

HOUSE JOURNAL

SEVENTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-FOURTH DAY — TUESDAY, APRIL 18, 1995

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 179).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Absent, Excused — Luna; Patterson.

Absent — Hirschi.

The invocation was offered by Dr. Royce Money, president, Abilene Christian University, Abilene.

LEAVES OF ABSENCE GRANTED

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

Patterson on motion of Black.

Luna on motion of Davis.

INTERPRETER FOR THE DEAF

The interpretation of the proceedings of the house was provided today by Sandra Rouse.

SIGNED BY THE SPEAKER

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

HB 305, HB 582, HB 839, HCR 162

MESSAGE FROM THE SENATE

Austin, Texas, April 18, 1995

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 122 by Sims, commending Peggy Sue Garner for her exceptional service to the State of Texas.

SB 14 by Bivins, Sims, Armbrister, et al., relating to protecting private real property rights from certain actions of this state or a political subdivision of this state.

SB 415 by Leedom, relating to a county or precinct officer who overcharges a person a fee.

SB 644 by Montford, relating to administration and collection of the franchise tax.

SB 671 by Armbrister, relating to the travel expenses incurred by state officers and employees.

SB 872 by Madla, relating to the regulation of retail installment contracts of certain goods and services.

SB 1349 by Montford, relating to subsequent evidentiary search warrants.

SB 1445 by Brown, relating to transfer of title to a motor vehicle, procurement of a copy of a motor vehicle certificate of title, the collection and administration of the motor vehicle sales tax, and certain disclosures that must be made to the purchaser of a motor vehicle.

Respectfully,
Betty King
Secretary of the Senate

(Hirschi now present)

CAPITOL PHYSICIAN

Speaker Laney presented Dr. Barbara Conner of Hallettsville as the "Doctor for the Day."

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

LEAVE OF ABSENCE GRANTED

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

Wilson on motion of Black.

HCR 117 - ADOPTED

Representative Brimer moved to suspend all necessary rules to take up and consider at this time **HCR 117**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Brimer,

HCR 117, Designating April 21-29, 1995, and April 21-29, 1996, as National Science and Technology Weeks in Texas.

The resolution was read and was adopted without objection.

HR 599 - ADOPTED

Representative B. Hunter moved to suspend all necessary rules to take up and consider at this time **HR 599**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By B. Hunter, Denny, Hilderbran, Carter, Horn, et al.,

HR 599, Honoring Byron Nelson.

The resolution was read and was adopted without objection.

On motion of Representative Hilderbran, the names of all the members of the house were added to **HR 599** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representatives B. Hunter, Denny, and Hilderbran, who introduced Byron Nelson, professional golfer, and his wife, Peggy.

Mr. Nelson addressed the house briefly.

HR 615 - ADOPTED

Representative Puente moved to suspend all necessary rules to take up and consider at this time **HR 615**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Puente,

HR 615, Honoring the Highlands High School Mock Trial Team.

The resolution was read and was adopted without objection.

HR 569 - ADOPTED

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 569**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Naishtat,

HR 569, Designating April 18, 1995, as John Henry Faulk Day.

The resolution was adopted without objection.

On motion of Representative Maxey, the names of all the members of the house were added to **HR 569** as signers thereof.

HR 597 - ADOPTED

Representative Farrar moved to suspend all necessary rules to take up and consider at this time **HR 597**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Farrar,

HR 597, Recognizing the week of April 17-23, 1995, as Environmental Awareness Week in Texas.

The resolution was adopted without objection.

HR 619 - ADOPTED

Representative Janek moved to suspend all necessary rules to take up and consider at this time **HR 619**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Janek,

HR 619, Welcoming the delegation from Kazakhstan.

The resolution was read and was adopted without objection.

HR 609 - ADOPTED

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 609**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Swinford,

HR 609, Honoring the Panhandle Professional Writers.

The resolution was adopted without objection.

HR 610 - ADOPTED

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 610**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Swinford,

HR 610, In memory of Jeannine Sutherland.

The resolution was unanimously adopted by a rising vote.

HR 618 - ADOPTED

Representative Bosse moved to suspend all necessary rules to take up and consider at this time **HR 618**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Bosse and Talton,

HR 618, In memory of Bill Hendrix, Sr.

The resolution was unanimously adopted by a rising vote.

On motion of Representative Talton, the names of all the members of the house were added to **HR 618** as signers thereof.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative Edwards moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 20.

The motion prevailed without objection.

HOUSE BILLS ON FIRST READING

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

By Berlanga,

HB 3211, A bill to be entitled An Act relating to the qualifications and terms of the port commissioners of the Port of Corpus Christi Authority of Nueces County.

To Committee on Natural Resources.

By Dear,

HB 3212, A bill to be entitled An Act relating to the authority of the board of directors of the Tarrant County Water Control and Improvement District No. 1 to provide certain benefits.

To Committee on Natural Resources.

By Danburg,

HB 3213, A bill to be entitled An Act relating to the creation, administration, powers, and duties of the Upper Kirby Management District.

To Committee on State Affairs.

By Hawley,

HB 3214, A bill to be entitled An Act relating to the creation of a statutory county court in Bee County.

To Committee on Judicial Affairs.

HOUSE JOINT RESOLUTION ON FIRST READING

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

By Oakley,

HJR 130, A joint resolution proposing a constitutional amendment authorizing certain persons under the age of 18 to vote in a primary election.

To Committee on Elections.

RESOLUTIONS REFERRED TO COMMITTEE

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

By R. Cuellar,

HCR 164, In memory of Corporal Harlon Block, U.S.M.C.

To Committee on Rules and Resolutions.

By J. Jones,

HCR 165, Honoring Dr. C. A. W. Clark, Sr.

To Committee on Rules and Resolutions.

By Coleman,

HR 592, Recognizing the board of directors, the staff, and the volunteers of the Martin Luther King, Jr., Community Center.

To Committee on Rules and Resolutions.

By McCall,

HR 595, Congratulating David and Nellie McCall on their 50th wedding anniversary.

To Committee on Rules and Resolutions.

By Alexander,

HR 600, Congratulating the West Cedar Creek Municipal Utility District on the opening of a new water treatment plant.

To Committee on Rules and Resolutions.

By Raymond,

HR 601, Paying tribute to the life of Frank Beverly "Bev" Lloyd, Jr.

To Committee on Rules and Resolutions.

By Alexander,

HR 603, Commending the Corsicana office of the Liberty Mutual Group.

To Committee on Rules and Resolutions.

By Alexander,

HR 604, In memory of Judge William Everett Hart.

To Committee on Rules and Resolutions.

By Conley,

HR 605, Honoring the Alpha Tau Omega chapter of the Alpha Kappa Alpha Sorority.

To Committee on Rules and Resolutions.

By Coleman,

HR 606, Honoring the Carrier-Holder Family Reunion.

To Committee on Rules and Resolutions.

By Coleman and Danburg,

HR 607, In memory of William Arnold "Bill" Scott.

To Committee on Rules and Resolutions.

By Pitts,

HR 608, Honoring Helen Mitchell on her selection as Beta Sigma Phi's First Lady of Waxahachie.

To Committee on Rules and Resolutions.

By Hill,

HR 611, Honoring The University of Texas at Dallas and welcoming the Texas Government class.

To Committee on Rules and Resolutions.

By Hernandez,

HR 612, Congratulating Dr. John P. Howe III, Dr. James Young, and The University of Texas Health Science Center at San Antonio.

To Committee on Rules and Resolutions.

SENATE BILLS ON FIRST READING

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

SB 39 to Committee on Criminal Jurisprudence.

SB 130 to Committee on Public Safety.

SB 132 to Committee on Financial Institutions.

SB 341 to Committee on Civil Practices.

SB 493 to Committee on Criminal Jurisprudence.

SB 519 to Committee on Public Health.

SB 525 to Committee on Higher Education.

SB 548 to Committee on Public Health.

SB 570 to Committee on Public Health.

SB 642 to Committee on Ways and Means.

SB 643 to Committee on Ways and Means.

SB 686 to Committee on Licensing and Administrative Procedures.

SB 714 to Committee on Licensing and Administrative Procedures.

