

1
00:00:00,439 --> 00:00:05,130
amending certain sections of the

2
00:00:03,030 --> 00:00:06,750
business and commerce code and declaring

3
00:00:05,130 --> 00:00:12,090
an emergency refer to the Committee on

4
00:00:06,750 --> 00:00:14,130
business and industry HCR 126 by Bigham

5
00:00:12,090 --> 00:00:16,650
calling for observance of san jacinto

6
00:00:14,130 --> 00:00:18,240
day in relationship to bicentennial

7
00:00:16,650 --> 00:00:25,400
celebration referred to the Committee on

8
00:00:18,240 --> 00:00:25,400
rules here's my big

9
00:00:30,500 --> 00:00:35,810
she recognized that McBee of our motion

10
00:00:32,890 --> 00:00:38,390
mr. speaker and members I move that the

11
00:00:35,810 --> 00:00:41,510
house adopt conference committee report

12
00:00:38,390 --> 00:00:44,170
on House bill 784 this is the voting

13
00:00:41,510 --> 00:00:46,370
precinct bill and if you'll remember I

14

00:00:44,170 --> 00:00:48,590
requested a conference committee to

15
00:00:46,370 --> 00:00:51,650
adjust a technicality due to a

16
00:00:48,590 --> 00:00:54,320
typographical omission we have met the

17
00:00:51,650 --> 00:01:01,520
report is ready and I respectfully ask

18
00:00:54,320 --> 00:01:04,010
that we adopt it today ms McBee mothers

19
00:01:01,520 --> 00:01:05,960
at the rules be suspended and with house

20
00:01:04,010 --> 00:01:09,350
concur or adopt the conference committee

21
00:01:05,960 --> 00:01:11,470
report on House bill 784 is there

22
00:01:09,350 --> 00:01:11,470
objection

23
00:01:13,540 --> 00:01:17,510
sure here is none and the rules are

24
00:01:15,860 --> 00:01:21,310
suspended in the house adopts conference

25
00:01:17,510 --> 00:01:21,310
committee report on House bill 784

26
00:01:40,740 --> 00:01:45,189
Jerris pleased to recognize a

27
00:01:43,210 --> 00:01:47,979
distinguished former member of this body

28
00:01:45,189 --> 00:01:50,350
or talking with Tony Graham burger and

29
00:01:47,979 --> 00:01:52,760
Johanna Valle Sibley good to have a

30
00:01:50,350 --> 00:01:55,889
silver good to have you with us though

31
00:01:52,760 --> 00:01:55,889
[Applause]

32
00:02:33,110 --> 00:02:39,110
chair recognizes mr. Conwell for

33
00:02:35,510 --> 00:02:41,090
bullshit mr. speaker and members I want

34
00:02:39,110 --> 00:02:42,650
you to be on your toes because I'm just

35
00:02:41,090 --> 00:02:46,010
before needing a hundred votes on a

36
00:02:42,650 --> 00:02:51,650
local bill was passed earlier it's House

37
00:02:46,010 --> 00:02:54,740
bill 611 consolidate the consolidation

38
00:02:51,650 --> 00:02:56,840
of Clute in Lake Barbara I need

39
00:02:54,740 --> 00:02:58,760
immediate effect on the Bell and didn't

40
00:02:56,840 --> 00:03:00,680
get a record vote in the house and so I

41

00:02:58,760 --> 00:03:03,670
move that we reconsider the vote by

42
00:03:00,680 --> 00:03:06,410
which it was passed

43
00:03:03,670 --> 00:03:08,930
let's go well moves at the reconsider

44
00:03:06,410 --> 00:03:11,330
the vote by which House bill 611 was

45
00:03:08,930 --> 00:03:14,000
finally passed is there objection

46
00:03:11,330 --> 00:03:16,850
cher hears none the vote is reconsidered

47
00:03:14,000 --> 00:03:19,550
Mr Carr well now moves final passage of

48
00:03:16,850 --> 00:03:21,410
House Bill 611 all those in favor of

49
00:03:19,550 --> 00:03:22,850
passage of House Bill 611 will vote aye

50
00:03:21,410 --> 00:03:26,140
all those opposed will vote no it's a

51
00:03:22,850 --> 00:03:26,140
record vote the clerk will ring the bell

52
00:03:31,819 --> 00:03:35,319
so mr. Nugent voting aye

53
00:03:46,200 --> 00:03:51,180
yeah

54
00:03:47,950 --> 00:03:55,150
so mr. Ragsdale present and voting aye

55
00:03:51,180 --> 00:03:57,190
yo mr. Carraway voting I don't meant to

56
00:03:55,150 --> 00:03:59,580
Garcia Barrett voting I show mr. Danson

57
00:03:57,190 --> 00:03:59,580
voting aye

58
00:04:15,410 --> 00:04:18,940
yeah at the end of the

59
00:04:22,780 --> 00:04:25,350
yeah

60
00:04:33,189 --> 00:04:41,520
if our members voted so much

61
00:04:37,719 --> 00:04:41,520
slave-owning of all members voted

62
00:05:08,719 --> 00:05:15,919
they're being 117 eyes and no nays

63
00:05:12,039 --> 00:05:17,269
hospital 611 is finally pays chair

64
00:05:15,919 --> 00:05:25,719
science and presents the house the

65
00:05:17,269 --> 00:05:25,719
following House bill 16 33

66
00:05:45,870 --> 00:05:52,710
J recognize mr. Conwell for emotion the

67
00:05:50,490 --> 00:05:56,100
speaker members I move that the house

68

00:05:52,710 --> 00:05:57,600
suspend all necessary rules and adopt

69
00:05:56,100 --> 00:06:03,270
the conference committee report in

70
00:05:57,600 --> 00:06:06,800
Senate bill 278 explain developments

71
00:06:03,270 --> 00:06:09,750
caller a Senate bill 278 is a bill that

72
00:06:06,800 --> 00:06:12,480
increases the membership of the Texas

73
00:06:09,750 --> 00:06:14,820
Youth Council from three to six there

74
00:06:12,480 --> 00:06:18,660
was an amendment put on by mr. donalsen

75
00:06:14,820 --> 00:06:21,690
that provided for when the appointments

76
00:06:18,660 --> 00:06:26,070
were made there was an arithmetic error

77
00:06:21,690 --> 00:06:28,200
in that one of the members would have

78
00:06:26,070 --> 00:06:31,020
served more than six years so it was

79
00:06:28,200 --> 00:06:33,270
made to conform with the body of the

80
00:06:31,020 --> 00:06:35,570
bill and also the only substantive

81
00:06:33,270 --> 00:06:38,250
change is that the conference committee

82
00:06:35,570 --> 00:06:40,080
of which mr. donalsen was a member

83
00:06:38,250 --> 00:06:41,669
although he didn't sign it he's sick but

84
00:06:40,080 --> 00:06:44,850
he agreed to it

85
00:06:41,669 --> 00:06:48,750
he had the his amendment had the three

86
00:06:44,850 --> 00:06:51,330
new appointees terms expiring in the

87
00:06:48,750 --> 00:06:54,510
spring of the year rather than in August

88
00:06:51,330 --> 00:06:56,340
as they as the other members do so that

89
00:06:54,510 --> 00:06:58,860
change was made so that all of them's

90
00:06:56,340 --> 00:07:00,360
terms would expire in August but other

91
00:06:58,860 --> 00:07:02,340
than that there are no changes and I

92
00:07:00,360 --> 00:07:04,200
move we should spin the rules and adopt

93
00:07:02,340 --> 00:07:09,390
the report mr. speaker and I do need to

94
00:07:04,200 --> 00:07:11,370
meet in effect michgo we almost spent

95

00:07:09,390 --> 00:07:13,560
all necessary rules adopt the conference

96
00:07:11,370 --> 00:07:16,650
committee report on Senate bill 278 is

97
00:07:13,560 --> 00:07:17,910
there objection I was backing up members

98
00:07:16,650 --> 00:07:19,979
need a record vote but there's an

99
00:07:17,910 --> 00:07:21,270
immediate effect all those in favor of

100
00:07:19,979 --> 00:07:23,250
the pension rules and adoption of

101
00:07:21,270 --> 00:07:24,840
consent bill conference committee report

102
00:07:23,250 --> 00:07:26,729
on Senate bill to say be eight will vote

103
00:07:24,840 --> 00:07:30,020
aye all those opposed to vote no it's a

104
00:07:26,729 --> 00:07:30,020
record vote the clerk will ring the bell

105
00:08:15,419 --> 00:08:21,020
all members loaded she'll miss Edwards

106
00:08:18,569 --> 00:08:21,020
voting aye

107
00:08:45,370 --> 00:08:48,480
all members voted

108
00:09:20,730 --> 00:09:25,440
everything out of 12 eyes 14 nose 1

109
00:09:23,310 --> 00:09:26,880
president not voting the rules are

110
00:09:25,440 --> 00:09:28,230
suspended and the house adopts a

111
00:09:26,880 --> 00:09:35,370
conference committee report on Senate

112
00:09:28,230 --> 00:09:37,620
bill 278 chair recognizes mr. personal

113
00:09:35,370 --> 00:09:41,190
for emotion just speaking members I

114
00:09:37,620 --> 00:09:44,310
moved to not print Senate bill five five

115
00:09:41,190 --> 00:09:45,840
nine like to be heard of emotion go

116
00:09:44,310 --> 00:09:48,240
ahead mr. personal miss appear you

117
00:09:45,840 --> 00:09:50,640
remember Senate bill 559 was a bill we

118
00:09:48,240 --> 00:09:52,380
we heard as a committee of the whole and

119
00:09:50,640 --> 00:09:54,450
as you recall we didn't make any changes

120
00:09:52,380 --> 00:09:55,530
in it so the bill has already been

121
00:09:54,450 --> 00:09:57,120
printed when he came out of the

122

00:09:55,530 --> 00:09:59,310
Appropriations Committee so therefore I

123
00:09:57,120 --> 00:10:01,110
move it but it not be printed on the

124
00:09:59,310 --> 00:10:08,130
committee report by the committee as a

125
00:10:01,110 --> 00:10:10,920
whole members you've heard the motion

126
00:10:08,130 --> 00:10:11,430
and explanation by mr. personal is there

127
00:10:10,920 --> 00:10:13,680
objection

128
00:10:11,430 --> 00:10:16,410
spent the printing rules on Senate bill

129
00:10:13,680 --> 00:10:19,160
five five nine chair here is none and

130
00:10:16,410 --> 00:10:19,160
it's so ordered

131
00:10:21,140 --> 00:10:24,560
it's true on

132
00:10:44,820 --> 00:10:50,100
chair recognizes mr. Truong formation to

133
00:10:47,280 --> 00:10:50,940
introduce a bill Thank You mr. speaker

134
00:10:50,100 --> 00:10:53,970
and members

135
00:10:50,940 --> 00:10:56,520
I have a bill and I'd like a proposed

136
00:10:53,970 --> 00:10:58,110
build I'd like to have you join me in

137
00:10:56,520 --> 00:11:00,660
suspending the rules so I can introduce

138
00:10:58,110 --> 00:11:03,270
it it relates to increasing the

139
00:11:00,660 --> 00:11:05,460
membership of the Board of Regents of

140
00:11:03,270 --> 00:11:08,910
the University of Texas System I am

141
00:11:05,460 --> 00:11:10,950
proposing that the number be increased

142
00:11:08,910 --> 00:11:12,450
from nine to eighteen and I would like

143
00:11:10,950 --> 00:11:15,210
to request your permission to introduce

144
00:11:12,450 --> 00:11:19,530
it so we can present testimony in the

145
00:11:15,210 --> 00:11:20,910
committee as to why this is needed are

146
00:11:19,530 --> 00:11:23,250
you've heard the request is there

147
00:11:20,910 --> 00:11:24,660
objection to the granting of probation

148
00:11:23,250 --> 00:11:27,450
to introduce there is objection all

149

00:11:24,660 --> 00:11:29,040
those in favor all those in favor of

150
00:11:27,450 --> 00:11:31,020
permitting the introduction of a lavota

151
00:11:29,040 --> 00:11:34,710
all those opposed vote no it's division

152
00:11:31,020 --> 00:11:37,070
vote the record vote members clerk will

153
00:11:34,710 --> 00:11:37,070
ring the bell

154
00:12:40,459 --> 00:12:51,680
all members voted Sheila mr. McDonald of

155
00:12:45,269 --> 00:12:51,680
Adele go voting no all members voted

156
00:13:23,829 --> 00:13:44,899
kill mr. white loading no show mr. Evans

157
00:13:29,810 --> 00:13:48,050
voting at having 79 eyes and 49 nose

158
00:13:44,899 --> 00:13:49,550
permission is denied miss speaker that's

159
00:13:48,050 --> 00:13:51,139
green Howard

160
00:13:49,550 --> 00:13:53,170
some of us supposed to vote that we

161
00:13:51,139 --> 00:13:57,410
think there are too many Regents now

162
00:13:53,170 --> 00:14:01,040
white like mr. speaker parliamentary

163
00:13:57,410 --> 00:14:04,100
inquiry dated quark I had a majority

164
00:14:01,040 --> 00:14:07,850
vote on that vote doesn't a majority

165
00:14:04,100 --> 00:14:10,459
carry on such a motion know it takes a

166
00:14:07,850 --> 00:14:14,949
4/5 vote the constitutional vote rules

167
00:14:10,459 --> 00:14:14,949
pension mr. Joe oh I see thank you

168
00:14:30,710 --> 00:14:35,720
she recognizes mr. Begum formation

169
00:14:33,200 --> 00:14:38,090
dinner there's a bill there speaker

170
00:14:35,720 --> 00:14:39,440
members I respectfully request the

171
00:14:38,090 --> 00:14:41,570
permission to introduce a bill that

172
00:14:39,440 --> 00:14:44,570
affects only my three County courting

173
00:14:41,570 --> 00:14:47,120
laws it allows them to well my County

174
00:14:44,570 --> 00:14:49,220
Court law my two county courts of law in

175
00:14:47,120 --> 00:14:51,050
the county court it allows them to

176

00:14:49,220 --> 00:14:55,010
transfer their dockets in case one of

177
00:14:51,050 --> 00:14:56,810
the judges is ill or has to be gone for

178
00:14:55,010 --> 00:14:59,600
some reason the other two courts can

179
00:14:56,810 --> 00:15:02,570
hear the his caseload and I think it's

180
00:14:59,600 --> 00:15:05,830
it's modeled after the Travis County Act

181
00:15:02,570 --> 00:15:05,830
that they've had here for some time

182
00:15:07,000 --> 00:15:10,910
members you've heard the request is

183
00:15:09,590 --> 00:15:12,320
there objection to permission the

184
00:15:10,910 --> 00:15:13,330
granting granting Commission to

185
00:15:12,320 --> 00:15:17,830
introduce a bill

186
00:15:13,330 --> 00:15:17,830
chair here none permission is granted

187
00:15:24,829 --> 00:15:37,410
members or any other motions its Bynum

188
00:15:32,189 --> 00:15:39,300
we're going on the counter members mr.

189
00:15:37,410 --> 00:15:41,639
speaker and members we just have about

190
00:15:39,300 --> 00:15:43,740
three more amendments to this bill if

191
00:15:41,639 --> 00:15:45,180
we'll hurry and they're they're quick

192
00:15:43,740 --> 00:15:47,220
amendments they ought to be easy to

193
00:15:45,180 --> 00:15:49,170
resolve we don't get involved in lengthy

194
00:15:47,220 --> 00:15:59,329
debate I think we get this behind us

195
00:15:49,170 --> 00:16:02,629
move on to other business mr. Kelly mr.

196
00:15:59,329 --> 00:16:02,629
Oh Kelly

197
00:16:09,820 --> 00:16:16,310
the following amendment the clerk will

198
00:16:11,900 --> 00:16:17,960
read the amendment amendment by O'Kelly

199
00:16:16,310 --> 00:16:20,000
a min committee amendment number 1 to

200
00:16:17,960 --> 00:16:21,130
House bill 4 chair recognize mr. Kelly

201
00:16:20,000 --> 00:16:23,870
and explain his amendment

202
00:16:21,130 --> 00:16:26,300
ok mr. speaker members this amendment

203

00:16:23,870 --> 00:16:28,100
simply puts the county chairman of

204
00:16:26,300 --> 00:16:30,890
political parties back under the

205
00:16:28,100 --> 00:16:32,870
provisions of the bill County chairmen

206
00:16:30,890 --> 00:16:35,180
particularly Democratic County chairmen

207
00:16:32,870 --> 00:16:37,640
is a major office and particularly in

208
00:16:35,180 --> 00:16:39,410
your urban areas you have thousands of

209
00:16:37,640 --> 00:16:41,870
dollars being spent on the races and I

210
00:16:39,410 --> 00:16:43,460
certainly think that it is a major

211
00:16:41,870 --> 00:16:47,270
office and should be included in the

212
00:16:43,460 --> 00:16:50,150
provisions Mitch speaker miss Nichols

213
00:16:47,270 --> 00:16:51,740
was Gemma Neal mr. Kelly Gemma Neal's

214
00:16:50,150 --> 00:16:53,330
miss Nicholson Bobby you know we passed

215
00:16:51,740 --> 00:16:55,070
out of the Elections Committee last

216
00:16:53,330 --> 00:16:57,470
night where the county Chairman's can

217
00:16:55,070 --> 00:16:59,240
get up to \$12,000 for about two and a

218
00:16:57,470 --> 00:17:00,950
half months work preparing for the

219
00:16:59,240 --> 00:17:02,420
primary and the runoff election in this

220
00:17:00,950 --> 00:17:04,910
region we need to put them back under

221
00:17:02,420 --> 00:17:05,329
there well I think that's another good

222
00:17:04,910 --> 00:17:07,900
reason

223
00:17:05,329 --> 00:17:07,900
thank

224
00:17:22,080 --> 00:17:30,660
mathematics mathematics on a flower

225
00:17:41,680 --> 00:17:45,050
following substitute to the amendment to

226
00:17:43,910 --> 00:17:48,980
the amendment clerk will read the

227
00:17:45,050 --> 00:17:51,830
substitute substitute for the amendment

228
00:17:48,980 --> 00:17:54,110
by Maddox I divide them to explain the

229
00:17:51,830 --> 00:17:56,720
substitute mr. Maddox's amendment here

230

00:17:54,110 --> 00:17:59,180
brings both the county chairman and

231
00:17:56,720 --> 00:18:01,430
those people running for delegates to

232
00:17:59,180 --> 00:18:03,740
the National nominating conventions of

233
00:18:01,430 --> 00:18:06,280
the two of the major political parties

234
00:18:03,740 --> 00:18:08,690
under campaign reporting and Disclosure

235
00:18:06,280 --> 00:18:10,190
as author of the bill I have no

236
00:18:08,690 --> 00:18:13,130
preference one way or the other

237
00:18:10,190 --> 00:18:14,600
if you want to have County chairmen and

238
00:18:13,130 --> 00:18:16,670
these people who will be out running for

239
00:18:14,600 --> 00:18:18,680
delegates to the National Convention to

240
00:18:16,670 --> 00:18:21,410
have to report then you want to vote for

241
00:18:18,680 --> 00:18:24,940
the substitute that we just have

242
00:18:21,410 --> 00:18:24,940
presented that's the issue before you

243
00:18:27,130 --> 00:18:31,850
mathematics ended up substitute all

244
00:18:29,780 --> 00:18:34,280
those are the objection to adoption of

245
00:18:31,850 --> 00:18:35,510
the substitute there is objection all

246
00:18:34,280 --> 00:18:37,130
those in favor the adoption the

247
00:18:35,510 --> 00:18:41,500
substitute of vote aye all those opposed

248
00:18:37,130 --> 00:18:41,500
will vote no division vote

249
00:19:26,540 --> 00:19:29,870
remember Lauren

250
00:20:02,480 --> 00:20:12,200
they're being 36 eyes and 57 nose the

251
00:20:05,630 --> 00:20:15,460
substitute fails of adoption miss

252
00:20:12,200 --> 00:20:15,460
speaker members were now back

253
00:20:23,500 --> 00:20:31,190
now members were back to the old Kelly

254
00:20:26,030 --> 00:20:32,030
amendment to the amendment recognized

255
00:20:31,190 --> 00:20:34,670
mr. Kelly

256
00:20:32,030 --> 00:20:36,890
now again members all this does is put

257

00:20:34,670 --> 00:20:38,780
the county chairman not precinct

258
00:20:36,890 --> 00:20:40,760
chairman not delegates to national

259
00:20:38,780 --> 00:20:43,310
convention just your county chairman and

260
00:20:40,760 --> 00:20:44,990
to reiterate there are you know

261
00:20:43,310 --> 00:20:46,940
thousands of dollars spent on the race

262
00:20:44,990 --> 00:20:49,580
for county chairman particularly in your

263
00:20:46,940 --> 00:20:52,790
urban areas I think it's a good

264
00:20:49,580 --> 00:20:54,620
amendment mr. chairman we'll miss

265
00:20:52,790 --> 00:20:57,050
speaker will the gentleman yield you

266
00:20:54,620 --> 00:21:00,170
miss are you yelling you certainly mr.

267
00:20:57,050 --> 00:21:03,860
Kelly I apologize for my own confusion

268
00:21:00,170 --> 00:21:05,600
the last amendment was brought that we

269
00:21:03,860 --> 00:21:08,420
just voted on was broader than the

270
00:21:05,600 --> 00:21:09,710
county chairman yes and it was a that

271
00:21:08,420 --> 00:21:11,390
was a substitute that would have

272
00:21:09,710 --> 00:21:14,570
included your delegates to national

273
00:21:11,390 --> 00:21:16,640
convention and this one includes County

274
00:21:14,570 --> 00:21:18,890
chairmen only in the definition of

275
00:21:16,640 --> 00:21:21,830
public official yes sir and the

276
00:21:18,890 --> 00:21:23,810
consequence of that is that then the

277
00:21:21,830 --> 00:21:26,420
county chairman has to file under the

278
00:21:23,810 --> 00:21:27,890
law is that the minister yes to

279
00:21:26,420 --> 00:21:32,750
reporters expenditures and contributions

280
00:21:27,890 --> 00:21:34,820
and thank you mister we have to bind him

281
00:21:32,750 --> 00:21:36,500
on the amendment mr. speaker

282
00:21:34,820 --> 00:21:38,480
this amendment is acceptable to the

283
00:21:36,500 --> 00:21:40,730
author I think that County chairmen

284

00:21:38,480 --> 00:21:42,380
often get involved in very heated

285
00:21:40,730 --> 00:21:45,440
political races particularly in your

286
00:21:42,380 --> 00:21:46,970
large counties and I think it's not to

287
00:21:45,440 --> 00:21:50,090
owners the burden for them to have to

288
00:21:46,970 --> 00:21:51,860
file campaign reporting disclosures it's

289
00:21:50,090 --> 00:21:53,660
acceptable but if there's objection we

290
00:21:51,860 --> 00:21:54,380
can vote on it mr. speaker will the

291
00:21:53,660 --> 00:21:56,660
gentleman yield

292
00:21:54,380 --> 00:21:59,510
Yeomans Emily Osment touches mr. bannon

293
00:21:56,660 --> 00:22:01,910
once again I apologize for my own

294
00:21:59,510 --> 00:22:04,490
confusion but now let's what is the law

295
00:22:01,910 --> 00:22:07,310
today they are not included at all today

296
00:22:04,490 --> 00:22:09,530
today they are included in fact under

297
00:22:07,310 --> 00:22:11,180
the present law even precinct chairman

298
00:22:09,530 --> 00:22:14,360
if they're out spending money are

299
00:22:11,180 --> 00:22:16,970
included party party officials under the

300
00:22:14,360 --> 00:22:19,070
present law as it is today are included

301
00:22:16,970 --> 00:22:22,010
the way the bill came out of committee

302
00:22:19,070 --> 00:22:24,320
there were no party officers offices

303
00:22:22,010 --> 00:22:26,720
whatsoever included what this amendment

304
00:22:24,320 --> 00:22:28,610
does is it specifically puts those

305
00:22:26,720 --> 00:22:30,920
people running for the office of County

306
00:22:28,610 --> 00:22:33,020
chairman of a political party under the

307
00:22:30,920 --> 00:22:35,160
requirements to make campaign

308
00:22:33,020 --> 00:22:37,170
disclosures with regards

309
00:22:35,160 --> 00:22:39,180
financial actions in their camp unease

310
00:22:37,170 --> 00:22:42,060
that's what this amendment does was

311

00:22:39,180 --> 00:22:45,090
their testimony before Committee on this

312
00:22:42,060 --> 00:22:47,700
subject in other words the committee

313
00:22:45,090 --> 00:22:49,230
took this out is that correct and and

314
00:22:47,700 --> 00:22:51,150
this amendment attempts to put it back

315
00:22:49,230 --> 00:22:53,940
in that is correct the committee's

316
00:22:51,150 --> 00:22:56,190
decision was that party offices should

317
00:22:53,940 --> 00:22:58,200
not have to make campaign disclosures

318
00:22:56,190 --> 00:22:59,550
there is some strong feeling on the

319
00:22:58,200 --> 00:23:01,500
floor particularly from the large

320
00:22:59,550 --> 00:23:05,220
counties where they have very heated

321
00:23:01,500 --> 00:23:07,890
races for for County chairmen and spend

322
00:23:05,220 --> 00:23:09,900
lots of money in those races and those

323
00:23:07,890 --> 00:23:12,330
people are paid that they should in fact

324
00:23:09,900 --> 00:23:14,520
have to file campaign disclosures that's

325
00:23:12,330 --> 00:23:17,070
that's the two sides of it mr. finger

326
00:23:14,520 --> 00:23:17,760
well gentleman yield gentleman yields

327
00:23:17,070 --> 00:23:20,430
miss Halliwell

328
00:23:17,760 --> 00:23:22,740
well I in these rural counties for these

329
00:23:20,430 --> 00:23:24,080
people serve as a graduate D and they

330
00:23:22,740 --> 00:23:26,010
don't get any big political

331
00:23:24,080 --> 00:23:28,320
consideration for this but somebody's

332
00:23:26,010 --> 00:23:31,020
got to do the job what we're fixing to

333
00:23:28,320 --> 00:23:33,090
do here is is burden these people with a

334
00:23:31,020 --> 00:23:34,890
with an obligation that they don't have

335
00:23:33,090 --> 00:23:37,560
now they don't accept campaign

336
00:23:34,890 --> 00:23:39,840
contribution they don't spend any money

337
00:23:37,560 --> 00:23:41,370
running for the office they just serve

338

00:23:39,840 --> 00:23:42,840
because of their problems in the

339
00:23:41,370 --> 00:23:45,270
community and we're going aren't we

340
00:23:42,840 --> 00:23:47,700
going to place a burden on those people

341
00:23:45,270 --> 00:23:50,400
that they do not have now no sir mr.

342
00:23:47,700 --> 00:23:52,650
Hall well under the present law camp

343
00:23:50,400 --> 00:23:55,470
County chairmen have to file and even

344
00:23:52,650 --> 00:23:57,120
precinct chairman have to file campaign

345
00:23:55,470 --> 00:24:00,510
expense report sir yes sir

346
00:23:57,120 --> 00:24:02,670
yes sir even if they have no expenses if

347
00:24:00,510 --> 00:24:05,100
they have no expenses they don't have to

348
00:24:02,670 --> 00:24:07,350
file them no sir are you sure of that

349
00:24:05,100 --> 00:24:09,660
if they don't Rea if they don't have it

350
00:24:07,350 --> 00:24:10,830
don't ever raise any money they don't

351
00:24:09,660 --> 00:24:14,670
have to file

352
00:24:10,830 --> 00:24:17,850
well members of the House and Senate

353
00:24:14,670 --> 00:24:19,230
whether we spend anything and not we

354
00:24:17,850 --> 00:24:22,710
have to follow them don't we don't we

355
00:24:19,230 --> 00:24:24,540
have to file negative reports yes you

356
00:24:22,710 --> 00:24:27,630
would and I guess they would have to to

357
00:24:24,540 --> 00:24:32,610
it they have to file a negative report

358
00:24:27,630 --> 00:24:35,400
that's correct if if they're opposed if

359
00:24:32,610 --> 00:24:36,470
they're opposed no mr. okay Lee said to

360
00:24:35,400 --> 00:24:39,960
have an amendment to the amendment

361
00:24:36,470 --> 00:24:41,400
question now occurs on the adoption of

362
00:24:39,960 --> 00:24:42,840
the amendment all those in favor of the

363
00:24:41,400 --> 00:24:43,670
adoption amendment vote aye all those

364
00:24:42,840 --> 00:24:53,180
opposed to vote

365

00:24:43,670 --> 00:24:54,920
it's division boat excuse representative

366
00:24:53,180 --> 00:24:57,350
Spurlock because of illness on emotional

367
00:24:54,920 --> 00:24:58,220
representative Parker of Java Benton is

368
00:24:57,350 --> 00:25:02,750
there objection

369
00:24:58,220 --> 00:25:06,220
here here's not show mr. Bentley voting

370
00:25:02,750 --> 00:25:06,220
I show mr. Florence voting No

371
00:25:24,650 --> 00:25:27,730
all members voted

372
00:25:57,390 --> 00:26:03,980
they're being 60 2032 knows the

373
00:26:00,120 --> 00:26:06,300
amendment to the amendment is adopted

374
00:26:03,980 --> 00:26:07,740
remembers skewed representing an island

375
00:26:06,300 --> 00:26:09,600
because of illness the family on motion

376
00:26:07,740 --> 00:26:13,580
represented Maloney is objecting carry

377
00:26:09,600 --> 00:26:13,580
enough Matteo

378
00:26:17,879 --> 00:26:21,899
following a Manitou clerk will read the

379
00:26:19,749 --> 00:26:21,899
amendment

380
00:26:23,820 --> 00:26:30,149
amendment by hey Lam in the committee

381
00:26:26,049 --> 00:26:36,730
member I mean committee of minimum want

382
00:26:30,149 --> 00:26:40,299
mr. Hale to explain his amendment mr.

