

# HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

FORTIETH DAY (CONTINUED) — THURSDAY, MARCH 25, 1993

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

The roll of the house was called and a quorum was announced present (Record 114).

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

Absent, Excused — Horn; Moreno; Park; Pitts; Rangel; Solis.

Absent — Berlanga; Cain; Granoff; Hudson; James; Smith, D.; Smithee.

The invocation was offered by Reverend Ron Smedley, Wineyard Christian Fellowship of Grand Prairie, Texas.

### LEAVES OF ABSENCE GRANTED

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

Rangel on motion of Raymond.

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

Moreno on motion of Rodriguez.

Pitts on motion of Jackson.

Horn on motion of Harris.

Solis on motion of Gutierrez.

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

Park on motion of Mowery.

#### CAPITOL PHYSICIAN

Speaker Laney presented Dr. Karen Shrader of Kemp, Texas, as the "Doctor for the Day."

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

#### MESSAGE FROM THE SENATE

Austin, Texas, March 25, 1993

The Honorable Speaker of the House of Representatives  
House Chamber

The Honorable  
Mr. Speaker:

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

**SCR 61** by Armbrister, permitting the burial of Joyce Helen Cory . . . in the state cemetery.

**SCR 62** by Ratliff, directing the Preservation Board to include . . . a permanent exhibit . . . in tribute to children.

**SB 40** by Sibley, relating to hearsay statement of a child. . . .

**SB 377** by Haley, relating to regulation of certain telecommunications. . . .

**SB 452** by Rosson, relating to regulation and operation of tow trucks. . . .

**SB 467** by Sims, relating to civil penalties. . . .

**SB 610** by Henderson, relating to composition of a county bail bond board.

**SB 1074** by Parker, relating to required lights . . . on a vessel. . . .

**HB 288** by De La Garza, relating to criminal trespass. . . . (amended)

Respectfully,  
Betty King  
Secretary of the Senate

#### SIGNED BY SPEAKER

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

**SB 310, SCR 57**

#### HR 458 - ADOPTED

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time, **HR 458**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Alonzo:

**HR 458**, Congratulating Robert David Adame and Deborah Ann Aviles on the occasion of their wedding.

The resolution was adopted without objection.

**HR 459 - ADOPTED**

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time, **HR 459**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Alonzo:

**HR 459**, Honoring the Cockrell Hill Public Library on the occasion of its grand opening.

The resolution was adopted without objection.

**HR 460 - ADOPTED**

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time, **HR 460**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Alonzo:

**HR 460**, Commending the Multi-Ethnic Heritage Foundation's third annual multicultural mask making competition.

The resolution was adopted without objection.

**HOUSE BILLS ON FIRST READING**

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

By Gallego:

**HB 2816**, A bill to be entitled An Act relating to the creation, administration, powers, duties, operations, financing, and organization of the Middle Rio Grande Solid Waste Management District; granting the authority to issue revenue bonds.

To Committee on Natural Resources.

By Gallego:

**HB 2817**, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Presidio County Underground Water Conservation District.

To Committee on Natural Resources.

By Gallego:

**HB 2818**, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Pecos County Underground Water Conservation District.

To Committee on Natural Resources.

### SENATE BILLS ON FIRST READING

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

- SB 97** to Committee on Investments and Banking.
- SB 104** to Committee on Public Education.
- SB 149** to Committee on Public Safety.
- SB 232** to Committee on Judicial Affairs.
- SB 391** to Committee on Urban Affairs.
- SB 533** to Committee on State Affairs.
- SB 579** to Committee on Higher Education.
- SB 591** to Committee on Higher Education.
- SB 637** to Committee on Higher Education.
- SB 640** to Committee on Higher Education.
- SB 671** to Committee on Appropriations.

### SENATE JOINT RESOLUTION ON FIRST READING

The following senate joint resolution was today laid before the house, read first time, and referred to committee:

- SJR 14** to Committee on State Affairs.