SB 717 to Committee on County Affairs.

SB 792 to Committee on Natural Resources.

SB 892 to Committee on Urban Affairs.

SB 904 to Committee on Pensions and Investments.

SB 916 to Committee on Juvenile Justice and Family Issues.

SB 936 to Committee on Juvenile Justice and Family Issues.

SB 964 to Committee on Public Safety.

SB 1014 to Committee on Urban Affairs.

SB 1037 to Committee on Financial Institutions.

SB 1046 to Committee on State Affairs.

SB 1067 to Committee on Urban Affairs.

SB 1096 to Committee on Public Health.

SB 1102 to Committee on Civil Practices.

SB 1150 to Committee on Insurance.

SB 1154 to Committee on Transportation.

SB 1171 to Committee on Judicial Affairs.

SB 1177 to Committee on Public Safety.

SB 1178 to Committee on Licensing and Administrative Procedures.

SB 1179 to Committee on State Affairs.

SB 1229 to Committee on Public Health.

SB 1298 to Committee on Higher Education.

SB 1299 to Committee on Higher Education.

SB 1329 to Committee on Financial Institutions.

SB 1379 to Committee on Judicial Affairs.

SB 1384 to Committee on Judicial Affairs.

SB 1412 to Committee on Urban Affairs.

SB 1413 to Committee on Ways and Means.

SB 1437 to Committee on County Affairs.

SB 1438 to Committee on Energy Resources.

SB 1446 to Committee on Transportation.

SB 1479 to Committee on County Affairs.

SB 1515 to Committee on Judicial Affairs.

RESOLUTION REFERRED TO COMMITTEE

The following resolution was laid before the house and referred to committee:

SCR 88, Expressing support for the study and evaluation of an integrated treatment approach for persons with a co-occurring substance addiction and mental illness.

To Committee on Public Health.

SB 482 ON SECOND READING

The speaker laid before the house, in lieu of **HB 1192**, on its second reading and passage to third reading,

SB 482, A bill to be entitled An Act relating to the creation, powers, and duties of the Texas Volunteer Health Corps.

The bill was read second time.

Amendment No. 1

Representative Chisum offered the following amendment to the bill:

Amend **SB 482** as follows:

1) On page 2, between lines 18 and 19, insert a new subsection (c) to read as follows:

(c) Before the Texas Volunteer Health Corps may address a health care issue under this section, it must:

1. publish notice of a public hearing in a local newspaper;
2. hold a public hearing to allow the community to identify the vital health care issues for the community and to define the appropriate solution to those issues;
3. allow a 60 day comment period for community members; and
4. advise the community of any fiscal impact of the proposed program;

Amendment No. 1 was adopted without objection.

SB 482, as amended, was passed to third reading. (Heflin, Horn, Moffat, Reyna, and Shields recorded voting no)

HB 1192 - LAID ON THE TABLE SUBJECT TO CALL

Representative Berlanga moved to lay **HB 1192** on the table subject to call.

The motion prevailed without objection.

HB 2128 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 2128**.

CSHB 2128, A bill to be entitled An Act relating to the regulation of telecommunications utilities, to the provision of telecommunications and related services, and to the continuation of the Public Utility Commission of Texas.

CSHB 2128 was read second time.

Amendment No. 1

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 6, between lines 2 and 3, by inserting a new Subdivision (3) to Section 3.002, and renumbering the remaining subdivisions accordingly, to read as follows:

(3) "Incumbent local exchange company" means a local exchange company that has a certificate of convenience and necessity on September 1, 1995.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 8, line 14, strike "3.605".

(2) On page 8, strike lines 23-26 and substitute the following:

Federal Communications Commission, or commercial mobile service providers, under Sections 3(n) and 322(d), Communications Act of 1934 (47 U.S.C. Section 151 et seq.), Federal Communications Commission rules, and the Omnibus Budget

(3) On page 10, strike lines 3-5 and substitute the following:

Mobile Service under Sections 3(n) and 322(d), Communications Act of 1934 (47 U.S.C. Section 151 et seq.), Federal Communications Commission rules, and the Omnibus Budget Reconciliation

(4) On page 11, line 13, strike "(l) and (m)" and substitute "(l), ~~[and]~~ (m), and (s)".

(5) On page 15, line 22, strike "exchange" and substitute "telecommunications ~~[exchange]~~".

(6) On page 21, line 22, between "rate," and "to", insert "if any".

(7) On page 39, line 26, strike "radio".

(8) On page 42, line 2, strike "all".

(9) On page 42, line 3, between "authority" and the comma, insert "as part of the provision of local exchange telephone service".

(10) On page 42, line 9, strike "radio service ("CMRS")" and substitute "service".

(11) On page 46, strike lines 20-24 and substitute the following:
after the date of the filing of the application. A service provider certificate of operating authority shall be granted within 60 days after the date of the application on a nondiscriminatory basis after consideration by the commission of factors such as the technical and financial qualifications of the applicant and the applicant's ability to meet the commission's quality of service requirements. The commission may extend the 60-day period on good cause shown.

(12) On page 47, line 25, between "terminate" and "flat", insert "both".

(13) On page 48, line 1, strike "and".

(14) On page 48, line 8, strike the period and substitute the following:
; and

(7) may obtain services offered by or negotiated with a holder of a certificate of convenience and necessity or certificate of operating authority.

(15) On page 65, line 8, strike "radio service ("CMRS")" and substitute "service".

(16) On page 72, line 14, strike "radio".

(17) On page 79, line 9, between "Thereafter," and "the", insert "on application by the electing company or on the commission's own motion,".

(18) On page 97, line 20, between "functions" and "used", insert ", direct inward dialing, and any other mechanism the commission determines should be".

(19) On page 98, line 1, between "functions" and "used", insert ", direct inward dialing, and any other mechanism the commission determines should be".

(20) On page 101, line 12, strike "or the company's approved interconnection rates".

(21) On page 101, line 14, strike "elects to" and substitute "does".

(22) On page 128, line 4, strike "local" and substitute "lawful".

(23) On page 153, line 5, strike "In" and substitute "For local exchange companies serving fewer than one million access lines, in".

(24) On page 153, strike lines 9 and 10 and substitute "service fund in the circumstances prescribed by this".

(25) On page 158, line 8, strike "existing" and substitute "incumbent".

(26) On page 158, line 23, between "1995." and "A", insert "This subsection does not authorize a local exchange company to establish an end user charge."

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 18 as follows:

On lines 25-27, strike "Subsections (k), (n), and (o) also apply to a holder of a certificate of operating authority or service provider certificate of operating authority."

Amendment No. 3 was adopted without objection.

Amendment No. 4

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 38 by striking lines 6-11 and substituting the following:

Sec. 3.219. INTRALATA CALLS. (a) Except as provided by Subsection (b) of this section, while any local exchange company in this state is prohibited by federal law from providing interLATA telecommunications services, the local exchange companies in this state designated or de facto authorized to receive "0+" and "1+" dialed intraLATA calls shall be exclusively designated or authorized to receive those calls.

Amendment No. 4 was adopted without objection.

Amendment No. 5

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 47 by striking lines 2-18 and substituting the following:

(d) A service provider certificate of operating authority holder:

(1) may obtain services under the resale tariffs ordered by the commission as specified by Section 3.453, except in certificated areas of companies serving fewer than 31,000 access lines;

(2) may obtain for resale the monthly recurring flat rate local exchange telephone service and associated nonrecurring charges, including any mandatory extended area service, of an incumbent local exchange company at a five percent discount to the tariffed rate, and:

(A) the incumbent local exchange company shall also sell any feature service that may be provided to customers in conjunction with local exchange service, including toll restriction, call control options, tone dialing, custom calling services, and caller ID at a five percent discount to the tariffed rate, including any associated nonrecurring charge for those services, provided that the incumbent local exchange company shall make available to a holder of a service provider certificate of operating authority at an additional five percent discount any discounts made available to the customers of the incumbent local exchange company who are similarly situated to the customers of the holder of the service provider certificate of operating authority;

(B) service providers and incumbent local exchange companies may agree to rates lower than the tariffed rates or discounted rates;

(C) the five percent discounts provided by this subdivision do not apply in exchanges of companies having fewer than 31,000 access lines in this state;

(D) if the tariffed rates for the services being resold change, the changed rate is applicable to the resold service, but the commission may not, for holders of service provider certificates of operating authority, create a special class for purposes of resold services, and the discount provided to holders of service provider certificates of operating authority shall remain at five percent of the tariffed rate or discounted rate; and

(E) the holder of a service provider certificate of operating authority may purchase for resale optional extended area service and expanded local calling service but those services may not be discounted;

(Speaker pro tempore in the chair)

Amendment No. 5 was adopted without objection.

