

HOUSE JOURNAL

SEVENTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-SECOND DAY (CONTINUED) — FRIDAY, APRIL 30, 1999

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

The roll of the house was called and a quorum was announced present (Record 186).

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

Absent, Excused — Alexander; Brown, F.; Crownover; Homer; Jones, C.; Oliveira; Woolley.

The invocation was offered by Reverend Stephen Ramsdell, First United Methodist Church, Waco, as follows:

"O Lord, our Lord, how excellent is your name in all the earth. You have been our dwelling place in all generations. Before the mountains were brought forth, or even you had formed the earth and the world, even from everlasting to everlasting, you are God. A thousand years in your sight are like yesterday when it is past, and like a watch in the night."

We come today rejoicing that we have been set apart to be the governing body of the great State of Texas. You have called and we have answered. We rejoice that so many here have accepted the awesome responsibility of leadership. As we come together celebrating many victories, we acknowledge our need for divine wisdom as we face new challenges. Today, we rejoice at the opportunity we have to again "dream dreams," and to have a "vision" of what this state can become as we do our work on the verge of a new millennium.

Open our eyes just now and enable us to see by faith that which can be, that which you desire the State of Texas to be; to discover how we can

impact our great nation, and through our nation, this world. Give us the courage not only to have a vision of what the leaders of this great state can create, but to be faithful in helping this vision to become a reality. Amen.

LEAVES OF ABSENCE GRANTED

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

Woolley on motion of Hunter.

Oliveira on motion of Maxey.

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

Homer on motion of Lengefeld.

Alexander on motion of Averitt.

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

F. Brown on motion of Walker.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 39).

MESSAGE FROM THE SENATE

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

HR 794 - ADOPTED (by Cuellar)

Representative Cuellar moved to suspend all necessary rules to take up and consider at this time **HR 794**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 794, Congratulating Hank Sames III on his selection as the 1999 Laredo Business Person of the Year by the Laredo Chamber of Commerce.

HR 794 was adopted without objection.

HCR 255 - ADOPTED (by J. Davis)

Representative J. Davis moved to suspend all necessary rules to take up and consider at this time **HCR 255**.

The motion prevailed without objection.

The following resolution was laid before the house:

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

HCR 255 was adopted without objection.

(Speaker pro tempore in the chair)

HR 797 - ADOPTED
(by A. Reyna)

Representative A. Reyna moved to suspend all necessary rules to take up and consider at this time **HR 797**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 797, Honoring the 100th anniversary of the San Antonio Independent School District.

HR 797 was adopted without objection.

On motion of Representative Van de Putte, the names of all the members of the house were added to **HR 797** as signers thereof.

CAPITOL PHYSICIAN

The speaker recognized Representative Hilbert who presented Dr. Earl Martin of Tomball as the "Doctor for the Day."

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

HCR 105

HCR 105, in memory of Dr. Saul Severino Trevino, having been previously adopted, was read.

HCR 253 - ADOPTED
(by Chavez)

Representative Chavez moved to suspend all necessary rules to take up and consider at this time **HCR 253**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 253, Commemorating the grand opening of the Child and Adolescent Wellness Center in El Paso.

HCR 253 was read and was adopted without objection.

CONGRATULATORY AND MEMORIAL CALENDAR

The following memorial resolutions were laid before the house:

HCR 235 (by Gallego), In memory of Jose E. Morales of Midland.

HCR 236 (by Gallego), In memory of Dr. Jim Richerson.

HR 480 (by Gallego), In memory of Concepcion "Chon" Granado.

HR 540 (by Gallego), In memory of Jim L. Talbot.

HR 542 (by Gallego), In memory of Stephen Daniel Lindsey of Del Rio.

HR 545 (by Gallego), In memory of Lora Bell Lockhart.

HR 566 (by Uher), In memory of the Honorable Frank Owen III.

HR 568 (by Uher), In memory of the Honorable Edgar Lee Berlin.

HR 580 was withdrawn.

HR 600 (by Counts), Honoring the life of WWII P-51 Pilot 1st Lieutenant Joseph W. Barton.