383
00:26:36,730 --> 00:26:43,799
speaker members of house this this was

384
00:26:40,299 --> 00:26:46,149
the amendment that I sent up yesterday

385
00:26:43,799 --> 00:26:48,249
when we were arguing about one of these

386
00:26:46,149 --> 00:26:49,450
other amendments on the core war until

387
00:26:48,249 --> 00:26:52,359
proceedings

388
00:26:49,450 --> 00:26:53,889
I don't recall now who had the other

389
00:26:52,359 --> 00:26:56,769
amendment but we defeated the other

390
00:26:53,889 --> 00:26:59,289
amendment I believe that mr. Maddox and

391
00:26:56,769 --> 00:27:01,869
his amendment in in connection with his

392

00:26:59,289 --> 00:27:03,879
amendment was pointed out that there was

393
00:27:01,869 --> 00:27:07,299
an inconsistency in this quo warranto

394
00:27:03,879 --> 00:27:10,570
section because of the language it was

395
00:27:07,299 --> 00:27:13,029
used there on page 26 line 4 where it

396
00:27:10,570 --> 00:27:15,070
said that the suit would be that the the

397
00:27:13,029 --> 00:27:18,759
matter could be started at the suit of

398
00:27:15,070 --> 00:27:20,590
any citizen and that language was as I

399
00:27:18,759 --> 00:27:23,109
pointed out from the back microphone was

400
00:27:20,590 --> 00:27:25,210
a very poor choice of words and what I

401
00:27:23,109 --> 00:27:27,399
do in this amendment is simply make that

402
00:27:25,210 --> 00:27:29,889
correction and strike out the phrase at

403
00:27:27,399 --> 00:27:31,989
the suit and substitute the phrase on

404
00:27:29,889 --> 00:27:34,269
the complaint so that the co-wallow

405
00:27:31,989 --> 00:27:36,940
proceeding then would be initiated on

406
00:27:34,269 --> 00:27:37,659
the complaint of any citizen affected in

407
00:27:36,940 --> 00:27:39,820
the area

408
00:27:37,659 --> 00:27:43,509
I think the amendments purely corrective

409
00:27:39,820 --> 00:27:44,649
now move it stop hey hey you'll send up

410
00:27:43,509 --> 00:27:45,970
an amendment to the amendment it is

411
00:27:44,649 --> 00:27:49,330
acceptable to author is there objection

412
00:27:45,970 --> 00:27:54,639
to its adoption chair here none it is

413
00:27:49,330 --> 00:27:58,239
adopted the following amendment the

414
00:27:54,639 --> 00:28:00,759
clerk will read the amendment amendment

415
00:27:58,239 --> 00:28:02,619
by Davis I'm in committee amendment 1 to

416
00:28:00,759 --> 00:28:03,279
House bill 4 biting a new section as

417
00:28:02,619 --> 00:28:05,619
follows

418
00:28:03,279 --> 00:28:07,539
venue for any offense resulting from a

419

00:28:05,619 --> 00:28:10,149
violation of this chapter shall are

420
00:28:07,539 --> 00:28:11,859
exclusively in the county of breath mr.

421
00:28:10,149 --> 00:28:13,299
Davis to explain his amendment this peak

422
00:28:11,859 --> 00:28:15,489
Ramirez it's a very simple amendment

423
00:28:13,299 --> 00:28:17,350
displaces venue in the county of

424
00:28:15,489 --> 00:28:19,299
residence of the accused for any offense

425
00:28:17,350 --> 00:28:21,309
resulting from violation of the

426
00:28:19,299 --> 00:28:23,139
provisions of this chapter except when

427
00:28:21,309 --> 00:28:26,049
the accusers are non-resident which case

428
00:28:23,139 --> 00:28:28,440
venue shall I on Travis County I move

429
00:28:26,049 --> 00:28:28,440
its adoption

430
00:28:29,149 --> 00:28:32,549
mr. Davis ends up an amendment

431
00:28:31,110 --> 00:28:35,399
acceptable the author is there objection

432
00:28:32,549 --> 00:28:38,129
to its adoption chair here none the

433
00:28:35,399 --> 00:28:40,850
amendment is adopted following amendment

434
00:28:38,129 --> 00:28:40,850
a clerk will read the amendment

435
00:28:41,269 --> 00:28:46,139
amendment by Sherman I'm in committee

436
00:28:43,919 --> 00:28:49,019
amendment 1 to House bill 4 on page 29

437
00:28:46,139 --> 00:28:52,320
line 20 at Sherman explain the amendment

438
00:28:49,019 --> 00:28:54,330
mr. speaker and members this amendment I

439
00:28:52,320 --> 00:28:56,429
believe is technical

440
00:28:54,330 --> 00:28:57,989
mr. Bynum yesterday an answer to some

441
00:28:56,429 --> 00:28:59,850
questions from the back microphone

442
00:28:57,989 --> 00:29:03,299
stated that he believed that the

443
00:28:59,850 --> 00:29:07,230
definition of a community antenna system

444
00:29:03,299 --> 00:29:10,139
which is referred to on page 29 is

445
00:29:07,230 --> 00:29:12,809
covered under FCC regulations well I'm

446

00:29:10,139 --> 00:29:14,759
not sure that the federal government

447
00:29:12,809 --> 00:29:17,460
always knows what's going on down here

448
00:29:14,759 --> 00:29:19,859
so I have inserted the words or cable

449
00:29:17,460 --> 00:29:22,019
television because there is a situation

450
00:29:19,859 --> 00:29:25,169
where cable television could be used

451
00:29:22,019 --> 00:29:27,809
without bringing into play the community

452
00:29:25,169 --> 00:29:30,869
antenna itself so this would make it

453
00:29:27,809 --> 00:29:32,730
read including a community antenna or

454
00:29:30,869 --> 00:29:34,259
cable television system that's

455
00:29:32,730 --> 00:29:36,419
acceptable to the author

456
00:29:34,259 --> 00:29:37,889
Mitch Sherman send up an amendment it's

457
00:29:36,419 --> 00:29:40,619
acceptable to author the objection to

458
00:29:37,889 --> 00:29:43,549
its adoption share here now the

459
00:29:40,619 --> 00:29:43,549
amendment is adopted

460
00:29:49,369 --> 00:29:55,139
chair recognize admit the bottom of our

461
00:29:51,599 --> 00:29:58,409
motion mr. speaker and members I want to

462
00:29:55,139 --> 00:30:00,599
move this morning to reconsider the vote

463
00:29:58,409 --> 00:30:02,999
by which amendment number nine which

464
00:30:00,599 --> 00:30:06,809
dealt with adding one word employees

465
00:30:02,999 --> 00:30:08,519
into the bill yesterday I indicated to

466
00:30:06,809 --> 00:30:10,470
the house mr. Davis had given me that

467
00:30:08,519 --> 00:30:12,479
amendment and I had gotten the default

468
00:30:10,470 --> 00:30:16,229
that we were bringing that language into

469
00:30:12,479 --> 00:30:19,619
conformity with the federal bill and I

470
00:30:16,229 --> 00:30:22,019
have checked section 6.10 title 18 of

471
00:30:19,619 --> 00:30:25,369
the u.s. code overnight and it does not

472
00:30:22,019 --> 00:30:28,080
the bill as written is is the bill which

473

00:30:25,369 --> 00:30:30,570
the bill as it was originally prepared

474
00:30:28,080 --> 00:30:33,330
is the exact federal language dealing

475
00:30:30,570 --> 00:30:37,409
with corporations allowing them to to

476
00:30:33,330 --> 00:30:39,299
contact their members and I think that I

477
00:30:37,409 --> 00:30:41,179
slit that one by yesterday and perhaps

478
00:30:39,299 --> 00:30:43,859
some people didn't realize what it was

479
00:30:41,179 --> 00:30:47,190
mr. Davis is going to speak against my

480
00:30:43,859 --> 00:30:50,099
motion to reconsider but before he does

481
00:30:47,190 --> 00:30:52,619
let me try to explain and if I can have

482
00:30:50,099 --> 00:30:54,899
your attention this is a fairly

483
00:30:52,619 --> 00:30:58,009
important issue that that I think you

484
00:30:54,899 --> 00:30:58,009
all may want to look at

485
00:31:06,750 --> 00:31:19,620
all right if you've got your second copy

486
00:31:08,970 --> 00:31:22,620
of the bill we're on page 12 page 12

487
00:31:19,620 --> 00:31:24,750
line seven and what the amendment that

488
00:31:22,620 --> 00:31:27,630
we accepted yesterday that I'm trying to

489
00:31:24,750 --> 00:31:30,860
reconsider here does is add at the end

490
00:31:27,630 --> 00:31:33,030
of the word employees as well as

491
00:31:30,860 --> 00:31:34,890
stockholders being those people that

492
00:31:33,030 --> 00:31:38,039
corporations have the right to

493
00:31:34,890 --> 00:31:40,440
communicate with now the federal

494
00:31:38,039 --> 00:31:42,690
language here is an effort to allow both

495
00:31:40,440 --> 00:31:47,309
labor unions and corporations on an

496
00:31:42,690 --> 00:31:49,620
equity level to contact their members

497
00:31:47,309 --> 00:31:51,419
and their stockholders and what the

498
00:31:49,620 --> 00:31:53,970
amendment yesterday did was allow

499
00:31:51,419 --> 00:31:56,640
corporations to also contact their

500

00:31:53,970 --> 00:31:59,549
employees now the issue before you today

501
00:31:56,640 --> 00:32:01,559
members is whether or not you think a

502
00:31:59,549 --> 00:32:03,929
corporation ought to be able to

503
00:32:01,559 --> 00:32:06,570
communicate off for political purposes

504
00:32:03,929 --> 00:32:08,640
both with their stockholders and their

505
00:32:06,570 --> 00:32:10,799
employees and the families of those

506
00:32:08,640 --> 00:32:13,440
people now we go on down and labor

507
00:32:10,799 --> 00:32:15,659
organizations can communicate with their

508
00:32:13,440 --> 00:32:17,520
members and their families so the issue

509
00:32:15,659 --> 00:32:19,500
before you is whether or not you want to

510
00:32:17,520 --> 00:32:21,840
reconsider that amendment if you

511
00:32:19,500 --> 00:32:23,909
reconsider the the vote on the amendment

512
00:32:21,840 --> 00:32:25,890
then the corporation's will be able to

513
00:32:23,909 --> 00:32:28,650
communicate with their stockholders and

514
00:32:25,890 --> 00:32:30,480
their families if we leave the amendment

515
00:32:28,650 --> 00:32:32,720
like it is the corporations can

516
00:32:30,480 --> 00:32:36,240
communicate both with stockholders and

517
00:32:32,720 --> 00:32:38,190
employees that is the issue I have no

518
00:32:36,240 --> 00:32:40,230
strong personal feeling whichever way

519
00:32:38,190 --> 00:32:41,820
you want to do it but I think that we

520
00:32:40,230 --> 00:32:43,860
need to understand that this is a

521
00:32:41,820 --> 00:32:45,659
departure from the federal the federal

522
00:32:43,860 --> 00:32:47,850
language with this which this section

523
00:32:45,659 --> 00:32:49,770
exactly tracks and we need to discuss

524
00:32:47,850 --> 00:32:51,809
this matter in resolve whether or not

525
00:32:49,770 --> 00:32:53,700
the will of this body is to allow the

526
00:32:51,809 --> 00:32:56,909
corporation's to be able to communicate

527

00:32:53,700 --> 00:33:01,590
with their employees so at this time I

528
00:32:56,909 --> 00:33:03,510
move to reconsider mr. Davis to speak

529
00:33:01,590 --> 00:33:06,030
against the motion to reconsider miss

530
00:33:03,510 --> 00:33:07,799
Pinkerton members I don't know what the

531
00:33:06,030 --> 00:33:10,350
federal law says I've never in it and

532
00:33:07,799 --> 00:33:12,179
frankly I don't care question is what

533
00:33:10,350 --> 00:33:13,799
should our law say with respect to the

534
00:33:12,179 --> 00:33:15,120
authority of a corporation to

535
00:33:13,799 --> 00:33:16,870
communicate with its employees

536
00:33:15,120 --> 00:33:18,520
concerning legitimate

537
00:33:16,870 --> 00:33:20,980
to the corporation that may or may not

538
00:33:18,520 --> 00:33:22,870
be pending before the legislature may

539
00:33:20,980 --> 00:33:24,550
not may or may not be involved in a

540
00:33:22,870 --> 00:33:26,110
public referendum or any other matter I

541
00:33:24,550 --> 00:33:27,190
think we all ought to understand that

542
00:33:26,110 --> 00:33:29,260
employees have a fiduciary

543
00:33:27,190 --> 00:33:32,320
responsibility to the company for which

544
00:33:29,260 --> 00:33:35,170
they work that they do have a very

545
00:33:32,320 --> 00:33:36,610
definite interest in the affairs of that

546
00:33:35,170 --> 00:33:38,470
company in terms of its economic

547
00:33:36,610 --> 00:33:40,870
well-being and the company ought to be

548
00:33:38,470 --> 00:33:42,640
permitted to at least advise them what

549
00:33:40,870 --> 00:33:44,230
their position is there's no coercion

550
00:33:42,640 --> 00:33:46,390
involved here there's nothing else

551
00:33:44,230 --> 00:33:48,040
involved now at the labor union say well

552
00:33:46,390 --> 00:33:49,870
we want authority to communicate with a

553
00:33:48,040 --> 00:33:52,270
stockholder so that's finally get their

554

00:33:49,870 --> 00:33:53,410
amendment put it up here that's not my

555
00:33:52,270 --> 00:33:55,570
problem the problem is

556
00:33:53,410 --> 00:33:57,490
should they be authorized to communicate

557
00:33:55,570 --> 00:33:59,650
with their employees and there should be

558
00:33:57,490 --> 00:34:02,559
I think on this house floor no

559
00:33:59,650 --> 00:34:04,809
misunderstanding and in a belief that

560
00:34:02,559 --> 00:34:06,610
all corporations that exist in the state

561
00:34:04,809 --> 00:34:08,919
of Texas and do business here are

562
00:34:06,610 --> 00:34:10,480
organized and are the employees are

563
00:34:08,919 --> 00:34:12,370
represented by labor unions because most

564
00:34:10,480 --> 00:34:14,290
of us know that's simply not the case in

565
00:34:12,370 --> 00:34:16,360
the state of Texas and if they want to

566
00:34:14,290 --> 00:34:18,280
communicate to their employees about

567
00:34:16,360 --> 00:34:20,230
matters of interest to the corporation

568
00:34:18,280 --> 00:34:21,700
they should be permitted to do so the

569
00:34:20,230 --> 00:34:23,409
amendment ought to be on the bill that's

570
00:34:21,700 --> 00:34:24,850
the reason I drafted the amendment and

571
00:34:23,409 --> 00:34:28,450
and offered the amendment

572
00:34:24,850 --> 00:34:30,129
why mr. Bynum you know was mistaken I

573
00:34:28,450 --> 00:34:32,080
don't know I don't care what the federal

574
00:34:30,129 --> 00:34:33,700
lawyers it ought to be the law in Texas

575
00:34:32,080 --> 00:34:35,830
and I think we ought to keep it there in

576
00:34:33,700 --> 00:34:38,110
a way keep it there is to vote no on a

577
00:34:35,830 --> 00:34:40,780
motion to reconsider then against you to

578
00:34:38,110 --> 00:34:42,340
vote no on the motion to reconsider the

579
00:34:40,780 --> 00:34:43,149
vote by which this amendment was adopted

580
00:34:42,340 --> 00:34:44,710
yesterday

581

00:34:43,149 --> 00:34:46,770
tell me yield for a question yield if

582
00:34:44,710 --> 00:34:49,179
Davis hiya mr. Gilmer

583
00:34:46,770 --> 00:34:51,310
mr. Davis were you aware that quite a

584
00:34:49,179 --> 00:34:52,990
few of us voted on that yesterday and we

585
00:34:51,310 --> 00:34:55,330
knew exactly what we were doing and we

586
00:34:52,990 --> 00:34:57,520
knew it that it didn't match up with the

587
00:34:55,330 --> 00:34:58,870
federal law well I knew what I was doing

588
00:34:57,520 --> 00:35:01,120
I didn't know whether it matched up with

589
00:34:58,870 --> 00:35:03,040
a federal law mr. Larry also said before

590
00:35:01,120 --> 00:35:05,470
I don't care you know I'm saying what

591
00:35:03,040 --> 00:35:07,330
the law ought to be in Texas and and I'm

592
00:35:05,470 --> 00:35:08,470
tired of trying to decide what Congress

593
00:35:07,330 --> 00:35:10,300
ought to do because they hadn't done

594
00:35:08,470 --> 00:35:11,410
anything that I want them doing so long

595
00:35:10,300 --> 00:35:13,120
I've given up hope

596
00:35:11,410 --> 00:35:15,310
but right down here we can do what's

597
00:35:13,120 --> 00:35:16,660
right this amendment was right and I

598
00:35:15,310 --> 00:35:21,610
asked you to keep it on the bill and

599
00:35:16,660 --> 00:35:24,000
vote no on the motion to reconsider mr.

600
00:35:21,610 --> 00:35:24,000
Bannon

601
00:35:36,430 --> 00:35:43,420
chair recognize mathematics members I I

602
00:35:40,839 --> 00:35:45,789
want to speak in favor of mr. bottoms

603
00:35:43,420 --> 00:35:49,240
motion I think if you will read the

604
00:35:45,789 --> 00:35:50,650
paragraph that this particular amendment

605
00:35:49,240 --> 00:35:52,569
went into you can see the great

606
00:35:50,650 --> 00:35:55,569
significance other that particular

607
00:35:52,569 --> 00:35:57,760
memory what that amendment does it does

608

00:35:55,569 --> 00:36:01,240
more than just allow the communication

609
00:35:57,760 --> 00:36:05,470
with employees it also allows the

610
00:36:01,240 --> 00:36:08,109
operation of in the establishment

611
00:36:05,470 --> 00:36:11,079
administration of some funds for the

612
00:36:08,109 --> 00:36:13,420
solicitation of in segregation and in

613
00:36:11,079 --> 00:36:16,059
attempting to solicit money for

614
00:36:13,420 --> 00:36:18,190
political purposes now some of these

615
00:36:16,059 --> 00:36:20,440
funds that have that this is taking

616
00:36:18,190 --> 00:36:24,670
place in have caused considerable

617
00:36:20,440 --> 00:36:27,130
problems within within the within these

618
00:36:24,670 --> 00:36:28,240
these companies you may know for

619
00:36:27,130 --> 00:36:30,069
instance you know we've got the United

620
00:36:28,240 --> 00:36:32,710
funds and things like that right now

621
00:36:30,069 --> 00:36:34,920
then in effect amount to just about

622
00:36:32,710 --> 00:36:37,900
coercion in an attempt to try to make

623
00:36:34,920 --> 00:36:40,240
employees participate now what the

624
00:36:37,900 --> 00:36:42,390
reason this was not in here is because

625
00:36:40,240 --> 00:36:45,069
the law says that you can't make people

626
00:36:42,390 --> 00:36:47,920
participate in the Uniting fund or any

627
00:36:45,069 --> 00:36:50,470
other kind of fun but when you put it in

628
00:36:47,920 --> 00:36:53,109
here allowing them to do this an attempt

629
00:36:50,470 --> 00:36:55,539
to raise this money they can raffle off

630
00:36:53,109 --> 00:36:57,279
all kinds of cars you can do anything in

631
00:36:55,539 --> 00:36:58,900
the world with those employees and

632
00:36:57,279 --> 00:37:02,140
attempt to raise money to put in this

633
00:36:58,900 --> 00:37:04,059
quote nonpartisan fund but when the fund

634
00:37:02,140 --> 00:37:07,839
gets that gets there is not nonpartisan

635

00:37:04,059 --> 00:37:10,119
anymore this is a major deviation when

636
00:37:07,839 --> 00:37:11,950
the federal law was was written it was

637
00:37:10,119 --> 00:37:14,890
written in an attempt to compromise it

638
00:37:11,950 --> 00:37:17,380
with the labor unions with the the

639
00:37:14,890 --> 00:37:20,079
National corporations with manufacturers

640
00:37:17,380 --> 00:37:21,670
association and everything else and all

641
00:37:20,079 --> 00:37:22,750
of a sudden when we weren't paying

642
00:37:21,670 --> 00:37:25,450
attention to what we were doing

643
00:37:22,750 --> 00:37:28,119
yesterday we attempted to amend this and

644
00:37:25,450 --> 00:37:29,950
a white that in effect will provide not

645
00:37:28,119 --> 00:37:33,069
just a one-sided advancement a lopsided

646
00:37:29,950 --> 00:37:36,130
venge and also provide a means to cook

647
00:37:33,069 --> 00:37:38,319
to coerce employees to participate and

648
00:37:36,130 --> 00:37:40,299
these big political funds particularly

649
00:37:38,319 --> 00:37:42,849
these big political funds that you know

650
00:37:40,299 --> 00:37:45,220
that were made such big contributions to

651
00:37:42,849 --> 00:37:46,930
richard nixon and other ones like that i

652
00:37:45,220 --> 00:37:48,849
just don't want the employees to be

653
00:37:46,930 --> 00:37:49,210
putting that type burning matter of fact

654
00:37:48,849 --> 00:37:50,890
they

655
00:37:49,210 --> 00:37:52,510
I think it happened to speak with our

656
00:37:50,890 --> 00:37:53,710
governor here in the state of Texas I

657
00:37:52,510 --> 00:37:56,710
don't want to happen again

658
00:37:53,710 --> 00:37:59,920
it's bigger that's all well gentlemen

659
00:37:56,710 --> 00:38:01,510
here are you yamming elephant Oh mr.

660
00:37:59,920 --> 00:38:03,340
Maddux this amendment was put on by

661
00:38:01,510 --> 00:38:05,290
voice vote yesterday I have visited with

662

00:38:03,340 --> 00:38:06,910
mr. Bynum about this in his statement

663
00:38:05,290 --> 00:38:09,820
when this amendment was put on was that

664
00:38:06,910 --> 00:38:11,560
this amendment made our law conform to

665
00:38:09,820 --> 00:38:12,850
federal law but that's in fact not the

666
00:38:11,560 --> 00:38:17,200
case and I think mr. Barnum has

667
00:38:12,850 --> 00:38:19,270
explained it that's not the time it went

668
00:38:17,200 --> 00:38:22,210
on I think mr. Bynum explained to the

669
00:38:19,270 --> 00:38:24,160
house or at least that was I thought he

670
00:38:22,210 --> 00:38:26,200
was intent I thought he was trying to

671
00:38:24,160 --> 00:38:28,510
make our home correlate with the federal

672
00:38:26,200 --> 00:38:30,730
law but in fact in fact this is not in a

673
00:38:28,510 --> 00:38:32,500
federal law is it not no this is adding

674
00:38:30,730 --> 00:38:34,720
something new to them this was passed on

675
00:38:32,500 --> 00:38:36,670
vast on voice vote yesterday right

676
00:38:34,720 --> 00:38:38,140
that's right if just if the normals

677
00:38:36,670 --> 00:38:40,780
amendments that we just laid up here in

678
00:38:38,140 --> 00:38:42,970
passed in an effort to make our law

679
00:38:40,780 --> 00:38:44,620
comply with the federal law but that was

680
00:38:42,970 --> 00:38:47,470
wrong we shouldn't have done ask you one

681
00:38:44,620 --> 00:38:51,970
other question about this this parody of

682
00:38:47,470 --> 00:38:53,740
mr. Maddux employees have anything

683
00:38:51,970 --> 00:38:55,360
really to say about the policies of a

684
00:38:53,740 --> 00:38:57,070
company or corporation of a corporation

685
00:38:55,360 --> 00:38:58,660
everything at all if they don't like who

686
00:38:57,070 --> 00:39:01,420
the corporation's of pours can they vote

687
00:38:58,660 --> 00:39:03,070
somebody out or change the policy and

688
00:39:01,420 --> 00:39:05,680
some we're not I don't like they do it

689

00:39:03,070 --> 00:39:07,360
anyway and I think that's what the

690
00:39:05,680 --> 00:39:10,300
problem is you know if the stockholders

691
00:39:07,360 --> 00:39:12,580
can right that's right union members can

692
00:39:10,300 --> 00:39:14,110
in fact both people accept a policy to

693
00:39:12,580 --> 00:39:16,210
those unions can they not that's right

694
00:39:14,110 --> 00:39:17,740
okay so there is basic parent if the

695
00:39:16,210 --> 00:39:20,260
corporations could correspond

696
00:39:17,740 --> 00:39:22,380
communicate on a carpet funds to their

697
00:39:20,260 --> 00:39:25,330
stockholders and that labor union people

698
00:39:22,380 --> 00:39:26,560
can be communicated with by the officers

699
00:39:25,330 --> 00:39:28,150
that they elected that's essentially

700
00:39:26,560 --> 00:39:29,980
what we're saying but employee is an

701
00:39:28,150 --> 00:39:31,510
entirely different category has nothing

702
00:39:29,980 --> 00:39:33,220
to say about what happens their company

703
00:39:31,510 --> 00:39:35,440
and frankly I know of no country where

704
00:39:33,220 --> 00:39:36,790
that's requirement mr. Maddux you

705
00:39:35,440 --> 00:39:38,020
require to do your job when you go to

706
00:39:36,790 --> 00:39:39,250
work you don't have to like your company

707
00:39:38,020 --> 00:39:39,589
you don't have to like the man image you

708
00:39:39,250 --> 00:39:41,210
don't have

709
00:39:39,589 --> 00:39:42,680
agree with them as long as you do your

710
00:39:41,210 --> 00:39:44,599
job get your check you pretty much

711
00:39:42,680 --> 00:39:46,369
satisfied most of the people that I know

712
00:39:44,599 --> 00:39:48,799
that is a requirement for going to work

713
00:39:46,369 --> 00:39:50,690
I think you're right mr. Hall and I

714
00:39:48,799 --> 00:39:52,700
think exactly you're right and I think

715
00:39:50,690 --> 00:39:55,759
when this money gets donated to these

716

00:39:52,700 --> 00:39:58,339
political funds but then in effect the

717
00:39:55,759 --> 00:40:00,529
employees lose control over those funds

718
00:39:58,339 --> 00:40:03,140
for the simple reason that they in

719
00:40:00,529 --> 00:40:05,420
effect are coerced even though the law

720
00:40:03,140 --> 00:40:07,849
tells you not to they're coerced into

721
00:40:05,420 --> 00:40:10,549
contributing to these funds and then

722
00:40:07,849 --> 00:40:12,589
after they have contributed then the way

723
00:40:10,549 --> 00:40:14,539
they're divided up is put around it is

724
00:40:12,589 --> 00:40:16,039
they really have no sale because the top

725
00:40:14,539 --> 00:40:18,109
management makes the things up

726
00:40:16,039 --> 00:40:19,609
I know Texas Instruments I paired Dallas

727
00:40:18,109 --> 00:40:21,890
has got one of these folks they're

728
00:40:19,609 --> 00:40:23,599
supposed to go in a particular way but I

729
00:40:21,890 --> 00:40:25,369
guarantee you doesn't go out of what I

730
00:40:23,599 --> 00:40:27,019
think we need to get this Assad debated

731
00:40:25,369 --> 00:40:29,180
mr. Mack I think the thing we need to do

732
00:40:27,019 --> 00:40:31,069
is to come back and reconsider this and

733
00:40:29,180 --> 00:40:33,049
if we need to have more debate on the

734
00:40:31,069 --> 00:40:35,960
amendment I think that we can debate all

735
00:40:33,049 --> 00:40:38,150
we want to miss Speaker Matt Nichols

736
00:40:35,960 --> 00:40:41,180
would the gentleman yield Maddox Jim

737
00:40:38,150 --> 00:40:47,499
yield mr. Nichols mr. Maddox let me ask

738
00:40:41,180 --> 00:40:50,989
you under under federal law right now

739
00:40:47,499 --> 00:40:52,910
the the corporations and the companies

740
00:40:50,989 --> 00:40:56,089
in the state of Texas and in this

741
00:40:52,910 --> 00:40:58,219
country can hold captive its meetings in

742
00:40:56,089 --> 00:41:00,410
the plants with these people anytime

743

00:40:58,219 --> 00:41:02,979
they desire now I can't do that's right

744
00:41:00,410 --> 00:41:06,259
they can also hook up if necessary

745
00:41:02,979 --> 00:41:08,900
closed-circuit TV for me if they desire

746
00:41:06,259 --> 00:41:11,359
to within the plants can't they be right

747
00:41:08,900 --> 00:41:13,579
yes the only thing that you pointed out

748
00:41:11,359 --> 00:41:16,519
that that's really significant in this

749
00:41:13,579 --> 00:41:18,529
is is in tracking in there where it

750
00:41:16,519 --> 00:41:22,369
gives them the right to set up to where

751
00:41:18,529 --> 00:41:24,170
they can ask these people for funds that

752
00:41:22,369 --> 00:41:26,359
this corporation is going to decide

753
00:41:24,170 --> 00:41:28,160
where the funds go rather than these

754
00:41:26,359 --> 00:41:29,809
people having an opportunity to decide

755
00:41:28,160 --> 00:41:31,249
where the funds go once they have them

756
00:41:29,809 --> 00:41:33,499
collected is this not true

757

00:41:31,249 --> 00:41:35,509

I think it's a stack that's departed

758

00:41:33,499 --> 00:41:37,500

we're really objected to I don't object

759

00:41:35,509 --> 00:41:39,180

to him if

760

00:41:37,500 --> 00:41:41,100

they want a cars pond with them a ladder

761

00:41:39,180 --> 00:41:42,900

that's not the part that I'm but I'm

762

00:41:41,100 --> 00:41:44,760

worried about but I am worried about the

763

00:41:42,900 --> 00:41:47,340

way the rest of it reads are in just a

764

00:41:44,760 --> 00:41:50,610

little party to be an amended gives them

765

00:41:47,340 --> 00:41:52,530

the right to collect funds or set up a

766

00:41:50,610 --> 00:41:55,050

political fund that these people will

767

00:41:52,530 --> 00:41:56,850

have to donate to and then the

768

00:41:55,050 --> 00:42:05,490

corporation decide how the money is

769

00:41:56,850 --> 00:42:07,680

going to be spent chair recognizes mr.