Amendment No. 6

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 48, by striking lines 9-14 and substituting the following:

(e) The holder of a certificate of operating authority or certificate of convenience and necessity shall not be granted a service provider certificate of operating authority as to the same territory. A holder of a service provider certificate of operating authority who applies for either a certificate of operating authority or certificate of convenience and necessity as to the same territory must include a plan to relinquish its service provider certificate of operating authority.

Amendment No. 6 was adopted without objection.

Amendment No. 7

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 55, line 24, by striking the word "proven" and substituting the word "deemed".

Amendment No. 7 was adopted without objection.

Amendment No. 8

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

On page 58, line 16, strike the word "a" and substitute the word "such".

On page 58, line 20, strike the word "A" and substitute the word "Such".

On page 58, line 24, strike the word "A" and substitute the word "Such".

On page 59, line 4, strike the word "a" and substitute the word "such".

Amendment No. 8 was adopted without objection.

Amendment No. 9

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 78, by striking lines 2-4 and substituting the following:

(f) Any rate restructure under Section 3.353(c) of this Act shall follow the notice and hearing procedures prescribed by Sections 3.211(a)-(c) of this Act, except as otherwise provided in this section.

Amendment No. 9 was adopted without objection.

Amendment No. 10

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 98, by striking lines 21-27 and substituting the following:

(2) The commission has 85 days after the date a cost study is submitted to administratively approve it or to order that changes be made except that the review process may be suspended for 30 days upon motion of the presiding examiner or for good cause shown by any party that demonstrates a justiciable interest. Such request must be made within the first 45 days of the review process. If the commission delegates approval of the cost study to an administrative law judge or hearing examiner, the judge or examiner has 85 days, or 115 days if suspended, to administratively approve it or to order that changes be made. The commission may not conduct a contested case to approve a cost study submitted under this section.

Amendment No. 10 was adopted without objection.

Amendment No. 11

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 103, by striking lines 26-27 and on page 104 by striking lines 1-6 and substituting the following:

Sec. 3.462. REVIEW OF IMPLEMENTATION. The provisions of Sections 3.452, 3.454, and 3.457 of this Act do not initially apply to incumbent local exchange companies that as of September 1, 1995, have 31,000 or more access lines in this state but fewer than one million access lines in this state. The obligations prescribed by these sections may be applied to such companies only on a bona fide request from a holder of a certificate of operating authority or service provider certificate of operating authority. In applying these rules to these incumbent local exchange companies, the commission may modify the rules as it finds in the public interest.

Amendment No. 11 was adopted without objection.

Amendment No. 12

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 159, line 16, after the period add the following:

In addition, the commission may use funds from the RTF to reimburse the

commission for the costs incurred by the commission in implementing and administering this section.

Amendment No. 12 was adopted without objection.

RECESS

Representative Hill moved that the house recess until 1:30 p.m.

The motion prevailed without objection.

The house accordingly, at 12 noon, recessed until 1:30 p.m.

AFTERNOON SESSION

The house met at 1:30 p.m. and was called to order by the speaker.

SB 436 - ADOPTION OF CONFERENCE COMMITTEE REPORT

Representative Rangel submitted the conference committee report on **SB 436**.

Representative Rangel moved to suspend all necessary rules and to adopt the conference committee report on **SB 436**.

A record vote was requested.

The motion prevailed by (Record 180): 128 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Alonzo; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; King; Krusee; Kubiak; Kuempel; Lewis, G.; Longoria; Madden; Marchant; Maxey; McCall; McCoulskey; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Oliveira; Park; Pickett; Pitts; Place; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rodriguez; Romo; Sadler; Seidlits; Serna; Shields; Siebert; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C); Giddings.

Absent, Excused — Luna; Patterson; Wilson.

Absent — Allen; Alvarado; Combs; Cuellar, H.; Edwards; Gallego; Hudson; Kamel; Lewis, R.; McDonald; Ogden; Price; Rhodes; Rusling; Saunders; Smithee; Thompson.

STATEMENTS OF VOTE

When Record No. 180 was taken, I was temporarily out of the house chamber. I would have voted yes.

Allen

When Record No. 180 was taken, I was in the house but away from my desk. I would have voted yes.

Kamel

When Record No. 180 was taken, I was temporarily out of the house chamber. I would have voted yes.

Rusling

When Record No. 180 was taken, I was temporarily out of the house chamber. I would have voted yes.

Smithee

MESSAGE FROM THE SENATE

Austin, Texas, April 18, 1995

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:

HCR 55 by Uher (Sponsor-Montford), in memory of Robert Henderson.

HB 721 by De La Garza, Gutierrez, Munoz, et al. (Sponsor-Lucio), relating to the control of rabies; providing criminal penalties (amended).

The Senate reconsidered the vote by which the conference committee report was adopted on **SB 821** and requests the bill be recommitted to conference committee. Senate conferees appointed: Madla, Chair, Lucio, Nelson, Gallegos and Wentworth.

Respectfully,
Betty King
Secretary of the Senate

HB 988 - WITH SENATE AMENDMENT

Representative Maxey called up with a senate amendment for consideration at this time,

HB 988, A bill to be entitled An Act relating to home collection kits for human immunodeficiency virus infection testing; providing penalties.

On motion of Representative Maxey, the house concurred in the senate amendment to **HB 988** by (Record 181): 127 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Eiland; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman;

Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hochberg; Holzheuser; Horn; Howard; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Madden; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Oakley; Ogden; Oliveira; Park; Pickett; Pitts; Place; Puente; Rabuck; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Seidlits; Serna; Shields; Siebert; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Willis; Wohlgemuth; Wolens; Woolley; Yost; Zbranek.

Present, not voting — Mr. Speaker(C); Elkins.

Absent, Excused — Luna; Patterson; Wilson.

Absent — Alonzo; Bailey; Davis; Ehrhardt; Harris; Hawley; Hirschi; Hudson; Krusee; Marchant; Nixon; Price; Ramsay; Saunders; Smithee; Tillery; Williamson; Yarbrough.

STATEMENTS OF VOTE

I was shown present, not voting, on Record No. 181. I intended to vote yes.

Elkins

When Record No. 181 was taken, I was in the house but away from my desk. I would have voted yes.

Hawley

When Record No. 181 was taken, I was temporarily out of the house chamber. I would have voted yes.

Hudson

When Record No. 181 was taken, I was temporarily out of the house chamber. I would have voted yes.

Smithee

HB 988 - TEXT OF SENATE AMENDMENT

Senate Amendment No. 1 (Committee Amendment No. 1)

Amend **HB 988**, Sec. 85.257 as follows: on page 3, line 21, after the word "products;" delete the word "and" and insert the word "or"

CSHB 2128 - (pending business)

Amendment No. 13

Representatives Hochberg and Danburg offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 21, line 19, strike "The" and substitute "Except as provided by Subsection (c) of this section, the".

(2) On page 22, between lines 11 and 12, insert the following:

(c) This section does not affect the requirement prescribed by 16 T.A.C. Section 23.69 that, not later than July 1, 1996, each local exchange company shall make ISDN available to all customers in exchange areas of the company that have at least 50,000 access lines.

Amendment No. 13 was adopted without objection.

Amendment No. 14

Representative Black offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

Sec. 3.1555, Page 22, between lines 5 and 6 — Insert a new (b) as follows, renumber current (b) as (c).

(b) Notwithstanding subsection (a) an electing incumbent local exchange company serving as of January 1, 1995, more than 175,000 but fewer than 1,500,000 access lines shall install digital switches in its central offices serving exchanges of less than 20,000 access lines before December 31, 1998.

Amendment No. 14 was adopted without objection.