HR 604 (by Seaman, Luna, and Capelo), In memory of Janet Harte.

HR 622 (by Uher), In memory of The Honorable G. R. "Bob" Close.

HR 623 (by Uher), In memory of former State Representative Ben Dodson "Jumbo" Atwell.

HR 624 (by Uher, Chisum, Laney, Smithee, and Swinford), In memory of the Honorable J. W. "Buck" Buchanan.

HR 625 (by Uher), In memory of Audrey Beatrice Jordan.

HR 639 (by J. Jones), In memory of Ida Mae Davis.

HR 648 (by McClendon), In memory of Clifton O. Floyd of San Antonio.

HR 663 (by Gallego), In memory of Bedford Walters of Alpine.

HR 664 (by Gallego), In memory of Victor G. Heil.

HR 709 (by Staples), In memory of the Honorable Herman F. Hammond of Jewett.

The resolutions were unanimously adopted by a rising vote.

The following congratulatory resolutions were laid before the house:

HCR 159 (by Telford), Commending the Atlanta Independent School District on the occasion of its 125th anniversary.

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

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

HCR 209 (by G. Lewis), Congratulating Denise O'Dell on being named an Outstanding Teacher.

HCR 210 (by G. Lewis), Congratulating Donna Driver on being named an Outstanding Teacher.

HCR 211 (by G. Lewis), Congratulating LaTreace Bailey on being named an Outstanding Teacher.

HCR 212 (by G. Lewis), Congratulating Deborah Allen-White on being named an Outstanding Teacher.

HCR 213 (by G. Lewis), Congratulating Ann Elwood on being named an Outstanding Teacher.

HCR 214 (by G. Lewis), Congratulating Wesley Dismuke on being named an Outstanding Teacher.

HCR 215 (by G. Lewis), Congratulating Patrick Oliver on being named an Outstanding Teacher.

HCR 216 (by G. Lewis), Congratulating Gloria Horton on being named an Outstanding Teacher.

HCR 217 (by G. Lewis), Congratulating Sarah Weeks on being named an Outstanding Teacher.

HCR 218 (by G. Lewis), Congratulating Glory Griggs on being named an Outstanding Teacher.

HCR 219 (by G. Lewis), Congratulating Virginia Nichols on being named an Outstanding Teacher.

HCR 220 (by G. Lewis), Congratulating Birdie White on being named an Outstanding Teacher.

HCR 221 (by G. Lewis), Congratulating Nikitra K. Hamilton on being named an Outstanding Teacher.

HCR 222 (by G. Lewis), Congratulating Joye Franklin on being named an Outstanding Teacher.

HCR 223 (by G. Lewis), Congratulating Gwendolyn Davis on being named an Outstanding Teacher.

HCR 224 (by G. Lewis), Congratulating Patrick Oliver on being named an Outstanding Teacher.

HCR 225 (by G. Lewis), Congratulating Jacqueline Whitfield on being named an Outstanding Teacher.

HCR 226 (by G. Lewis), Congratulating Howardine Smith on being named an Outstanding Teacher.

HCR 227 (by G. Lewis), Congratulating Mae Pearl Johnson on being named an Outstanding Teacher.

HCR 228 (by G. Lewis), Congratulating Phyllis McAnally on being named an Outstanding Teacher.

HCR 232 was withdrawn.

HCR 237 (by Gallego), Honoring Larry Henderson for his 37 years of service to the National Park Service.

HCR 241 (by Puente, Uresti, Capelo, Staples, and Ellis), Honoring the prisoners of war currently being held in Yugoslavia.

HCR 245 (by Goolsby), Celebrating the birth of Jacob Jeffrey Gonzalez on September 15, 1998.

HR 161 was read after **HB 1854** on the Local, Consent, and Resolutions Calendar.

HR 524 (by Greenberg), Honoring United Way/Capital Area for 75 years of service to the Central Texas community.

HR 529 (by Garcia), Welcoming Antonio R. Villaraigosa to the State Capitol.