### RESOLUTIONS REFERRED TO COMMITTEE

The following resolutions were laid before the house and referred to committee:

**SCR 58**, Expressing appreciation to Carlton Van Doren for his 25 years of service to the people of the State of Texas.  
To Committee on Rules and Resolutions.

**SCR 59**, Expressing sincere appreciation to Leslie M. Reid for his 28 years of service to the people of the State of Texas.  
To Committee on Rules and Resolutions.

**SCR 60**, Expressing sincere appreciation to Dr. Louis Hodges for his 25 years of service to the people of Texas.  
To Committee on Rules and Resolutions.

(Speaker pro tempore in the chair)

### CONGRATULATORY AND MEMORIAL CALENDAR

The chair laid before the house the following memorial resolutions:

By Willis:

**HR 397**, In memory of Gilbert Garcia.

By Alexander:

**HR 407**, Honoring the memory of Dr. William David (Bill) Pittman.

The resolutions were unanimously adopted by a rising vote.

On motion of Representative G. Thompson, the names of all the members of the house were added to **HR 397** and **HR 407** as signers thereof.

The chair laid before the house the following congratulatory resolutions:

**SCR 44** (Smithee - House Sponsor), Paying tribute to the Amarillo High School Lady Sandies and their coaches for winning the 1993 Class 5A girls state basketball championship.

**SCR 54** (Maxey - House Sponsor), Joining the congregation of San Jose Parish in expressing appreciation to the Reverend O. Fred Underwood C.S.C. on his contributions to the Austin community.

**HCR 73** was withdrawn.

By Denton:

**HCR 96**, Commending the participants in the 1993 Texas Justice of the Peace and Constable Association convention.

By Sadler:

**HR 157**, Welcoming McKamie Claryse Place as a new citizen of Texas and congratulating Representative and Mrs. Allen D. Place, Jr., on the birth of their daughter.

By Shields:

**HR 398**, Commending George B. Pierce for his service in the House of Representatives.

By Gallegos:

**HR 406**, Commending Alvin David Bagget for his contributions to Galena Park as mayor.

The resolutions were adopted without objection.

The chair laid before the house the following memorial motions:

By Finnell:

**HMM 1**, Paying tribute to the life of Linda Louise Craft of Jacksboro, Texas.

By Holzheuser:

**HMM 2**, Paying tribute to the life of Sister M. Francis Baass.

By Stiles:

**HMM 4**, Paying tribute to the life of J. O. Crooke.

The motions were unanimously adopted by a rising vote.

The chair laid before the house the following congratulatory motions:

By Swinford:

**HCM 1**, Recognizing Landon Clay Gheer on achieving the rank of Eagle Scout.

By Swinford:

**HCM 2**, Recognizing Neal Lee Weeg on his achievement of the rank of Eagle Scout.

By Driver:

**HCM 3**, Congratulating Anthony Todd Clark on achieving the rank of Eagle Scout.

By B. Turner:

**HCM 4**, Congratulating Virgil C. Gray on the occasion of his retirement.

By B. Turner:

**HCM 5**, Congratulating Valree Evans on the occasion of her retirement.

By S. Turner:

**HCM 6**, Congratulating Pedro A. Rubio, M.D., Ph.D., on his election as world president of the International College of Surgeons.

By Schechter:

**HCM 7**, Commending "HIPPY" Home Instruction Program for Preschool Youngsters.

By Krusee:

**HCM 8**, Recognizing Marie Wehby on the occasion of her 100th birthday.

By Alexander:

**HCM 9**, Designating March 9, 1993, to be Athens Day at the Capitol.

By Rabuck:

**HCM 10**, Congratulating the Conroe Boys' Basketball Team.

By Rabuck:

**HCM 11**, Congratulating the Conroe Girls' Basketball Team.

By Oakley:

**HCM 12**, Congratulating the Celeste High Schools Girls Basketball Team.

By Holzheuser:

**HCM 14**, Congratulating B. F. Erskine on the occasion of his retirement.

By Holzheuser:

**HCM 15**, Congratulating Dalton G. "Dutch" Meyer on the occasion of his retirement.

By Holzheuser:

**HCM 16**, Congratulating Mr. and Mrs. Edwin Chovanetz.

By Holzheuser:

**HCM 17**, Congratulating Dave Swickheimer and Ms. Georgia Lee Swickheimer.

By Holzheuser:

**HCM 18**, Congratulating members of the Pastucha Family.

**HCM 19** was previously adopted.

By De La Garza:

**HCM 20**, Congratulating Adrian Flores.

By Shields:

**HCM 21**, Congratulating Donn Edward Edgington, Jr., for being awarded rank of Eagle Scout.

By Flores:

**HCM 22**, Congratulating Ms. Iris Rodriguez for becoming the first Hispanic woman to become a City of Houston firefighter.

By Flores:

**HCM 23**, Commending the Houston "Go Tejano" committee.

By Stiles:

**HCM 24**, Congratulating Beaumont State Center on their 25th Anniversary.

By Averitt:

**HCM 25**, Commending The Limestone Project Employee's Fund, Inc.

By Bomer:

**HCM 26**, Recognizing the City of Jacksonville.

By Yarbrough:

**HCM 27**, Congratulating the Houston Livestock Show and Rodeo and recognizing their efforts for the youth of Texas.

By McCall:

**HCM 28**, Congratulating Shepard, Wells, Huffman, and Saigling Elementary Schools.

By McCall:

**HCM 29**, Recognizing Solomon Schechter Academy.

By McCall:

**HCM 30**, Congratulating Lou Emma Snider Sealy.

By West:

**HCM 31**, Recognizing the Texas Bottled Water Association.

By Rodriguez:

**HCM 32**, Recognizing Richard G. Santos.

By Goolsby:

**HCM 33**, Commending The Pantry Grill Room Restaurant on South Padre Island.

The motions were adopted without objection.

(Cain now present)

#### **CONSENT BILLS CALENDAR ON SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading: (Members registering votes are shown following the caption)

**SB 92** (Johnson - House Sponsor), A bill to be entitled An Act relating to the authority of certain counties to impose a county hotel occupancy tax.

**SB 341** (Hamric - House Sponsor), A bill to be entitled An Act relating to the use of county roads for festivals and civic events.

#### **LOCAL BILLS CALENDAR ON SECOND READING**

The following bills was laid before the house, read second time, and passed to engrossment (Members registering votes are shown following the caption)

**HB 974**, A bill to be entitled An Act relating to the County Court at Law of Kerr County.

#### CONSENT BILLS CALENDAR ON SECOND READING

The following bills were laid before the house, read second time, and passed to engrossment: (Members registering votes are shown following the caption)

**CSHB 45**, A bill to be entitled An Act relating to public school foreign language programs.

**HB 49**, A bill to be entitled An Act relating to payment of judgments not claimed by the prevailing party.

Representative Hartnett offered the following amendment to the bill:

Amend **HB 49** by Uher in the following manner:

- (1) On page 3, line 11, delete "only".
- (2) On page 3, line 12, after the word "judgments", insert "rendered before, on, or after September 1, 1991".

The Hartnett amendment was adopted without objection.

**HB 71**, A bill to be entitled An Act relating to the application of certain ad valorem tax overpayments and erroneous payments to certain delinquent ad valorem taxes.

Representative Craddick offered the following committee amendment to the bill:

#### COMMITTEE AMENDMENT NO. 1

Amend **HB 71** by amending Section 2 to read as follows:

SECTION 2. Section 26.15, Tax Code, is amended by adding subsection (g) to read as follows:

(g) A taxing unit that determines a taxpayer is delinquent in ad valorem tax payments on property other than the property for which liability for a refund arises may apply the amount of an overpayment to the payment of the delinquent taxes if the taxpayer was the sole owner of the property:

(1) for which the refund is sought on January 1 of the tax year in which those taxes were assessed; and

(2) on which the taxes are delinquent on January 1 of the tax year for which those taxes were assessed.