Amendment No. 15

Representative Wolens offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

In SECTION 21 amend Section 3.2531(c) of Subtitle F, Public Utility Regulatory Act of 1995, as added by the committee substitute (p. 41, line 6), by adding the following between the words "premises" and "or":

, to install distribution facilities on specific streets or other locations within particular neighborhoods.

Representative Seidlits moved to table Amendment No. 15.

The motion to table prevailed.

Amendment No. 16

Representative Brady offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 42, strike lines 21 - 22 and substitute the following:

local exchange company serving fewer than 100,000 access lines, in exchanges of less than 31,000 access lines, the commission shall also consider:

(2) On page 43, lines 20-22, strike "in an exchange in a county having a population of less than 500,000 that is served by an incumbent local exchange company having more than 31,000 access lines," and substitute "in an exchange that has more than 31,000 access lines in a county having a population of less than 500,000 that is served by an incumbent local exchange company having more than 100,000 access lines,".

(3) On page 43, lines 25-26, strike "in an exchange of a company serving fewer than 31,000 access lines in this state," and substitute "in an exchange that has less than 31,000 access lines of a company serving fewer than 100,000 access lines in this state,".

(4) On page 44, strike lines 4 - 8 and substitute the following:

(h) The commission may not, before September 1, 1998, grant a certificate of operating authority in an exchange with less than 31,000 access lines if an incumbent local exchange company serving fewer than 100,000 access lines. The commission shall require that the applicant meet the other appropriate certification provisions of this Act.

(5) On page 44, strike lines 14 - 25 and substitute the following:

(1) On an application filed after September 1, 1997, the commission may conduct a hearing to determine:

(A) if the build-out requirements of Subsections (c), (d), and (g) of this section have created barriers to the entry of facilities-based local exchange telephone service competition in exchanges that have more than 31,000 access lines in counties with a population of more than 500,000 served by companies having more than 100,000 access lines; and

(B) the effect of the resale provisions on the development of competition except in certificated areas of companies serving fewer than 100,000 access lines in exchanges with less than 31,000 access lines as provided by Section 3.2532(d)(1) of this Act.

(6) On page 103, strike lines 16 - 25 and substitute the following:

APPLICATIONS AND RULES. The obligations prescribed by Section 3.452, 3.453, 3.455, 3.456, and 3.458 of this Act may not, until September 1, 1998, be applied to incumbent local exchange companies serving fewer than 100,000 access lines in exchanges of less than 31,000 access lines. After September 1, 1998, the obligations prescribed by Sections 3.452, 3.453, and 3.456 of this Act may be applied only on a bona fide request from a certified telecommunications utility. In applying these rules to these incumbent local exchange companies, the commission may modify the rules as it finds in the public interest.

Representative Seidlits moved to table Amendment No. 16.

The motion to table prevailed.

Amendment No. 17

Representative Combs offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** in SECTION 21 of the bill (Committee printing, page 43, line 13), by striking "4" and substituting "40".

Amendment No. 17 was adopted without objection.

Amendment No. 18

Representative Wolens offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

In SECTION 21 amend Section 3.2531(g) of Subtitle F, Public Utility Regulatory Act of 1995, as enacted by S.B. 319, Acts of the 74th Legislature, Regular Session, as added by the committee substitute (page 43, lines 16 through 24), to read as follows:

(g) An application for a certificate of operating authority may be granted only for an area or areas that are contiguous and reasonably compact and ~~have at least a three mile radius~~ cover an area of at least 27 square miles, except that:

(1) in an exchange in a county having a population of less than 500,000 that is served by an incumbent local exchange company having more than 31,000 access lines, an area ~~having covering less than a three-mile radius~~ 27 square miles may be approved if the area is contiguous and reasonably compact and has at least 20,000 access lines; and

Amendment No. 18 was adopted without objection.

Amendment No. 19

Representative Cook offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 48 as follows:

(1) On line 1, strike "and".

(2) On line 8 strike the period and substitute "; and".

(3) Between line 8 and 9, insert:

(7) may obtain for resale single or multiple line flat rate intraLATA calling service for online digital communications."

Amendment No. 20

Representative Seidlits offered the following amendment to Amendment No. 19:

Amend Amendment No. 19 by Cook to **CSHB 2128** in the new Subdivision (7) added by the amendment by striking "service for" and substituting "service when provided by the local exchange company at the tariffed rate for".

Amendment No. 20 was adopted without objection.

Amendment No. 19, as amended, was adopted without objection.

Amendment No. 21

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

Strike the sentence that begins on page 75, line 22.

Amendment No. 21 was adopted without objection.

Amendment No. 22

Representative Wolens offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 53, line 11, add to Section 3.2555 a new paragraph (e) to read as follows:

(e) Notwithstanding any other provision contained in this Act, any existing authority of a municipality to require permits, fees, franchises, and consents from telecommunications utilities for the use of the public streets, alleys and rights-of-way and to require contracts, leases, agreements and easements for the use of other public property is unaffected by this Act.

Amendment No. 22 was adopted without objection.

Amendment No. 23

Representative Naishtat offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

On page 62, strike Subsec. (c) of Sec. 3.2625 and renumber the subsequent subsections appropriately.

Representative Danburg moved to table Amendment No. 23.

The motion to table prevailed.

Amendment No. 24

Representative Uher offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128**, on page 66, by striking the following language on lines 6-7: "A petitioning exchange may not request expansion to more than five exchanges."

Amendment No. 24 was adopted without objection.

Amendment No. 25

Representative Uher offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128**, on page 66, line 17 by inserting after "the", the following:

"central office switching office of the". After "miles" on Line 18 insert the following: "utilizing vertical and horizontal geographic coordinates of the central switching office".

Amendment No. 25 was adopted without objection.

Amendment No. 26

Representative Uher offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128**, on page 66, line 20, by inserting after the word "exchange", the following:

"shall demonstrate in its petition that it".

On line 26, strike the word, "need" and replace with the following: "shall"

Amendment No. 26 was adopted without objection.

Amendment No. 27

Representative Uher offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128**, on page 67, line 8, by inserting the following:

"together with an additional monthly fee of \$1.50 per line for each exchange in excess of five, whether obtained in one or more petitions,"

Amendment No. 27 was adopted without objection.

Amendment No. 28

Representative Heflin offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by inserting the following at the appropriate place and renumbering the subsequent sections accordingly:

SECTION _____. Section 3.306, Public Utility Regulatory Act of 1995, as enacted by S.B. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended to read as follows:

Sec. 3.306. HOTELS OR MOTELS: CHARGES FOR TELEPHONE CALLS. The amount a hotel or motel charges for a local telephone call, a credit card telephone call, a collect telephone call, or any other local telephone call for which assistance from the hotel or motel operator is not required must be disclosed to each occupant of a hotel or motel by printed notification provided to the occupant upon check-in and by prominently displaying the amount to be charged on or near each telephone available for use by the occupant in the hotel or motel [may not exceed 50 cents].

Amendment No. 28 was withdrawn.

Amendment No. 29

Representative Brady offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by adding a new section, appropriately numbered, to read as follows and renumbering subsequent sections appropriately:

SECTION _____. (a) Subtitle G, Title III, Public Utility Regulatory Act of 1995, as enacted by S.B. No. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Section 3.309 to read as follows:

Sec. 3.309. (a) A private for-profit publisher of a residential telephone directory that is distributed to the public at minimal or no cost shall include in the directory a listing of any toll-free and local telephone numbers of state agencies and state public services and of each state elected official who represents all or part of the geographical area for which the directory contains listings.

(b) The listing required by this section must be clearly identified and must be located or clearly referenced at the front of the directory before the main listing of residential and business telephone numbers. The listing is not required to exceed a length equivalent to two 8-1/2-inch by 11-inch pages, single-spaced in eight-point type.

(c) The commission may adopt rules to implement this section, including rules specifying the format of the listing and criteria for inclusion of agencies, services, and officials. The commission, with the cooperation of other state agencies, shall compile relevant information to ensure accuracy of information in the listing and shall provide the information to a telecommunications utility or telephone directory publisher within a reasonable time after a request by the utility or publisher.