HR 535 (by Greenberg), Recognizing Highland Park Elementary School's Around the World Walk/Run participants.

HR 560 (by George), Honoring Lake Highlands Exchange Club's November 1998 Youth of the Month: Roxanne Shipley and Jeremy Boyce.

HR 561 (by George), Congratulating Jennifer Riddlebarger and John Kent on being selected as Lake Highlands Exchange Club Youth of the Month for September 1998.

HR 562 (by George), Congratulating Katharine Smothermon and Lee-kuo Chris Hsiao on being selected as Lake Highlands Exchange Club Youth of the Month for March 1999.

HR 563 (by George), A bill to be entitled An Act Honoring Lake Highland's Exchange Club December 1998 Youth of the Month, Mary Kristin Wong and Jicori R. Minor.

HR 564 (by George), Honoring Lake Highland's Exchange Club October 1998 Youth of the Month: Emily Boulden and Peter Ruth.

HR 570 (by Siebert), Honoring 1998 Naval Flight Instructor of the Year Lieutenant Antoinette McCracken.

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

HR 591 was withdrawn.

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

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

HR 602 was read at the end of the calendar.

HR 608 (by Oliveira), Commending Roy F. and Joann Cole Mitte for their philanthropic efforts.

HR 621 (by F. Brown), Honoring the College of Agriculture Development Council from Texas A&M University.

HR 628 (by Alexander), Honoring Wyvonne Putman on her retirement.

HR 629 (by Alexander), Congratulating Betty Coffey on her retirement from the City of Corsicana.

HR 630 (by Alexander), Honoring Troy England on his retirement from the Corsicana Fire Department.

HR 632 was withdrawn.

HR 638 (by Counts), Honoring the members and supporters of the 1998 O'Donnell High School football team.

HR 650 (by Uher), Commemorating the 160th anniversary of Matagorda United Methodist Church.

HR 651 (by McReynolds), Honoring Woodrow W. "Woody" Allen.

HR 653 (by Olivo), Honoring the George Family Development Center.

HR 654 (by Van de Putte and Hunter), Honoring Vikki Carr.

HR 655 (by Williams and Counts), Honoring Larry McMurtry.

HR 658 (by G. Lewis), Recognizing June 12, 1999, as Henry Aaron Day at The Ballpark in Arlington.

HR 662 (by Gallego), Congratulating Hal Flanders on winning the 1998 Texas Environmental Excellence Award.

HR 670 (by Hill), Honoring the retirement of D. R. "Shorty" Williams.

HR 671 (by Eiland), Honoring Raymond Campbell for his 54 years of outstanding service with Gaido's restaurant in Galveston.

HR 673 (by Y. Davis), Honoring the Duncanville Panther boys varsity basketball team on winning the 1999 5A State Basketball Championship.

HR 678 (by G. Lewis), Honoring Tammy Davis-Miller.

HR 679 (by G. Lewis), Honoring Michele D. Moore on her many achievements.

HR 699 (by Hochberg), Honoring Cluster C 3-5 at the Rice School/La Escuela Rice in Houston.

HR 704 (by Hardcastle), Recognizing May 1, 1999, as the Doans May Day Picnic.

HR 708 (by Pitts), Recognizing Stefanie Zapletal and her participation in the Phi Theta Kappa All-State honor banquet.

HR 710 (by Staples), Honoring members of the 1999 graduating class of Elkhart High School for their outstanding achievements.

HR 713 (by Hilderbran), Honoring Tivy High School's Mock Trial Team of Kerrville.

The resolutions were adopted without objection.

The following resolution was read and adopted:

HR 602 (by Naishtat), Recognizing April 30, 1999, as El Dia de Los Ninos: Celebrating Young Americans Day in Texas.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING

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

CSHB 82 (by Solomons), A bill to be entitled An Act relating to the method by which a county reconstitutes the jury wheel and to the selection and service of jurors in certain counties.

HB 548 (by Flores), A bill to be entitled An Act relating to unauthorized charges on a bill for telecommunications services.