Renumber SECTION 2 of **HB 71** as SECTION 3.

Renumber SECTION 3 of **HB 71** as SECTION 4.

Committee Amendment No. 1 was adopted without objection.

**HB 81**, A bill to be entitled An Act relating to the title to certain property exempt from the statewide personal property accounting system or in the possession of certain entities providing emergency medical services.

**HB 109**, A bill to be entitled An Act relating to the election of a special district judge by the practicing lawyers of the court.

**HB 126**, A bill to be entitled An Act relating to county library privileges from an established library.



**HB 176**, A bill to be entitled An Act relating to the issuance of specially designed license plates for vehicles owned by certain veterans of military service and surviving spouses of certain veterans.

**HB 200**, A bill to be entitled An Act relating to election of the board of directors of the Reeves County Hospital District.

(Berlanga now present)

**HB 208**, A bill to be entitled An Act relating to the 73rd District Court.

**CSHB 238**, A bill to be entitled An Act relating to judicial training related to the problems of family violence, sexual assault, and child abuse.

#### LEAVE OF ABSENCE GRANTED

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

Smithee on motion of Chisum.

#### CONSENT BILLS CALENDAR - (consideration continued)

**HB 298**, A bill to be entitled An Act relating to the election of and appointments to fill vacancies on the board of directors of certain hospital districts.

**HB 345**, A bill to be entitled An Act relating to the authority of an agricultural marketing association to deal in nonmember products and supplies.

**HB 409**, A bill to be entitled An Act relating to certain private club registration permits. (Denton, Kubiak and Telford - no)

**CSHB 474**, A bill to be entitled An Act relating to the regulation of currency exchange and transmission businesses.

**HB 479**, A bill to be entitled An Act relating to use of child passenger restraints in a motor vehicle.

**HB 616**, A bill to be entitled An Act relating to the exemption of certain psychologists from career counseling services requirements.

**HB 629**, A bill to be entitled An Act relating to riding a bicycle on a shoulder of a street or highway.

**HB 630**, A bill to be entitled An Act relating to hand signals for bicycle operators.

**CSHB 679**, A bill to be entitled An Act relating to the authority of the Railroad Commission of Texas to implement conservation and distribution plans for alternative fuels.

Representative Cook moved to postpone consideration of **CSHB 679** until 10 a.m. Monday, March 29.

The motion prevailed without objection.

**HB 721**, A bill to be entitled An Act relating to benefits and eligibility for benefits from fire fighters' retirement systems in certain municipalities.

**CSHB 744**, A bill to be entitled An Act relating to a contract to provide a justice center on the state line.

**HB 753**, A bill to be entitled An Act relating to the duties of the district attorney for the 31st Judicial District.

**HB 811**, A bill to be entitled An Act relating to annexation by general law municipalities.

Representative Stiles offered the following amendment to the bill:

Amend **HB 811** on Page 1, line 14, by inserting the following language between the words "municipality" and "must":

"or other entity"

The Stiles amendment was adopted without objection.

**HB 840**, A bill to be entitled An Act relating to multiple-party accounts and trust accounts at a credit union.

Representative Marchant offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend Section 2 of **HB 840** by deleting lines 8 and 9 on page 2 and substituting the following:

"(B) a trustee or beneficiary is a member, and a settlor is a member of the trustee's or beneficiary's family as that term is defined by the board of directors in written board policy; or"

Committee Amendment No. 1 was adopted without objection.

**CSHB 843**, A bill to be entitled An Act relating to the regulation of the transportation of carbon dioxide.

Representative West moved to postpone consideration of **CSHB 843** until 10 a.m. Thursday, April 1.

The motion prevailed without objection.

**HB 908**, A bill to be entitled An Act relating to extended hours for the sale, delivery, consumption, and possession of alcoholic beverages.

Representative Gutierrez moved to postpone consideration of **HB 908** until 10 a.m. Monday, March 29.

The motion prevailed without objection.