(b) This section takes effect September 1, 1995, and applies only to a telephone directory published on or after September 1, 1996.

Amendment No. 29 was adopted without objection.

Amendment No. 30

Representative Brady offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by adding a new section appropriately numbered:

SECTION _____. Subtitle G, Title III, Public Utility Regulatory Act of 1995, as enacted by S.B. No. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Section 3.309 to read as follows:

Sec. 3.309 - ROLLOVER OR HUNTING LINE SERVICE. A local exchange company must make available, at reasonable cost to the consumer,

rollover or hunting line service between foreign exchange service lines or extended metro lines and local dialing service lines. The consumer may not be required to purchase additional foreign exchange service lines or extended metro lines in order to receive the rollover or hunting line service.

Amendment No. 30 was withdrawn.

Amendment No. 31

Representative Alonzo offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by adding a new Section, appropriately numbered, to read as follows and renumbering subsequent Sections appropriately:

SECTION _____. Subtitle G, Title III, Public Utility Regulatory Act of 1995, as enacted by S.B. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Section 3.309 to read as follows:

Sec. 3.309. (a) A telecommunications utility or an affiliate of that utility that publishes a residential or business telephone directory that is distributed to the public shall publish the name of each state senator or representative who represents all or part of the geographical area for which the directory contains listings.

(b) If the telecommunications utility or affiliate publishes a directory that does not comply with Subsection (a) of this section, the utility or affiliate shall republish the directory as soon as possible.

Amendment No. 32

Representative Seidlits offered the following amendment to Amendment No. 31:

Amend the Alonzo Amendment No. 31:

Amend **CSHB 2128** by adding a new Section, appropriately numbered, to read as follows and renumbering subsequent Sections appropriately:

SECTION _____. Subtitle G, Title III, Public Utility Regulatory Act of 1995, as enacted by S.B. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Section 3.309 to read as follows:

Sec. 3.309. (a) A telecommunications utility or an affiliate of that utility that publishes a residential or business telephone directory that is distributed to the public shall publish the name of each state senator or representative who represents all or part of the geographical area for which the directory contains listings.

Amendment No. 32 was adopted without objection.

Amendment No. 31, as amended, was adopted without objection.

Amendment No. 33

Representative Brady offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by adding a new section appropriately numbered:

SECTION _____. Subtitle G, Title III, Public Utility Regulatory Act of 1995, as enacted by S.B. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Section 3.309 to read as follows:

Sec. 3.09 - ROLLOVER OR HUNTING LINE SERVICE. A local exchange company must make available, at reasonable cost to the consumer and at a tariffed rate rollover or hunting line service between foreign exchange service lines or extended metro lines and local dialing service lines. The consumer may not be required to purchase additional foreign exchange service lines or extended metro lines in order to receive the rollover or hunting line service.

Amendment No. 33 was adopted without objection.

Amendment No. 34

Representative Wolens offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

In subsection (c)(3), Section 3.353, Public Utility Regulatory Act of 1995, as added by the bill (page 74, line 20) by deleting the word "nationwide" and substituting the word "statewide."

(Black in the chair)

Representative Seidlits moved to table Amendment No. 34.

The motion to table prevailed.

Amendment No. 35

Representative Maxey offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 84, between lines 20 and 21, insert the following:

(11) In accordance with the plan developed by the Telecommunications Infrastructure Fund Board under Section 3.606(t) of this Act, the electing company shall provide free voice "mailbox" service to persons who are unable to have telephones because of the persons' economic status or the occurrence of a disaster.

(2) On page 90, between lines 9 and 10, insert the following:

(4) In accordance with the plan developed by the Telecommunications Infrastructure Fund Board under Section 3.606(t), the electing company shall provide free voice "mailbox" service to persons who are unable to have telephones because of the persons' economic status or the occurrence of a disaster.

(3) On page 152, between lines 13 and 14, insert the following:

(t) The board shall develop a plan to provide free voice "mailbox" service in appropriate urban areas to persons who are unable to have telephones because of the persons' economic status or the occurrence of a disaster. In developing the plan, the board:

(1) shall ensure that the service is primarily used to assist persons in finding employment or housing;

(2) may provide for the involvement of public or private, nonprofit organizations in the development or provision of the service in each area; and

(3) may prescribe the extent of the service that must be offered in each area.

Representative Carona moved to table Amendment No. 35.

The motion to table prevailed.

Amendment No. 36

Representatives Place and Williamson offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 86, between lines 20 and 21, and on page 91, between lines 21 and 22, add a new subsection (h) to read as follows:

(h) This subsection is applicable to local exchange companies having more than 150,000 access lines but fewer than 175,000 access lines on December 31, 1994, that have been required to reduce local exchange rates by Final Order of the Commission entered after May 1, 1993. By application of the local exchange company, the Commission shall allow the company's basic local exchange rates to be increased, if the company makes a commitment to elect to Subtitle H or I of this Act. The basic local exchange rates shall be the rates in effect immediately prior to the Commission's Final Order, regardless of any subsequent orders or appeals of the Final Order. Upon application by the local exchange company, the Commission shall within 60 days, issue an Order establishing such rates. Within 30 days of the Commission's Order, the local exchange company is required to elect to Subtitle H or Subtitle I.

Amendment No. 36 was adopted without objection.

Amendment No. 37

Representative Hochberg offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

On Page 102 at line 27, add a new subsection (c) as follows:

(c) Nothing in this Act shall require the Commission to change the rate treatment for Bulletin Board Systems in residences established by the Commission in Docket No. 8387.

Amendment No. 37 was adopted without objection.

Amendment No. 38

Representative Hochberg offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 106, line 27, between "Commission" and the period, by inserting ", except that this prohibition does not apply to uses of CPNI that are unrelated to telecommunications services or products".

Amendment No. 38 was adopted without objection.

Amendment No. 39

Representative Hochberg offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 144, line 24, between "INSTITUTIONS" and the semicolon, insert "**AND INFORMATION SHARING PROGRAMS BY LIBRARIES**".

(2) On page 145, line 1, between "state" and the period, insert "or an information sharing program that is or could be conducted by a library in this state".

(3) On page 145, line 5, after "institution", add "or library".

(4) On page 145, line 24, between "institutions" and the semicolon, insert "or information sharing programs of libraries".

(5) On page 145, line 26, between "community" and the semicolon, insert "and the information sharing needs identified by libraries".

(6) On page 146, line 2, between "institutions" and the period, insert "or libraries".

(7) On page 146, line 14, between "institution" and "or", insert ", library,".

(8) On page 146, line 17, between "activity" and "that", insert "or an information sharing program".

(9) On page 147, between lines 19 and 20, insert:

(3) "Library" means a "public library" or "regional library system" as those terms are defined by Section 441.122, Government Code, or a library operated by an institution of higher education or a school district.

(10) On page 148, line 6, between "education" and the period, insert "or a school district".

(11) On page 151, line 5, between "learning" and "and", insert ", information sharing programs of libraries,".

(12) On page 151, line 8, between "faculty," and "or", insert "librarians,".

(13) On page 151, strike line 9 and substitute "of distance learning or information sharing materials and equipment;".

(14) On page 151, line 11, strike the period and substitute an underlined semicolon.

(15) On page 151, between lines 11 and 12, insert:

(5) provide electronic information; or

(6) establish or carry out information sharing programs.

(16) On page 152, strike lines 6 and 7 and substitute:

(r) The Texas Higher Education Coordinating Board, the Central Education Agency, and the Texas State Library and Archives Commission shall adopt policies and procedures in

Amendment No. 39 was adopted without objection.

Amendment No. 40

Representative Brady offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 152, line 13, by adding a new Subsection (t) to Sec. 3.606 TELECOMMUNICATIONS INFRASTRUCTURE FUND:

(t) If the board requires matching funds for eligibility to receive a grant or loan the board shall permit public schools below the 50th percentile in per pupil property wealth, and who have since September, 1992, expended significant telecommunications and technology funds above the amount provided by the state per student technology allotment, to include those funds as eligible match when applying for loans or grants under this section.

Representative Seidlits moved to table Amendment No. 40.

The motion to table prevailed.