770

00:42:05,490 --> 00:42:09,360
bottom to close mr. speaker members I

771
00:42:07,680 --> 00:42:12,000
think we ought to move to reconsider

772
00:42:09,360 --> 00:42:14,220
this this bill very carefully tracks

773
00:42:12,000 --> 00:42:17,460
federal language that has been worked

774
00:42:14,220 --> 00:42:19,050
out and is a very delicate balance and I

775
00:42:17,460 --> 00:42:21,180
think that we ought to go back to that

776
00:42:19,050 --> 00:42:23,160
language it allows corporations to

777
00:42:21,180 --> 00:42:25,410
communicate with their stockholders and

778
00:42:23,160 --> 00:42:27,750
unions to communicate with their members

779
00:42:25,410 --> 00:42:29,580
and it's a fair way to do it and I think

780
00:42:27,750 --> 00:42:31,590
the best thing to do is stick with what

781
00:42:29,580 --> 00:42:33,750
we originally had and that is the

782
00:42:31,590 --> 00:42:36,030
federal language on this matter it has

783
00:42:33,750 --> 00:42:37,800
worked out language and everyone thinks

784
00:42:36,030 --> 00:42:39,690
that it is a good good language and that

785
00:42:37,800 --> 00:42:45,990
was what we had in committee please vote

786
00:42:39,690 --> 00:42:47,940
aye to reconsider mr. bottom moves to

787
00:42:45,990 --> 00:42:51,390
reconsider the vote by which amendment

788
00:42:47,940 --> 00:42:53,550
number nine was adopted a record votes

789
00:42:51,390 --> 00:42:55,440
requested a record vote is granted all

790
00:42:53,550 --> 00:42:57,630
those in favor will vote aye those

791
00:42:55,440 --> 00:42:59,750
opposed will vote no clerk will ring the

792
00:42:57,630 --> 00:42:59,750
bell

793
00:43:17,700 --> 00:43:20,809
have all voted

794
00:43:32,000 --> 00:43:35,170
have all voted

795
00:43:50,140 --> 00:43:54,120
so mr. Adams voting aye

796
00:44:09,880 --> 00:44:21,700
there being 64 eyes 68 days the motion

797

00:44:15,220 --> 00:44:23,650
to reconsider fails execute excuse

798
00:44:21,700 --> 00:44:25,600
representative Donaldson because of

799
00:44:23,650 --> 00:44:27,730
illness a motion of representative Laney

800
00:44:25,600 --> 00:44:29,620
is there objection commotion chair ears

801
00:44:27,730 --> 00:44:31,420
none the motion is granted mr. Hall

802
00:44:29,620 --> 00:44:32,830
would it be appropriate since they're

803
00:44:31,420 --> 00:44:37,860
just a for both Fred to ask for

804
00:44:32,830 --> 00:44:40,480
verification on that at all

805
00:44:37,860 --> 00:44:41,920
we've already transacted additional

806
00:44:40,480 --> 00:44:44,320
business since that vote was announced

807
00:44:41,920 --> 00:44:45,700
mr. speaker you you excused some people

808
00:44:44,320 --> 00:44:49,060
to slip you had in your hand what kind

809
00:44:45,700 --> 00:44:50,290
of business that we transacted I've got

810
00:44:49,060 --> 00:44:52,870
to pee as soon as you announce that I

811
00:44:50,290 --> 00:44:54,820
was tending to having the front well it

812
00:44:52,870 --> 00:44:59,710
constitutes the transaction of business

813
00:44:54,820 --> 00:45:01,540
mr. Hall big primary speaker the motion

814
00:44:59,710 --> 00:45:05,430
to excuse representative Donaldson

815
00:45:01,540 --> 00:45:05,430
constitutes the transaction of business

816
00:45:08,010 --> 00:45:16,570
the question here occurs on the adoption

817
00:45:10,750 --> 00:45:18,400
of committee amendment number one all

818
00:45:16,570 --> 00:45:20,860
those in favor of the adoption of

819
00:45:18,400 --> 00:45:23,080
committee amendment number one as a man

820
00:45:20,860 --> 00:45:24,940
did will vote aye those opposed will

821
00:45:23,080 --> 00:45:28,050
vote no it's a record vote

822
00:45:24,940 --> 00:45:28,050
the clerk will ring the bell

823
00:45:44,350 --> 00:45:47,850
show mr. Leyland going No

824

00:45:54,550 --> 00:45:58,180
all members voted

825
00:46:07,380 --> 00:46:10,910
if all members voted

826
00:46:30,030 --> 00:46:33,590
show mr. Newton voting aye

827
00:46:38,080 --> 00:46:40,890
mr. Geiger

828
00:46:45,310 --> 00:46:50,720
they're being 95 eyes and 40 nose

829
00:46:48,410 --> 00:46:54,530
the committee amendment 1 as amended is

830
00:46:50,720 --> 00:46:57,620
adopted falling caption amendment the

831
00:46:54,530 --> 00:46:59,510
clerk will read the amendment committee

832
00:46:57,620 --> 00:47:01,580
amendment number 2 by wedington amend

833
00:46:59,510 --> 00:47:04,900
house Tavano moves that the caption

834
00:47:01,580 --> 00:47:04,900
amendment be adopted is there objection

835
00:47:11,210 --> 00:47:16,490
chair here none caption amendment is

836
00:47:14,040 --> 00:47:16,490
adopted

837
00:47:24,579 --> 00:47:34,299
at the Bynum them Isabel mr. speaker and

838
00:47:30,489 --> 00:47:36,309
members I'd like to close by asking the

839
00:47:34,299 --> 00:47:40,259
house to vote for what I think is a very

840
00:47:36,309 --> 00:47:43,329
very fine bill this is a bill that is a

841
00:47:40,259 --> 00:47:45,849
combination of work product of the

842
00:47:43,329 --> 00:47:48,699
Secretary of State's office the interim

843
00:47:45,849 --> 00:47:50,319
committee that worked on this bill and a

844
00:47:48,699 --> 00:47:53,259
subcommittee of the Elections Committee

845
00:47:50,319 --> 00:47:55,569
under Ms wedington which spent literally

846
00:47:53,259 --> 00:47:59,410
hours and hours and hours of time

847
00:47:55,569 --> 00:48:01,119
perfecting a very excellent bill now I

848
00:47:59,410 --> 00:48:02,890
want you to listen and let me tell you

849
00:48:01,119 --> 00:48:04,719
some of the things that this bill does

850
00:48:02,890 --> 00:48:06,910
that is going to help the problems that

851

00:48:04,719 --> 00:48:08,920
people have had over the past two years

852
00:48:06,910 --> 00:48:12,640
with regards to the elections process

853
00:48:08,920 --> 00:48:14,559
here we set up a new system where we

854
00:48:12,640 --> 00:48:17,259
divide and make a distinction between

855
00:48:14,559 --> 00:48:19,390
legitimate ongoing political action

856
00:48:17,259 --> 00:48:21,549
committees and political committees

857
00:48:19,390 --> 00:48:25,079
which are attached specifically to a

858
00:48:21,549 --> 00:48:27,099
certain group we exclude from the

859
00:48:25,079 --> 00:48:30,219
necessity of having to have

860
00:48:27,099 --> 00:48:33,670
identification things like tickets to

861
00:48:30,219 --> 00:48:35,079
rallies matches buttons pins we make

862
00:48:33,670 --> 00:48:37,630
that part of the law much more

863
00:48:35,079 --> 00:48:41,589
enforceable and much more reasonable we

864
00:48:37,630 --> 00:48:43,809
raise from \$10 to \$50 the amount of

865
00:48:41,589 --> 00:48:46,839
money that is necessary to have an

866
00:48:43,809 --> 00:48:48,609
individual reporting on so that people

867
00:48:46,839 --> 00:48:50,920
don't have to keep up with the nickel

868
00:48:48,609 --> 00:48:52,539
and dime contributions but will still

869
00:48:50,920 --> 00:48:54,069
have to continue to report those

870
00:48:52,539 --> 00:48:55,809
contributions which are of major

871
00:48:54,069 --> 00:48:58,390
significance and which people should

872
00:48:55,809 --> 00:49:00,880
know about as far as public looking into

873
00:48:58,390 --> 00:49:04,049
conflicts of interest we lower the

874
00:49:00,880 --> 00:49:07,299
number of times required to file reports

875
00:49:04,049 --> 00:49:09,279
under the old bill as you as you as

876
00:49:07,299 --> 00:49:11,679
candidates know there were too many

877
00:49:09,279 --> 00:49:13,779
reporting periods required we had times

878

00:49:11,679 --> 00:49:16,449
where you had to report as many as four

879
00:49:13,779 --> 00:49:18,189
times after an election we have changed

880
00:49:16,449 --> 00:49:21,160
it so that all candidates will know that

881
00:49:18,189 --> 00:49:24,160
they report 30 days before and seven

882
00:49:21,160 --> 00:49:26,579
days before and 30 days after and that's

883
00:49:24,160 --> 00:49:29,799
all we have made it easier for

884
00:49:26,579 --> 00:49:32,199
municipalities under 10,000 to report in

885
00:49:29,799 --> 00:49:35,199
those elections and cities under 10,000

886
00:49:32,199 --> 00:49:36,820
those folks only have to file one report

887
00:49:35,199 --> 00:49:39,760
we have set up

888
00:49:36,820 --> 00:49:42,250
the penalties the old bill was full of

889
00:49:39,760 --> 00:49:44,800
felonies which everyone knew would never

890
00:49:42,250 --> 00:49:46,750
be enforced they're not going to convict

891
00:49:44,800 --> 00:49:48,910
somebody of a felony when they're a day

892
00:49:46,750 --> 00:49:50,920
or a week late turning in a campaign

893
00:49:48,910 --> 00:49:53,560
report so we have made those

894
00:49:50,920 --> 00:49:57,130
requirements reasonable and lowered them

895
00:49:53,560 --> 00:49:59,170
to Class A and Class B misdemeanors so

896
00:49:57,130 --> 00:50:00,940
that people will be able to comply with

897
00:49:59,170 --> 00:50:03,310
the law that the penalties will not be

898
00:50:00,940 --> 00:50:05,920
onerous but also at the same time they

899
00:50:03,310 --> 00:50:08,230
will be good penalties which can be

900
00:50:05,920 --> 00:50:10,690
enforceable we have put in the bill that

901
00:50:08,230 --> 00:50:13,180
there will be no charge for the filing

902
00:50:10,690 --> 00:50:16,300
of copies of reports made under this law

903
00:50:13,180 --> 00:50:18,220
we have required a good provision for

904
00:50:16,300 --> 00:50:20,980
all political candidates having the

905

00:50:18,220 --> 00:50:23,130
lowest rate of advertising we have

906
00:50:20,980 --> 00:50:24,910
outlawed dirty tricks and

907
00:50:23,130 --> 00:50:27,100
misrepresentation and said that it is

908
00:50:24,910 --> 00:50:29,080
now in Texas against the law for a

909
00:50:27,100 --> 00:50:32,050
person to misrepresent himself in a

910
00:50:29,080 --> 00:50:34,510
political campaign and we have created a

911
00:50:32,050 --> 00:50:37,420
good bipartisan agency which will be

912
00:50:34,510 --> 00:50:39,490
able to enforce this bill properly and

913
00:50:37,420 --> 00:50:42,160
at the same time they act as a referee

914
00:50:39,490 --> 00:50:44,530
also shield those people who are in the

915
00:50:42,160 --> 00:50:47,410
political arena from arbitrary and

916
00:50:44,530 --> 00:50:49,150
capricious enforcement by a district

917
00:50:47,410 --> 00:50:50,920
attorney or other law enforcement

918
00:50:49,150 --> 00:50:53,290
official it's a good bill

919
00:50:50,920 --> 00:50:55,870
it's a bill that that many many people

920
00:50:53,290 --> 00:50:58,060
have spent hours and hours and hours

921
00:50:55,870 --> 00:50:59,740
working on it's carefully thought-out

922
00:50:58,060 --> 00:51:08,350
the language is carefully constructed

923
00:50:59,740 --> 00:51:09,850
and I urge you to vote for this bill mr.

924
00:51:08,350 --> 00:51:13,630
Nicholson speak against House bill four

925
00:51:09,850 --> 00:51:17,200
bit speaking members I hate to get up

926
00:51:13,630 --> 00:51:18,490
here and speak against this bill for the

927
00:51:17,200 --> 00:51:20,800
little ole amendment that was put on

928
00:51:18,490 --> 00:51:25,930
this bill yesterday Mr Bond I'm accepted

929
00:51:20,800 --> 00:51:28,600
and then tried to get you to reconsider

930
00:51:25,930 --> 00:51:31,240
the vote what how why when you put this

931
00:51:28,600 --> 00:51:32,980
on yesterday because I was on the

932

00:51:31,240 --> 00:51:34,690
subcommittee that worked on this bill

933
00:51:32,980 --> 00:51:38,740
and as he said that was a lot of hours

934
00:51:34,690 --> 00:51:41,350
went into it which delay also had a bill

935
00:51:38,740 --> 00:51:43,570
similar to this but delay was on the

936
00:51:41,350 --> 00:51:47,710
subcommittee we met with Lam at the

937
00:51:43,570 --> 00:51:50,170
Bynum Mark White's office and and other

938
00:51:47,710 --> 00:51:50,900
people throughout their state to try to

939
00:51:50,170 --> 00:51:53,860
work just

940
00:51:50,900 --> 00:51:57,140
and I think we had the bill worked out

941
00:51:53,860 --> 00:51:59,540
there's pretty much satisfaction of the

942
00:51:57,140 --> 00:52:02,660
people in the state of Texas something

943
00:51:59,540 --> 00:52:05,750
that you and I as politicians and as

944
00:52:02,660 --> 00:52:07,880
members of this house could live under

945
00:52:05,750 --> 00:52:09,590
under the report and and all that that

946
00:52:07,880 --> 00:52:13,760
was changed in this from what the old

947
00:52:09,590 --> 00:52:16,850
law said and the amendment that was put

948
00:52:13,760 --> 00:52:19,910
on other than the fact that that's a

949
00:52:16,850 --> 00:52:23,420
cooperation be able to set up and

950
00:52:19,910 --> 00:52:25,850
collect money from its employees is the

951
00:52:23,420 --> 00:52:27,260
part that I disagree with now we were

952
00:52:25,850 --> 00:52:29,740
just talking about letting them

953
00:52:27,260 --> 00:52:32,300
correspond with their employees by mail

954
00:52:29,740 --> 00:52:34,670
fine because they have a right on the

955
00:52:32,300 --> 00:52:37,430
federal law to do this now they have a

956
00:52:34,670 --> 00:52:39,500
right under federal law to have capital

957
00:52:37,430 --> 00:52:41,360
elderts meetings inside of the plants

958
00:52:39,500 --> 00:52:43,220
with these people or call capital out is

959

00:52:41,360 --> 00:52:45,590
beaten anytime they desire on their

960
00:52:43,220 --> 00:52:48,140
premises they have right to put in

961
00:52:45,590 --> 00:52:51,350
closed-circuit TV while their employees

962
00:52:48,140 --> 00:52:54,530
anytime they so desire and you have gone

963
00:52:51,350 --> 00:52:57,230
further than what we needed to go here

964
00:52:54,530 --> 00:52:59,380
by setting this up to where the

965
00:52:57,230 --> 00:53:02,630
companies could if they so desired

966
00:52:59,380 --> 00:53:05,570
create and set up of a political pawn

967
00:53:02,630 --> 00:53:09,320
and then ask their employees to donate

968
00:53:05,570 --> 00:53:12,050
to it now I'm not worried about worthy

969
00:53:09,320 --> 00:53:14,690
the Union people will donate to the

970
00:53:12,050 --> 00:53:16,280
cooperations fund or not I'm worried

971
00:53:14,690 --> 00:53:19,490
about those people that don't belong to

972
00:53:16,280 --> 00:53:22,430
organized labor that can be told if you

973
00:53:19,490 --> 00:53:24,470
don't do it you won't have no job now

974
00:53:22,430 --> 00:53:26,270
they're not going to threaten organized

975
00:53:24,470 --> 00:53:28,640
labor people and people that are members

976
00:53:26,270 --> 00:53:30,650
of the Union were there because we got

977
00:53:28,640 --> 00:53:32,930
protection on the contract if they

978
00:53:30,650 --> 00:53:35,540
threaten us they keep we can't lose our

979
00:53:32,930 --> 00:53:37,940
job over it anyway but I wish you people

980
00:53:35,540 --> 00:53:39,440
would reconsider and take a look at both

981
00:53:37,940 --> 00:53:41,720
they're sitting around and must come

982
00:53:39,440 --> 00:53:44,330
back in two cycles with it to take that

983
00:53:41,720 --> 00:53:46,130
particular art part out for the people

984
00:53:44,330 --> 00:53:49,010
that don't belong to organized labor in

985
00:53:46,130 --> 00:53:50,750
this state and they're only 17% of the

986

00:53:49,010 --> 00:53:52,670
working force in this state that belongs

987
00:53:50,750 --> 00:53:55,250
to organized labor y'all think we're so

988
00:53:52,670 --> 00:53:57,380
bad that we're do all these bad things

989
00:53:55,250 --> 00:53:59,090
when they're only 17 percent of us

990
00:53:57,380 --> 00:53:59,740
belong to organized labor to start with

991
00:53:59,090 --> 00:54:01,570
in this day

992
00:53:59,740 --> 00:54:03,790
of the workforce in this state and I

993
00:54:01,570 --> 00:54:05,590
think you're doing a big injustice to

994
00:54:03,790 --> 00:54:07,570
those other employees that do not belong

995
00:54:05,590 --> 00:54:09,160
to organized labor speakers you have

996
00:54:07,570 --> 00:54:11,080
been with the gentleman yield

997
00:54:09,160 --> 00:54:16,030
he'll miss Nichols yeah Jim when you old

998
00:54:11,080 --> 00:54:18,070
miss Benton miss Nichols let's see if we

999
00:54:16,030 --> 00:54:21,580
all understand because I suppose this

1000
00:54:18,070 --> 00:54:24,570
could be a very important point and

1001
00:54:21,580 --> 00:54:29,830
whether or not corporations will be able

1002
00:54:24,570 --> 00:54:31,920
to give money in political campaigns now

1003
00:54:29,830 --> 00:54:35,500
you said this amendment was adopted

1004
00:54:31,920 --> 00:54:37,840
yesterday is it correct yeah

1005
00:54:35,500 --> 00:54:40,030
was there a vote taken on the amendment

1006
00:54:37,840 --> 00:54:43,450
there was a voice vote or either a

1007
00:54:40,030 --> 00:54:45,040
division vote taken on the board and mr.

1008
00:54:43,450 --> 00:54:48,730
Barnum said this morning when he moved

1009
00:54:45,040 --> 00:54:51,280
to reconsider he accepted the bill on

1010
00:54:48,730 --> 00:54:52,720
the theory that he thought the amendment

1011
00:54:51,280 --> 00:54:54,790
was putting it in compliance with what

1012
00:54:52,720 --> 00:54:56,590
the federal law says and it's not

1013

00:54:54,790 --> 00:54:58,270
putting it in compliant what the federal

1014
00:54:56,590 --> 00:55:02,880
law says it's going further than what

1015
00:54:58,270 --> 00:55:06,850
the federal law says if you remember mr.

1016
00:55:02,880 --> 00:55:08,950
last session or when we passed the House

1017
00:55:06,850 --> 00:55:12,250
bill 4 that will you're now operating

1018
00:55:08,950 --> 00:55:15,400
under they the cooperations was put in

1019
00:55:12,250 --> 00:55:18,070
the labor unions were not put in in the

1020
00:55:15,400 --> 00:55:20,770
same type language that corporations

1021
00:55:18,070 --> 00:55:22,450
were we came back this time you was on

1022
00:55:20,770 --> 00:55:25,119
that you was on the interim committee

1023
00:55:22,450 --> 00:55:28,359
and we discussed this and we came in and

1024
00:55:25,119 --> 00:55:31,180
we put organized labor and corporations

1025
00:55:28,359 --> 00:55:33,970
in this state in the bill tracking the

1026
00:55:31,180 --> 00:55:36,790
federal law and it complied to both of

1027
00:55:33,970 --> 00:55:38,890
us the same way it gives organized labor

1028
00:55:36,790 --> 00:55:40,930
the right to communicate with their

1029
00:55:38,890 --> 00:55:44,890
stockholders which is their members

1030
00:55:40,930 --> 00:55:47,950
it gives corporations the right to work

1031
00:55:44,890 --> 00:55:49,900
with their members which is members of

1032
00:55:47,950 --> 00:55:52,869
their corporations and we have gone on

1033
00:55:49,900 --> 00:55:56,740
and beyond that with with this amendment

1034
00:55:52,869 --> 00:56:00,160
so it would even move the corporations

1035
00:55:56,740 --> 00:56:03,460
to allowing to make contributions in

1036
00:56:00,160 --> 00:56:05,890
political campaigns it would move

1037
00:56:03,460 --> 00:56:08,740
corporations could do it even under the

1038
00:56:05,890 --> 00:56:10,090
present structure the way it was before

1039
00:56:08,740 --> 00:56:12,700
this amendment mr.

1040

00:56:10,090 --> 00:56:16,060
but it also lets corporations and events

1041
00:56:12,700 --> 00:56:19,150
so desire get the employees that work

1042
00:56:16,060 --> 00:56:21,400
for them and ask them to contribute to

1043
00:56:19,150 --> 00:56:23,320
the fund that the cooperation has and

1044
00:56:21,400 --> 00:56:26,050
and and those people that are

1045
00:56:23,320 --> 00:56:28,510
contributed to the cooperation once it

1046
00:56:26,050 --> 00:56:30,280
put into the cooperation political fund

1047
00:56:28,510 --> 00:56:32,890
in the corporation could spend it ever

1048
00:56:30,280 --> 00:56:34,810
how they want to and employers have no

1049
00:56:32,890 --> 00:56:36,910
say over where the money goes

1050
00:56:34,810 --> 00:56:39,970
I say because they cannot attend the

1051
00:56:36,910 --> 00:56:42,280
corporation's meeting to vote on which

1052
00:56:39,970 --> 00:56:44,560
candidates that they put the money on

1053
00:56:42,280 --> 00:56:46,720
and which candidate and what political

1054
00:56:44,560 --> 00:56:49,120
parties that they spend their money for

1055
00:56:46,720 --> 00:56:51,940
organized labor has to have meetings and

1056
00:56:49,120 --> 00:56:54,550
the membership vote on which candidates

1057
00:56:51,940 --> 00:56:58,690
we spend our money on which which

1058
00:56:54,550 --> 00:57:01,450
whether we run a large voter

1059
00:56:58,690 --> 00:57:04,050
registration drive or whether we just a

1060
00:57:01,450 --> 00:57:07,300
piecemeal uh voter registration drive

1061
00:57:04,050 --> 00:57:09,250
it's a good point that I hope the

1062
00:57:07,300 --> 00:57:11,590
membership of the house will pay very

1063
00:57:09,250 --> 00:57:14,440
close attention to mr. Nichols Thank You

1064
00:57:11,590 --> 00:57:15,880
mr. dent as I say I hate to get up here

1065
00:57:14,440 --> 00:57:18,220
and speak against this bill and vote

1066
00:57:15,880 --> 00:57:19,600
against it but I would ask you people to

1067

00:57:18,220 --> 00:57:23,040
vote it down and let's come back and

1068
00:57:19,600 --> 00:57:27,160
reconsider that amendment thank you

1069
00:57:23,040 --> 00:57:29,050
at the old speak and sounds bill for mr.