**HB 945**, A bill to be entitled An Act relating to the safe operation on highways of certain vehicles; providing a penalty. (Kubiak - no)

**HB 953**, A bill to be entitled An Act relating to the jurisdiction of the County Court of Taylor County.

**HB 961**, A bill to be entitled An Act relating to the consolidation of county election precincts in a special election.

**HB 966**, A bill to be entitled An Act relating to the suspension or removal of employees of the Webb County Juvenile Board.

**HB 1076**, A bill to be entitled An Act relating to the personal liability of officers and directors of insured depository institutions. (Ogden - present, not voting)

**HB 1218**, A bill to be entitled An Act relating to a clarification of a commercial landlord's remedies for nonpayment of rent.

**HB 1270**, A bill to be entitled An Act relating to installment payments of ad valorem taxes imposed on the homestead of an elderly person.

**HB 1335**, A bill to be entitled An Act relating to the use of the advance interest trust fund to fund certain programs administered by the Texas Employment Commission.

**CSHB 1388**, A bill to be entitled An Act relating to the definition of a "benefit year" under the Texas Unemployment Compensation Act.

#### **RESOLUTIONS CALENDAR**

The speaker laid before the house the following resolution on committee report:

By Stiles:

**HCR 23**, Authorizing the burial of Ronald G. Jackson in the State Cemetery.

The resolution was adopted without objection.

#### **LEAVE OF ABSENCE GRANTED**

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

James on motion of Siebert.

#### **ADJOURNMENT**

Representative G. Thompson moved that the house adjourn until 11:25 a.m.

The motion prevailed without objection.

The house accordingly, at 11:23 a.m., adjourned until 11:25 a.m.



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SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

FORTY-FIRST DAY — THURSDAY, MARCH 25, 1993

The house met at 11:25 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 115).

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

Absent, Excused — Horn; James; Moreno; Park; Pitts; Rangel; Smithee; Solis.

Absent — Granoff; Hudson; Krusee; Smith, D.

### LEAVES OF ABSENCE GRANTED

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

### RULES SUSPENDED

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

The motion prevailed without objection.

### LOCAL AND CONSENT BILLS CALENDAR ON THIRD READING

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

**HB 974**  
**HB 45**  
**HB 49**  
**HB 71**  
**HB 81**  
**HB 109**  
**HB 126**  
**HB 208**  
**HB 238**  
**HB 298**  
**HB 345**  
**HB 409** (Denton, Kubiak, and Telford - no)  
**HB 474**  
**HB 479**  
(Krusee now present)  
**HB 629**  
**HB 630**  
**HB 721**  
**HB 744**  
**HB 753**  
**HB 811**  
**HB 840**  
**HB 945** (Kubiak - no)  
**HB 961**  
**HB 966**  
**HB 1076** (Ogden - present, not voting)  
**HB 1218**  
**HB 1270**  
**HB 1335**  
**HB 1388**

The following bills which were considered on second reading on the previous legislative day on the local and consent bills calendars were laid before the house, read third time, and passed by (Record 116): (Members registering votes and the results of the vote are shown following bill number) 133 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Horn; James; Moreno; Park; Pitts; Rangel; Smithee; Solis.

Absent — Corte; Granoff; Hudson; Moffat; Nieto; Smith, D.; Stiles.

**SB 92** (133-0-1)

**SB 341** (133-0-1)

**HB 176** (133-0-1)

**HB 200** (133-0-1)

**HB 616** (133-0-1)

**HB 953** (133-0-1)

(Speaker in the chair)

#### INTRODUCTION OF GUEST

The speaker recognized Representative Brady, who introduced the Honorable Carole Hilliard, state representative from South Dakota.

#### SB 380 ON THIRD READING (Junell - House Sponsor)

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

**SB 380**, A bill to be entitled An Act relating to the distribution of state funds appropriated for elementary, secondary, and higher education.

The bill was read third time.

Representative Junell moved to postpone consideration of **SB 380** until 10 a.m. Monday, March 29.

The motion prevailed without objection.