Amendment No. 41

Representative Wolens offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** in SECTION 41, Subtitle M, of the bill as follows:

(1) In subsection (d), Section 3.610, Public Utility Regulatory Act of 1995, as added by the bill (page 158, line 6), add between the words "surcharge" and "may":

"or rate increases"

(2) Strike subsection (h), Section 3.610, Public Utility Regulatory Act of 1995, as added by the bill (p.159, lines 17 through 25), and substitute:

(h) Upon adoption of the pricing rule required by Section 3.457 of this Act, the amount to be disbursed to local exchange companies pursuant to this section shall be revised by the commission. The commission shall revise the assessment and disbursement of RTF funds to reflect the results of cost studies provided by local exchange companies receiving funds from the RTF. The commission shall revise the basis for assessing and disbursing RTF funds in the following ways:

(1) the commission shall determine the cost of providing basic local telecommunications service for incumbent local exchange companies electing to receive funding from the RTF pursuant to Section 3.457 of this Act;

(2) the commission shall determine the affordable price of basic local telecommunications service for incumbent local exchange carriers electing to receive funding from the RTF;

(3) the commission shall determine the amount of RTF funding, if any, that is required to meet the shortfall between the cost of providing basic local telecommunications service as determined by the commission pursuant to Section 3.457 of this Act, and the affordable price of basic local telecommunications service;

(4) the commission shall cause the assessments required by subsections (b) and (e) of this section to be revised to reflect the new basis for assessing and disbursing RTF funds.

(3) Strike subsection (j), Section 3.610, Public Utility Regulatory Act of 1995, as added by the bill (p.160, lines 18 through 27 and page 161, lines 1 and 2).

Amendment No. 42

Representative Seidlits offered the following amendment to Amendment No. 41:

Amend Amendment No. 41 by Wolens to **CSHB 2128** by striking item 2 of the amendment which strikes Subsection (h) of Section 3.610 and substitutes a new Subsection (h) and by striking item 3 of the amendment which strikes Subsection (j) of Section 3.610.

Amendment No. 42 was adopted without objection.

Amendment No. 41, as amended, was adopted without objection.

Amendment No. 43

Representative Giddings offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 162, line 25, strike "and" and substitute "[and]".

(2) On page 162, between lines 25 and 26, insert:

(5) the device, when used for solicitation purposes, has a message shorter than one minute or has the technical capacity to recognize a telephone answering device on the called person's line and terminates the call within one minute; and

(3) On page 162, line 26, strike "(5)" and substitute "(6) [~~(5)~~].

Amendment No. 43 was adopted without objection.

Amendment No. 44

Representative Wolens offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** in SECTION 45 of the bill as follows:

(1) Add a new Section 45(d)(at page 170, line 14 of the committee substitute) as follows:

(d) Notwithstanding any other provision of this Act, any rate case initiated prior to April 15, 1995, is governed by the law in effect when the petition initiating the case was filed, and that law is continued in effect for that purpose.

Amendment No. 44 was withdrawn.

Amendment No. 45

Representatives Davis and Tillery offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by adding a new Section, appropriately numbered, and renumbering subsequent section accordingly to read as follows:

SECTION _____. (a) Subchapter D, Chapter 74, Property Code, is amended by adding Section 74.3012 to read as follows:

Sec. 74.3012. DELIVERY OF MONEY TO URBAN SCHOLARSHIP FUND. (a) Notwithstanding and in addition to any other provision of this chapter or other law, a local exchange company may deliver reported money to a scholarship fund for urban students instead of delivering the money to the state treasurer as prescribed by Section 74.301.

(b) A local exchange company may deliver the money under this section only to a scholarship fund established by one or more local exchange companies in this state to enable needy students from urban areas to attend college, technical school, or another postsecondary educational institution.

(c) A local exchange company shall file with the state treasurer a verification of money delivered under this section that complies with Section 74.302.

(d) A claim for money delivered to a scholarship fund under this section must be filed with the local exchange company that delivered the money. The local exchange company shall forward the claim to the administrator of the scholarship fund to which the money was delivered. The scholarship fund shall pay the claim if the fund determines in good faith that the claim is valid. A person aggrieved by a claim decision may file a suit against the fund in a district court in the county in which the administrator of the scholarship fund is located in accordance with Section 74.506.

(e) The state treasurer shall prescribe forms and procedures governing this section, including forms and procedures relating to:

- (1) notice of presumed abandoned property;
- (2) delivery of reported money to a scholarship fund; and
- (3) filing of a claim.

(f) In this section, "local exchange company" means a telecommunications utility certificated to provide local exchange telephone service within the state and that has 50,000 or more access lines in service in this state and is not a telephone cooperative.

(b) Section 74.3012, Property Code, as added by this Act, applies only to money that a local exchange company would otherwise be required to deliver to the state treasurer on or after the effective date of this Act. Money that was required to be delivered to the state treasurer before the effective date of this Act is governed by the law in effect when the money was required to be delivered, and that law is continued in effect for that purpose.

Amendment No. 45 was withdrawn.

Amendment No. 46

Representative S. Turner offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by adding an appropriately numbered section to read as follows and renumbering subsequent sections appropriately:

SECTION _____. Subtitle K, Title I, Public Utility Regulatory Act of 1995, as enacted by S.B. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Section 1.407 to read as follows:

Sec. 1.407. HISTORICALLY UNDERUTILIZED BUSINESSES. (a) The commission by rule shall require each utility to make a good faith effort to overcome the underuse of historically underutilized businesses as shown for private industry by the disparity study conducted under H.B. 2626, Acts of the 73rd Legislature, 1993.

(b) The commission may conduct further research and analysis to adjust the results of the disparity study as necessary to account for specific underuse of historically underutilized businesses by the utility industry.

(c) The rules adopted under this section must require each utility to prepare and submit to the commission a strategic plan for use of historically underutilized businesses.

(d) In this section:

(1) "Historically underutilized business" means a business entity at least 51 percent of which is owned by minority group members, or in the case of a corporation, at least 51 percent of the shares of which are owned, managed, and controlled by minority group members.

(2) "Minority group members" include:

(A) African Americans;

(B) American Indians;

(C) Asian Americans;

(D) Mexican Americans and other Americans of Hispanic

origin; and

(E) women.

Amendment No. 46 was adopted without objection.

Amendment No. 47

Representatives Torres, Moreno, Romo, Alonzo, Pickett, Davis, Van de Putte, Bailey, S. Turner, Tillery, Edwards, Giddings, Dukes, McDonald, Maxey, Gallego, Conley, J. Jones, De La Garza, Puente, Munoz, Serna, Farrar, G. Lewis, Solis, Davila, Rangel, R. Cuellar, and H. Cuellar offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 39, between lines 3 and 4, by inserting the following:

(d) Notwithstanding any other provision of this Act, a cable company that provides cable service to at least five municipalities in this state, one of which has a population of at least one million, may not receive a certificate of convenience and necessity, certificate of operating authority, or service provider certificate of operating authority.

Amendment No. 47 was withdrawn.

Amendment No. 48

Representative Brimer offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 62, line 25, by striking "a credit card or" and substituting "an".

Amendment No. 48 was adopted without objection.

Amendment No. 49

Representative Brady offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 152, line 13, by adding a new Subsection (t) to Sec. 3.606 TELECOMMUNICATIONS INFRASTRUCTURE FUND:

(t) If the board requires matching funds for eligibility to receive a grant or loan the board shall permit public schools below the 50th percentile in per pupil property wealth, and who have since September 1, 1994, expended significant telecommunications and technology funds above the amount provided by the state per student technology allotment, to include those funds as eligible match when applying for loans or grants under this section.

Representative Seidlits moved to table Amendment No. 49.

The motion to table prevailed.

Amendment No. 50

Representative Giddings offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

On page 169, line 9, add a new section to the bill, to be appropriately numbered and renumber subsequent bill sections, to read as follows:

SECTION____. Chapter 37, Business & Commerce Code, is amended by adding Section 37.06 to read as follows:

Sec. 37.06. DIRECTORY LISTINGS; OFFENSES. (a) Any telephone subscriber who desires a telephone directory listing indicating that the subscriber does not wish to receive sales solicitation calls may notify the subscriber's local

exchange company and order a black dot printed by their telephone directory listing. The fee for the service shall not exceed \$5 per listing. Fees collected for the service pursuant to this subsection shall be allocated as follows:

(1) forty percent of the fees shall be deposited in the general revenue fund and shall be dedicated for public schools;

(2) forty percent of the fees shall be retained by the local exchange company; and

(3) the remaining twenty percent of the fees shall be deposited in the general revenue fund.