CSHB 1051 (by Brimer, Van de Putte, Walker, and Maxey), A bill to be entitled An Act relating to the regulation of the practice of therapeutic optometry.

HB 1368 (by Edwards), A bill to be entitled An Act relating to the site of the Emancipation Juneteenth memorial monument.

HB 1475 (by Thompson), A bill to be entitled An Act relating to management and investment of trust assets. (Hartnett recorded voting no)

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Greenberg, Representative Keffer offered the following committee amendment to **HB 1475**:

Amend **HB 1475** on pages 1 and 2, by deleting Section 2 of the bill and renumbering the subsequent section appropriately.

Amendment No. 1 was adopted without objection.

HB 1655 (by Luna, Seaman, and Capelo), A bill to be entitled An Act relating to the rate and allocation of the hotel occupancy tax in certain municipalities.

CSSB 801 (Maxey - House Sponsor), in lieu of **HB 1657**, A bill to be entitled An Act relating to electronic access to certain state agency information.

Representative Maxey moved to lay **HB 1657** on the table subject to call.

The motion prevailed without objection.

CSHB 1697 (by Greenberg, Maxey, Dukes, Keel, and Naishtat), A bill to be entitled An Act relating to eligibility and benefits under public retirement systems for employees of certain municipalities.

HB 1733 (by Luna), A bill to be entitled An Act relating to a continuing advisory panel to provide policy guidance concerning special education and related services.

HB 1752 (by Coleman), A bill to be entitled An Act relating to the compensation of certain private investigators and witnesses who are retained by appointed counsel.

HB 1797 (by Tillery), A bill to be entitled An Act relating to the transportation of certain individuals who may have a mental illness and are admitted to a county mental health facility for emergency detention.

HB 1854 (by Thompson, Coleman, Farrar, S. Turner, and Gallego), A bill

to be entitled An Act relating to indigent care provided by the Harris County Hospital District.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Swinford, Representative Keffer offered the following committee amendment to **HB 1854**:

Amend **HB 1854** as follows:

On page 1, line 9, strike the word “shall” and replace with the word “may”.

Amendment No. 1 was adopted without objection.

HR 161
(by R. Lewis)

The following resolution was read and adopted:

HR 161, Honoring William Bluford Miller for his lifelong dedication to Educational Excellence.

On motion of Representative Counts, the names of the members of the house were added to **HR 161** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative R. Lewis, who introduced William Bluford Miller and his family.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
(consideration continued)

HB 1861 (by Gutierrez and Oliveira), A bill to be entitled An Act relating to increasing private investments in transportation infrastructure in the border region.

HB 1907 (by Gutierrez, Najera, and Hinojosa), A bill to be entitled An Act relating to the limited law enforcement authority of certain agents or officers of the government of the United States.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Garcia, Representative Gutierrez offered the following committee amendment to **HB 1907**:

HB 1907, on page 1, line 14, strike “an”, and insert “a permanent”.

Amendment No. 1 was adopted without objection.

CSHB 1924 (by Averitt), A bill to be entitled An Act relating to health insurance provided through the Texas Health Insurance Risk Pool.

HB 2013 (by Hilderbran), A bill to be entitled An Act relating to the regulation of bottled or vended water.

HB 2034 (by Gray), A bill to be entitled An Act relating to the authority of certain counties to delegate traffic regulation functions.

HB 2220 (by Hilbert), A bill to be entitled An Act relating to refunds of overpayments or erroneous payments of ad valorem taxes.

Amendment No. 1 (Committee Amendment No. 1)

Representative Hilbert offered the following committee amendment to **HB 2220**:

Amend **HB 2220** in SECTION 1, page 1, line 15 by amending Section 31.11(a), Tax Code, after the word “unit” and before the word “also” by adding the following:

“or the governing body of a taxing unit that collects another unit’s taxes”

Amendment No. 1 was adopted without objection.

SB 1746 (Chisum - House Sponsor), in lieu of **HB 2249**, A bill to be entitled An Act relating to the creation and administration of the Texas Environmental Education Partnership Fund and the Texas Environmental Education Partnership trust fund. (Berman, Culberson, and Howard recorded voting no)

Representative Chisum moved to lay **HB 2249** on the table subject to call.