1070
00:57:27,160 --> 00:57:31,210
speaker members if I could have your

1071
00:57:29,050 --> 00:57:33,280
attention for just a minute like the

1072
00:57:31,210 --> 00:57:35,980
reason with your minute about what we

1073
00:57:33,280 --> 00:57:39,100
have done because in my judgment we have

1074
00:57:35,980 --> 00:57:40,480
made a fundamental policy shift and the

1075
00:57:39,100 --> 00:57:43,810
amendment that was added to House bill

1076
00:57:40,480 --> 00:57:46,150
for mr. Bynum says that a lot of time

1077
00:57:43,810 --> 00:57:48,430
was put into coming up with a good bill

1078
00:57:46,150 --> 00:57:50,290
he's right a lot of time was put in by

1079
00:57:48,430 --> 00:57:52,540
subcommittee but I would remind you that

1080
00:57:50,290 --> 00:57:54,880
that time was not put in on the version

1081
00:57:52,540 --> 00:57:56,860
that we have before us now it was not

1082
00:57:54,880 --> 00:57:59,170
put in on a Bynum bill that was put in

1083
00:57:56,860 --> 00:58:01,720
on a committee report but that was what

1084
00:57:59,170 --> 00:58:03,910
all of the work went into let me let me

1085
00:58:01,720 --> 00:58:05,800
see if I can just a minute reason with

1086
00:58:03,910 --> 00:58:08,380
you about what we have done by allowing

1087
00:58:05,800 --> 00:58:11,110
corporations to expand corporate funds

1088
00:58:08,380 --> 00:58:14,290
to solicit money from their employees

1089
00:58:11,110 --> 00:58:17,350
what we have said is that it's all right

1090
00:58:14,290 --> 00:58:19,600
for you to spin the corporate money to

1091
00:58:17,350 --> 00:58:22,750
write letters to set up a fund to raise

1092
00:58:19,600 --> 00:58:24,160
money but we know that under this law

1093
00:58:22,750 --> 00:58:25,930
nothing's going to happen because it's

1094

00:58:24,160 --> 00:58:28,750
against the law under this law for you

1095
00:58:25,930 --> 00:58:30,130
to coerce your employees remembers you

1096
00:58:28,750 --> 00:58:31,750
know there have been statutes on the

1097
00:58:30,130 --> 00:58:33,640
books for years and say you shall not

1098
00:58:31,750 --> 00:58:35,710
discriminate but we still do that I

1099
00:58:33,640 --> 00:58:38,320
think most of you know what happens to

1100
00:58:35,710 --> 00:58:39,940
an employee if the corporation decides

1101
00:58:38,320 --> 00:58:41,980
that its members ought to contribute

1102
00:58:39,940 --> 00:58:44,410
\$100 to his political fund and it does

1103
00:58:41,980 --> 00:58:45,610
not probably he does not get fired they

1104
00:58:44,410 --> 00:58:47,110
don't fire but he doesn't get his

1105
00:58:45,610 --> 00:58:48,490
promotion next year he doesn't get it

1106
00:58:47,110 --> 00:58:50,260
two year after that he doesn't get it

1107
00:58:48,490 --> 00:58:51,940
the year after that that's what happens

1108
00:58:50,260 --> 00:58:53,680
to man makes a little difference whether

1109
00:58:51,940 --> 00:58:56,080
he's a union member or not this applies

1110
00:58:53,680 --> 00:58:58,210
to all of them that happened some years

1111
00:58:56,080 --> 00:59:00,160
ago if you can recall around the United

1112
00:58:58,210 --> 00:59:02,530
fund there was a good cause we all agree

1113
00:59:00,160 --> 00:59:04,570
but we have problems because people were

1114
00:59:02,530 --> 00:59:07,360
penalized if they did not contribute to

1115
00:59:04,570 --> 00:59:08,860
these funds that is precisely what we

1116
00:59:07,360 --> 00:59:11,610
have done by this amendment to this bill

1117
00:59:08,860 --> 00:59:14,260
now it has been done under the color of

1118
00:59:11,610 --> 00:59:15,760
making some parity between corporations

1119
00:59:14,260 --> 00:59:18,430
and labor unions and that is not the

1120
00:59:15,760 --> 00:59:20,020
case because in labor unions the members

1121

00:59:18,430 --> 00:59:22,180
themselves the ones that pay the dues

1122
00:59:20,020 --> 00:59:24,370
are the ones that elect the officers the

1123
00:59:22,180 --> 00:59:26,080
ones that essentially set the policy of

1124
00:59:24,370 --> 00:59:27,480
the old flour unions they set them

1125
00:59:26,080 --> 00:59:29,590
through the people that they elect

1126
00:59:27,480 --> 00:59:31,300
corporations do the same identical thing

1127
00:59:29,590 --> 00:59:33,460
by their stockholders if you own a piece

1128
00:59:31,300 --> 00:59:35,320
of the lot you get a chance to vote in

1129
00:59:33,460 --> 00:59:37,210
some small way on what the policies of

1130
00:59:35,320 --> 00:59:38,560
that company are who they support what

1131
00:59:37,210 --> 00:59:40,660
issues they support what issues they

1132
00:59:38,560 --> 00:59:42,790
don't but if you work for that company

1133
00:59:40,660 --> 00:59:44,260
you have absolutely nothing to say about

1134
00:59:42,790 --> 00:59:46,540
who that companies of course

1135
00:59:44,260 --> 00:59:49,690
what issues it supports what issues it

1136
00:59:46,540 --> 00:59:51,370
opposes what policies are made around

1137
00:59:49,690 --> 00:59:53,650
its governmental concerns you have

1138
00:59:51,370 --> 00:59:55,960
nothing at all to say about that we are

1139
00:59:53,650 --> 00:59:57,670
well aware then what is required for you

1140
00:59:55,960 --> 00:59:58,990
to draw your paycheck at our companies

1141
00:59:57,670 --> 01:00:01,330
for you to give an honest day's work

1142
00:59:58,990 --> 01:00:02,950
that's it it's not required that you

1143
01:00:01,330 --> 01:00:04,810
agree with the policies of the company

1144
01:00:02,950 --> 01:00:06,880
that you like the management that you

1145
01:00:04,810 --> 01:00:07,990
agree with the people you work for that

1146
01:00:06,880 --> 01:00:10,090
you like the candidates they support

1147
01:00:07,990 --> 01:00:12,700
that is no consideration at all

1148

01:00:10,090 --> 01:00:14,530
supposedly the consideration is that you

1149
01:00:12,700 --> 01:00:16,510
do an honest day's work for the pay that

1150
01:00:14,530 --> 01:00:18,160
they're giving you I think we have done

1151
01:00:16,510 --> 01:00:19,840
great violence to the political system

1152
01:00:18,160 --> 01:00:22,450
in Texas with the amendment that mr.

1153
01:00:19,840 --> 01:00:24,280
Barnum has put on or accepted under the

1154
01:00:22,450 --> 01:00:26,500
guise that we were complying with some

1155
01:00:24,280 --> 01:00:28,480
federal law he has explained who we were

1156
01:00:26,500 --> 01:00:30,460
not doing that that the federal law does

1157
01:00:28,480 --> 01:00:32,170
not say it does not go as far as

1158
01:00:30,460 --> 01:00:32,859
amendment that he offered for those

1159
01:00:32,170 --> 01:00:34,630
reasons are

1160
01:00:32,859 --> 01:00:37,299
let them to speak against this bill and

1161
01:00:34,630 --> 01:00:38,799
ask you to vote against this bill in an

1162
01:00:37,299 --> 01:00:43,690
effort to see if we can get something

1163
01:00:38,799 --> 01:00:48,180
worked out at some later date at the

1164
01:00:43,690 --> 01:00:50,739
Bynum sweating them close on the bill

1165
01:00:48,180 --> 01:00:53,769
members I will be brief but I hope you

1166
01:00:50,739 --> 01:00:55,450
will vote in favor of House bill 4 as

1167
01:00:53,769 --> 01:00:57,249
you've been told the subcommittee which

1168
01:00:55,450 --> 01:00:59,259
I chair it's been a great deal of time

1169
01:00:57,249 --> 01:01:01,089
trying to work out the problems in the

1170
01:00:59,259 --> 01:01:03,549
bill that had been presented to us by

1171
01:01:01,089 --> 01:01:05,980
numerous profit by numerous people I

1172
01:01:03,549 --> 01:01:07,749
think we've done a good job in trying to

1173
01:01:05,980 --> 01:01:10,869
work out those problems and then it is a

1174
01:01:07,749 --> 01:01:14,380
workable bill that we can all live with

1175

01:01:10,869 --> 01:01:15,970
and and make reports and tell people

1176
01:01:14,380 --> 01:01:18,039
what they ought to know and not harass

1177
01:01:15,970 --> 01:01:20,049
anybody in trying to make the reports I

1178
01:01:18,039 --> 01:01:22,809
would point out to you that on the

1179
01:01:20,049 --> 01:01:24,789
amendment pertaining to employees that

1180
01:01:22,809 --> 01:01:27,599
the language is specifically only

1181
01:01:24,789 --> 01:01:29,710
directed to nonpartisan voter

1182
01:01:27,599 --> 01:01:31,599
registration and get out the vote

1183
01:01:29,710 --> 01:01:33,569
campaign and that's something we've all

1184
01:01:31,599 --> 01:01:36,339
been in favor of for a long time

1185
01:01:33,569 --> 01:01:40,359
nonpartisan get-out-the-vote campaigns

1186
01:01:36,339 --> 01:01:41,769
so I don't think it has the it is as

1187
01:01:40,359 --> 01:01:44,589
important as some people have tried to

1188
01:01:41,769 --> 01:01:45,910
indicate I do think it's a small part of

1189
01:01:44,589 --> 01:01:47,470
the bill that the fact that we're

1190
01:01:45,910 --> 01:01:48,910
getting an Ethics Commission and doing a

1191
01:01:47,470 --> 01:01:50,950
lot of other things is extremely

1192
01:01:48,910 --> 01:01:52,809
important I will not yield the floor and

1193
01:01:50,950 --> 01:01:55,269
will simply ask you to vote yes thank

1194
01:01:52,809 --> 01:01:57,009
you this is big at all Parliament

1195
01:01:55,269 --> 01:01:59,380
inquire state to inquire mr. does the

1196
01:01:57,009 --> 01:02:02,859
lady mislead the House by by implying

1197
01:01:59,380 --> 01:02:05,200
that that the corporations cannot write

1198
01:02:02,859 --> 01:02:07,089
their members solicit money set up

1199
01:02:05,200 --> 01:02:09,789
finance campaign committees under the

1200
01:02:07,089 --> 01:02:11,619
terms of this bill mr. hull the chair is

1201
01:02:09,789 --> 01:02:16,960
not advised on that issue you'd have to

1202

01:02:11,619 --> 01:02:19,180
acquire the lady of that question okay

1203
01:02:16,960 --> 01:02:20,980
members the question now occurs on final

1204
01:02:19,180 --> 01:02:23,259
passage or passage to engrossment of

1205
01:02:20,980 --> 01:02:24,880
House bill 4 all those in favor of

1206
01:02:23,259 --> 01:02:26,890
passage of House bill 40 in grossman

1207
01:02:24,880 --> 01:02:28,450
will vote aye all those opposed to vote

1208
01:02:26,890 --> 01:02:30,720
no it's a record vote the clerk or ring

1209
01:02:28,450 --> 01:02:30,720
the bell

1210
01:03:04,119 --> 01:03:12,029
all members voted all members voted

1211
01:03:42,369 --> 01:03:50,829
now being 102 eyes 36 nose House bill 4

1212
01:03:46,329 --> 01:03:52,630
is passed to engrossment mr. speaker

1213
01:03:50,829 --> 01:03:54,099
members thank you very much I know we

1214
01:03:52,630 --> 01:03:54,579
took a lot of time but I think it was

1215
01:03:54,099 --> 01:03:56,979
worth it

1216
01:03:54,579 --> 01:03:58,959
I appreciate it Cheerilee Cheerilee is

1217
01:03:56,979 --> 01:04:02,079
out House bill 392 on second reading the

1218
01:03:58,959 --> 01:04:04,630
clerk will read the bill House bill 392

1219
01:04:02,079 --> 01:04:07,420
by Jones of El Paso mr. Jones to explain

1220
01:04:04,630 --> 01:04:11,019
his bill mr. speaker and members

1221
01:04:07,420 --> 01:04:12,670
House bill 392 is a bill which would

1222
01:04:11,019 --> 01:04:14,349
increase the fee schedule currently

1223
01:04:12,670 --> 01:04:16,150
charged by sheriffs and constables in

1224
01:04:14,349 --> 01:04:18,489
Texas for the services that they render

1225
01:04:16,150 --> 01:04:21,219
specifically services citations

1226
01:04:18,489 --> 01:04:23,859
subpoenas summons and in other processes

1227
01:04:21,219 --> 01:04:27,160
that they serve we have a situation in

1228
01:04:23,859 --> 01:04:30,430
Texas which exists in almost every

1229

01:04:27,160 --> 01:04:32,229
County I believe where the fees that are

1230
01:04:30,430 --> 01:04:34,660
collected for these functions of office

1231
01:04:32,229 --> 01:04:36,609
are not adequate to cover the cost that

1232
01:04:34,660 --> 01:04:39,930
is that is incurred in serving the

1233
01:04:36,609 --> 01:04:43,479
papers and I have some specific examples

1234
01:04:39,930 --> 01:04:46,059
under the current law we recover a fee

1235
01:04:43,479 --> 01:04:48,939
of Sheriff covers a fee of \$4 for

1236
01:04:46,059 --> 01:04:52,900
serving illegal for serving a paper in

1237
01:04:48,939 --> 01:04:56,499
the lawsuit in Harris County for example

1238
01:04:52,900 --> 01:04:58,839
the average cost in 1974 for serving a

1239
01:04:56,499 --> 01:05:01,769
legal process was 10 dollars and 75

1240
01:04:58,839 --> 01:05:05,229
cents in 1975 it's estimated to be

1241
01:05:01,769 --> 01:05:09,549
\$11.50 in Dallas County the average cost

1242
01:05:05,229 --> 01:05:12,219
was \$9.38 in 1974 and in 1975 it's

1243
01:05:09,549 --> 01:05:14,589
estimated to be 10 dollars and 32 cents

1244
01:05:12,219 --> 01:05:16,630
a couple of rural counties I have

1245
01:05:14,589 --> 01:05:20,109
examples of in Navarro County the actual

1246
01:05:16,630 --> 01:05:22,509
cost in 1974 was 10 dollars and 22 cents

1247
01:05:20,109 --> 01:05:24,819
per service and in Reeves County the

1248
01:05:22,509 --> 01:05:27,969
cost ranged anywhere from \$6 of service

1249
01:05:24,819 --> 01:05:29,439
to ninety three dollars per service just

1250
01:05:27,969 --> 01:05:31,359
to give you an example of what sheriff's

1251
01:05:29,439 --> 01:05:35,109
departments are over Texas or faced with

1252
01:05:31,359 --> 01:05:37,119
in my County El Paso County Mike

1253
01:05:35,109 --> 01:05:39,640
Sullivan our sheriff advised me that in

1254
01:05:37,119 --> 01:05:41,289
1966 when the current fee schedule was

1255
01:05:39,640 --> 01:05:44,920
was set up actually the law was passed

1256

01:05:41,289 --> 01:05:47,049
in 1967 tires at that time he was buying

1257
01:05:44,920 --> 01:05:51,489
tires for \$10 a piece he's now paying

1258
01:05:47,049 --> 01:05:52,989
\$22 for a piece and that in 1966 he was

1259
01:05:51,489 --> 01:05:53,500
paying eighteen cents a gallon for

1260
01:05:52,989 --> 01:05:56,140
gasoline

1261
01:05:53,500 --> 01:05:58,480
now he's paying 41 cents a gallon cars

1262
01:05:56,140 --> 01:06:00,220
on a trade he was getting cars for

1263
01:05:58,480 --> 01:06:02,290
\$1,500 a car and now he's paying

1264
01:06:00,220 --> 01:06:04,360
anywhere from three to three thousand

1265
01:06:02,290 --> 01:06:07,150
five hundred dollars a car and salaries

1266
01:06:04,360 --> 01:06:10,120
in 1966 were three hundred and sixty

1267
01:06:07,150 --> 01:06:12,010
four dollars and in 1975 they're five

1268
01:06:10,120 --> 01:06:14,140
hundred and eighty eight dollars so cost

1269
01:06:12,010 --> 01:06:16,240
of everything is almost doubled in my

1270
01:06:14,140 --> 01:06:18,100
original bill I'd ask for fees of five

1271
01:06:16,240 --> 01:06:19,510
dollars and ten five dollars for justice

1272
01:06:18,100 --> 01:06:21,130
courts and ten dollars for all other

1273
01:06:19,510 --> 01:06:24,250
courts I've talked to pretty near every

1274
01:06:21,130 --> 01:06:26,320
member of the House about the bill and I

1275
01:06:24,250 --> 01:06:27,730
in a spirit of compromise many people

1276
01:06:26,320 --> 01:06:29,530
thought the five and ten dollars was a

1277
01:06:27,730 --> 01:06:31,150
little bit too high so in a spirit of

1278
01:06:29,530 --> 01:06:32,440
compromise I have agreed to accept an

1279
01:06:31,150 --> 01:06:34,420
amendment which is going to be offered

1280
01:06:32,440 --> 01:06:35,980
in just a minute by our mr. Geiger which

1281
01:06:34,420 --> 01:06:38,410
would bring the fees down in justice

1282
01:06:35,980 --> 01:06:40,420
courts and small claims courts to \$4 and

1283

01:06:38,410 --> 01:06:42,550
in all other courts to eight dollars now

1284
01:06:40,420 --> 01:06:44,260
this in my in this in my opinion this

1285
01:06:42,550 --> 01:06:47,560
will still not be adequate to cover the

1286
01:06:44,260 --> 01:06:49,660
cost but in other words the counties

1287
01:06:47,560 --> 01:06:51,580
will still be subsidizing litigants to a

1288
01:06:49,660 --> 01:06:53,020
certain extent at four and eight dollars

1289
01:06:51,580 --> 01:06:54,160
they'll have to take the money out of

1290
01:06:53,020 --> 01:06:55,720
general revenue which they could be

1291
01:06:54,160 --> 01:06:57,250
using for something else

1292
01:06:55,720 --> 01:07:00,370
I think that's a bad situation because

1293
01:06:57,250 --> 01:07:02,740
the the burden of the restaurant a local

1294
01:07:00,370 --> 01:07:04,540
ad valorem property tax Billy John Logie

1295
01:07:02,740 --> 01:07:06,370
restrictions is tremendous at the

1296
01:07:04,540 --> 01:07:09,310
present time yes are you yelling um it's

1297
01:07:06,370 --> 01:07:10,750
been mr. Jones if we want to get back in

1298
01:07:09,310 --> 01:07:12,250
the good graces of the calendar

1299
01:07:10,750 --> 01:07:13,740
committee how should we vote on this

1300
01:07:12,250 --> 01:07:17,800
particular issue

1301
01:07:13,740 --> 01:07:19,150
I don't think calendars committee hold

1302
01:07:17,800 --> 01:07:21,100
it against you if you vote for this but

1303
01:07:19,150 --> 01:07:21,820
it's a good bill mr. speaker will the

1304
01:07:21,100 --> 01:07:24,520
gentleman yield

1305
01:07:21,820 --> 01:07:27,460
Ms Jones yes are you coming yields my

1306
01:07:24,520 --> 01:07:32,790
cigar sale representative Jones on page

1307
01:07:27,460 --> 01:07:36,910
two of your bill and on lines of 23

1308
01:07:32,790 --> 01:07:41,650
through 26 yes sir

1309
01:07:36,910 --> 01:07:44,950
as I understand the charge in collecting

1310

01:07:41,650 --> 01:07:47,620
money or an executioner on an execution

1311
01:07:44,950 --> 01:07:49,840
or an order of sale where it's done by

1312
01:07:47,620 --> 01:07:52,780
an order of sale yes sheriff goes out

1313
01:07:49,840 --> 01:07:56,680
picks up property posts and notices and

1314
01:07:52,780 --> 01:08:02,560
it's sold at the courthouse door if the

1315
01:07:56,680 --> 01:08:06,610
sum is \$5,000 or less and let's take a

1316
01:08:02,560 --> 01:08:09,400
figure of 4,500

1317
01:08:06,610 --> 01:08:12,280
it would cost the person seeking the

1318
01:08:09,400 --> 01:08:15,520
writ of execution it would cost them \$90

1319
01:08:12,280 --> 01:08:20,380
of a part it would cost him \$90 under

1320
01:08:15,520 --> 01:08:24,190
the bill 2% that's correct okay so it's

1321
01:08:20,380 --> 01:08:30,609
4,500 2% would be \$90 that's correct if

1322
01:08:24,190 --> 01:08:35,109
the amount is 5000 and \$1 it would cost

1323
01:08:30,609 --> 01:08:38,560
them 50 dollars and one cent what the

1324
01:08:35,109 --> 01:08:43,030
bill does is if it is in excess of \$50

1325
01:08:38,560 --> 01:08:45,460
I'm sorry in excess of \$5,000 it cost

1326
01:08:43,030 --> 01:08:49,750
that person less then of course the

1327
01:08:45,460 --> 01:08:51,880
person with the amount is \$4,500 well

1328
01:08:49,750 --> 01:08:53,980
Matt that's a good point but I think

1329
01:08:51,880 --> 01:08:55,750
that situation would be extremely rare

1330
01:08:53,980 --> 01:09:03,460
if you want to offer an amendment to

1331
01:08:55,750 --> 01:09:05,020
take care of that well I don't I don't

1332
01:09:03,460 --> 01:09:06,430
think that'll be a problem yet enough

1333
01:09:05,020 --> 01:09:07,330
there's going to be another speaker here

1334
01:09:06,430 --> 01:09:10,660
in amendment it's going to address

1335
01:09:07,330 --> 01:09:13,740
himself to that question I have three

1336
01:09:10,660 --> 01:09:13,740
perfecting amendments

1337

01:09:20,489 --> 01:09:27,940
following author perfecting amendment

1338
01:09:22,660 --> 01:09:30,100
clerk will read the amendment amendment

1339
01:09:27,940 --> 01:09:32,009
by Jones of El Paso come in House bill

1340
01:09:30,100 --> 01:09:36,250
392 section 1

1341
01:09:32,009 --> 01:09:38,799
Jones explaining MA alright this

1342
01:09:36,250 --> 01:09:40,690
amendment members simply clarifies

1343
01:09:38,799 --> 01:09:43,569
section 1 and and clarifies which

1344
01:09:40,690 --> 01:09:46,930
article 39 33 a we're amending there's

1345
01:09:43,569 --> 01:09:49,150
we found that there are two article 39

1346
01:09:46,930 --> 01:09:51,670
33 aides and we're going to repeal the

1347
01:09:49,150 --> 01:09:58,480
next amendment will repeal the other 39

1348
01:09:51,670 --> 01:10:00,210
33 questions only adoption of the

1349
01:09:58,480 --> 01:10:04,050
amendment is there objection

1350
01:10:00,210 --> 01:10:06,610
share here's now an amendment is adopted

1351
01:10:04,050 --> 01:10:08,590
following author perfecting amendment to

1352
01:10:06,610 --> 01:10:11,200
clerk will read the amendment amendment

1353
01:10:08,590 --> 01:10:12,820
by Jones of El Paso amend House bill 392

1354
01:10:11,200 --> 01:10:15,700
second printing as follows

1355
01:10:12,820 --> 01:10:16,180
one at an oosik mr. Jones explain the

1356
01:10:15,700 --> 01:10:18,220
amendment

1357
01:10:16,180 --> 01:10:20,940
okay this amendment repeals the other 39

1358
01:10:18,220 --> 01:10:24,370
33 a which applied to counties over

1359
01:10:20,940 --> 01:10:29,560
900,000 all counties will now be under

1360
01:10:24,370 --> 01:10:30,730
this one law if it passes all right

1361
01:10:29,560 --> 01:10:31,780
members the question occurs on the

1362
01:10:30,730 --> 01:10:33,840
adoption of the amendment is there

1363
01:10:31,780 --> 01:10:37,050
objection to its adoption

1364

01:10:33,840 --> 01:10:39,160
jaren on the amendment is adopted

1365
01:10:37,050 --> 01:10:43,780
following committee momenta clerk will

1366
01:10:39,160 --> 01:10:46,540
read the amendment committee amendment 1

1367
01:10:43,780 --> 01:10:50,250
by temple mr. Jones to read the

1368
01:10:46,540 --> 01:10:50,250
amendment to explain the amendment

1369
01:10:57,650 --> 01:11:03,119
the committee amendment members because

1370
01:11:01,710 --> 01:11:04,380
we've agreed to compromise in the

1371
01:11:03,119 --> 01:11:05,880
amounts and bring it down to four and

1372
01:11:04,380 --> 01:11:07,949
eight dollars a committee amendment is

1373
01:11:05,880 --> 01:11:09,869
no longer necessary so mr. Geiger has an

1374
01:11:07,949 --> 01:11:10,769
amendment to the amendment following

1375
01:11:09,869 --> 01:11:14,190
amendment to the amendment the clerk

1376
01:11:10,769 --> 01:11:16,739
will read the amendment amendment to the

1377
01:11:14,190 --> 01:11:19,469
amendment by Geiger sagara to explain

1378
01:11:16,739 --> 01:11:22,530
the amendment mr. speaker members if

1379
01:11:19,469 --> 01:11:26,639
you'll turn to first printing of this

1380
01:11:22,530 --> 01:11:30,210
bill are liens 14 and 15 you'll see the

1381
01:11:26,639 --> 01:11:33,389
fees set out for justice courts \$5 an

1382
01:11:30,210 --> 01:11:36,570
increase from \$2 for all other courts

1383
01:11:33,389 --> 01:11:38,550
\$10 an increase from \$4 what my

1384
01:11:36,570 --> 01:11:40,500
amendment would do is first to change it

1385
01:11:38,550 --> 01:11:43,409
to justice courts and small claims

1386
01:11:40,500 --> 01:11:47,010
courts and it would reduce the allowable

1387
01:11:43,409 --> 01:11:51,199
fee to \$4 in the place of the present \$2

1388
01:11:47,010 --> 01:11:54,210
and on line 15 all other courts would be

1389
01:11:51,199 --> 01:11:58,460
\$8 would be the allowable fee in the

1390
01:11:54,210 --> 01:12:01,320
place of the present \$4 then on lines 22

1391

01:11:58,460 --> 01:12:03,840
line 22 I'll make the same change that

1392
01:12:01,320 --> 01:12:06,090
has changed justice courts so it reads

1393
01:12:03,840 --> 01:12:09,239
justice courts and small claims courts

1394
01:12:06,090 --> 01:12:11,369
changed the allowable feet at \$4 and a

1395
01:12:09,239 --> 01:12:15,000
line 23 honor the courts changed the

1396
01:12:11,369 --> 01:12:18,539
allowable fee to \$8 the president

1397
01:12:15,000 --> 01:12:20,639
statute was adopted 1967 and I don't

1398
01:12:18,539 --> 01:12:22,880
think there's any question but what we

1399
01:12:20,639 --> 01:12:25,500
all recognize the cost of operating

1400
01:12:22,880 --> 01:12:29,010
every aspect of our life has increased

1401
01:12:25,500 --> 01:12:33,719
substantially since then in Dallas

1402
01:12:29,010 --> 01:12:36,630
County in the year of 1972 the sheriffs

1403
01:12:33,719 --> 01:12:38,219
and constables old as a group served one

1404
01:12:36,630 --> 01:12:41,489
hundred and forty seven thousand six

1405
01:12:38,219 --> 01:12:43,889
hundred twenty two papers at an average

1406
01:12:41,489 --> 01:12:48,840
cost of five dollars and 63 cents per

1407
01:12:43,889 --> 01:12:50,550
paper in 1973 they served 160 thousand

1408
01:12:48,840 --> 01:12:53,340
four hundred papers at an average cost

1409
01:12:50,550 --> 01:12:56,130
of five dollars and 86 cents I don't

1410
01:12:53,340 --> 01:12:59,489
have the exact figures for you for 1974

1411
01:12:56,130 --> 01:13:00,840
but I'm advised by the representative of

1412
01:12:59,489 --> 01:13:02,909
the Commissioner's Court that the

1413
01:13:00,840 --> 01:13:05,969
average cost per paper

1414
01:13:02,909 --> 01:13:08,580
approaches \$8 the reason for my

1415
01:13:05,969 --> 01:13:10,889
selection of the Washington for the

1416
01:13:08,580 --> 01:13:14,370
gentleman yield mr. I Germany are

1417
01:13:10,889 --> 01:13:17,820
mentors now mr. gaga I'm supportive of

1418

01:13:14,370 --> 01:13:21,360
what you and mr. Jones are attempting to

1419
01:13:17,820 --> 01:13:25,199
do but my concern is that in so many

1420
01:13:21,360 --> 01:13:27,780
instances as we as lawyers pay the

1421
01:13:25,199 --> 01:13:31,070
citation and service fee when we file

1422
01:13:27,780 --> 01:13:33,659
civil papers is that not right I think

1423
01:13:31,070 --> 01:13:36,360
you and I when we go down to file a

1424
01:13:33,659 --> 01:13:39,300
civil case I'm specifically interested

1425
01:13:36,360 --> 01:13:42,570
in the cost of filing and serving a

1426
01:13:39,300 --> 01:13:45,480
civil paper yes it is necessary when a

1427
01:13:42,570 --> 01:13:47,610
suit is filed that a deposit be made and

1428
01:13:45,480 --> 01:13:49,409
a part of that deposit is the service

1429
01:13:47,610 --> 01:13:51,659
fees all right part of it is for the

1430
01:13:49,409 --> 01:13:53,489
citation a clerks fee for issuing the

1431
01:13:51,659 --> 01:13:54,630
citation which is the paper that's

1432
01:13:53,489 --> 01:13:57,210
actually served

1433
01:13:54,630 --> 01:13:59,699
yes sir all right and the other is paid

1434
01:13:57,210 --> 01:14:01,350
to the constable or sheriff's office for

1435
01:13:59,699 --> 01:14:02,880
the purpose of serving the paper yeah

1436
01:14:01,350 --> 01:14:05,489
now we're not addressing ourselves to

1437
01:14:02,880 --> 01:14:05,969
the clerk's fee a district clerk of the

1438
01:14:05,489 --> 01:14:07,380
County Clerk

1439
01:14:05,969 --> 01:14:09,540
this is simply the sheriffs and

1440
01:14:07,380 --> 01:14:11,520
constables fees for service all right I

1441
01:14:09,540 --> 01:14:14,100
understand that but my problem is this

1442
01:14:11,520 --> 01:14:18,389
is it not true that the papers have not

1443
01:14:14,100 --> 01:14:21,750
served within 90 days if by law return

1444
01:14:18,389 --> 01:14:24,090
to the court on executed that is correct

1445

01:14:21,750 --> 01:14:27,570
all right and the fee of four dollars is

1446
01:14:24,090 --> 01:14:29,340
now charged is paid into the general

1447
01:14:27,570 --> 01:14:32,940
fund whether the peoples are served or

1448
01:14:29,340 --> 01:14:34,770
not well the the fee is allowable for

1449
01:14:32,940 --> 01:14:38,460
the service or the attempt of the

1450
01:14:34,770 --> 01:14:41,190
service all right well my problem is

1451
01:14:38,460 --> 01:14:43,199
this mr. Geiger I would go with ten

1452
01:14:41,190 --> 01:14:45,600
dollars or even fifteen dollars of

1453
01:14:43,199 --> 01:14:47,670
whatever is required as being reasonable

1454
01:14:45,600 --> 01:14:49,070
and necessary to serve peoples but I

1455
01:14:47,670 --> 01:14:52,050
want my paper sir

1456
01:14:49,070 --> 01:14:54,060
problem is now sometimes I have to issue

1457
01:14:52,050 --> 01:14:56,520
service two and three times in order to

1458
01:14:54,060 --> 01:14:58,739
get to pay for serve and and I got to

1459
01:14:56,520 --> 01:15:00,960
take some deputy constables word as of

1460
01:14:58,739 --> 01:15:04,139
what he's actually attempted service or

1461
01:15:00,960 --> 01:15:06,179
not but it seems to me are that after

1462
01:15:04,139 --> 01:15:07,889
the third or fourth try they always seem

1463
01:15:06,179 --> 01:15:10,920
to find this old bar that they couldn't

1464
01:15:07,889 --> 01:15:13,409
find the first a second time around not

1465
01:15:10,920 --> 01:15:14,110
would you accept with you and mr. Jones

1466
01:15:13,409 --> 01:15:15,909
except

1467
01:15:14,110 --> 01:15:18,070
amendment of mr. Jones is the primary

1468
01:15:15,909 --> 01:15:22,330
author this piece of legislation that

1469
01:15:18,070 --> 01:15:25,330
would require a reasonable cost deposit

1470
01:15:22,330 --> 01:15:27,489
like the federal system does \$10 \$20 of

1471
01:15:25,330 --> 01:15:31,239
whatever and provide that it may only be

1472

01:15:27,489 --> 01:15:35,230
collected when service is affected well

1473
01:15:31,239 --> 01:15:37,030
the the question of the deposit is not

1474
01:15:35,230 --> 01:15:39,730
addressed in this bill mr. Washington

1475
01:15:37,030 --> 01:15:41,500
this or except I say what deposit you're

1476
01:15:39,730 --> 01:15:44,380
required to post with the clerk is not

1477
01:15:41,500 --> 01:15:46,420
any concern of this bill this is simply

1478
01:15:44,380 --> 01:15:49,980
the fees that are allowable by law for

1479
01:15:46,420 --> 01:15:52,570
the service or the attempted service now

1480
01:15:49,980 --> 01:15:55,090
if you're having this on a wide scale

1481
01:15:52,570 --> 01:15:58,020
basis I think your remedy is to get you

1482
01:15:55,090 --> 01:16:01,719
a new constable or a new sheriff or to

1483
01:15:58,020 --> 01:16:03,190
possibly be certain of the address of

1484
01:16:01,719 --> 01:16:05,230
the location of the defendant at the

1485
01:16:03,190 --> 01:16:07,210
time the suits filed and perhaps helping

1486
01:16:05,230 --> 01:16:09,580
them during that 90 days to locate that

1487
01:16:07,210 --> 01:16:11,920
defendant but the fact remains that the

1488
01:16:09,580 --> 01:16:13,630
costs are increasing and I don't think

1489
01:16:11,920 --> 01:16:16,150
it's fair to put the cost of the

1490
01:16:13,630 --> 01:16:19,389
operation of these departments since it

1491
01:16:16,150 --> 01:16:20,530
relates to private litigation I don't

1492
01:16:19,389 --> 01:16:23,830
think it's fair to put it on the

1493
01:16:20,530 --> 01:16:26,920
taxpayers if we can make a modest

1494
01:16:23,830 --> 01:16:29,290
increase and defray that cost now this

1495
01:16:26,920 --> 01:16:32,290
doesn't recover the cost completely at

1496
01:16:29,290 --> 01:16:35,739
least on the average it does it but it

1497
01:16:32,290 --> 01:16:37,030
does just about balance out and that's

1498
01:16:35,739 --> 01:16:39,420
the reason for the offering of this

1499

01:16:37,030 --> 01:16:43,030
amendment and I hope that you all will

1500
01:16:39,420 --> 01:16:45,159
see your way voting for the amendment

1501
01:16:43,030 --> 01:16:47,350
and for the bill I understand that mr.