(b) A telephone solicitor commits an offense if the telephone solicitor:

(1) makes or causes to be made any telephone call to any telephone number if the telephone number listed in the current directory indicates the subscriber does not wish to receive sales solicitations calls; or

(2) makes or causes to be made any sales solicitation call to any person who has requested an unlisted telephone number in the most recently published telephone directory.

(c) An offense under this section is a Class C misdemeanor and is punishable by a fine of not more than \$500 for each offense. Each sales solicitation call made in violation of this subsection constitutes a separate offense.

(d) An attorney representing the state is not required to investigate a person's report of an alleged violation of Subdivision (4), subsection (b) unless the person making the report includes the name and telephone number of the entity or the person who made the sales solicitation call.

(e) Local exchange companies shall not be responsible for the enforcement of the provisions of this section.

Amendment No. 51

Representative S. Turner offered the following amendment to Amendment No. 50:

Amend Amendment No. 50 by Giddings to **CSHB 2128** in Subsection (a), Section 37.06, Business & Commerce Code, as added by the amendment, by striking the second sentence of the subsection and substituting:

The local exchange company may establish a fee for this service.

Amendment No. 51 was adopted without objection.

(Speaker in the chair)

Representative Seidlits moved to table Amendment No. 50, as amended.

The motion to table prevailed.

Amendment No. 52

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** on page 45, line 16, by striking "a radius of two miles" and substituting "12 square miles".

Amendment No. 52 was adopted without objection.

Amendment No. 53

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 69, line 16, strike "J-N" and substitute "J-0".

(2) On page 137, after line 24, add the following:

SUBTITLE M. INFORMATION TECHNOLOGY SERVICES

Sec. 3.581. DEFINITIONS. In this subtitle:

(1) "Management consulting" means the development, refinement, and coordination of strategies to support a client's business direction, positively impact business performance, and improve operating results, in areas such as business planning, operations, information technology, marketing, finance, and human resources.

(2) "Systems development" means the creation, migration, or improvement of computer systems, including hardware and software, to meet specific business needs or to take advantage of changes in information technology.

(3) "Systems integration" means the acquisition, installation, and integration of hardware, software, communications, and related support components and services.

(4) "Systems management" means the ongoing management and operation of information technology components and may range from specialized systems applications to an enterprise's entire information technology function, including facilities and personnel.

(5) "Process management" means the ongoing responsibility for direction and operation of one or more business processes within an enterprise in areas such as administration, finance, human resources, operations, and sales and marketing.

Sec. 3.582. PROVISION OF INFORMATION TECHNOLOGY SERVICES THROUGH SEPARATE AFFILIATE. (a) Except for services and products provided on September 1, 1995, a local exchange company serving more than five million access lines in this state may not provide the following customized business products or services to customers with 50 or more access lines in this state:

(1) management consulting, except for consulting relating exclusively to telecommunications;

(2) information technology process or systems development;

(3) information technology process or systems integration; or

(4) information technology process or systems management.

(b) This section does not prohibit an affiliate of the local exchange company from providing any of the products or services described by Subsection (a) of this section in accordance with Sections 3.583 and 3.584, or prohibit a local exchange company from providing those products or services to itself. The local exchange company may also provide those services to an affiliate if neither the local exchange company nor any of its affiliates are engaged in providing those products or services to unaffiliated third parties.

(c) The prohibitions prescribed by Subsection (b) of this section do not prohibit a local exchange company from:

(1) providing mass market and consumer market products and services

directly to customers with fewer than 50 access lines in this state that use or rely on the use of information services, information systems, or information technology or processes; or

(2) selling or leasing billing and collection services, local area networks, wide area networks, or any other telecommunications service.

Sec. 3.583. SEPARATE AFFILIATE REQUIREMENTS. (a) An affiliate of the local exchange company providing a service described by Section 3.582(a) shall:

(1) operate independently from the local exchange company in the provision of its services;

(2) maintain its own books of accounts; and

(3) have separate officers, directors, and employees who may not also serve as officers, directors, or employees of the local exchange company, except that an officer of a corporate parent or holding company may serve as a director of the local exchange company and as a director of any other of the parent's subsidiaries that are in existence on September 1, 1995, or of any new subsidiary or affiliate established after September 1, 1995, that does not engage in the provision of a service described by Section 3.582(a).

(b) All transactions between the local exchange company and the affiliate providing a service described by Section 3.582(a) shall be conducted on an "arms length" basis with respect to the acquisition of that service from the affiliate.

(c) The local exchange company shall maintain and keep available for inspection by the commission copies of all contracts or arrangements between the company and an affiliate relating to the local exchange company's acquisition of a service described by Section 3.582(a) from the affiliate. The local exchange company's records must show each cash or noncash transaction with the affiliate for that service, including the payments for goods and services or any property right.

(d) The local exchange company and an affiliate engaged in a service described by Section 3.582(a) may not jointly own or share in the use of any property.

Sec. 3.584. ADDITIONAL COMPETITIVE SAFEGUARDS. (a) A local exchange company may not discriminate between an affiliate providing a service described by Section 3.582(a) and any other person in the provision or procurement of goods, services, facilities, or information or in the establishment of standards.

(b) A local exchange company or its affiliate may not use revenues from local exchange telephone service or from local-exchange-company-provided access services to subsidize the provision of a service described by Section 3.582(a).

(c) This section does not prohibit the investment by an affiliate of dividends or profits derived from a local exchange company or the development of a product or service described by Section 3.582(a) by an affiliate of a local exchange company for the local exchange company if the investment or development complies with Section 3.583.

(3) On page 138, line 1, strike "SUBTITLE M." and substitute "SUBTITLE N.".

(4) On page 161, line 8, strike "SUBTITLE N." and substitute "SUBTITLE O."

Amendment No. 53 was adopted without objection.

Amendment No. 54

Representative Seidlits offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 98, line 3, between "INTERCONNECTION." and "Not", insert "(a)".

(2) On page 98, between lines 15 and 16, insert the following:

(b) This section does not prohibit the commission from completing a proceeding pending on April 1, 1995, that addresses expanded interconnection.

Amendment No. 54 was adopted without objection.

Amendment No. 55

Representatives Davis and Tillery offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** as follows:

(1) On page 169, between lines 1 and 2, insert the following:

(g) During a state fiscal year, the total amount of money that may be transferred by all local telephone exchange companies under this section may not exceed \$400,000. The state treasury shall keep a record of the total amount of money transferred annually. When the total amount of money transferred during a state fiscal year equals the amount allowed by this subsection, the treasury shall notify each local telephone exchange company that the company may not transfer any additional money to the company's scholarship fund during the remainder of that state fiscal year.

(2) Add a new Section, appropriately numbered, and renumbering subsequent section accordingly to read as follows:

SECTION _____. (a) Subchapter D, Chapter 74, Property Code, is amended by adding Section 74.3012 to read as follows:

Sec. 74.3012. DELIVERY OF MONEY TO URBAN SCHOLARSHIP FUND. (a) Notwithstanding and in addition to any other provision of this chapter or other law, a local exchange company may deliver reported money to a scholarship fund for urban students instead of delivering the money to the state treasurer as prescribed by Section 74.301.

(b) A local exchange company may deliver the money under this section only to a scholarship fund established by one or more local exchange companies in this state to enable needy students from urban areas to attend college, technical school, or another postsecondary educational institution.

(c) A local exchange company shall file with the state treasurer a verification of money delivered under this section that complies with Section 74.302.

(d) A claim for money delivered to a scholarship fund under this section must be filed with the local exchange company that delivered the money. The local exchange company shall forward the claim to the administrator of the scholarship fund to which the money was delivered. The scholarship fund shall

pay the claim if the fund determines in good faith that the claim is valid. A person aggrieved by a claim decision may file a suit against the fund in a district court in the county in which the administrator of the scholarship fund is located in accordance with Section 74.506.

