

# GENERAL AND SPECIAL LAWS

## THE STATE OF TEXAS

Passed By The  
SECOND CALLED SESSION  
of the  
SIXTY-FIFTH LEGISLATURE

Convened at the  
City of Austin, July 10, 1978  
and  
Adjourned August 8, 1978

Published under the Authority of The State of Texas



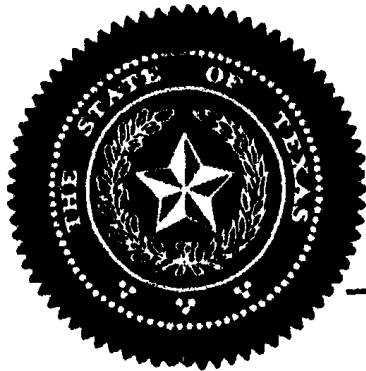
STEVEN C. OAKS ..... Secretary of State

# The State of Texas

## Secretary of State

I, GEORGE W. STRAKE, JR., Secretary of State of the State of Texas DO HEREBY CERTIFY that the following General and Special Laws and Resolutions passed at the Second Called Session of the Sixty-Fifth Legislature of the State of Texas, convened the 10th day of July, 1978, and adjourned the 8th day of August, 1978, have been carefully examined and compared by me with the original enrolled bills now on file in the Office of the Secretary of State, and that they are true and correct copies of said original enrolled bills.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this 28th day of September, A.D. 1979.



A handwritten signature in cursive script, appearing to read "George W. Strake, Jr.", written over a horizontal line.

Secretary of State

**65th LEGISLATURE—SECOND CALLED SESSION**

Martin of Mitchell	Rains	Thompson
Martin of Live Oak	Rangel	Uher
Massey	Reyes	Untermeyer
Mayes	Ribak	Uribe
Miller	Robbins	Vale
Millsap	Rudd	Valles
Moreno	Salinas	Von Dohlen
Nabers	Schieffer	Wallace
Now in	Schlueter	Washington
Nugent	Semos	Waters
Olson	Simpson	Watson
Orr	Slack	Whitehead
Patterson	Smith	Whitmire
Peveto	Smothers	Wieting
Polumbo	Stubbeman	Willis
Powers	Sullivant	Wilson of Fayette
Presnal	Sutton	Wilson of Harris
Price	Tejeda	Wright
Ragsdale	Temple	Wyatt

Adopted by the House on July 20, 1978; adopted by the Senate on July 24, 1978.

Approved Aug. 4, 1978.

Filed with the Secretary of State, Aug. 7, 1978.

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**REQUEST OF CONGRESS—CONSTITUTIONAL AMENDMENT  
REQUIRING BALANCED FEDERAL BUDGET**

H. C. R. No. 13

WHEREAS, The overwhelming endorsement by California voters of Proposition 13 has spurred a nationwide taxpayer's revolt against high taxes and excessive government spending; and

WHEREAS, While numerous local governments and states, including Texas, are sincerely responding to citizen demands for tax limitations coupled with responsible spending, the federal government, where budget restraint is most needed, has reacted to the message of Proposition 13 in a halfhearted and disappointing manner; and

WHEREAS, The federal budget is increasing at an alarming rate, several times that of inflation, as seen by a 140 percent increase since 1970; and

WHEREAS, The federal government through many years of deficit spending has incurred a national debt of astronomical and dangerous proportions; the gross national debt is currently estimated to be almost \$800 billion, over twice the figure for 1962 and about 40 percent of the nation's gross national product; and

WHEREAS, Statutorily imposed "permanent" debt ceilings, repeatedly raised by congress, have proved to be no impediment to the monstrous growth of the national debt; this disgraceful legacy for future generations has swollen by \$177 billion over the past three years and has fostered an interest payment of \$50 billion for this year; and

## RESOLUTIONS

WHEREAS, Persistent deficit financing is a major factor contributing to income-robbing inflation, high interest rates, and an unstable, unpredictable economy, and results in the funding of government programs of questionable benefit and need; and

WHEREAS, Texas' enviable financial position among state governments is largely due to its "pay-as-you-go" constitutional provision restricting deficit spending by the legislature; and