The motion prevailed without objection.

HB 2265 (by Hamric), A bill to be entitled An Act relating to the Harris County Road Law; providing a civil penalty.

SB 401 (Hamric - House Sponsor), in lieu of **HB 2266**, A bill to be entitled An Act relating to the requirements for the registration of certain motor vehicles in certain counties.

Representative Hamric moved to lay **HB 2266** on the table subject to call.

The motion prevailed without objection.

CSHB 2359 (by Olivo), A bill to be entitled An Act relating to the investment capital fund administered by the Texas Education Agency.

HB 2538 (by Y. Davis), A bill to be entitled An Act relating to compulsory inspection of certain vehicles to be registered and titled outside this state.

HB 2594 (by Uresti), A bill to be entitled An Act relating to the collection of child support payments made after termination of the child support order.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Naishtat, Representative Uresti offered the following committee amendment to **HB 2594**:

Amend **HB 2594** as follows:

On page 1, line 16, add the following after the period: “For good cause shown, the court may waive the requirement that the obligee pay attorney’s

fees and costs if the court states the reasons supporting that finding."

Amendment No. 1 was adopted without objection.

CSHB 2711 (by Thompson), A bill to be entitled An Act relating to restrictions on the deposit and investment of funds of a domestic insurance company.

HB 2800 (by Driver), A bill to be entitled An Act relating to requiring a financial institution to maintain certain information from a business account holder.

HB 2835 (by S. Turner), A bill to be entitled An Act relating to information that certain state agencies must post on the Internet.

HB 2856 (by Yarbrough), A bill to be entitled An Act relating to the quantity of alcoholic beverages which may be sold by package store and wine only package store permittees in a single transaction.

CSHB 2891 (by Bailey), A bill to be entitled An Act relating to the creation of the Aldine Community Improvement District; authorizing the issuance of bonds and the imposition of taxes.

HB 2911 (by Naishtat), A bill to be entitled An Act relating to venue in certain actions regarding intermediate care facilities for the mentally retarded.

Consideration of **HB 2911** was deferred until the end of the calendar today.

HB 2969 (by Averitt), A bill to be entitled An Act relating to small and large employer health plan certification, discontinuance, and dependent participation requirements.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 21).

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR (consideration continued)

CSHB 2987 (by Puente and T. King), A bill to be entitled An Act relating to modification of district lines for the election of directors for the Edwards Aquifer Authority.

Representative T. King moved to postpone consideration of **HB 2987** until 10 a.m. Wednesday, May 5.

The motion prevailed without objection.

CSHB 3020 (by Smithee), A bill to be entitled An Act relating to the withdrawal from operations by a health maintenance organization.

HB 3034 (by Oliveira), A bill to be entitled An Act relating to property tax abatement agreements.

SB 1545 (Hunter - House Sponsor), in lieu of **HB 3047**, A bill to be

entitled An Act relating to burials in the State Cemetery. (Hartnett recorded voting no)

Representative Hunter moved to lay **HB 3047** on the table subject to call.

The motion prevailed without objection.

HB 3083 (by Telford), A bill to be entitled An Act relating to the regulation of physicians.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Hilderbran, Representative Telford offered the following committee amendment to **HB 3083**:

Amend **HB 3083** as follows:

(1) On page 2, line 10, after who and before orders, insert the following: is the treating physician of a patient and

Amendment No. 1 was adopted without objection.

CSHB 3093 (by Gutierrez), A bill to be entitled An Act relating to general standing to file a suit affecting the parent-child relationship.

HB 3161 (by Dunnam and McClendon), A bill to be entitled An Act relating to disposition of public property in a readjustment zone.

HB 3185 (by Gray), A bill to be entitled An Act relating to the assistance a county may provide another governmental entity for a construction project.

CSHB 3197 (by Ramsay), A bill to be entitled An Act relating to the appraisal and ad valorem taxation of retail manufactured housing inventory.