(e) The state treasurer shall prescribe forms and procedures governing this section, including forms and procedures relating to:

- (1) notice of presumed abandoned property;
- (2) delivery of reported money to a scholarship fund; and
- (3) filing of a claim.

(f) In this section, "local exchange company" means a telecommunications utility certificated to provide local exchange telephone service within the state and that has 50,000 or more access lines in service in this state and is not a telephone cooperative.

(g) During the 1995-1996 fiscal year, the total amount of money that may be transferred by all local exchange companies under this section may not exceed \$400,000. During each subsequent state fiscal year, the total amount of money that may be transferred by all local exchange companies under this section may not exceed the total amount of money transferred to rural scholarship funds under Section 74.3011 during the previous state fiscal year. The state treasury shall keep a record of the total amount of money transferred annually. If the total amount of money transferred during a state fiscal year equals the amount allowed by this subsection, the treasury shall notify each local exchange company that the company may not transfer any additional money to the company's scholarship fund during the remainder of that state fiscal year.

(b) Section 74.3012, Property Code, as added by this Act, applies only to money that a local exchange company would otherwise be required to deliver to the state treasurer on or after the effective date of this Act. Money that was required to be delivered to the state treasurer before the effective date of this Act is governed by the law in effect when the money was required to be delivered, and that law is continued in effect for that purpose.

Amendment No. 55 was adopted without objection.

Amendment No. 56

Representatives Thompson and Kubiak offered the following amendment to **CSHB 2128**:

Amend **CSHB 2128** by adding an appropriately numbered section to read as follows and renumbering sections appropriately:

SECTION _____. Subtitle D, Title 3, Public Utility Regulatory Act of 1995, as enacted by S.B. 319, Acts of the 74th Legislature, Regular Session, 1995, is amended by adding Section 3.1556 to read as follows:

Sec. 3.1556. RECONNECTION FEE. The commission shall establish a reasonable limit on the amount that a local exchange company may charge a customer for changing the location at which the customer receives service.

Amendment No. 56 was adopted without objection.

CSHB 2128, as amended, was passed to engrossment.

HR 616 - ADOPTED

Representative Yarbrough moved to suspend all necessary rules to take up and consider at this time **HR 616**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Yarbrough,

HR 616, Honoring Kristian Villarreal on the occasion of her visit to the state capitol.

The resolution was adopted without objection.

HR 617 - ADOPTED

Representative Yarbrough moved to suspend all necessary rules to take up and consider at this time **HR 617**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Yarbrough,

HR 617, Honoring Glenn Ferrell on the occasion of his visit to the state capitol.

The resolution was adopted without objection.

HR 613 - ADOPTED

Representative Farrar moved to suspend all necessary rules to take up and consider at this time **HR 613**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Farrar and Bailey,

HR 613, Honoring Sabrina Becerra, Jesse Landeros, Sherry Galvez, John Haywood, Tracy Carr, and Juan Flores on the occasion of their visit to the state capitol.

The resolution was adopted without objection.

SB 821 - VOTE RECONSIDERED

Representative Gallego moved to suspend all necessary rules and to reconsider the vote by which the conference committee report on **SB 821** was adopted.

The motion to reconsider prevailed without objection.

SB 821 - RECOMMITTED

Representative Gallego moved to recommit the conference committee report on **SB 821** to the conference committee.

The motion prevailed without objection.

RULES SUSPENDED

Representative Place moved to suspend the 5-day posting rule to allow the Committee on Criminal Jurisprudence to consider **HB 2949** and **HB 2234**.

The motion prevailed without objection.

Representative Oliveira moved to suspend the 5-day posting rule to allow the Committee on Economic Development to consider all bills posted and pending.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Economic Development, 5:30 p.m. today, Room 101, Reagan Building, to consider posted bills.

Criminal Jurisprudence, 8 a.m. Wednesday, April 19, Room 1, to consider **HB 2949** and **HB 2234**.

Higher Education, on adjournment today, to consider the Laredo bill.

Appropriations, conference committee on **HB 1**, 2 p.m. tomorrow, rescheduled from today.

Ways and Means, on adjournment today, regular meeting room.

House Administration, on adjournment today, Desk 25.

Rules and Resolutions, on adjournment today, Desk 133, to consider the calendar.

Agriculture and Livestock, on adjournment today, Desk 11, to consider **SB 897** and **SB 699**.

Criminal Jurisprudence, Procedural Subcommittee, on adjournment today, originally scheduled to meet at 1:30 p.m. today, E1.022, Capitol Extension.

ADJOURNMENT

Representative Price moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 5:05 p.m., adjourned until 10 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

Agriculture and Livestock - **HB 2245**, **HB 2505**, **HB 2744**, **HB 2892**, **HB 3003**, **SB 251**, **SB 810**

Appropriations - **HB 843**, **HB 1839**, **HB 2462**, **HB 3035**, **SB 776**

Business and Industry - **HB 333, HB 946, HB 1530, HB 1589, HB 1766, HB 2853**

Civil Practices - **HB 43, HB 354, HB 428, HB 2223, HB 2370, HB 2866, SB 524**

Corrections - **HB 514, HB 614, HB 1567, HB 2318, HB 2782, SB 693**

County Affairs - **HB 1770, HB 1849, HB 2078, HB 2980, HB 2989, SB 770**

Criminal Jurisprudence - **HB 732, HB 1074, HB 1753, HB 2037, HB 2730**

Economic Development - **HB 788, SB 215**

Energy Resources - **HB 2520, SB 744**

Environmental Regulation - **HB 2296, HB 2349, HB 2386, HB 2651, HB 2877, HB 2878, HB 3036, SB 1371**

Financial Institutions - **HB 1013, HB 1586, HB 1608, HB 1615, HB 1851, HB 2726, HB 2790, HB 2924, HB 3008, HB 3071**

Higher Education - **HB 288, HB 2495, HB 2812, SB 1280, SB 1320**

Human Services - **HB 238, HB 1062, HB 2468, HB 2703, HB 2704, HB 2859, HB 2891, SB 71**

Insurance - **HB 129, HB 1988, HB 2793**

Judicial Affairs - **HB 759, SB 1061**

Juvenile Justice and Family Issues - **HB 76, HB 137, HB 138, HB 336, HB 1447, HB 2031**

Land and Resource Management - **HB 1001, HB 1059, HB 2140, HB 2376, HB 2461, HB 2758, SB 421, HJR 14**

Licensing and Administrative Procedures - **HB 798, HB 799, HB 1419, HB 1519, HB 1680, HB 2200, HB 3031, SB 1063, SB 1236**

Natural Resources - **HB 546, HB 1900, HB 2038, HB 2294, HB 2446, HB 2618, SB 1172**

Pensions and Investments - **HB 2459**

Public Health - **HB 1745, HB 2174, HB 2383, HB 2402, HB 2669, HB 3171, SB 482**

Public Safety - **HB 2617**

State Affairs - **HB 568, HB 916, SB 31**

State Recreational Resources - **HB 2365, HB 3075, SB 329**

State, Federal, and International Relations - **HB 1271**

Transportation - **HB 277, HB 1124, HB 1542, HB 1544, HB 1732, HB 1794, HB 1905, HB 2053, HB 2180, HB 2582, HB 3062, SB 443, SB 549, HCR 127, HCR 134, HR 166**

Ways and Means - **HB 49, HB 624, HB 888, HB 1744, HB 2661, SB 401, SB 403**

ENGROSSED

April 12 - **HB 73, HB 176, HB 366, HB 552, HB 699, HB 997, HB 1127, HB 1463, HB 1531, HB 1775, HB 1957, HB 2068, HB 2265, HB 2278, HB 2343, HB 2344, HB 2674, HJR 31, HCR 85**

April 13 - **HB 971, HB 1084, HB 1085, HB 1324, HB 1491**

ENROLLED

April 12 - **HB 305, HB 582, HB 839, HCR 162**

**RECOMMENDATIONS OF THE TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION FILED WITH THE SPEAKER**

April 13 - **HB 3110, HB 3179, HB 3186, HB 3187**