WHEREAS, During the 1977 regular session, this legislature adopted House Concurrent Resolution No. 31 memorializing congress to initiate a constitutional amendment that would similarly prevent deficit spending and therefore halt the growth of the national debt, the greatest threat to this nation's future well-being; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That the 65th Legislature, 2nd Called Session, hereby reaffirm the provisions of House Concurrent Resolution No. 31 calling for an amendment to the United States Constitution requiring a balanced annual federal budget and hereby request the Texas congressional delegation to sponsor this vital amendment; and, be it further

RESOLVED, That this amendment require the achievement of a balanced budget within a reasonable period after adoption and establish a procedure for amortizing the national debt; and, be it further

RESOLVED, That the Governor of Texas be hereby requested to actively seek the sponsorship of the amendment by the Texas congressional delegation and to use the financial resources of his office to promote support for the amendment; and, be it further

RESOLVED, That the governor, lieutenant governor, and speaker of the house be hereby requested to contact government leaders of other states to solicit and encourage support for the amendment; and, be it further

RESOLVED, That the lieutenant governor and speaker of the house be authorized to designate separate or joint committees or individual legislators to represent them and the state in this endeavor and that reasonable expenses incurred by them or their designees in efforts to initiate the amendment be paid from the contingent expense fund of the appropriate house; and, be it further

RESOLVED, That official copies of this resolution be prepared and forwarded to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to all members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

Adopted by the House on July 20, 1978, by a non-record vote; adopted by the Senate on July 24, 1978: Yeas 27, Nays 2.

Approved Aug. 7, 1978.

Filed with the Secretary of State, Aug. 7, 1978.

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## SUIT AGAINST STATE—CANYON CREEK PROPERTIES

H. C. R. No. 15

WHEREAS, Canyon Creek Properties, a limited partnership doing business in Randall County, alleges that the State Department of High-



1 contributing to income-robbing inflation, high interest rates, and  
2 an unstable, unpredictable economy, and results in the funding of  
3 government programs of questionable benefit and need; and

4 WHEREAS, Texas' enviable financial position among state  
5 governments is largely due to its "pay-as-you-go" constitutional  
6 provision restricting deficit spending by the legislature; and

7 WHEREAS, During the 1977 regular session, this legislature  
8 adopted House Concurrent Resolution No. 31 memorializing congress  
9 to initiate a constitutional amendment that would similarly prevent  
10 deficit spending and therefore halt the growth of the national  
11 debt, the greatest threat to this nation's future well-being; now,  
12 therefore, be it

13 RESOLVED by the House of Representatives of the State of  
14 Texas, the Senate concurring, That the 65th Legislature, 2nd Called  
15 Session, hereby reaffirm the provisions of House Concurrent  
16 Resolution No. 31 calling for an amendment to the United States  
17 Constitution requiring a balanced annual federal budget and hereby  
18 request the Texas congressional delegation to sponsor this vital  
19 amendment; and, be it further

20 RESOLVED, That this amendment require the achievement of a  
21 balanced budget within a reasonable period after adoption and  
22 establish a procedure for amortizing the national debt; and, be it  
23 further

24 RESOLVED, That the Governor of Texas be hereby requested to  
25 actively seek the sponsorship of the amendment by the Texas  
26 congressional delegation and to use the financial resources of his  
27 office to promote support for the amendment; and, be it further

1           RESOLVED, That the governor, lieutenant governor, and speaker  
2 of the house be hereby requested to contact government leaders of  
3 other states to solicit and encourage support for the amendment;  
4 and, be it further

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6 house be authorized to designate separate or joint committees or  
7 individual legislators to represent them and the state in this  
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15 Representatives of the United States Congress, and to all members  
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17 resolution be officially entered in the Congressional Record as a  
18 memorial to the Congress of the United States of America.