1502
01:16:45,159 --> 01:16:49,420
Geiger but my point remains I don't

1503
01:16:47,350 --> 01:16:50,860
think you've addressed my the ultimate

1504
01:16:49,420 --> 01:16:51,489
question and maybe I didn't state it

1505
01:16:50,860 --> 01:16:53,590
properly

1506
01:16:51,489 --> 01:16:57,449
my question is I fail to see the logic

1507
01:16:53,590 --> 01:17:01,030
in paying for service and this bill

1508
01:16:57,449 --> 01:17:04,060
addresses does it not the payment of the

1509
01:17:01,030 --> 01:17:05,800
the amount is set by law fine well mr.

1510
01:17:04,060 --> 01:17:07,900
Hodgman let me answer your question this

1511
01:17:05,800 --> 01:17:10,150
way I think what you would want is an

1512
01:17:07,900 --> 01:17:15,090
amendment striking the word the two

1513
01:17:10,150 --> 01:17:18,790
words or attempted from line 12 and the

1514
01:17:15,090 --> 01:17:21,190
words or attempting on line 16 because

1515
01:17:18,790 --> 01:17:23,949
the bill are the present statute

1516
01:17:21,190 --> 01:17:25,179
provides for the fee to be paid for the

1517
01:17:23,949 --> 01:17:27,699
service or for the

1518
01:17:25,179 --> 01:17:29,110
tempted service justice and I think that

1519
01:17:27,699 --> 01:17:31,869
would be the amendment that you would

1520
01:17:29,110 --> 01:17:34,090
want to offer is to strike those words

1521
01:17:31,869 --> 01:17:35,889
yes well if you're aggrieved about the

1522
01:17:34,090 --> 01:17:37,179
question of collecting a fee for

1523
01:17:35,889 --> 01:17:38,769
attempting rather than for the

1524
01:17:37,179 --> 01:17:40,809
performance being a good fiscal

1525
01:17:38,769 --> 01:17:42,429
conservative you are mr. daga you

1526

01:17:40,809 --> 01:17:44,260
wouldn't want people to get paid when it

1527
01:17:42,429 --> 01:17:46,780
didn't work would you well I've never

1528
01:17:44,260 --> 01:17:49,389
favored that but unless it's the

1529
01:17:46,780 --> 01:17:51,039
legislature this is not my bill I'm

1530
01:17:49,389 --> 01:17:53,739
simply offering this amendment mr.

1531
01:17:51,039 --> 01:17:55,179
Washington because I think that \$5 and

1532
01:17:53,739 --> 01:17:57,550
\$10 is too high

1533
01:17:55,179 --> 01:18:00,219
I agree with \$4 and \$8 more nearly

1534
01:17:57,550 --> 01:18:01,869
approximates the cost that are actually

1535
01:18:00,219 --> 01:18:04,360
being incurred and that's all I want to

1536
01:18:01,869 --> 01:18:07,150
do is to see that the actual cost to be

1537
01:18:04,360 --> 01:18:08,920
covered yes sir I understand say I have

1538
01:18:07,150 --> 01:18:11,530
no objection to whatever the actual cost

1539
01:18:08,920 --> 01:18:14,130
is but I think it's only fair that the

1540
01:18:11,530 --> 01:18:17,709
cost be paid when service is affected

1541
01:18:14,130 --> 01:18:19,360
well I think you ought to draw your

1542
01:18:17,709 --> 01:18:21,459
amendment bring it down and will you

1543
01:18:19,360 --> 01:18:26,469
accept it well it's not up to me it's up

1544
01:18:21,459 --> 01:18:28,539
to mr. Jones and I'm sure that's a

1545
01:18:26,469 --> 01:18:29,920
decision that he can bang bang I'm just

1546
01:18:28,539 --> 01:18:37,199
offering this amendment I hope you'll

1547
01:18:29,920 --> 01:18:39,880
vote with us on thank you mr. speaker

1548
01:18:37,199 --> 01:18:41,860
attack me mr. speaker would it be

1549
01:18:39,880 --> 01:18:44,289
against the rules to recognize the

1550
01:18:41,860 --> 01:18:46,420
lovely ladies in the back gallery from

1551
01:18:44,289 --> 01:18:48,090
the various Republican women's clubs

1552
01:18:46,420 --> 01:18:50,910
around the state visiting us today

1553

01:18:48,090 --> 01:18:56,899
magnets we always welcome lovely ladies

1554
01:18:50,910 --> 01:18:56,899
[Applause]

1555
01:19:11,050 --> 01:19:16,080
that's a Geiger send up an amendment it

1556
01:19:13,180 --> 01:19:16,080
acceptable to the author

1557
01:19:22,859 --> 01:19:27,869
mr. speaker mr. Larry since we're

1558
01:19:26,129 --> 01:19:30,689
recognizing people I wanted speakers

1559
01:19:27,869 --> 01:19:32,219
aware that we have some 68 FHA girls

1560
01:19:30,689 --> 01:19:41,070
from Bernie up in them

1561
01:19:32,219 --> 01:19:45,449
where's Ally witness miss Larry mr.

1562
01:19:41,070 --> 01:19:48,119
speaker mr. Watson if it's all right for

1563
01:19:45,449 --> 01:19:49,800
the Republicans to violate the rules

1564
01:19:48,119 --> 01:19:51,599
would would it be an order that a

1565
01:19:49,800 --> 01:19:54,089
Democrat violate the rule and then

1566
01:19:51,599 --> 01:19:55,949
introduce the high school government

1567
01:19:54,089 --> 01:19:57,510
class in the report high school we're

1568
01:19:55,949 --> 01:20:10,409
playing we're pleased to have with us

1569
01:19:57,510 --> 01:20:11,789
mr. Watson if the Geiger sends up an

1570
01:20:10,409 --> 01:20:13,820
amendment is acceptable out there is

1571
01:20:11,789 --> 01:20:17,209
there objection there's adoption

1572
01:20:13,820 --> 01:20:19,409
Jerian and the amendment is adopted

1573
01:20:17,209 --> 01:20:21,149
questions only adoption of committee

1574
01:20:19,409 --> 01:20:23,760
amendment number one as amended is there

1575
01:20:21,149 --> 01:20:26,749
objection to its adoption chair here's

1576
01:20:23,760 --> 01:20:26,749
none the amendment is adopted

1577
01:20:35,639 --> 01:20:38,389
okay

1578
01:23:07,659 --> 01:23:12,969
following a mammoth the clerk will read

1579
01:23:09,190 --> 01:23:16,030
the amendment amendment by Washington

1580

01:23:12,969 --> 01:23:19,810
and then House bill 390 mr. Washington

1581
01:23:16,030 --> 01:23:22,600
to explain his amendment thank you Miss

1582
01:23:19,810 --> 01:23:26,639
vegan fellow members this amendment on

1583
01:23:22,600 --> 01:23:32,139
page on page 1 line 12 strikes the words

1584
01:23:26,639 --> 01:23:34,929
are attempted and on line 16 strikes the

1585
01:23:32,139 --> 01:23:38,190
words are attempting to execute the

1586
01:23:34,929 --> 01:23:40,770
practical effect of this will be that

1587
01:23:38,190 --> 01:23:44,770
when a litigant are party to a lawsuit

1588
01:23:40,770 --> 01:23:48,460
pays the fee of a submissive deposit for

1589
01:23:44,770 --> 01:23:53,469
the filing of the whether for the

1590
01:23:48,460 --> 01:23:55,500
service of process that this V will go

1591
01:23:53,469 --> 01:23:59,500
into the general fund but will not be

1592
01:23:55,500 --> 01:24:01,360
what the defeat will not actually accrue

1593
01:23:59,500 --> 01:24:03,730
to the benefit of the Sheriff's

1594
01:24:01,360 --> 01:24:05,830
Department a constables department

1595
01:24:03,730 --> 01:24:09,010
issuing service until such time the

1596
01:24:05,830 --> 01:24:11,590
service of processes actually had mr.

1597
01:24:09,010 --> 01:24:13,239
speaker it's going well the gentleman

1598
01:24:11,590 --> 01:24:15,880
yield for a question would be how we do

1599
01:24:13,239 --> 01:24:17,650
Jimenez Coleman now mr. Washington my

1600
01:24:15,880 --> 01:24:18,850
problem with the only problem with the

1601
01:24:17,650 --> 01:24:21,040
amendment I mean I like the concept

1602
01:24:18,850 --> 01:24:23,409
being an attorney and everything I think

1603
01:24:21,040 --> 01:24:26,489
it's a wonderful concept the problem I

1604
01:24:23,409 --> 01:24:28,989
have with it is this in some counties I

1605
01:24:26,489 --> 01:24:31,179
understand and and I know it's true in

1606
01:24:28,989 --> 01:24:34,090
our care they seem to run that that kind

1607

01:24:31,179 --> 01:24:36,250
of a budget for service on a

1608
01:24:34,090 --> 01:24:38,409
pay-as-you-go kind of basis and I'm

1609
01:24:36,250 --> 01:24:39,969
wondering in other words I know the

1610
01:24:38,409 --> 01:24:41,230
federal systems real nice but they

1611
01:24:39,969 --> 01:24:42,790
always seem to have a lot of money to

1612
01:24:41,230 --> 01:24:44,380
work with and and the counties don't

1613
01:24:42,790 --> 01:24:46,600
always have that that much money to work

1614
01:24:44,380 --> 01:24:49,449
with it seems to me that if we wait

1615
01:24:46,600 --> 01:24:53,020
until that the the fee is collectible or

1616
01:24:49,449 --> 01:24:54,550
only after execution or after service it

1617
01:24:53,020 --> 01:24:55,780
seems to me that we may be putting the

1618
01:24:54,550 --> 01:24:57,520
counties in some jeopardy

1619
01:24:55,780 --> 01:25:00,340
have you given that any thought at all

1620
01:24:57,520 --> 01:25:02,710
well yes I have mr. Coleman I don't

1621
01:25:00,340 --> 01:25:05,110
think that the problem you've raised is

1622
01:25:02,710 --> 01:25:06,850
of any moment with respect to the

1623
01:25:05,110 --> 01:25:09,370
amendment that I offer because it

1624
01:25:06,850 --> 01:25:12,070
doesn't this amendment doesn't alter the

1625
01:25:09,370 --> 01:25:14,710
fact that that there the farms of crude

1626
01:25:12,070 --> 01:25:16,960
to the use and benefit of the of the

1627
01:25:14,710 --> 01:25:19,560
sheriff's department are the constables

1628
01:25:16,960 --> 01:25:22,130
Department when the fee is paid the fee

1629
01:25:19,560 --> 01:25:25,230
offices receipt collects whatever amount

1630
01:25:22,130 --> 01:25:27,960
\$8 in the instance of most District

1631
01:25:25,230 --> 01:25:29,910
Court civil pleadings that fee has been

1632
01:25:27,960 --> 01:25:33,090
collected and diverted to the general

1633
01:25:29,910 --> 01:25:35,130
fund but as you know the process then is

1634

01:25:33,090 --> 01:25:37,130
not completed the process completed when

1635
01:25:35,130 --> 01:25:39,840
the Sheriff's Department or the

1636
01:25:37,130 --> 01:25:42,120
constable Department makes a claim

1637
01:25:39,840 --> 01:25:44,160
against that amount from the fund that

1638
01:25:42,120 --> 01:25:46,320
is from the \$4 fund as the president

1639
01:25:44,160 --> 01:25:49,110
exists for the use and benefit of its

1640
01:25:46,320 --> 01:25:51,080
officers now the money is paid into the

1641
01:25:49,110 --> 01:25:53,280
county fund and is therefore the

1642
01:25:51,080 --> 01:25:55,410
budgetary requirements of the County

1643
01:25:53,280 --> 01:25:57,600
Commission but I submit to you that it's

1644
01:25:55,410 --> 01:26:00,090
not fair to require litigant to pay

1645
01:25:57,600 --> 01:26:02,100
three and four times to have process

1646
01:26:00,090 --> 01:26:04,050
issues and I also submit to you that

1647
01:26:02,100 --> 01:26:06,180
there'd be some incentive on the part of

1648
01:26:04,050 --> 01:26:08,940
these deputy constable than deputy

1649
01:26:06,180 --> 01:26:10,770
sheriffs to get these papers served have

1650
01:26:08,940 --> 01:26:12,660
one of the last time that you have had a

1651
01:26:10,770 --> 01:26:14,820
civil paper of criminal people for that

1652
01:26:12,660 --> 01:26:17,460
matter served by the United States

1653
01:26:14,820 --> 01:26:19,860
Marshal to be returned or executed well

1654
01:26:17,460 --> 01:26:22,020
I don't recall one neither do I sir I

1655
01:26:19,860 --> 01:26:23,940
suggest to you that part that's part and

1656
01:26:22,020 --> 01:26:25,980
parcel do you know it doesn't matter to

1657
01:26:23,940 --> 01:26:28,110
me I'll pay \$50 because I want to get my

1658
01:26:25,980 --> 01:26:29,850
paper served but I think it's not fair

1659
01:26:28,110 --> 01:26:31,830
to require you and me and every other

1660
01:26:29,850 --> 01:26:33,120
lawyer never litigant in this house for

1661

01:26:31,830 --> 01:26:35,850
that matter and the people out there

1662
01:26:33,120 --> 01:26:38,430
generally to pay four dollars to have

1663
01:26:35,850 --> 01:26:40,110
the citation typed up by the clerk help

1664
01:26:38,430 --> 01:26:41,970
pay another four dollars to have that

1665
01:26:40,110 --> 01:26:44,820
citation it should have it returned in

1666
01:26:41,970 --> 01:26:46,800
90 days unserved without even having an

1667
01:26:44,820 --> 01:26:48,840
attempt made at service pay that four

1668
01:26:46,800 --> 01:26:50,400
dollars again plus another \$4

1669
01:26:48,840 --> 01:26:52,020
independent two or three times

1670
01:26:50,400 --> 01:26:54,990
mr. Coleman just to get service issue

1671
01:26:52,020 --> 01:26:56,610
now I submit to you that all the

1672
01:26:54,990 --> 01:26:59,010
statistics are you and mr. generals have

1673
01:26:56,610 --> 01:27:01,560
notwithstanding if that deputy constable

1674
01:26:59,010 --> 01:27:03,180
knew that they weren't at his office

1675
01:27:01,560 --> 01:27:05,160
wasn't going to get paid until they

1676
01:27:03,180 --> 01:27:08,880
serve that paper you'd have that paper

1677
01:27:05,160 --> 01:27:10,650
sir well I are and that's our question

1678
01:27:08,880 --> 01:27:12,120
again I want right now what does that do

1679
01:27:10,650 --> 01:27:14,490
to our bookkeeping in the county

1680
01:27:12,120 --> 01:27:16,530
then do any of human bookkeeping mr.

1681
01:27:14,490 --> 01:27:18,840
Coleman because the font is still paying

1682
01:27:16,530 --> 01:27:21,090
in as you know in the federal system now

1683
01:27:18,840 --> 01:27:22,740
I'm not asking for a refund like to do

1684
01:27:21,090 --> 01:27:24,990
in the federal system you put up a cost

1685
01:27:22,740 --> 01:27:26,550
deposit of say ten dollars they told you

1686
01:27:24,990 --> 01:27:27,580
three dollars for service and whatever

1687
01:27:26,550 --> 01:27:29,710
there

1688

01:27:27,580 --> 01:27:31,390
instant mileage say it comes to seven

1689
01:27:29,710 --> 01:27:33,460
dollars you get a check from the United

1690
01:27:31,390 --> 01:27:35,350
States Treasury and some later date back

1691
01:27:33,460 --> 01:27:37,090
for the balance three dollars I'm not

1692
01:27:35,350 --> 01:27:39,370
asking for a balance back but I am

1693
01:27:37,090 --> 01:27:41,410
asking for our in-kind services I don't

1694
01:27:39,370 --> 01:27:43,330
think it's fair for the deputy constable

1695
01:27:41,410 --> 01:27:44,980
that the deputy shares to be paid when

1696
01:27:43,330 --> 01:27:46,570
they don't render service you don't

1697
01:27:44,980 --> 01:27:48,220
think it's fair either all I'm

1698
01:27:46,570 --> 01:27:50,470
suggesting is that rather than

1699
01:27:48,220 --> 01:27:52,840
attempting service that they actually

1700
01:27:50,470 --> 01:27:55,060
make service the money is already paid

1701
01:27:52,840 --> 01:27:57,580
in there's no right of the litigant or

1702
01:27:55,060 --> 01:27:59,380
the lawyer to get the phone back but all

1703
01:27:57,580 --> 01:28:01,930
that the amendment does is required that

1704
01:27:59,380 --> 01:28:04,390
before that money is transferred from

1705
01:28:01,930 --> 01:28:05,620
the county general fund over to the use

1706
01:28:04,390 --> 01:28:08,200
and benefit of the Sheriff's Department

1707
01:28:05,620 --> 01:28:10,210
or the constable Department which others

1708
01:28:08,200 --> 01:28:12,310
is making service that they actually

1709
01:28:10,210 --> 01:28:13,990
make service of process okay that's that

1710
01:28:12,310 --> 01:28:15,880
that's the problem that I have with the

1711
01:28:13,990 --> 01:28:17,470
delay now what happens what happens if

1712
01:28:15,880 --> 01:28:19,420
that if there's an attempted service

1713
01:28:17,470 --> 01:28:22,930
under your if your amendment was adopted

1714
01:28:19,420 --> 01:28:24,520
and then this bill was law what happens

1715

01:28:22,930 --> 01:28:28,630
if there's an attempted service and

1716
01:28:24,520 --> 01:28:31,210
service isn't made at any time before

1717
01:28:28,630 --> 01:28:31,990
the money still stays in the fine in the

1718
01:28:31,210 --> 01:28:34,240
general fund

1719
01:28:31,990 --> 01:28:35,710
yes sir but that's not good but does not

1720
01:28:34,240 --> 01:28:37,600
an order the benefit at all of the

1721
01:28:35,710 --> 01:28:39,280
Sheriff Department even though they may

1722
01:28:37,600 --> 01:28:41,110
have tried on several occasions to make

1723
01:28:39,280 --> 01:28:42,610
service that's that's precisely correct

1724
01:28:41,110 --> 01:28:44,740
and that's the same way that the federal

1725
01:28:42,610 --> 01:28:45,850
system is now well that's that's my

1726
01:28:44,740 --> 01:28:47,620
that's what I'm saying that's what I

1727
01:28:45,850 --> 01:28:49,840
think the fallacy is then in the

1728
01:28:47,620 --> 01:28:52,360
amendment that what's happened Craig

1729
01:28:49,840 --> 01:28:53,650
with this is that you have because of

1730
01:28:52,360 --> 01:28:55,240
failure of service which might not have

1731
01:28:53,650 --> 01:28:56,700
been on the part the failure might not

1732
01:28:55,240 --> 01:28:59,530
have been on the deputy sheriff at all

1733
01:28:56,700 --> 01:29:01,630
but because of the failure to obtain

1734
01:28:59,530 --> 01:29:04,510
service the Sheriff's Department is

1735
01:29:01,630 --> 01:29:07,030
penalized so they are penalized

1736
01:29:04,510 --> 01:29:08,260
I'd like to rather turn that around mr.

1737
01:29:07,030 --> 01:29:09,940
Cole but they aren't penalize when they

1738
01:29:08,260 --> 01:29:11,260
don't make service it's just that they

1739
01:29:09,940 --> 01:29:13,300
stopped getting a benefit when they

1740
01:29:11,260 --> 01:29:15,340
don't make service I think that's

1741
01:29:13,300 --> 01:29:17,950
absolutely good even though even though

1742

01:29:15,340 --> 01:29:19,960
they miss bit as much as 20 or \$30 in

1743
01:29:17,950 --> 01:29:21,310
actual expenses and attempt and service

1744
01:29:19,960 --> 01:29:23,620
well that's what I'm saying

1745
01:29:21,310 --> 01:29:25,420
there's no way that you can substantiate

1746
01:29:23,620 --> 01:29:27,070
that they might run service by driving

1747
01:29:25,420 --> 01:29:29,230
down the street where you ask the

1748
01:29:27,070 --> 01:29:31,690
service to be issued at midnight now is

1749
01:29:29,230 --> 01:29:32,830
that running service or not you are go

1750
01:29:31,690 --> 01:29:34,030
out there with them in the middle

1751
01:29:32,830 --> 01:29:36,040
tonight to determine whether they're

1752
01:29:34,030 --> 01:29:38,950
actually attempting service I've never

1753
01:29:36,040 --> 01:29:41,050
seen I've never seen a civil paper in a

1754
01:29:38,950 --> 01:29:42,670
County filed in a district court with

1755
01:29:41,050 --> 01:29:45,370
the district clerk's office either in

1756
01:29:42,670 --> 01:29:47,320
County Court on our district court

1757
01:29:45,370 --> 01:29:49,600
return uh necks acute of what they

1758
01:29:47,320 --> 01:29:51,150
didn't cite on the fact of the citation

1759
01:29:49,600 --> 01:29:54,670
that they attempted service have you

1760
01:29:51,150 --> 01:29:56,410
know we do that in my County too well

1761
01:29:54,670 --> 01:29:58,120
let's turn it around what happens if

1762
01:29:56,410 --> 01:29:59,560
they don't attempt service in the 90

1763
01:29:58,120 --> 01:30:01,810
days run did you get you four dollars

1764
01:29:59,560 --> 01:30:03,580
back no you don't get it back you know

1765
01:30:01,810 --> 01:30:05,170
what I know that once that money accrues

1766
01:30:03,580 --> 01:30:06,880
to the benefit of the general fund that

1767
01:30:05,170 --> 01:30:08,170
Hayes there I haven't received one of

1768
01:30:06,880 --> 01:30:09,610
those back when there was no when there

1769

01:30:08,170 --> 01:30:11,140
was no attempt even laid within nine

1770
01:30:09,610 --> 01:30:13,390
days in my County did you get the four

1771
01:30:11,140 --> 01:30:15,670
dollars back no but what I'm suggesting

1772
01:30:13,390 --> 01:30:16,900
to you is mr. Washington is that you

1773
01:30:15,670 --> 01:30:18,940
ought to use the remedy mr. Geiger

1774
01:30:16,900 --> 01:30:20,680
suggested he your honor you get your new

1775
01:30:18,940 --> 01:30:22,330
sheriff or get you some new constables

1776
01:30:20,680 --> 01:30:24,610
because because that's not happening in

1777
01:30:22,330 --> 01:30:26,530
our county I didn't necessarily to do I

1778
01:30:24,610 --> 01:30:27,910
paid the money when I go there you pay

1779
01:30:26,530 --> 01:30:29,350
the money when you go over the every

1780
01:30:27,910 --> 01:30:31,300
litigant pays the money when they go to

1781
01:30:29,350 --> 01:30:33,220
the courthouse now I said I don't a man

1782
01:30:31,300 --> 01:30:35,170
to feed be at \$15 the money is

1783
01:30:33,220 --> 01:30:37,120
superfluous as far as I'm concerned but

1784
01:30:35,170 --> 01:30:39,940
I won't what I pay for and I pay for

1785
01:30:37,120 --> 01:30:41,440
service yeah but when the sheriff

1786
01:30:39,940 --> 01:30:43,210
attention and cannot make it then you

1787
01:30:41,440 --> 01:30:44,560
penalize the Sheriff's Department if

1788
01:30:43,210 --> 01:30:46,240
you've done the temp service are you

1789
01:30:44,560 --> 01:30:48,370
suggesting if we can now get the money

1790
01:30:46,240 --> 01:30:49,990
back mr. Cole but if you get the money

1791
01:30:48,370 --> 01:30:51,640
back let the Sheriff's Department been

1792
01:30:49,990 --> 01:30:52,870
able to use those funds during the

1793
01:30:51,640 --> 01:30:54,280
sheriff department use the phones

1794
01:30:52,870 --> 01:30:57,100
whether they attempt service or not

1795
01:30:54,280 --> 01:31:03,970
right now yes I think so I move the

1796

01:30:57,100 --> 01:31:05,380
adoption of the amendment mr. gentleman

1797
01:31:03,970 --> 01:31:07,210
of El Paso to speak against the

1798
01:31:05,380 --> 01:31:08,860
amendment mr. speaker members the very

1799
01:31:07,210 --> 01:31:10,780
problem that mr. Washington is talking

1800
01:31:08,860 --> 01:31:13,300
about that's that's what my bill seeks

1801
01:31:10,780 --> 01:31:14,440
to alleviate because the fees are so

1802
01:31:13,300 --> 01:31:15,640
awfully inadequate now the

1803
01:31:14,440 --> 01:31:17,650
Commissioner's Court just can't afford

1804
01:31:15,640 --> 01:31:20,890
to give these sheriff's departments the

1805
01:31:17,650 --> 01:31:23,320
deputies that are necessary to serve the

1806
01:31:20,890 --> 01:31:24,880
papers now I agree I agree that mr.