**SB 384 ON THIRD READING**  
**(Junell - House Sponsor)**

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

**SB 384**, A bill to be entitled An Act relating to the management and control of state finances and generating additional revenue in connection with the unclaimed money fund; making an appropriation.

The bill was read third time.

Representative Martin offered the following amendment to the bill:

Amend **SB 384** on third reading by amending the Martin amendment adopted on second reading to read as follows:

Amend **SB 384** as follows:

In Section 1.06, amending Section 771.072(e), Health and Safety Code (page 5, line 14, House Committee Report), strike "is appropriated" and substitute "shall be appropriated".

The Martin amendment was adopted without objection.

A record vote was requested.

**SB 384**, as amended, was read third time and was passed by (Record 117): 132 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Horn; James; Moreno; Park; Pitts; Rangel; Smithee; Solis.

Absent — Cain; Corte; Granoff; Hudson; McDonald; Nieto; Smith, D.; Talton.

On motion of Representative Martin and by unanimous consent, the caption of **SB 384** was ordered amended to conform to the body of the bill.



**SB 120 ON THIRD READING**  
**(Hilderbran - House Sponsor)**

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

**SB 120**, A bill to be entitled An Act relating to the name of a certain state building constructed by the Kerrville State Hospital.

A record vote was requested.

The bill was read third time and was passed by (Record 118): 128 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Horn; James; Moreno; Park; Pitts; Rangel; Smithee; Solis.

Absent — Cain; Corte; Culberson; Danburg; Granoff; Hudson; Linebarger; Nieto; Place; Saunders; Smith, D.; Talton.

**SB 372 ON THIRD READING**  
**(Maxey - House Sponsor)**

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

**SB 372**, A bill to be entitled An Act relating to retaining the current names of the Texas Department of Health and the Texas Board of Health.

The bill was read third time and was passed.

**SB 176 ON THIRD READING**  
**(S. Thompson - House Sponsor)**

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

**SB 176**, A bill to be entitled An Act relating to the adoption of the Durable Power of Attorney Act.

The bill was read third time.

Representative Cook offered the following amendment to the bill:

Amend **SB 176** on third reading by amending the first two lines of the Cook amendment adopted on 2nd reading to read as follows:

Amend Section 1, page 5, line 23 by inserting following "(insert you name and address)" my social security number is (insert your proper SS#)

The Cook amendment was adopted without objection.

**SB 176**, as amended, was passed.

On motion of Representative S. Thompson and by unanimous consent, the caption of **SB 176** was ordered amended to conform to the body of the bill.

**SB 121 ON THIRD READING**  
(Goodman - House Sponsor)

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

**SB 121**, A bill to be entitled An Act relating to specifications of vehicles purchased or leased by the state.

A record vote was requested.

The bill was read third time and was passed by (Record 119): 129 Yeas, 3 Nays, 1 Present, not voting.

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

Nays — Bailey; Bosse; Schechter.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Horn; James; Moreno; Park; Pitts; Rangel; Smithee; Solis.

Absent — Cain; Corte; Granoff; Hudson; Nieto; Place; Puente; Smith, D.

**SB 90 ON THIRD READING**  
(Berlanga - House Sponsor)

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

**SB 90**, A bill to be entitled An Act relating to the access to information for epidemiologic and toxicologic investigations by the Texas Department of Health.

The bill was read third time.

Representative Berlanga offered the following amendment to the bill:

Amend Subsection 161.0211 (b) of **SB 90** reinstating the following sentence:

The Department shall use generally accepted methods of epidemiology or toxicology in the conduct of an investigation.

The Berlanga amendment was adopted without objection.

**SB 90**, as amended, was passed.

On motion of Representative Berlanga and by unanimous consent, the caption of **SB 90** was ordered amended to conform to the body of the bill.

**SB 33 ON THIRD READING**  
(Telford - House Sponsor)

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

**SB 33**, A bill to be entitled An Act relating to district offices of the Texas Department of Transportation.

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

On motion of Representative Telford and by unanimous consent, the caption of **SB 33** was ordered amended to conform to the body of the bill.