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H.C.R. No. 13

## HOUSE CONCURRENT RESOLUTION

1           WHEREAS, The overwhelming endorsement by California voters of  
2 Proposition 13 has spurred a nationwide taxpayer's revolt against  
3 high taxes and excessive government spending; and

4           WHEREAS, While numerous local governments and states,  
5 including Texas, are sincerely responding to citizen demands for  
6 tax limitations coupled with responsible spending, the federal  
7 government, where budget restraint is most needed, has reacted to  
8 the message of Proposition 13 in a halfhearted and disappointing  
9 manner; and

10           WHEREAS, The federal budget is increasing at an alarming  
11 rate, several times that of inflation, as seen by a 140 percent  
12 increase since 1970; and

13           WHEREAS, The federal government through many years of deficit  
14 spending has incurred a national debt of astronomical and dangerous  
15 proportions; the gross national debt is currently estimated to be  
16 almost \$800 billion, over twice the figure for 1962 and about 40  
17 percent of the nation's gross national product; and

18           WHEREAS, Statutorily imposed "permanent" debt ceilings,  
19 repeatedly raised by congress, have proved to be no impediment to  
20 the monstrous growth of the national debt; this disgraceful legacy  
21 for future generations has swollen by \$177 billion over the past  
22 three years and has fostered an interest payment of \$50 billion for  
23 this year; and

24           WHEREAS, Persistent deficit financing is a major factor



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2 an unstable, unpredictable economy, and results in the funding of  
3 government programs of questionable benefit and need; and

4 WHEREAS, Texas' enviable financial position among state  
5 governments is largely due to its "pay-as-you-go" constitutional  
6 provision restricting deficit spending by the legislature; and

7 WHEREAS, During the 1977 regular session, this legislature  
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9 to initiate a constitutional amendment that would similarly prevent  
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15 Representatives of the United States Congress, and to all members  
16 of the Texas delegation to the congress with the request that this  
17 resolution be officially entered in the Congressional Record as a  
18 memorial to the Congress of the United States of America.

H.C.R. No. 13

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President of the Senate

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Speaker of the House

I certify that H.C.R. No. 13 was adopted by the House on July 20, 1978, by a non-record vote.

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Chief Clerk of the House

I certify that H.C.R. No. 13 was adopted by the Senate on July 24, 1978, by the following vote: Yeas 27, Nays 2.

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Secretary of the Senate

APPROVED:

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Date

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Governor

H. C. R. No. 13

By

*Donald Johnson et al*

HOUSE CONCURRENT RESOLUTION

memorializing congress to initiate a constitutional amendment requiring a balanced federal budget.

JUL 20 1978

1. Filed with the Chief Clerk.

2. Read first time and referred to Committee on \_\_\_\_\_

3. Reported \_\_\_\_\_ favorably (as amended) and sent to Printer at \_\_\_\_\_ M. (time) unfavorably

4. Printed and distributed. \_\_\_\_\_ M. (time)

JUL 20 1978

5. Read and (adopted) (~~amended~~) by a (Non-record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ present, \_\_\_\_\_ not voting)

6. Ordered Engrossed \_\_\_\_\_ M. (time)

7. Engrossed.

8. Returned to Chief Clerk at \_\_\_\_\_ M. (time)

JUL 24 1978

9. Sent to Senate.

*Betty Murray*

Chief Clerk of the House

NOTION TO SUSPEND ALL NECESSARY RULES IN ORDER TO TAKE UP AND CONSIDER AT THIS TIME ~~OF~~ PREVAILED BY NON-RECORD VOTE.

JUL 24 1978 10. Received from the House.  
\_\_\_\_\_ 11. Read first time and referred to Committee on \_\_\_\_\_

\_\_\_\_\_ 12. Reported favorably.  
\_\_\_\_\_ 13. Ordered not printed by the Senate.

JUL 24 1978 14. Immediate consideration ordered by ~~unanimous consent~~ ( 27 yeas, 2 nays)

JUL 24 1978 15. Read and adopted.  
  
Secretary of the Senate

July 24, 1978 16. Returned to the House.

JUL 24 1978 17. Received from the Senate (~~with~~)  
\_\_\_\_\_ 18. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 19. Conference Committee Ordered.

\_\_\_\_\_ 20. Conference Committee Report Adopted (Rejected) by a (Non-record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

JUL 24 1978 21. Ordered Enrolled at 2:15 P. M.  
(time)