1807
01:31:23,320 --> 01:31:26,500
Washington probably has a problem in

1808
01:31:24,880 --> 01:31:28,030
Harris County but we can't pass a law to

1809
01:31:26,500 --> 01:31:30,700
solve his special problem for the whole

1810
01:31:28,030 --> 01:31:32,680
state and I'll tell you something else

1811
01:31:30,700 --> 01:31:33,880
too we can't afford to operate the

1812
01:31:32,680 --> 01:31:35,800
county governments can't afford to

1813
01:31:33,880 --> 01:31:37,600
operate at the same luxurious level that

1814
01:31:35,800 --> 01:31:39,460
the federal government operates sure

1815
01:31:37,600 --> 01:31:40,750
they when you go in to get service in

1816
01:31:39,460 --> 01:31:42,430
federal court first of all those

1817
01:31:40,750 --> 01:31:44,620
marshals don't have that many papers to

1818
01:31:42,430 --> 01:31:45,400
serve not near as much as your civil

1819
01:31:44,620 --> 01:31:47,770
courts your state

1820
01:31:45,400 --> 01:31:49,540
we've got eight district courts or nine

1821
01:31:47,770 --> 01:31:50,590
district courts in El Paso County that

1822
01:31:49,540 --> 01:31:52,870
the Sheriff's Department has got a

1823

01:31:50,590 --> 01:31:55,510
survey pers for we've got one federal or

1824
01:31:52,870 --> 01:31:57,010
two federal courts and about 15 Marshals

1825
01:31:55,510 --> 01:32:00,130
in El Paso County to take care of the

1826
01:31:57,010 --> 01:32:01,449
papers for the federal courts the

1827
01:32:00,130 --> 01:32:03,070
federal government can afford it the

1828
01:32:01,449 --> 01:32:06,070
counties can't afford it the tax the

1829
01:32:03,070 --> 01:32:08,080
burden on the local tax reform taxes

1830
01:32:06,070 --> 01:32:09,460
this time it's too heavy if we had the

1831
01:32:08,080 --> 01:32:11,020
money as a total vehicle we could afford

1832
01:32:09,460 --> 01:32:12,820
this will the gentleman yield

1833
01:32:11,020 --> 01:32:14,409
no I'll not yield at this time the

1834
01:32:12,820 --> 01:32:16,750
gentleman does not yield at this time

1835
01:32:14,409 --> 01:32:18,250
but by giving the counties by giving

1836
01:32:16,750 --> 01:32:20,080
that the the Sheriff's Department and

1837
01:32:18,250 --> 01:32:21,489
constables these higher fees there will

1838
01:32:20,080 --> 01:32:23,199
be more deputies they'll be more

1839
01:32:21,489 --> 01:32:24,670
constables or people working for

1840
01:32:23,199 --> 01:32:25,960
constables to serve these papers and

1841
01:32:24,670 --> 01:32:27,850
hopefully it will alleviate the problem

1842
01:32:25,960 --> 01:32:30,429
that mr. Washington has in Harris County

1843
01:32:27,850 --> 01:32:32,560
the cost are incurred to the county

1844
01:32:30,429 --> 01:32:36,489
whether the papers are served or not and

1845
01:32:32,560 --> 01:32:38,739
as I said I I think mr. Washington's got

1846
01:32:36,489 --> 01:32:40,390
a good idea I wish we could I wish the

1847
01:32:38,739 --> 01:32:41,770
counties could afford that luxury but I

1848
01:32:40,390 --> 01:32:44,110
don't think they can I don't think the

1849
01:32:41,770 --> 01:32:45,969
local taxpayers can't afford it and I at

1850

01:32:44,110 --> 01:32:49,719
this time I move aside with a woman

1851
01:32:45,969 --> 01:32:51,390
yield down the gentleman's moved to

1852
01:32:49,719 --> 01:32:54,250
table and removed himself from the for

1853
01:32:51,390 --> 01:32:56,469
mr. Washington Ida closed on his

1854
01:32:54,250 --> 01:32:57,699
amendment Thank You mr. speaker and

1855
01:32:56,469 --> 01:32:59,650
fellow members I'm sure you were

1856
01:32:57,699 --> 01:33:01,929
listening closer than mr. Jones but he

1857
01:32:59,650 --> 01:33:03,969
didn't say anything he got up here and

1858
01:33:01,929 --> 01:33:06,550
he said that this is a special problem

1859
01:33:03,969 --> 01:33:08,770
for Harris County now he's coming up

1860
01:33:06,550 --> 01:33:10,690
here with a special bill that in citing

1861
01:33:08,770 --> 01:33:13,000
a special problem in El Paso County

1862
01:33:10,690 --> 01:33:14,980
first of all this bill wouldn't tough

1863
01:33:13,000 --> 01:33:17,140
touch Top Sider bottom two small

1864
01:33:14,980 --> 01:33:18,820
counties because we get good service in

1865
01:33:17,140 --> 01:33:20,380
small counties I do a lot of silver

1866
01:33:18,820 --> 01:33:21,790
litigating in some of the smaller

1867
01:33:20,380 --> 01:33:23,500
counties of this state and I've never

1868
01:33:21,790 --> 01:33:25,300
had a problem getting serviced the

1869
01:33:23,500 --> 01:33:29,199
problem with service is in the major

1870
01:33:25,300 --> 01:33:31,900
metropolitan areas now mr. mr. Jones has

1871
01:33:29,199 --> 01:33:35,790
a bill here that would give these civil

1872
01:33:31,900 --> 01:33:39,010
service departments in the community the

1873
01:33:35,790 --> 01:33:41,590
the sheriff's office and the constables

1874
01:33:39,010 --> 01:33:43,179
officers 100% raised on their fees and

1875
01:33:41,590 --> 01:33:45,429
he's saying we're going to take all this

1876
01:33:43,179 --> 01:33:46,780
money and increase the size of our staff

1877

01:33:45,429 --> 01:33:49,060
but we're not going to increase the

1878
01:33:46,780 --> 01:33:50,739
efficiency now we we can't insure you

1879
01:33:49,060 --> 01:33:51,969
that when you pay eight dollars instead

1880
01:33:50,739 --> 01:33:53,770
of four dollars you're going to get your

1881
01:33:51,969 --> 01:33:55,210
paper served we can ensure you that

1882
01:33:53,770 --> 01:33:56,269
wouldn't have more people there to serve

1883
01:33:55,210 --> 01:33:57,619
your paper but we don't

1884
01:33:56,269 --> 01:33:59,539
whether you gonna get your paper served

1885
01:33:57,619 --> 01:34:01,820
or not I think the whole idea is

1886
01:33:59,539 --> 01:34:04,010
ridiculous this is not a problem acute

1887
01:34:01,820 --> 01:34:05,780
and special in Harris County in fact I

1888
01:34:04,010 --> 01:34:07,579
get my paper served but I have to call

1889
01:34:05,780 --> 01:34:09,920
people up on the telephone to do it

1890
01:34:07,579 --> 01:34:11,510
the problem is what about what about the

1891
01:34:09,920 --> 01:34:14,389
guy there who's just practicing law for

1892
01:34:11,510 --> 01:34:16,489
a living does he have to pay twelve and

1893
01:34:14,389 --> 01:34:19,010
fourteen and eighteen dollars to get a

1894
01:34:16,489 --> 01:34:20,749
four dollar paper serve I say no I say

1895
01:34:19,010 --> 01:34:22,489
that if we're going to give them 100

1896
01:34:20,749 --> 01:34:24,199
percent raise I'm not opposed to that

1897
01:34:22,489 --> 01:34:26,179
then we ought to expect something in

1898
01:34:24,199 --> 01:34:29,239
return that's in law called a quid pro

1899
01:34:26,179 --> 01:34:31,190
quo a thing for a thing when we paid for

1900
01:34:29,239 --> 01:34:33,380
services we expect for those services to

1901
01:34:31,190 --> 01:34:34,940
be rendered the taxpayers that gave us

1902
01:34:33,380 --> 01:34:37,039
the frame rate didn't expect for us to

1903
01:34:34,940 --> 01:34:38,929
come down here and say we are tempted to

1904

01:34:37,039 --> 01:34:41,420
pass bills we're supposed to sit here

1905
01:34:38,929 --> 01:34:42,679
and deliberate and on these bills and do

1906
01:34:41,420 --> 01:34:44,659
something with them one way or the other

1907
01:34:42,679 --> 01:34:46,369
now I don't want people putting my

1908
01:34:44,659 --> 01:34:48,349
papers and their hip pockets and going

1909
01:34:46,369 --> 01:34:50,329
going to get coffee someplace and come

1910
01:34:48,349 --> 01:34:51,980
back and tell me that oh I'm for more

1911
01:34:50,329 --> 01:34:54,469
Donald's or 8 more dollars as the case

1912
01:34:51,980 --> 01:34:56,420
may be with this bill this bill doesn't

1913
01:34:54,469 --> 01:34:58,159
affect smaller counties it probably

1914
01:34:56,420 --> 01:35:00,019
would only apply with respect to the

1915
01:34:58,159 --> 01:35:02,719
acute problems in Dallas County in

1916
01:35:00,019 --> 01:35:05,210
Harris County primarily and the bill

1917
01:35:02,719 --> 01:35:06,710
will give them adequate increases in

1918
01:35:05,210 --> 01:35:09,139
terms of the budgetary

1919
01:35:06,710 --> 01:35:11,840
allowances necessary in order to make

1920
01:35:09,139 --> 01:35:13,550
sure that services had when services had

1921
01:35:11,840 --> 01:35:16,219
then it appears to me that the best

1922
01:35:13,550 --> 01:35:18,679
thing to do is to stop taking people's

1923
01:35:16,219 --> 01:35:21,650
money for nothing this amendment will

1924
01:35:18,679 --> 01:35:23,389
stop this practice and process and I

1925
01:35:21,650 --> 01:35:27,530
urge you to vote no on the motion to

1926
01:35:23,389 --> 01:35:29,449
table mr. Washington sends up an

1927
01:35:27,530 --> 01:35:31,519
amendment mr. Jones of El Paso has moved

1928
01:35:29,449 --> 01:35:33,230
to table the question reoccurs on the

1929
01:35:31,519 --> 01:35:35,659
motion to table all those in favor the

1930
01:35:33,230 --> 01:35:37,309
motion to table book will vote aye those

1931

01:35:35,659 --> 01:35:37,519
opposed the vote no this is a record

1932
01:35:37,309 --> 01:35:46,849
vote

1933
01:35:37,519 --> 01:35:49,610
the clerk will ring the bell mr.

1934
01:35:46,849 --> 01:35:52,869
Washington show him voting no mr. Jones

1935
01:35:49,610 --> 01:35:52,869
of El Paso voting aye

1936
01:35:59,320 --> 01:36:04,290
show us to Edwards voting voting aye

1937
01:36:09,449 --> 01:36:15,870
have all voted this record vote have all

1938
01:36:13,449 --> 01:36:15,870
voted

1939
01:36:29,540 --> 01:36:33,400
show mr. white voting aye

1940
01:36:48,120 --> 01:36:54,540
mr. Baker just met mr. Blart we were I

1941
01:36:53,220 --> 01:36:59,280
didn't want to make sure I get my life

1942
01:36:54,540 --> 01:37:02,970
back here look being 70 eyes been 64

1943
01:36:59,280 --> 01:37:09,690
knows the motion to table prevails

1944
01:37:02,970 --> 01:37:13,220
it's bigger a specific engager mr.

1945
01:37:09,690 --> 01:37:13,220
nichols request verification

1946
01:37:32,260 --> 01:37:38,840
mr. Nichols has moved for verification

1947
01:37:35,980 --> 01:37:43,310
mr. Jones of El Paso has moved to

1948
01:37:38,840 --> 01:37:46,010
dispense with verification motion before

1949
01:37:43,310 --> 01:37:49,480
the house now is dispensed with

1950
01:37:46,010 --> 01:37:51,619
verification all of those that favor

1951
01:37:49,480 --> 01:37:56,360
dispensing the verification vote aye

1952
01:37:51,619 --> 01:37:59,530
those that oppose vote no division vote

1953
01:37:56,360 --> 01:37:59,530
all members vote

1954
01:38:02,380 --> 01:38:24,830
show mr. Washington voting no have all

1955
01:38:11,659 --> 01:38:32,980
voted have all voted show true on voting

1956
01:38:24,830 --> 01:38:32,980
no pen they show dr. Benton a vote no

1957
01:38:48,200 --> 01:38:54,060
that's bigger miss Nichols would just

1958

01:38:51,750 --> 01:38:55,680
process of taking a boat I won't know

1959
01:38:54,060 --> 01:38:57,660
which one's a little number which one's

1960
01:38:55,680 --> 01:38:59,690
the big number the two times effect

1961
01:38:57,660 --> 01:39:04,200
we're fixing to tell you

1962
01:38:59,690 --> 01:39:08,250
61 eyes 57 nose emotion dispenser

1963
01:39:04,200 --> 01:39:10,610
verification prove it fails myth bigger

1964
01:39:08,250 --> 01:39:15,000
without a record vote we're just tagging

1965
01:39:10,610 --> 01:39:17,850
that's a division vote the clerk people

1966
01:39:15,000 --> 01:39:30,140
have seen call the roles of those voting

1967
01:39:17,850 --> 01:39:30,140
I AG niche Alan

1968
01:39:36,300 --> 01:39:39,170
Allen

1969
01:39:41,309 --> 01:40:03,059
Atkinson Baker bird Blake Bock ben Brown

1970
01:40:03,900 --> 01:40:10,739
Canales cartilage

1971
01:40:15,270 --> 01:40:24,900
cartlidge Cartwright Cates

1972
01:40:25,230 --> 01:40:28,800
Clarke of Smith

1973
01:40:35,010 --> 01:40:45,330
Clark of Smith mr. Clark of Smith on the

1974
01:40:40,920 --> 01:40:52,700
floor the house Clark of Smith strike

1975
01:40:45,330 --> 01:40:52,700
his name temporarily close Coleman

1976
01:40:53,930 --> 01:41:00,080
Cody Craddock

1977
01:41:01,469 --> 01:41:12,710
Davis Edwards ezel fini

1978
01:41:14,960 --> 01:41:26,750
Gaston Geiger green of Navarro

1979
01:41:32,469 --> 01:41:47,099
green of Harris hannah harto Heatly

1980
01:41:51,730 --> 01:42:00,489
Heatley mr. Healy on the floor of the

1981
01:41:55,540 --> 01:42:09,360
house mr. Healy strike his name

1982
01:42:00,489 --> 01:42:21,120
temporarily Hilliard Jones of Harris

1983
01:42:09,360 --> 01:42:21,120
Jones of El Paso castor Koryo Kubiak

1984
01:42:26,520 --> 01:42:29,450
lining

1985

01:42:32,070 --> 01:42:34,880

liras

1986

01:42:39,120 --> 01:42:47,310

MacAlister McDonald of Dallas madla

1987

01:42:49,050 --> 01:42:55,080

Mankins Maddox

1988

01:43:00,780 --> 01:43:03,770

Maddox

1989

01:43:11,070 --> 01:43:23,750

May's Marino Monson neighbors

1990

01:43:31,290 --> 01:43:34,290

mutant

1991

01:43:39,030 --> 01:43:49,440

Newton mr. Newton on the floor of the

1992

01:43:43,740 --> 01:43:58,790

house mr. Newton verify mr. Newton

1993

01:43:49,440 --> 01:43:58,790

Oh Kelly Olson Parker of Denton

1994

01:44:02,710 --> 01:44:17,190

Parker of Denton Anthony D veto powers

1995

01:44:14,190 --> 01:44:17,190

Preston

1996

01:44:20,969 --> 01:44:23,870

yeah

1997

01:44:24,290 --> 01:44:30,100

rains Rebeck

1998

01:44:34,390 --> 01:44:48,310

Rebeck verify mystery back rocker

1999
01:44:41,530 --> 01:44:48,310
seamos slay

2000
01:44:55,700 --> 01:45:11,000
slay mr. slate on the floor of the house

2001
01:45:01,280 --> 01:45:16,240
mr. slate verify mr. slate

2002
01:45:11,000 --> 01:45:16,240
Smith Sullivan

2003
01:45:20,530 --> 01:45:26,100
oh there it is

2004
01:45:23,199 --> 01:45:26,100
Tarbox

2005
01:45:31,800 --> 01:45:47,450
Tarbox temple you Herr von Dolan

2006
01:45:47,480 --> 01:45:59,330
wedington Whitehead wittmeyer Wilson

2007
01:46:04,590 --> 01:46:07,280
Wyatt

2008
01:46:17,780 --> 01:46:29,389
is mr. Clark of Smith on the floor

2009
01:46:21,999 --> 01:46:31,780
Clark of Smith strike his name mr. Healy

2010
01:46:29,389 --> 01:46:37,960
on the floor

2011
01:46:31,780 --> 01:46:37,960
mr. Heatley strike his name

2012

01:46:58,800 --> 01:47:06,570
members the verification reflects the 68

2013
01:47:02,400 --> 01:47:10,740
a and 64 knows is there objection

2014
01:47:06,570 --> 01:47:13,040
suspense with those voting no chair here

2015
01:47:10,740 --> 01:47:19,710
is none so ordered

2016
01:47:13,040 --> 01:47:23,120
being 68 eyes and 64 nose motion to

2017
01:47:19,710 --> 01:47:23,120
table for prevails

2018
01:47:31,270 --> 01:47:37,240
falling caption amendment - clerk will

2019
01:47:33,010 --> 01:47:40,030
read the amendment amendment by Jones of

2020
01:47:37,240 --> 01:47:41,800
El Paso and me in Houston mr. Jones

2021
01:47:40,030 --> 01:47:43,800
moves that the caption amendment be

2022
01:47:41,800 --> 01:47:45,970
adopted is there objection

2023
01:47:43,800 --> 01:47:47,460
cheered on the caption amendment is

2024
01:47:45,970 --> 01:47:49,810
adopted

2025
01:47:47,460 --> 01:47:53,470
question now occurs on passage to

2026
01:47:49,810 --> 01:47:55,000
engrossment of House bill 392 is all

2027
01:47:53,470 --> 01:47:56,190
those in favor of passage to engrossment

2028
01:47:55,000 --> 01:48:01,450
will say aye

2029
01:47:56,190 --> 01:48:11,350
all opposed no House bill 392 passes

2030
01:48:01,450 --> 01:48:13,090
doing Grossman pursuant to rule 24

2031
01:48:11,350 --> 01:48:15,040
section 10 the chair gives notice after

2032
01:48:13,090 --> 01:48:17,440
the expiration of one hour they will

2033
01:48:15,040 --> 01:48:19,360
recognize representative Craddock on a

2034
01:48:17,440 --> 01:48:22,950
suspension to bring up and consider how

2035
01:48:19,360 --> 01:48:22,950
citation motion 301

2036
01:48:33,630 --> 01:48:37,350
Cheerilee that House bill 637 known

2037
01:48:36,180 --> 01:48:42,330
second reading the clerk will read the

2038
01:48:37,350 --> 01:48:47,750
bill House bill 637 by Jones of El Paso

2039

01:48:42,330 --> 01:48:47,750

right at Jones

2040

01:48:56,159 --> 01:49:01,300

mr. speaker members House bill 637 does

2041

01:48:59,229 --> 01:49:02,889

several things one it abolishes the

2042

01:49:01,300 --> 01:49:04,090

legislative property tax committee which

2043

01:49:02,889 --> 01:49:06,280

has been in existence now for

2044

01:49:04,090 --> 01:49:08,550

approximately four years it sets up the

2045

01:49:06,280 --> 01:49:10,809

Texas Tax Board which will consist of

2046

01:49:08,550 --> 01:49:12,820

five members of the house including the

2047

01:49:10,809 --> 01:49:14,769

speaker and the chairman of the revenue

2048

01:49:12,820 --> 01:49:18,070

tax committee or its successor committee

2049

01:49:14,769 --> 01:49:20,550

and the lieutenant governor chairman of

2050

01:49:18,070 --> 01:49:24,909

state affairs and three three senators

2051

01:49:20,550 --> 01:49:27,129

among the many functions which are well

2052

01:49:24,909 --> 01:49:28,510

let me put it this way the legislative

2053
01:49:27,129 --> 01:49:30,519
property tax committee when it was

2054
01:49:28,510 --> 01:49:33,309
established by a sixty first legislature

2055
01:49:30,519 --> 01:49:35,199
was given several functions including a

2056
01:49:33,309 --> 01:49:38,889
complete study of the ad valorem tax

2057
01:49:35,199 --> 01:49:41,019
structure of Texas the authorization to

2058
01:49:38,889 --> 01:49:42,610
make recommendations to future sessions

2059
01:49:41,019 --> 01:49:45,820
of the legislature for reform of the ad

2060
01:49:42,610 --> 01:49:47,349
valorem tax system in Texas many

2061
01:49:45,820 --> 01:49:48,849
different functions all of those

2062
01:49:47,349 --> 01:49:50,499
functions are now removed from the

2063
01:49:48,849 --> 01:49:52,479
legislative property tax committee it's

2064
01:49:50,499 --> 01:49:56,289
abolished by this bill and they are

2065
01:49:52,479 --> 01:49:58,659
transferred to the Texas Tax Board which

2066

01:49:56,289 --> 01:50:00,159
would be created by this bill but the

2067
01:49:58,659 --> 01:50:01,840
most important function and a new

2068
01:50:00,159 --> 01:50:04,389
function which is specifically delegated

2069
01:50:01,840 --> 01:50:06,070
to the Texas Tax Board which was not

2070
01:50:04,389 --> 01:50:08,349
given to the legislative property tax

2071
01:50:06,070 --> 01:50:11,919
committee specifically is the authority

2072
01:50:08,349 --> 01:50:14,559
in the and in the mandate to conduct on

2073
01:50:11,919 --> 01:50:18,010
a statewide basis a market value

2074
01:50:14,559 --> 01:50:19,419
assessment ratio audit and mr. white

2075
01:50:18,010 --> 01:50:20,769
will be up here in a minute to explain

2076
01:50:19,419 --> 01:50:23,800
to you some of the details of what a

2077
01:50:20,769 --> 01:50:26,409
ratio on it is basically what it is

2078
01:50:23,800 --> 01:50:28,510
basically what it is is this the as you

2079
01:50:26,409 --> 01:50:29,949
know representative P bateau has a bill

2080
01:50:28,510 --> 01:50:32,739
which will delegate if it passes

2081
01:50:29,949 --> 01:50:34,689
numerous new powers and duties to the

2082
01:50:32,739 --> 01:50:36,969
Comptroller among those will be the

2083
01:50:34,689 --> 01:50:38,889
authority to promulgate rules and

2084
01:50:36,969 --> 01:50:40,329
regulations by which property is

2085
01:50:38,889 --> 01:50:42,099
assessed and appraised in the different

2086
01:50:40,329 --> 01:50:45,070
counties and tax jurisdictions in Texas

2087
01:50:42,099 --> 01:50:46,809
but somebody in if someone or some

2088
01:50:45,070 --> 01:50:50,379
authority or some agency has got to

2089
01:50:46,809 --> 01:50:53,189
monitor those the those jurisdictions to

2090
01:50:50,379 --> 01:50:55,209
see if indeed those uniform standards of

2091
01:50:53,189 --> 01:50:57,099
assessment and appraisal are actually

2092
01:50:55,209 --> 01:51:00,010
being carried out someone's got to

2093

01:50:57,099 --> 01:51:02,169
monitor the local tax jurisdictions to

2094
01:51:00,010 --> 01:51:04,359
see if indeed the equal and uniform

2095
01:51:02,169 --> 01:51:06,249
provision of the Texas Constitution is

2096
01:51:04,359 --> 01:51:07,360
being applied and the scientific

2097
01:51:06,249 --> 01:51:10,120
technique that is

2098
01:51:07,360 --> 01:51:12,370
in 38 other states is the market value

2099
01:51:10,120 --> 01:51:14,320
assessment ratio audit where they go

2100
01:51:12,370 --> 01:51:15,790
into a county or School District this

2101
01:51:14,320 --> 01:51:18,280
bill would require the audit to be done

2102
01:51:15,790 --> 01:51:19,540
on a countywide basis they go in and

2103
01:51:18,280 --> 01:51:21,520
they take samples of different classes

2104
01:51:19,540 --> 01:51:25,030
of property and determine either by

2105
01:51:21,520 --> 01:51:27,400
appraisal records or from sales records

2106
01:51:25,030 --> 01:51:29,770
what the actual value of that property

2107
01:51:27,400 --> 01:51:31,570
is and compare that to what the taxing

2108
01:51:29,770 --> 01:51:35,230
jurisdiction is taxing that property at

2109
01:51:31,570 --> 01:51:37,570
and and by doing this the the Texas Tax

2110
01:51:35,230 --> 01:51:39,160
Board can can notify the local

2111
01:51:37,570 --> 01:51:40,600
jurisdictions whether or not the

2112
01:51:39,160 --> 01:51:43,390
different classes of property of being

2113
01:51:40,600 --> 01:51:46,930
taxed equaling uniformly mr. bigger the

2114
01:51:43,390 --> 01:51:48,520
gentleman you yelling in this way by mr.

2115
01:51:46,930 --> 01:51:49,930
Jones did you explain to the house how

2116
01:51:48,520 --> 01:51:53,470
you were able to get two of your bills

2117
01:51:49,930 --> 01:51:55,960
on major state calendar today this is

2118
01:51:53,470 --> 01:51:58,330
really mr. White's bill mr. whizzy is it

2119
01:51:55,960 --> 01:52:04,750
true mr. Jones is the red house that

2120

01:51:58,330 --> 01:52:05,920
you're running this house call calling

2121
01:52:04,750 --> 01:52:10,780
committee minute to clerk will read the

2122
01:52:05,920 --> 01:52:14,260
amendment committee amendment 1 by Salem

2123
01:52:10,780 --> 01:52:17,980
momenta House bill mr. white to explain

2124
01:52:14,260 --> 01:52:18,970
the amendment yes many mr. white sure

2125
01:52:17,980 --> 01:52:20,650
would like to recognize the

2126
01:52:18,970 --> 01:52:25,300
distinguished former member of this body

2127
01:52:20,650 --> 01:52:27,250
back at the desk of mr. Kelly miss

2128
01:52:25,300 --> 01:52:33,340
Virginia Duff from walks active again

2129
01:52:27,250 --> 01:52:35,880
you good to have you with us today go

2130
01:52:33,340 --> 01:52:35,880
ahead mr. white

2131
01:52:36,210 --> 01:52:49,690
miss Pickering members speaking I have

2132
01:52:40,329 --> 01:52:53,170
order please members mr. Wyatt has an

2133
01:52:49,690 --> 01:52:58,119
important amendment here should speak

2134
01:52:53,170 --> 01:53:00,369
members this amendment provides for the

2135
01:52:58,119 --> 01:53:03,639
Legislative for a legislative Tax Board

2136
01:53:00,369 --> 01:53:06,940
as mr. Jones told you to conduct market

2137
01:53:03,639 --> 01:53:09,429
value audits statewide in the state of

2138
01:53:06,940 --> 01:53:11,260
Texas I think that this bill is

2139
01:53:09,429 --> 01:53:13,090
extremely important because it is the

2140
01:53:11,260 --> 01:53:16,389
beginning of the reform of school

2141
01:53:13,090 --> 01:53:19,659
finance in the state of Texas today we

2142
01:53:16,389 --> 01:53:22,570
are dealing in school finance

2143
01:53:19,659 --> 01:53:25,329
we have several education bills pending

2144
01:53:22,570 --> 01:53:28,980
in the Education Committee which will

2145
01:53:25,329 --> 01:53:32,280
base the distribution of state funds on

2146
01:53:28,980 --> 01:53:37,030
full market value

2147

01:53:32,280 --> 01:53:40,389
House bill 637 begins the process of

2148
01:53:37,030 --> 01:53:44,590
obtaining from all counties and and

2149
01:53:40,389 --> 01:53:48,190
school districts in this state with full

2150
01:53:44,590 --> 01:53:50,920
market value figures mr. speaker these

2151
01:53:48,190 --> 01:53:55,510
figures will be I'll yield just a moment

2152
01:53:50,920 --> 01:53:58,510
mr. McAllister these figures will be

2153
01:53:55,510 --> 01:54:03,730
submitted to the legislature in January

2154
01:53:58,510 --> 01:54:07,030
of 1977 and I believe at that time you

2155
01:54:03,730 --> 01:54:08,770
will have accurate figures completely

2156
01:54:07,030 --> 01:54:13,960
defensible in the courts of this state

2157
01:54:08,770 --> 01:54:15,670
and you will have the infirmity and you

2158
01:54:13,960 --> 01:54:18,520
will have the information that you need

2159
01:54:15,670 --> 01:54:22,510
as members of the legislature to

2160
01:54:18,520 --> 01:54:25,090
distribute funds equitably to all the

2161
01:54:22,510 --> 01:54:30,010
school districts in Texas that's why

2162
01:54:25,090 --> 01:54:34,000
this bill is as important as it is the

2163
01:54:30,010 --> 01:54:36,310
market value audit will be conducted

2164
01:54:34,000 --> 01:54:39,250
using the approach that has been used in

2165
01:54:36,310 --> 01:54:43,389
the major states of the country that

2166
01:54:39,250 --> 01:54:47,349
divide or that distribute funds based on

2167
01:54:43,389 --> 01:54:49,460
local property taxes the audit will be

2168
01:54:47,349 --> 01:54:51,770
conducted by the board

2169
01:54:49,460 --> 01:54:55,850
and will consist of two factors one

2170
01:54:51,770 --> 01:54:57,800
sales the other actual appraisals we

2171
01:54:55,850 --> 01:54:59,810
believe that each county and each school

2172
01:54:57,800 --> 01:55:03,860
district in Texas can be audited within

2173
01:54:59,810 --> 01:55:05,720
a period of three years each one will be

2174

01:55:03,860 --> 01:55:08,660
audited in the first three years each

2175
01:55:05,720 --> 01:55:11,870
year and therefore we should have very

2176
01:55:08,660 --> 01:55:14,120
defensible figures to use in the next

2177
01:55:11,870 --> 01:55:17,060
session of the legislature in order to

2178
01:55:14,120 --> 01:55:20,680
distribute school funds and that's why

2179
01:55:17,060 --> 01:55:24,800
this bill is so important I believe to

2180
01:55:20,680 --> 01:55:26,690
every Texan in this state a question has

2181
01:55:24,800 --> 01:55:30,620
come up how does this affect House bill

2182
01:55:26,690 --> 01:55:34,430
1463 this bill complements House bill

2183
01:55:30,620 --> 01:55:36,470
1463 the leading tax authorities

2184
01:55:34,430 --> 01:55:38,560
throughout the United States in regard

2185
01:55:36,470 --> 01:55:42,170
to property tax legislation will say

2186
01:55:38,560 --> 01:55:45,350
that in order to to write an appraisal

2187
01:55:42,170 --> 01:55:48,080
manual to promulgate the rules necessary

2188
01:55:45,350 --> 01:55:51,350
for uniformity you must know where you

2189
01:55:48,080 --> 01:55:52,550
are going this legislation will tell you

2190
01:55:51,350 --> 01:55:55,400
where you are going

2191
01:55:52,550 --> 01:55:57,910
it will give direction to whomever

2192
01:55:55,400 --> 01:56:00,410
promulgates the necessary rules

2193
01:55:57,910 --> 01:56:03,410
appraisal manuals and sets up the

2194
01:56:00,410 --> 01:56:05,780
uniform standards and therefore again as

2195
01:56:03,410 --> 01:56:08,990
I say I believe it's a complement to

2196
01:56:05,780 --> 01:56:12,170
attacks a property tax administration

2197
01:56:08,990 --> 01:56:13,580
bill Mr Speaker I urge your approval of

2198
01:56:12,170 --> 01:56:16,610
the bill McAllister yield well gentlemen

2199
01:56:13,580 --> 01:56:17,870
yeah Jimmy knows mr. McAllister mr.