HB 3207 (by Ramsay), A bill to be entitled An Act relating to the requirement for insurance coverage for district clerks.

HB 3211 (by McCall), A bill to be entitled An Act relating to state fiscal matters, including the printing and cancellation of certain warrants, consulting services, payroll deductions for savings bond purchases, advance payments, the collection of debts to the state, the collection of delinquent taxes, and the methods used by state agencies to make and receive payments.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Craddick, Representative Krusee offered the following committee amendment to **HB 3211**:

Amend **HB 3211** as follows:

(1) On page 4, lines 16 and 17, strike “those funds” and substitute “the money”.

(2) On page 5, strike line 16 and substitute “making a payment to a person also is prohibited from paying any part of that payment to:”.

(3) On page 10, line 19, strike “compensation to” and substitute “the compensation of”.

(4) On page 10, line 21, strike “remuneration to” and substitute “the remuneration of”.

(5) On page 17, line 23, strike “compensation to” and substitute “the compensation of”.

(6) On page 17, line 24, strike “remuneration to” and substitute “the remuneration of”.

(7) On page 19, lines 14 and 15, strike “those funds” and substitute “the money”.

(8) On page 33, line 9, strike “state agency to which” and substitute “person that [state agency to which]”.

(9) On page 34, strike lines 9 and 10 and substitute:

(c) A state agency that Subsection (a) prohibits from making a payment to a person also is prohibited from paying any part of that payment to:

(10) On page 34, line 24, strike “compensation to” and substitute “the compensation of”.

(11) On page 34, line 25, strike “remuneration to” and substitute “the remuneration of”.

Amendment No. 1 was adopted without objection.

Amendment No. 2

On behalf of Representative Y. Davis, Representative Krusee offered the following amendment to **HB 3211**:

- Amend **HB 3211** (House committee printing) as follows:

(1) On page 13, line 15, between “CREDIT” and “AND”, insert “, CHARGE,”.

(2) On page 13, line 16, between “credit” and “and”, insert “, charge,”.

(3) On page 13, line 19, between “credit” and “or”, insert “, charge,”.

(4) On page 13, line 22, strike “credit” and substitute “credit, charge,”.

(5) On page 13, line 26, between “credit” and “or”, insert “, charge,”.

(6) On page 14, line 2, between “credit” and “cards”, insert “or charge”.

(7) On page 14, line 4, between “credit” and “cards”, insert “or charge”.

(8) On page 14, line 7, between “credit” and “cards”, insert “or charge”.

(9) On page 14, line 10, between “credit” and “cards”, insert “or charge”.

(10) On page 14, line 14, between “credit” and “card”, insert “or charge”.

(11) On page 14, line 17, between “credit” and “cards”, insert “or charge”.

(12) On page 14, line 21, between “of” and “debit” insert “charge or”.

(13) On page 14, line 25, between “credit” and “or”, insert “, charge,”.

Amendment No. 2 was adopted without objection.

CSHB 3252 (by Gray), A bill to be entitled An Act relating to the use of the hotel tax in certain municipalities.

Representative Gray moved to postpone consideration of **CSHB 3252** until 10 a.m. Thursday, May 6.

The motion prevailed without objection.

HB 3263 (by Uher, et al.), A bill to be entitled An Act relating to the election of the governing board of certain junior college districts.

SB 1594 (Cook - House Sponsor), in lieu of **HB 3303**, A bill to be entitled An Act relating to assistance to small businesses regulated by the Texas Natural Resource Conservation Commission through its regulatory flexibility programs.

Representative Cook moved to lay **HB 3303** on the table subject to call.

The motion prevailed without objection.

HB 3305 (by Thompson), A bill to be entitled An Act relating to money paid into the registry of courts in certain populous counties.

Representative Thompson moved to postpone consideration of **HB 3305** until 10 a.m. Thursday, May 6.

The motion prevailed without objection.

HB 3307 (by Thompson), A bill to be entitled An Act relating to applications for coverage under the market assistance program operated by the Texas Department of Insurance.

