3042, HB 2284.

SENATE RULE 11.18 SUSPENDED
(Posting Rule)

On motion of Senator Harris and by unanimous consent, Senate Rule 11.18 was suspended in order that the Committee on Administration might consider **HB 3815** tomorrow.

BILLS AND RESOLUTIONS SIGNED

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

SB 254, SB 422, SB 494, SB 691, SB 769, SB 891, SB 1307, SB 1558, SB 1755, SJR 16, HB 1174, HB 1209, HB 1254, HB 1373, HB 2067, HB 2719, HB 3561, HCR 245.

MEMORIAL RESOLUTIONS

SR 916 - by Luna: In memory of John J. Santos, Jr., of San Antonio.

SR 920 - by Whitmire: In memory of the life of Petra Mendiola Cruz.

SR 924 - by Cain: In memory of the life of Rayburn L. Shipp of Hunt County.

WELCOME AND CONGRATULATORY RESOLUTIONS

SR 895 - by Ogden, Cain: Congratulating the Round Rock Shockers girls softball team.

SR 896 - by Ellis: Congratulating Khomotso Ngwaheng.

SR 897 - by Ellis: Congratulating Jonathan O'Neal.

SR 898 - by Ellis: Congratulating Kamarah Scott.

SR 899 - by Ellis: Congratulating Khelan Bhatia.

SR 900 - by Ellis: Congratulating Jonathan Bernstein of the Anti-Defamation League.

SR 901 - by Ellis: Congratulating Jeffrey Shoss of Houston.

SR 902 - by Ellis: Congratulating Shirley Collins.

SR 903 - by Ellis: Congratulating Lynn White.

SR 904 - by Ellis: Congratulating Eronda Johnson.

SR 905 - by Ellis: Congratulating Lisa Linney.

SR 906 - by Ellis: Congratulating Chantal King.

SR 907 - by Ellis: Congratulating Jason Spitz of Houston.

SR 908 - by Ellis: Congratulating Aaron Rosenberg of Houston.

SR 909 - by Ellis: Congratulating Laura Ruiz.

SR 910 - by Lindsay: Congratulating Ryan Lanier of Houston.

SR 912 - by Luna: Congratulating Barton Escamilla of San Antonio.

SR 913 - by Luna: Congratulating David Lopez, Jr.

SR 914 - by Luna: Congratulating Tzintzuni I. Garcia of San Antonio.

SR 915 - by Luna: Congratulating Michael J. De La Vega of San Antonio.

SR 917 - by Barrientos: Welcoming Becky Hooper and the students from Kealing Junior High School in Austin to the State Capitol.

SR 918 - by Barrientos: Congratulating Santiago De La Rosa of Austin.

SR 919 - by Whitmire: Congratulating John Painter of Houston.

SR 921 - by Barrientos: Congratulating Travis Scott Banks of Pflugerville.

SR 922 - by Barrientos: Congratulating the Bonham School.

SR 925 - by Haywood: Congratulating Reginald Blow of Wichita Falls.

HCR 21 - (Sibley): Congratulating Roy A. Roberts on the occasion of his retirement from the Brazos River Authority.

HCR 51 - (Bivins): Honoring Dr. Jack Christie for his fine work for the State Board of Education.

HCR 208 - (Shapiro): Honoring Zig Ziglar.

HCR 262 - (Brown): Honoring Julie MacLemore for her service to the Presbytery of New Conventant.

MISCELLANEOUS RESOLUTIONS

HCR 255 - (Jackson): Designating May 17-22, 1999, as United Kingdom Trade Mission to Clear Lake Week in Texas.

HCR 263 - (Shapleigh): Recognizing May 7, 1999, as Kids Day in El Paso.

ADJOURNMENT

On motion of Senator Truan, the Senate at 3:08 p.m. adjourned until 10:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Senate:

May 10, 1999

CRIMINAL JUSTICE — **HB 127, HB 1112, HB 1603, HB 3294, HB 1363, HB 681, HB 912, HB 128, HB 1749, HB 2593, HB 1723, HB 1318, HB 1162, CSHB 2925, HB 1713** (Amended)

INTERGOVERNMENTAL RELATIONS — **SB 429, CSHB 2684**

ADMINISTRATION — **HB 3091** (Amended), **HB 1368** (Amended)

NATURAL RESOURCES — **SB 1901, HB 2199, HB 2, HB 2303, HB 1069, HB 2597, HB 1494, HB 3288**

STATE AFFAIRS — **CSHB 676, CSHB 1147, HB 1380** (Amended), **HB 1865** (Amended), **HB 1976** (Amended), **HB 2461** (Amended), **CSSB 129, SB 193** (Amended), **CSSB 543, CSSB 628, CSSB 1598, SB 1677** (Amended)

NATURAL RESOURCES — **HB 2599** (Amended), **HB 2965** (Amended), **HB 3330** (Amended), **HB 1592** (Amended)

STATE AFFAIRS — **HB 595, HB 362** (Amended), **CSHB 1895, CSHB 3092, CSSB 1785**

HEALTH SERVICES — **CSSB 1889, CSSB 1891**

FINANCE — **HJR 58, HB 541, HB 958, HB 1799, HB 1879, HB 3600**

CRIMINAL JUSTICE — **HB 424** (Amended), **CSHB 2617, SB 1885** (Amended)

SENT TO GOVERNOR

May 10, 1999

SB 142, SB 334, SB 343, SB 448, SB 598, SB 710, SB 1114, SB 1155, SB 1236, SB 1509, SB 1555, SB 1560, SB 1627, SB 1684, SCR 69