2200
01:56:16,610 --> 01:56:19,730
white I know you've done a lot of work

2201

01:56:17,870 --> 01:56:21,970
on this and I personally appreciate it I

2202
01:56:19,730 --> 01:56:24,590
think it's almost hand-in-glove

2203
01:56:21,970 --> 01:56:27,050
important with the public school finance

2204
01:56:24,590 --> 01:56:29,000
does this what does this do to what we

2205
01:56:27,050 --> 01:56:32,590
know is the legislative property tax

2206
01:56:29,000 --> 01:56:32,590
committee this doesn't

2207
01:56:37,330 --> 01:56:42,190
it abolish is it mr. Jones well I it

2208
01:56:40,570 --> 01:56:45,190
abolish is it well that's what I thought

2209
01:56:42,190 --> 01:56:48,010
we're taking a new intelligent statutory

2210
01:56:45,190 --> 01:56:50,770
approach actually we're replacing it

2211
01:56:48,010 --> 01:56:53,080
aren't we instead of abolishing it yes

2212
01:56:50,770 --> 01:56:55,390
you're moving the functions right now

2213
01:56:53,080 --> 01:56:58,810
your fiscal notes shows I believe a

2214
01:56:55,390 --> 01:57:01,510
million embassy 4 million the first year

2215
01:56:58,810 --> 01:57:04,870
but this is going through the embryonic

2216
01:57:01,510 --> 01:57:09,610
process or would you explain that a bit

2217
01:57:04,870 --> 01:57:11,110
Joe the breakdown on the fiscal note on

2218
01:57:09,610 --> 01:57:12,880
the right had that I don't have the

2219
01:57:11,110 --> 01:57:14,380
fiscal note with me mr. McAllister it's

2220
01:57:12,880 --> 01:57:21,010
on the back of the bill and that the

2221
01:57:14,380 --> 01:57:22,960
reason the reason it what's your

2222
01:57:21,010 --> 01:57:25,570
specific question growing fiscal I say

2223
01:57:22,960 --> 01:57:29,050
would you explain the breakdown on 76

2224
01:57:25,570 --> 01:57:30,640
four million and 77 form it in 78 3 and

2225
01:57:29,050 --> 01:57:33,220
then it drops yeah I think that's about

2226
01:57:30,640 --> 01:57:37,150
14 million in order to obtain your

2227
01:57:33,220 --> 01:57:40,450
figures mr. McAllister and and to get

2228

01:57:37,150 --> 01:57:42,910
your study into a bitch that's accurate

2229
01:57:40,450 --> 01:57:44,590
and you have defensible figures you're

2230
01:57:42,910 --> 01:57:47,050
going to have to do a considerable

2231
01:57:44,590 --> 01:57:48,670
amount of appraising and sales research

2232
01:57:47,050 --> 01:57:49,570
within the various counties and local

2233
01:57:48,670 --> 01:57:52,240
school districts

2234
01:57:49,570 --> 01:57:55,180
once you have that basic information you

2235
01:57:52,240 --> 01:57:58,210
can then fall back to a procedure in the

2236
01:57:55,180 --> 01:58:01,270
later years of trending and and you

2237
01:57:58,210 --> 01:58:02,820
don't have to take as many samples well

2238
01:58:01,270 --> 01:58:05,680
I like it because you've got a state

2239
01:58:02,820 --> 01:58:07,750
overall approach which will give us some

2240
01:58:05,680 --> 01:58:09,400
firm answers where we've been sort of I

2241
01:58:07,750 --> 01:58:11,350
know that you've been a part of the

2242
01:58:09,400 --> 01:58:14,500
property tax for many Luthor not that it

2243
01:58:11,350 --> 01:58:17,760
has been a real dilemma and I I think

2244
01:58:14,500 --> 01:58:17,760
you got to get bill thank you

2245
01:58:18,850 --> 01:58:23,440
yes I'll yeah mr. chairman yield mr. mr.

2246
01:58:21,580 --> 01:58:26,800
Wyatt how was the legislative property

2247
01:58:23,440 --> 01:58:29,740
tax committee funded it was funded mr.

2248
01:58:26,800 --> 01:58:31,420
Kaster with a delinquent property tax

2249
01:58:29,740 --> 01:58:35,110
for all the link with property taxes

2250
01:58:31,420 --> 01:58:37,740
paid there was an extra dollar or \$1

2251
01:58:35,110 --> 01:58:40,240
went into that fund and it was then

2252
01:58:37,740 --> 01:58:41,590
appropriated directly to the legislative

2253
01:58:40,240 --> 01:58:43,720
property tax committee this will be

2254
01:58:41,590 --> 01:58:45,040
funded out of general revenue how much

2255

01:58:43,720 --> 01:58:46,450
money did we spend a legislative

2256
01:58:45,040 --> 01:58:50,590
property tax come

2257
01:58:46,450 --> 01:58:52,210
you know I'm not totally familiar with

2258
01:58:50,590 --> 01:58:53,170
that I believe in the neighborhood of a

2259
01:58:52,210 --> 01:58:55,690
million dollars

2260
01:58:53,170 --> 01:59:00,520
first year for four hundred thousand

2261
01:58:55,690 --> 01:59:02,320
first year Luther what were they doing

2262
01:59:00,520 --> 01:59:05,170
that they weren't doing anything like

2263
01:59:02,320 --> 01:59:06,610
this well they did mr. caster the only

2264
01:59:05,170 --> 01:59:07,930
time the legislative property tax

2265
01:59:06,610 --> 01:59:10,510
committee ever got into your praise

2266
01:59:07,930 --> 01:59:12,190
Alauddin is they audited 35 school

2267
01:59:10,510 --> 01:59:14,230
districts in the state of Texas that had

2268
01:59:12,190 --> 01:59:16,120
a cost of about three hundred thousand

2269
01:59:14,230 --> 01:59:20,970
dollars this was the the figures that

2270
01:59:16,120 --> 01:59:20,970
you have seen used many times recently

2271
01:59:21,300 --> 01:59:27,880
that that give you an idea of the value

2272
01:59:25,630 --> 01:59:30,490
of property within 35 districts and then

2273
01:59:27,880 --> 01:59:32,170
we have projected or the legislative

2274
01:59:30,490 --> 01:59:33,970
property tax committee did project the

2275
01:59:32,170 --> 01:59:36,280
value of the property in Texas as a

2276
01:59:33,970 --> 01:59:39,480
whole based on those 35 districts

2277
01:59:36,280 --> 01:59:43,030
obviously that's those figures you know

2278
01:59:39,480 --> 01:59:45,370
for for all counties and all school

2279
01:59:43,030 --> 01:59:46,870
districts are are of little value so

2280
01:59:45,370 --> 01:59:47,950
that the eight million dollars for the

2281
01:59:46,870 --> 01:59:50,440
next biennium is going to come out of

2282

01:59:47,950 --> 01:59:52,570
general revenue it will come out of

2283
01:59:50,440 --> 01:59:55,930
general revenue or if in the education

2284
01:59:52,570 --> 01:59:59,560
bill some other funding proposal could

2285
01:59:55,930 --> 02:00:01,090
be made mr. Kaster mr. picker that's

2286
01:59:59,560 --> 02:00:03,130
Wilson for the gentleman yield

2287
02:00:01,090 --> 02:00:04,750
yo that's why yes or miss bingum and

2288
02:00:03,130 --> 02:00:07,570
Jimenez mr. white mr. white I'm

2289
02:00:04,750 --> 02:00:09,310
concerned about the committee amendment

2290
02:00:07,570 --> 02:00:13,900
that you're speaking in behalf of I

2291
02:00:09,310 --> 02:00:16,000
believe on page five section four right

2292
02:00:13,900 --> 02:00:17,950
at the top of the page it says in

2293
02:00:16,000 --> 02:00:19,750
terminating the taxable value of

2294
02:00:17,950 --> 02:00:21,700
property the audit is to take into

2295
02:00:19,750 --> 02:00:24,880
account those categories of property

2296
02:00:21,700 --> 02:00:26,680
real and personal that are made subject

2297
02:00:24,880 --> 02:00:29,140
to taxation by the laws of this state

2298
02:00:26,680 --> 02:00:32,200
what about intangible property mr. white

2299
02:00:29,140 --> 02:00:34,510
it's not including it's not included it

2300
02:00:32,200 --> 02:00:36,190
took subject taxation under the

2301
02:00:34,510 --> 02:00:37,930
Constitution under the Constitution

2302
02:00:36,190 --> 02:00:39,730
that's right but you're not going to

2303
02:00:37,930 --> 02:00:41,620
make an order an appraisal of the

2304
02:00:39,730 --> 02:00:43,510
intangible property in the intangible

2305
02:00:41,620 --> 02:00:45,730
well for the majority the wealth of this

2306
02:00:43,510 --> 02:00:47,290
state may very well be this this this

2307
02:00:45,730 --> 02:00:49,630
bill doesn't speak to that does it mr.

2308
02:00:47,290 --> 02:00:51,280
white you're going out there and get

2309

02:00:49,630 --> 02:00:52,720
people's homes and their cars and their

2310
02:00:51,280 --> 02:00:54,370
land but you're not going to find out

2311
02:00:52,720 --> 02:00:56,380
about the stocks and bonds and the

2312
02:00:54,370 --> 02:00:57,260
deposits in the banks of this state are

2313
02:00:56,380 --> 02:00:59,780
you

2314
02:00:57,260 --> 02:01:01,910
well we can do it mr. Wilson if the

2315
02:00:59,780 --> 02:01:05,210
legislature asked us to and of course

2316
02:01:01,910 --> 02:01:06,920
with bank deposits those aren't very

2317
02:01:05,210 --> 02:01:09,050
difficult you've got bank calls on

2318
02:01:06,920 --> 02:01:10,940
certain days billion those and the

2319
02:01:09,050 --> 02:01:12,980
Constitution mandates that they be in

2320
02:01:10,940 --> 02:01:15,110
taxed equally and uniformly don't think

2321
02:01:12,980 --> 02:01:16,960
yes sir so this bill wouldn't really

2322
02:01:15,110 --> 02:01:18,770
develop a tax roll it would be all

2323
02:01:16,960 --> 02:01:21,440
inconclusive under our President

2324
02:01:18,770 --> 02:01:23,450
Constitution mr. Wilson as you know and

2325
02:01:21,440 --> 02:01:25,160
I know there's no tax roll in the state

2326
02:01:23,450 --> 02:01:26,930
of Texas that that's it I understand

2327
02:01:25,160 --> 02:01:28,670
that very well mr. Y but we're going to

2328
02:01:26,930 --> 02:01:30,890
develop a formula if you say it's going

2329
02:01:28,670 --> 02:01:32,960
to be the basis for school funding for

2330
02:01:30,890 --> 02:01:35,000
the generations to come then the true

2331
02:01:32,960 --> 02:01:36,920
wealth of in Spain ought to be in the

2332
02:01:35,000 --> 02:01:38,989
process and I don't think your bill

2333
02:01:36,920 --> 02:01:41,090
speaks to this to Wilson if that's your

2334
02:01:38,989 --> 02:01:44,060
problem I think that you need to take a

2335
02:01:41,090 --> 02:01:46,970
careful look at the at the school

2336

02:01:44,060 --> 02:01:49,610
finance bill that would distribute funds

2337
02:01:46,970 --> 02:01:51,260
based on market value of property not on

2338
02:01:49,610 --> 02:01:54,230
this bill which is going to get you

2339
02:01:51,260 --> 02:01:56,000
those figures mr. speaker does the

2340
02:01:54,230 --> 02:01:59,450
gentleman yield yield to mr. Bachman

2341
02:01:56,000 --> 02:02:02,480
speaker gentleman yield mr. Bopp mr.

2342
02:01:59,450 --> 02:02:06,230
Wyatt this is establishes another board

2343
02:02:02,480 --> 02:02:08,540
a tax board stab slice of the

2344
02:02:06,230 --> 02:02:10,670
legislative property tax that is correct

2345
02:02:08,540 --> 02:02:12,400
as a legislative support age how much

2346
02:02:10,670 --> 02:02:14,870
money is this going to cost

2347
02:02:12,400 --> 02:02:16,250
well the fiscal note says 8 million

2348
02:02:14,870 --> 02:02:18,500
dollars in the first two years mr.

2349
02:02:16,250 --> 02:02:20,270
Bachman how much you going to cost after

2350
02:02:18,500 --> 02:02:22,160
that you got any idea a million in the

2351
02:02:20,270 --> 02:02:24,320
third year million for thereafter which

2352
02:02:22,160 --> 02:02:25,970
is which is not a very large amount to

2353
02:02:24,320 --> 02:02:27,980
obtain how much as it costs to run the

2354
02:02:25,970 --> 02:02:30,410
legislative property tax committee in

2355
02:02:27,980 --> 02:02:33,020
the last several years since its

2356
02:02:30,410 --> 02:02:35,780
inception that question asked mr. Bach I

2357
02:02:33,020 --> 02:02:38,060
couldn't answer it then aren't you the

2358
02:02:35,780 --> 02:02:40,010
chairman I've been chairman since

2359
02:02:38,060 --> 02:02:44,720
January mr. Bach I can tell how much we

2360
02:02:40,010 --> 02:02:48,470
spent since then \$30,000 for what do

2361
02:02:44,720 --> 02:02:50,300
what for what for what not do what for

2362
02:02:48,470 --> 02:02:52,520
what for the work of the legislative

2363

02:02:50,300 --> 02:02:54,590
property tax committee to the the

2364
02:02:52,520 --> 02:02:56,510
reports are being drafted now the phase

2365
02:02:54,590 --> 02:02:58,520
one reports the phase two reports in the

2366
02:02:56,510 --> 02:02:59,989
phase three reports mr. park what you've

2367
02:02:58,520 --> 02:03:01,520
been drafted and I believe delivered to

2368
02:02:59,989 --> 02:03:03,380
your office if you haven't seen them I'm

2369
02:03:01,520 --> 02:03:04,230
sorry about that but they certainly

2370
02:03:03,380 --> 02:03:07,200
they're they're very

2371
02:03:04,230 --> 02:03:09,000
thick very comprehensive tax rates what

2372
02:03:07,200 --> 02:03:12,060
I'm trying to determine is whether or

2373
02:03:09,000 --> 02:03:14,460
not there really is a real crying need

2374
02:03:12,060 --> 02:03:17,450
for the continuation of this type of

2375
02:03:14,460 --> 02:03:19,860
board or whether or not we could in fact

2376
02:03:17,450 --> 02:03:22,560
consolidate the functions of this board

2377
02:03:19,860 --> 02:03:25,530
into the comptroller's office or some

2378
02:03:22,560 --> 02:03:27,930
other particular existing body where we

2379
02:03:25,530 --> 02:03:30,780
do not have to worry about continuation

2380
02:03:27,930 --> 02:03:34,530
of the st. of a increased staff and a

2381
02:03:30,780 --> 02:03:36,660
continuation of a our reap rejuvenation

2382
02:03:34,530 --> 02:03:39,090
of a commission which may or may not be

2383
02:03:36,660 --> 02:03:41,550
necessary mr. holiday do you want

2384
02:03:39,090 --> 02:03:45,060
defensible figures in the future to

2385
02:03:41,550 --> 02:03:46,890
distribute school funds on this board is

2386
02:03:45,060 --> 02:03:49,560
the method that you can get there it

2387
02:03:46,890 --> 02:03:53,100
create it's going to conduct a market

2388
02:03:49,560 --> 02:03:54,750
value audit so you will have the figures

2389
02:03:53,100 --> 02:03:56,430
on which to make a decision in the

2390

02:03:54,750 --> 02:03:59,250
future on school finance and the

2391
02:03:56,430 --> 02:04:01,080
distribution of school funds that is a

2392
02:03:59,250 --> 02:04:03,390
legislative function if you won't give

2393
02:04:01,080 --> 02:04:05,580
it to an executive if you won't give the

2394
02:04:03,390 --> 02:04:08,010
part of the appropriation processes to

2395
02:04:05,580 --> 02:04:10,500
an executive agency that's fine but I

2396
02:04:08,010 --> 02:04:12,360
think it is appropriately a legislative

2397
02:04:10,500 --> 02:04:14,670
function it should be done by

2398
02:04:12,360 --> 02:04:17,100
legislative support agency so that we

2399
02:04:14,670 --> 02:04:19,260
will have the information in this

2400
02:04:17,100 --> 02:04:21,450
legislature to make the decisions that

2401
02:04:19,260 --> 02:04:23,130
we need to make well I just what I'm

2402
02:04:21,450 --> 02:04:25,500
really trying to get at mr. Weil and

2403
02:04:23,130 --> 02:04:27,300
it's not to anything in regard to your

2404
02:04:25,500 --> 02:04:29,640
position because you've just been on

2405
02:04:27,300 --> 02:04:32,550
their short time but I was just curious

2406
02:04:29,640 --> 02:04:34,080
as to why it's taken when was the

2407
02:04:32,550 --> 02:04:37,500
legislative property tax committee

2408
02:04:34,080 --> 02:04:40,770
created it was created in 1971 why is it

2409
02:04:37,500 --> 02:04:44,130
taken as long as it has to compile the

2410
02:04:40,770 --> 02:04:46,080
figures that they have compiled to this

2411
02:04:44,130 --> 02:04:49,890
point well because they didn't start

2412
02:04:46,080 --> 02:04:52,470
doing an audit mr. Bach until I guess a

2413
02:04:49,890 --> 02:04:54,210
year ago they were they were off in

2414
02:04:52,470 --> 02:04:57,440
other areas they were off in other

2415
02:04:54,210 --> 02:04:59,910
fields the leadership changed then the

2416
02:04:57,440 --> 02:05:03,300
collection of those a couple of well

2417

02:04:59,910 --> 02:05:05,520
then can I answer your question yeah

2418
02:05:03,300 --> 02:05:08,310
thank a leadership change the committee

2419
02:05:05,520 --> 02:05:10,680
membership changed and and that is being

2420
02:05:08,310 --> 02:05:12,360
corrected I believe in this bill mr.

2421
02:05:10,680 --> 02:05:13,460
picker will the gentleman yield be happy

2422
02:05:12,360 --> 02:05:15,380
to yield mr.

2423
02:05:13,460 --> 02:05:18,020
Florence mr. speaker mr. watt isn't it

2424
02:05:15,380 --> 02:05:20,239
true that in the last that in the last

2425
02:05:18,020 --> 02:05:22,969
years time that the property tax

2426
02:05:20,239 --> 02:05:26,150
particularly tourists Florence you yield

2427
02:05:22,969 --> 02:05:29,360
mr. why yes miss Biggio mr. Florence

2428
02:05:26,150 --> 02:05:31,130
okay mr. white in the true that in the

2429
02:05:29,360 --> 02:05:32,840
last year's time that most school

2430
02:05:31,130 --> 02:05:35,450
districts in the state of Texas have

2431
02:05:32,840 --> 02:05:39,380
increased their property tax valuation

2432
02:05:35,450 --> 02:05:41,630
considerably it's my understanding that

2433
02:05:39,380 --> 02:05:43,310
some of them have increased their or you

2434
02:05:41,630 --> 02:05:46,580
don't like their valuations are this or

2435
02:05:43,310 --> 02:05:48,739
they're they're dollar tax mr. old both

2436
02:05:46,580 --> 02:05:49,250
it's in many districts that has happened

2437
02:05:48,739 --> 02:05:51,770
yes sir

2438
02:05:49,250 --> 02:05:54,130
okay isn't it true that the public is

2439
02:05:51,770 --> 02:05:57,020
rather tired of the property tax I

2440
02:05:54,130 --> 02:05:59,270
believe that they are mr. Florence well

2441
02:05:57,020 --> 02:06:01,610
do you not believe that this bill is the

2442
02:05:59,270 --> 02:06:03,530
first step towards increasing the

2443
02:06:01,610 --> 02:06:05,719
property tax greatly in the state of

2444

02:06:03,530 --> 02:06:07,610
Texas no sir mr. Florence I do not I

2445
02:06:05,719 --> 02:06:10,340
think this bill is the first step and

2446
02:06:07,610 --> 02:06:13,040
given the legislature the figures on

2447
02:06:10,340 --> 02:06:15,440
what the value of property in Texas is

2448
02:06:13,040 --> 02:06:17,870
so that in the future the legislature if

2449
02:06:15,440 --> 02:06:19,880
they so desire and they want to reduce

2450
02:06:17,870 --> 02:06:22,880
the property tax burden in this state

2451
02:06:19,880 --> 02:06:25,040
can do so and can put it on the state

2452
02:06:22,880 --> 02:06:27,830
level which has a much broader base of

2453
02:06:25,040 --> 02:06:30,050
Taxation okay that's all this bill is

2454
02:06:27,830 --> 02:06:33,860
going to do mr. Florence it doesn't

2455
02:06:30,050 --> 02:06:36,280
raise property taxes one dollar does it

2456
02:06:33,860 --> 02:06:40,580
today I'll give the state however

2457
02:06:36,280 --> 02:06:42,770
figures on what the value is and these

2458
02:06:40,580 --> 02:06:45,200
figures could accordingly be used to up

2459
02:06:42,770 --> 02:06:48,980
property tax in the future course mr. of

2460
02:06:45,200 --> 02:06:50,840
course that it could it also be used to

2461
02:06:48,980 --> 02:06:54,410
lower but somebody's overvalued mr.

2462
02:06:50,840 --> 02:06:57,469
speaker mr. Adams's I'll yield mr. Adams

2463
02:06:54,410 --> 02:06:59,180
mr. speaker general you mr. white are

2464
02:06:57,469 --> 02:07:01,340
you aware that one of the biggest

2465
02:06:59,180 --> 02:07:04,190
problems that we have in the field of

2466
02:07:01,340 --> 02:07:07,430
public school reform in financing a

2467
02:07:04,190 --> 02:07:09,590
public school in Texas is finding out

2468
02:07:07,430 --> 02:07:12,020
what the wealth of the various what the

2469
02:07:09,590 --> 02:07:14,060
wealth of the state is as a whole now

2470
02:07:12,020 --> 02:07:16,190
what you're proposing here is a market

2471

02:07:14,060 --> 02:07:19,370
value audit so that we can determine

2472
02:07:16,190 --> 02:07:20,989
what the local fund assignment should be

2473
02:07:19,370 --> 02:07:23,239
in the various school districts across

2474
02:07:20,989 --> 02:07:25,460
the state is that not correct that is

2475
02:07:23,239 --> 02:07:26,120
exactly correct mr. Adams and we can

2476
02:07:25,460 --> 02:07:28,790
make that

2477
02:07:26,120 --> 02:07:31,880
fund assignment based on whatever the

2478
02:07:28,790 --> 02:07:34,160
legislature wants to make it and are you

2479
02:07:31,880 --> 02:07:36,320
aware that we now do not have any

2480
02:07:34,160 --> 02:07:38,060
figures that are adequate for doing this

2481
02:07:36,320 --> 02:07:40,010
and this is one of the biggest problems

2482
02:07:38,060 --> 02:07:42,890
that we have today and I'm going to

2483
02:07:40,010 --> 02:07:44,930
write a screw finance bill I do mr.

2484
02:07:42,890 --> 02:07:46,760
Adams I know the problem that you have

2485
02:07:44,930 --> 02:07:50,240
had to cope with in your committee and

2486
02:07:46,760 --> 02:07:52,070
let me say that that that I face having

2487
02:07:50,240 --> 02:07:53,570
to vote on the school finance bills that

2488
02:07:52,070 --> 02:07:56,270
are coming up within the next week or

2489
02:07:53,570 --> 02:07:58,730
two with great trepidation because of

2490
02:07:56,270 --> 02:08:01,100
that fact I don't know what I'm voting

2491
02:07:58,730 --> 02:08:02,900
for and I quite frankly don't believe

2492
02:08:01,100 --> 02:08:04,880
that anybody on this floor is going to

2493
02:08:02,900 --> 02:08:07,280
know what they're voting for because we

2494
02:08:04,880 --> 02:08:08,870
don't have the figures mr. Adams and mr.