Representative Thompson moved to postpone consideration of **HB 3307** until 10 a.m. Thursday, May 6.

The motion prevailed without objection.

HB 3463 (by Alexander), A bill to be entitled An Act relating to the dissolution of the Cedar Creek Hospital District.

CSHB 3477 (by Hartnett), A bill to be entitled An Act relating to the qualification of a foreign personal representative of an estate involved in a wrongful death or survival action.

CSHB 3481 (by T. King), A bill to be entitled An Act relating to the board of directors and the validation of certain acts of the Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1. (Howard recorded voting no)

CSHB 3499 (by Puente), A bill to be entitled An Act relating to associate judges appointed by the district courts of Bexar County.

CSHB 3531 (by Coleman), A bill to be entitled An Act relating to membership and credit in and benefits and administration of retirement systems for officers and employees of certain municipalities.

CSHB 3543 (by Hodge), A bill to be entitled An Act relating to competitive bidding by certain mass transit authorities.

SB 1585 (Isett - House Sponsor), in lieu of **CSHB 3681**, A bill to be entitled An Act relating to the use of competitive bidding for certain functions and components of the Medicaid vendor drug program.

Representative Isett moved to lay **HB 3681** on the table subject to call.

The motion prevailed without objection.

CSHB 3779 (by Luna, Seaman, and Capelo), A bill to be entitled An Act relating to the powers and duties of the district attorney for the 105th Judicial District.

CSHB 3780 (by Luna, Seaman, and Capelo), A bill to be entitled An Act relating to the creation of a county court at law in Nueces County and to the probate jurisdiction of the county courts at law in Nueces County.

HB 3807 (by Uher), A bill to be entitled An Act relating to the creation of a statutory county court in Matagorda County.

HB 3822 (by Telford), A bill to be entitled An Act relating to the creation of the County Court at Law of Bowie County.

HB 2911 (by Naishtat), A bill to be entitled An Act relating to venue in certain actions regarding intermediate care facilities for the mentally retarded.

HB 2911 was on the calendar earlier today and was deferred until this time.

Representative Naishtat moved to postpone consideration of **HB 2911** until 10 a.m. Thursday, May 6.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Insurance, on adjournment today, Desk 24, for a formal meeting.

ADJOURNMENT

Representative Smithee moved that the house adjourn until 10:55 a.m. today.

The motion prevailed without objection.

The house accordingly, at 10:44 a.m., adjourned until 10:55 a.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 39

HB 251, HB 677, HB 688, HB 1303, HB 1304, HB 1503, HB 1610

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, April 30, 1999

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 185 Barrientos

Relating to certain permissible conditions of placement on deferred disposition for offenses involving the use of alcohol, a controlled substance, or drugs.

SB 358 Madla

Relating to the continuation and functions of the Texas Department of Mental Health and Mental Retardation.

SB 374 Zaffirini

Relating to the provision of certain long-term care services, to the continuation and functions of the Texas Department on Aging, and to the eventual consolidation of the Texas Department of Human Services and the Texas Department on Aging into a new agency on aging and disability services.

SB 430 Barrientos

Relating to the punishment for certain Class C habitual offenders.

SB 576 Armbrister

Relating to the reporting of public school class size.

SB 655 Madla

Relating to the creation of a defense base development authority; validating certain acts of a defense base development corporation; granting the right to issue bonds.

SB 739 Armbrister

Relating to the regulation of bail bondsmen; providing a criminal penalty.

SB 1089 Duncan

Relating to the investment of debt service funds by school districts, junior college districts, and community college districts.

SB 1154 Bernsen

Relating to the establishment of regional development agreements between certain municipalities and special districts.

SB 1213 Whitmire

Relating to disciplinary options available to a teacher under a school district's student code of conduct and to including discipline strategies as part of school district staff development.

SB 1276 Wentworth

Relating to a misdemeanor's liability for the cost of confinement in a county jail.

SB 1388 Shapleigh

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

SB 1561

Barrientos

Relating to students who drop out of public school.

Respectfully,

Betty King

Secretary of the Senate