**HB 1211 ON THIRD READING**

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

**HB 1211**, A bill to be entitled An Act relating to the tax rate of the Comanche County Hospital District.

A record vote was requested.

The bill was read third time and was passed by (Record 120): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dcar; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Gruscendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Hunter, B.; Hunter, T.; Jackson; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Oakley; Ogden;

Oliveira; Parra; Patterson; Place; Price; Puente; Rabuck; Ramsay; Raymond; Rodriguez; Romo; Rudd; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Horn; James; Moreno; Park; Pitts; Rangel; Smithee; Solis.

Absent — Corte; Granoff; Hudson; Nieto; Smith, D.; Vowell.

#### **HB 478 ON THIRD READING**

The speaker laid before the house on its third reading and final passage, **HB 478**, A bill to be entitled An Act relating to the speed limit in an alley. The bill was read third time and was passed.

#### **HB 1170 ON THIRD READING**

The speaker laid before the house on its third reading and final passage, **HB 1170**, A bill to be entitled An Act relating to legal holidays and alternative legal holidays for banks or trust companies.

The bill was read third time and was passed.

#### **HCM 36 - ADOPTED**

Representative Flores moved to suspend all necessary rules to take up and consider at this time, **HCM 36**.

The motion prevailed without objection.

The speaker laid before the house the following motion:

By Flores:

**HCM 36**, Congratulating Paul David Landrew on his installation as new pastor at St. Stephen Baptist Church.

The motion was adopted without objection.

#### **RULES SUSPENDED**

Representative Seidlits moved to suspend the 5-day posting rule to allow the Committee on State Affairs to consider **HB 2075**, **HB 2647**, and **HB 2812**.

The motion prevailed without objection.

Representative Counts moved to suspend the 5-day posting rule to allow the Committee on Natural Resources to consider **HB 2815**.

The motion prevailed without objection.

Representative Madden moved to suspend the 5-day posting rule to allow the Committee on Elections to consider **HB 1282**.

The motion prevailed without objection.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Natural Resources, Subcommittee on Finance, on adjournment today, Desk 111, to consider **HB 690** and **HB 997**.

Agriculture and Wildlife Management, on adjournment today, Desk 17, to consider **HB 1622** and **HB 1684**.

Transportation, Subcommittee on **SB 154** and **HB 422**, on adjournment today, Desk 112, to consider **SB 154** and **HB 422**.

Business and Industry, Subcommittee on **HB 1368**, on adjournment today, Desk 46, to consider **HB 1368**.

Public Education, Subcommittee on **HB 574**, on adjournment today, Desk 140, to consider **HB 574**.

Business and Industry, on adjournment today, Desk 30, to consider **HB 364**.

Environmental Regulation, Subcommittee on **HB 327**, on adjournment today, Desk 94, to consider **HB 327**.

Higher Education, Subcommittee on **HB 95**, on adjournment today, Desk 137, to consider **HB 95**.

Environmental Regulation, Subcommittee on **HB 1262**, on adjournment today, Desk 98, to consider **HB 1262**.

Local and Consent Calendars, on adjournment today, Desk 81, to transfer **HB 800**.

Judicial Affairs, Desk 67, to consider **HB 61**, **HB 184**, **HB 455**, **HB 680**, **HB 1779**, **HB 2078**, **HCR 92**, and **SCR 43**.

Human Services, cancel formal meeting which was to be held on adjournment today.

Elections, Subcommittee on **HB 1282**, on adjournment today, Room E2.012, Capitol Extension, to consider **HB 1282**.

Insurance, Subcommittee on Health Care Insurance, on adjournment today, to consider **HB 2055**, et al.

**ADJOURNMENT**

Representative Maxey moved that the house adjourn until 10 a.m. Monday.

The motion prevailed without objection.

The house accordingly, at 12:01 p.m., adjourned until 10 a.m. Monday, March 29.