2495
02:08:07,280 --> 02:08:11,120
white do you realize that school

2496
02:08:08,870 --> 02:08:14,030
districts all across this state are

2497
02:08:11,120 --> 02:08:16,520
upset and they are wanting to get a good

2498

02:08:14,030 --> 02:08:19,760
market value or if they want a study

2499
02:08:16,520 --> 02:08:21,590
that could be that will be correct that

2500
02:08:19,760 --> 02:08:23,450
is yes sir mr. white one other question

2501
02:08:21,590 --> 02:08:25,520
now we're talking about a legislative

2502
02:08:23,450 --> 02:08:27,740
property Tax Board we're not talking

2503
02:08:25,520 --> 02:08:29,840
about the old legislative property tax

2504
02:08:27,740 --> 02:08:32,540
committee we're putting this into law

2505
02:08:29,840 --> 02:08:34,730
and stating what they shall do is that

2506
02:08:32,540 --> 02:08:36,110
not correction that is correct mr. Adams

2507
02:08:34,730 --> 02:08:38,210
it will be ten members of the

2508
02:08:36,110 --> 02:08:40,100
legislature the lieutenant governor the

2509
02:08:38,210 --> 02:08:41,870
Speaker of the House chairman the

2510
02:08:40,100 --> 02:08:43,190
Revenue Tax Committee to charm the state

2511
02:08:41,870 --> 02:08:44,840
affairs committee and three members

2512
02:08:43,190 --> 02:08:47,000
appointed by agent presiding officers

2513
02:08:44,840 --> 02:08:48,650
it's not going to be a bifurcated system

2514
02:08:47,000 --> 02:08:50,270
as we had before where you've got the

2515
02:08:48,650 --> 02:08:53,960
governor's office appoint in sum the

2516
02:08:50,270 --> 02:08:55,880
speaker point in some controller appoint

2517
02:08:53,960 --> 02:08:57,380
and some it's going to be a legislative

2518
02:08:55,880 --> 02:08:59,210
board to compile figures for the

2519
02:08:57,380 --> 02:09:01,430
legislature to make their decisions on

2520
02:08:59,210 --> 02:09:03,080
mr. white I have one of the to another

2521
02:09:01,430 --> 02:09:07,070
couple of questions I'd like to ask you

2522
02:09:03,080 --> 02:09:08,660
first do you not think that one of the

2523
02:09:07,070 --> 02:09:11,030
big problems that we're having in

2524
02:09:08,660 --> 02:09:13,970
education today as far as school finance

2525

02:09:11,030 --> 02:09:15,050
reform is that we with Salem raise the

2526
02:09:13,970 --> 02:09:17,210
point of order the gentleman's time is

2527
02:09:15,050 --> 02:09:22,160
expired on waters well taken in

2528
02:09:17,210 --> 02:09:25,150
sustained following amendment to the

2529
02:09:22,160 --> 02:09:25,150
amendment clerk will read the amendment

2530
02:09:28,510 --> 02:09:33,500
amendment by Wyatt and Clayton I'm in

2531
02:09:31,520 --> 02:09:35,090
the committee chair recognize mr. Wyatt

2532
02:09:33,500 --> 02:09:36,680
explain the amendment mr. speaker

2533
02:09:35,090 --> 02:09:38,990
members this amendment would make the

2534
02:09:36,680 --> 02:09:40,940
lieutenant governor the chairman of the

2535
02:09:38,990 --> 02:09:42,170
legislative Tax Board and the Speaker of

2536
02:09:40,940 --> 02:09:44,000
the House the vice chairman of the

2537
02:09:42,170 --> 02:09:45,260
legislative Tax Board the reason for

2538
02:09:44,000 --> 02:09:47,840
that amendment is the Lieutenant

2539
02:09:45,260 --> 02:09:50,330
Governor is elected statewide and in all

2540
02:09:47,840 --> 02:09:53,030
legislative support agencies the council

2541
02:09:50,330 --> 02:09:54,770
etc the lieutenant governor is chairman

2542
02:09:53,030 --> 02:09:57,830
of that board because he is elected

2543
02:09:54,770 --> 02:10:00,740
statewide I've read requesters my

2544
02:09:57,830 --> 02:10:01,310
current amendment mr. Canales will the

2545
02:10:00,740 --> 02:10:03,830
gentleman yield

2546
02:10:01,310 --> 02:10:05,660
mr. white do you have now that mr.

2547
02:10:03,830 --> 02:10:07,070
Kannamma Smith's bigger mister why would

2548
02:10:05,660 --> 02:10:10,850
you explain to me the wisdom of

2549
02:10:07,070 --> 02:10:12,940
appointing the Speaker of the House for

2550
02:10:10,850 --> 02:10:15,290
members of the House of Representatives

2551
02:10:12,940 --> 02:10:18,650
lieutenant governor and for members of

2552

02:10:15,290 --> 02:10:20,270
the Senate as what is it you're going to

2553
02:10:18,650 --> 02:10:22,550
call this thing and legislative Tax

2554
02:10:20,270 --> 02:10:24,560
Board yes sir this ball is primary the

2555
02:10:22,550 --> 02:10:26,780
reason we did this mr. Canalis was it

2556
02:10:24,560 --> 02:10:28,160
follows the Legislative Budget board the

2557
02:10:26,780 --> 02:10:32,360
procedures that we set up in that

2558
02:10:28,160 --> 02:10:35,390
particular board there are any of these

2559
02:10:32,360 --> 02:10:39,320
people going to be elected by the people

2560
02:10:35,390 --> 02:10:40,910
that live in my district yes sir you're

2561
02:10:39,320 --> 02:10:42,710
going to be elected mr. Canalis you're

2562
02:10:40,910 --> 02:10:44,960
going to like me but I'm not necessarily

2563
02:10:42,710 --> 02:10:50,060
going to be on the Legislative Tax Board

2564
02:10:44,960 --> 02:10:51,470
nor chairman of revenue and Taxation mr.

2565
02:10:50,060 --> 02:10:53,330
Nam you're going to get somebody to

2566
02:10:51,470 --> 02:10:55,490
think that you're qualified for both you

2567
02:10:53,330 --> 02:10:58,130
dissipate putting somebody possibly from

2568
02:10:55,490 --> 02:11:01,160
from the larger cities to evaluate the

2569
02:10:58,130 --> 02:11:05,960
properties in my counties well naturally

2570
02:11:01,160 --> 02:11:08,120
mr. Nassif now with my vote mr. speaker

2571
02:11:05,960 --> 02:11:10,100
with the gentleman yield mr. Wilde you

2572
02:11:08,120 --> 02:11:12,590
yield mr. Adams milk I yield mr. Allen

2573
02:11:10,100 --> 02:11:14,330
Smith speaker why one of the problems is

2574
02:11:12,590 --> 02:11:16,460
it not one of the problems that we're

2575
02:11:14,330 --> 02:11:19,810
having in school finance today is that

2576
02:11:16,460 --> 02:11:23,270
we have not had enough legislative input

2577
02:11:19,810 --> 02:11:24,950
ball or a bill comes out yes or no I

2578
02:11:23,270 --> 02:11:27,110
think that this could certainly direct

2579

02:11:24,950 --> 02:11:29,810
itself to that that problem as far as

2580
02:11:27,110 --> 02:11:32,450
the the taxation question is concerned

2581
02:11:29,810 --> 02:11:36,449
it certainly is mr. Adams and one other

2582
02:11:32,450 --> 02:11:40,080
question mr. white this bill fits in

2583
02:11:36,449 --> 02:11:42,449
into the school finance program or what

2584
02:11:40,080 --> 02:11:43,920
we want to start as as a beginning and

2585
02:11:42,449 --> 02:11:45,960
don't you think this could be a

2586
02:11:43,920 --> 02:11:49,530
beginning to true reform in school

2587
02:11:45,960 --> 02:11:51,780
finance this is the first step on the

2588
02:11:49,530 --> 02:11:53,460
road the school finance reform is to

2589
02:11:51,780 --> 02:11:55,710
Adams that is exactly correct and it

2590
02:11:53,460 --> 02:11:57,390
also fits in with Mr P vetoes proposal

2591
02:11:55,710 --> 02:11:59,100
which will be up later well it fits in

2592
02:11:57,390 --> 02:12:00,840
very well mr. peep-toes proposal which

2593
02:11:59,100 --> 02:12:05,940
is on major state calendar on Friday

2594
02:12:00,840 --> 02:12:07,410
Thank You mr. Wyatt questions the only

2595
02:12:05,940 --> 02:12:09,780
deed option of the amendment to the

2596
02:12:07,410 --> 02:12:14,160
amendment is there objection

2597
02:12:09,780 --> 02:12:16,140
chair hears none nice to speak up mr.

2598
02:12:14,160 --> 02:12:16,530
doorkeeper I have a message from the

2599
02:12:16,140 --> 02:12:20,370
Senate

2600
02:12:16,530 --> 02:12:23,060
send up the message amendment to the

2601
02:12:20,370 --> 02:12:25,380
amendment clerk will read the amendment

2602
02:12:23,060 --> 02:12:27,510
amendment by Sherman event committee

2603
02:12:25,380 --> 02:12:29,730
chair recognize miss Sherman explain the

2604
02:12:27,510 --> 02:12:32,010
amendment mr. speaker members if I may

2605
02:12:29,730 --> 02:12:34,670
direct your attention please to page 2

2606

02:12:32,010 --> 02:12:37,199
of committee amendment number one

2607
02:12:34,670 --> 02:12:39,540
section 1b beginning at the top of the

2608
02:12:37,199 --> 02:12:41,429
page says board members shall be

2609
02:12:39,540 --> 02:12:43,620
appointed for terms of two years to

2610
02:12:41,429 --> 02:12:46,080
coincide with a biennial legislative

2611
02:12:43,620 --> 02:12:49,860
session and this ignores the fact that

2612
02:12:46,080 --> 02:12:52,800
the lieutenant governor has a term of

2613
02:12:49,860 --> 02:12:54,540
office which does not coincide with the

2614
02:12:52,800 --> 02:12:56,910
beginning of a biennial legislative

2615
02:12:54,540 --> 02:12:58,890
session every four years that would be

2616
02:12:56,910 --> 02:13:00,540
since we have just adopted the previous

2617
02:12:58,890 --> 02:13:02,429
amendment there would be a one-week I

2618
02:13:00,540 --> 02:13:04,290
add us in there where there would be no

2619
02:13:02,429 --> 02:13:05,880
chairman of the board and there would

2620
02:13:04,290 --> 02:13:08,429
not be a lieutenant governor so my

2621
02:13:05,880 --> 02:13:10,199
amendment merely says legislative

2622
02:13:08,429 --> 02:13:12,120
members of the board shall be appointed

2623
02:13:10,199 --> 02:13:15,420
for terms of two years at cetera and

2624
02:13:12,120 --> 02:13:16,949
then I add the words in those years in

2625
02:13:15,420 --> 02:13:19,650
which the lieutenant governor takes

2626
02:13:16,949 --> 02:13:21,690
office on the first Tuesday after the

2627
02:13:19,650 --> 02:13:26,280
organization of the legislature which is

2628
02:13:21,690 --> 02:13:28,410
what is called for in a constitution the

2629
02:13:26,280 --> 02:13:30,179
position occupied by the lieutenant

2630
02:13:28,410 --> 02:13:34,770
governor on the board shall continue to

2631
02:13:30,179 --> 02:13:36,989
be filled by the incumbent lieutenant

2632
02:13:34,770 --> 02:13:38,580
governor until such time as in incoming

2633

02:13:36,989 --> 02:13:40,500
lieutenant governor takes office that's

2634
02:13:38,580 --> 02:13:43,870
all it does just build that boy it's

2635
02:13:40,500 --> 02:13:47,290
acceptable to the author

2636
02:13:43,870 --> 02:13:48,520
miss patty Nimitz acceptable okay mr.

2637
02:13:47,290 --> 02:13:49,660
chairman send up an amendment to the

2638
02:13:48,520 --> 02:13:52,120
amendment it except the authors

2639
02:13:49,660 --> 02:13:56,230
objection to its adoption share here

2640
02:13:52,120 --> 02:13:57,190
none the amendment is adopted following

2641
02:13:56,230 --> 02:14:00,760
amendment to clerk will read the

2642
02:13:57,190 --> 02:14:02,950
amendment amendment by bar commend House

2643
02:14:00,760 --> 02:14:06,400
bill sis mr. Bach to explain his

2644
02:14:02,950 --> 02:14:08,620
amendment Thank You mr. speaker members

2645
02:14:06,400 --> 02:14:10,800
if I could have your attention this is a

2646
02:14:08,620 --> 02:14:13,900
very simple amendment

2647
02:14:10,800 --> 02:14:17,560
you know we've created commissions and

2648
02:14:13,900 --> 02:14:20,170
boards down here till the people about

2649
02:14:17,560 --> 02:14:22,630
fed up to the eyeballs with the creation

2650
02:14:20,170 --> 02:14:25,810
of new commissions and new boards and

2651
02:14:22,630 --> 02:14:28,360
every time we create them we put them in

2652
02:14:25,810 --> 02:14:30,250
Austin Texas and I think it's about time

2653
02:14:28,360 --> 02:14:31,830
and I think most of you think it's about

2654
02:14:30,250 --> 02:14:34,450
time and I've talked to you on this

2655
02:14:31,830 --> 02:14:37,660
particular matter a number of times a

2656
02:14:34,450 --> 02:14:41,850
number of you that we spread the wealth

2657
02:14:37,660 --> 02:14:44,080
of this state around insofar as the

2658
02:14:41,850 --> 02:14:45,940
administrative offices of these new

2659
02:14:44,080 --> 02:14:48,370
commissions and boards and tried to put

2660

02:14:45,940 --> 02:14:52,630
them in areas where they can do some

2661
02:14:48,370 --> 02:14:55,720
good and help the economy so what this

2662
02:14:52,630 --> 02:14:57,880
amendment does simply is to put the

2663
02:14:55,720 --> 02:15:03,640
administrative offices in Guadalupe

2664
02:14:57,880 --> 02:15:06,040
County Texas it doesn't put it doesn't

2665
02:15:03,640 --> 02:15:08,710
put it in Travis County and there is as

2666
02:15:06,040 --> 02:15:11,080
far as I can tell in the bill no

2667
02:15:08,710 --> 02:15:13,930
specific recommendation as to where

2668
02:15:11,080 --> 02:15:15,730
these offices are going to be located so

2669
02:15:13,930 --> 02:15:19,210
I thought that you might have a chance

2670
02:15:15,730 --> 02:15:23,140
in order to help the other parts of this

2671
02:15:19,210 --> 02:15:26,860
state a little bit I'd give you an

2672
02:15:23,140 --> 02:15:29,920
opportunity to locate a commission such

2673
02:15:26,860 --> 02:15:34,000
as this somewhere else rather than in

2674
02:15:29,920 --> 02:15:36,460
the great environments of this multi

2675
02:15:34,000 --> 02:15:40,150
lift city where the bureaucracy

2676
02:15:36,460 --> 02:15:42,850
continues to grow and to grow and public

2677
02:15:40,150 --> 02:15:45,010
opinion wonders what in the world are we

2678
02:15:42,850 --> 02:15:46,930
doing creating a new Commission when

2679
02:15:45,010 --> 02:15:49,920
they can't even find the ones that we

2680
02:15:46,930 --> 02:15:49,920
got up here already

2681
02:15:53,330 --> 02:15:59,340
mr. Wyatt oppose the amendment miss

2682
02:15:56,310 --> 02:16:03,540
Pickering members I just honestly

2683
02:15:59,340 --> 02:16:06,870
believe that we should not spread the

2684
02:16:03,540 --> 02:16:10,460
bureaucracy around let's keep it right

2685
02:16:06,870 --> 02:16:10,460
here in Capitol City

2686
02:16:11,870 --> 02:16:18,510
Mr Speaker I move the table mr. speaker

2687

02:16:15,000 --> 02:16:22,800
to have miss let's guess it go mr. Bach

2688
02:16:18,510 --> 02:16:24,210
you close Neil you mr. Bach is the idea

2689
02:16:22,800 --> 02:16:26,130
to get this board away from the

2690
02:16:24,210 --> 02:16:28,140
political influence by separating it

2691
02:16:26,130 --> 02:16:32,060
from this I sure am glad you asked that

2692
02:16:28,140 --> 02:16:36,120
mr. Kaster I think that a little bit of

2693
02:16:32,060 --> 02:16:38,190
length in so far is a away from Austin

2694
02:16:36,120 --> 02:16:40,920
and some of the political influences

2695
02:16:38,190 --> 02:16:43,620
certainly might spread a a wonderful ray

2696
02:16:40,920 --> 02:16:45,570
of light might bring a little bit of

2697
02:16:43,620 --> 02:16:47,790
clarity to some of the decisions that

2698
02:16:45,570 --> 02:16:50,130
the board might have to make well under

2699
02:16:47,790 --> 02:16:51,870
those circumstances would you accept an

2700
02:16:50,130 --> 02:16:54,240
amendment to send it to loving county

2701
02:16:51,870 --> 02:16:56,130
which is the most no I thought you hated

2702
02:16:54,240 --> 02:16:57,900
in the state they're hitting anybody to

2703
02:16:56,130 --> 02:17:00,210
bother them I mean they could make a

2704
02:16:57,900 --> 02:17:02,190
move at two Orla or Mentone which has a

2705
02:17:00,210 --> 02:17:04,620
population of 20 years they're faster if

2706
02:17:02,190 --> 02:17:08,280
that had if you had gotten here first

2707
02:17:04,620 --> 02:17:10,590
and had proposed this amendment for your

2708
02:17:08,280 --> 02:17:12,510
district on it's not in my district well

2709
02:17:10,590 --> 02:17:14,490
in somebody else's district I'm sure

2710
02:17:12,510 --> 02:17:16,380
that the I would probably ask you that

2711
02:17:14,490 --> 02:17:23,820
question but I think this is a central

2712
02:17:16,380 --> 02:17:26,790
location in Texas in one way the

2713
02:17:23,820 --> 02:17:31,051
gentleman yield mr. all right yield mr.

2714

02:17:26,790 --> 02:17:33,150

Bach we have a lot of fun and cuts the

2715

02:17:31,051 --> 02:17:35,670

so-called bureaucracy you think this is

2716

02:17:33,150 --> 02:17:37,740

fun mr. Allred you're sadly mistaken

2717

02:17:35,670 --> 02:17:39,810

because I'm very serious about this

2718

02:17:37,740 --> 02:17:41,730

amendment I think it's about time we

2719

02:17:39,810 --> 02:17:43,650

stopped creating boards but if at least

2720

02:17:41,730 --> 02:17:45,660

we're going to create them that's what I

2721

02:17:43,650 --> 02:17:47,340

mean in other parts of the state so the

2722

02:17:45,660 --> 02:17:50,340

people can know exactly where they are

2723

02:17:47,340 --> 02:17:52,110

from I think the people know where they

2724

02:17:50,340 --> 02:17:54,120

are in Travis County - but you're

2725

02:17:52,110 --> 02:17:56,070

cussing the so-called bureaucracy but

2726

02:17:54,120 --> 02:17:58,200

aren't you also saying you sure get a

2727

02:17:56,070 --> 02:17:58,719

hunk on the bureaucracy mr. mister all

2728
02:17:58,200 --> 02:18:00,550
right

2729
02:17:58,719 --> 02:18:03,429
well then you better go back and examine

2730
02:18:00,550 --> 02:18:04,960
your remarks I'm just trying trying to

2731
02:18:03,429 --> 02:18:07,179
spread the wealth around a little bit

2732
02:18:04,960 --> 02:18:09,250
don't understand it I've heard of the

2733
02:18:07,179 --> 02:18:11,200
worst fist this is the worst amendment

2734
02:18:09,250 --> 02:18:16,479
I've run across mr. Bao I've seen some

2735
02:18:11,200 --> 02:18:18,550
of yours mr. lurry let's box ends up an

2736
02:18:16,479 --> 02:18:20,139
amendment mr. white moves the table the

2737
02:18:18,550 --> 02:18:23,559
question occurs on a motion table all

2738
02:18:20,139 --> 02:18:25,359
those in favor the motion of tables vote

2739
02:18:23,559 --> 02:18:37,469
aye all those posed a vote no it's

2740
02:18:25,359 --> 02:18:37,469
evasion vote all members vote

2741

02:18:54,250 --> 02:18:59,690
you know

2742
02:18:56,219 --> 02:18:59,690
yo meadowsn't back going now

2743
02:19:03,440 --> 02:19:08,530
well I'll talk to em just give me a

2744
02:19:06,320 --> 02:19:08,530
number

2745
02:19:16,980 --> 02:19:32,610
they're being 7574 eyes 37 nose the

2746
02:19:21,750 --> 02:19:33,990
motion to table prevails excuse

2747
02:19:32,610 --> 02:19:35,040
representative sell it because of

2748
02:19:33,990 --> 02:19:36,810
important business on emotion

2749
02:19:35,040 --> 02:19:39,380
representative Rooker is there objection

2750
02:19:36,810 --> 02:19:39,380
chair here

2751
02:21:09,550 --> 02:21:16,900
following a moment a clerk will read the

2752
02:21:11,141 --> 02:21:20,110
amendment a minute by hosted back I'm in

2753
02:21:16,900 --> 02:21:23,340
House bill 637 by striking the hosen

2754
02:21:20,110 --> 02:21:23,340
back to where there's a minute

2755
02:21:31,300 --> 02:21:33,960
ma'am

2756
02:21:40,000 --> 02:21:57,860
mr. speaker and members I'm so scared my

2757
02:21:50,090 --> 02:22:00,800
knees are knocking first step I want you

2758
02:21:57,860 --> 02:22:04,790
to do is to very carefully pick up your

2759
02:22:00,800 --> 02:22:09,950
bill turn to the back and look at the

2760
02:22:04,790 --> 02:22:16,690
fiscal note three-year cost is over 12

2761
02:22:09,950 --> 02:22:23,540
million bucks then turn to page three

2762
02:22:16,690 --> 02:22:27,200
section L and I want you to go back home

2763
02:22:23,540 --> 02:22:29,630
after you vote for this bill and tell

2764
02:22:27,200 --> 02:22:34,900
your people what you did on page 3

2765
02:22:29,630 --> 02:22:39,320
section L you have given this tax board

2766
02:22:34,900 --> 02:22:41,150
more power more authority to rag your

2767
02:22:39,320 --> 02:22:46,280
citizens and the Internal Revenue

2768

02:22:41,150 --> 02:22:50,000
Service has you think you think I'm

2769
02:22:46,280 --> 02:22:53,570
kidding you just read it to examine all

2770
02:22:50,000 --> 02:22:56,630
books papers and accounts and to

2771
02:22:53,570 --> 02:22:59,570
interrogate under oath or otherwise any

2772
02:22:56,630 --> 02:23:01,700
and all persons whom the port the board

2773
02:22:59,570 --> 02:23:03,920
may desire to examine for the purpose of

2774
02:23:01,700 --> 02:23:06,530
obtaining or acquiring any information

2775
02:23:03,920 --> 02:23:11,150
that may in any way aid in securing a

2776
02:23:06,530 --> 02:23:13,970
compliance with any property tax law so

2777
02:23:11,150 --> 02:23:16,550
all they have to do is they come in ask

2778
02:23:13,970 --> 02:23:18,290
you to come in interrogate you under

2779
02:23:16,550 --> 02:23:21,140
oath have you bring all your books

2780
02:23:18,290 --> 02:23:23,450
papers etc in and then find out about

2781
02:23:21,140 --> 02:23:25,070
every debt burden thing they want to

2782
02:23:23,450 --> 02:23:26,060
about your financial status and if you

2783
02:23:25,070 --> 02:23:28,790
think I'm kidding you

2784
02:23:26,060 --> 02:23:32,000
just pick up the bill and read it you

2785
02:23:28,790 --> 02:23:34,370
read it now let me let me tell you one

2786
02:23:32,000 --> 02:23:37,220
other thing what my amendment does it

2787
02:23:34,370 --> 02:23:40,190
strikes all below the enacting Clause

2788
02:23:37,220 --> 02:23:41,990
and I have a caption amendment to follow

2789
02:23:40,190 --> 02:23:43,761
that up which would repeal article

2790
02:23:41,990 --> 02:23:46,011
seventy one hundred now there is one

2791
02:23:43,761 --> 02:23:48,171
thing about this bill they do away with

2792
02:23:46,011 --> 02:23:50,121
the legislative property tax committee

2793
02:23:48,171 --> 02:23:52,341
who has wasted your tax dollars for the

2794
02:23:50,121 --> 02:23:55,091
last four years and don't have nothing

2795

02:23:52,341 --> 02:23:55,091
to show for it

2796
02:23:56,980 --> 02:24:01,521
mr. speaker I'll yield in just a minute

2797
02:23:59,961 --> 02:24:03,591
for us in general not yell at this time

2798
02:24:01,521 --> 02:24:05,181
let's please read this section now let

2799
02:24:03,591 --> 02:24:08,631
me tell you what else this good old bill

2800
02:24:05,181 --> 02:24:10,341
does I want you all to call your taxes

2801
02:24:08,631 --> 02:24:12,591
cents or collectors at home before you

2802
02:24:10,341 --> 02:24:15,051
vote for this bill and see what they

2803
02:24:12,591 --> 02:24:17,601
think about it and if they endorse it

2804
02:24:15,051 --> 02:24:19,671
well then I say vote for the bill but if

2805
02:24:17,601 --> 02:24:21,650
we pass this bill your tax assessor

2806
02:24:19,671 --> 02:24:23,241
collector is going to have about two or

2807
02:24:21,650 --> 02:24:25,761
three functions that's transferring the

2808
02:24:23,241 --> 02:24:27,980
titles of your motor vehicles and

2809
02:24:25,761 --> 02:24:30,951
issuing your license plates which is

2810
02:24:27,980 --> 02:24:33,381
that job now not too tough because of

2811
02:24:30,951 --> 02:24:36,320
the little five year bill we have but

2812
02:24:33,381 --> 02:24:39,591
you're going to Berkeley eliminate what

2813
02:24:36,320 --> 02:24:42,831
we now have is local control over our

2814
02:24:39,591 --> 02:24:44,811
counties in in the state of Texas now

2815
02:24:42,831 --> 02:24:46,881
mr. Peavey tow has a bill that's going

2816
02:24:44,811 --> 02:24:50,331
to be up here Friday now mr. Peavey

2817
02:24:46,881 --> 02:24:53,991
toast bill still gives us some simulants

2818
02:24:50,331 --> 02:24:57,530
of local control this bill is creating

2819
02:24:53,991 --> 02:25:00,141
what's known as a super agency now every

2820
02:24:57,530 --> 02:25:02,511
one of us has spoken against and topped

2821
02:25:00,141 --> 02:25:04,820
against if you'll remember in the last

2822

02:25:02,511 --> 02:25:06,650
session the one thing we wanted to avoid

2823
02:25:04,820 --> 02:25:08,841
and in the con con the one thing we

2824
02:25:06,650 --> 02:25:11,841
won't avoid in the Finance Committee was

2825
02:25:08,841 --> 02:25:14,001
the creation of a super agency which all

2826
02:25:11,841 --> 02:25:18,171
of us agreed on we did not want a super

2827
02:25:14,001 --> 02:25:20,451
agency this is the super super agency

2828
02:25:18,171 --> 02:25:23,081
that they're trying to create now I

2829
02:25:20,451 --> 02:25:26,841
guarantee you you vote for this bill and

2830
02:25:23,081 --> 02:25:28,311
Lord of mercy lord have mercy on you

2831
02:25:26,841 --> 02:25:29,871
because you're going to need it when the

2832
02:25:28,311 --> 02:25:33,801
citizens of this state find out what

2833
02:25:29,871 --> 02:25:35,511
you've done - now let me let me tell you

2834
02:25:33,801 --> 02:25:39,261
this I can address it to a few

2835
02:25:35,511 --> 02:25:41,541
individuals for an example under this

2836
02:25:39,261 --> 02:25:44,440
particular section that I have been

2837
02:25:41,541 --> 02:25:48,261
referring to they can subpoena

2838
02:25:44,440 --> 02:25:50,121
say one of your ordinary citizens your

2839
02:25:48,261 --> 02:25:52,730
richer citizens your poorer citizens

2840
02:25:50,121 --> 02:25:53,410
they can bring them right in they can

2841
02:25:52,730 --> 02:25:55,391
ask them how

2842
02:25:53,410 --> 02:25:58,030
money they got in the bank they can act

2843
02:25:55,391 --> 02:26:00,190
how much Bank stock they have they can

2844
02:25:58,030 --> 02:26:01,870
ask him how many chickens they have they

2845
02:26:00,190 --> 02:26:04,240
ask of what they paid for their land

2846
02:26:01,870 --> 02:26:06,160
what they sold their land for they got

2847
02:26:04,240 --> 02:26:08,110
any power they want you read that

2848
02:26:06,160 --> 02:26:10,510
section now if you want to do that you

2849

02:26:08,110 --> 02:26:12,250
pass this old bad bill but if you don't

2850
02:26:10,510 --> 02:26:13,811
want to do that you vote for my

2851
02:26:12,250 --> 02:26:15,820
amendment will do away with both of

2852
02:26:13,811 --> 02:26:17,800
these old nasty tax boards and we'll get

2853
02:26:15,820 --> 02:26:19,150
on with mr. Pecos Bill and try to get

2854
02:26:17,800 --> 02:26:21,450
something done it's fair and equitable

2855
02:26:19,150 --> 02:26:22,750
in this state I'll yield mr. picker

2856
02:26:21,450 --> 02:26:25,840
gentleman yield

2857
02:26:22,750 --> 02:26:27,790
yeah my talking back i Kevin um it's

2858
02:26:25,840 --> 02:26:30,040
great cause back you stirred my

2859
02:26:27,790 --> 02:26:32,590
curiosity on that section F on page

2860
02:26:30,040 --> 02:26:34,240
three I thought it might and and I want

2861
02:26:32,590 --> 02:26:36,990
to ask you a question about that second

2862
02:26:34,240 --> 02:26:42,010
line it says they can examine and

2863
02:26:36,990 --> 02:26:43,601
interrogate under old or otherwise what

2864
02:26:42,010 --> 02:26:45,220
otherwise would you think that they

2865
02:26:43,601 --> 02:26:47,470
would be interrogating with authorize

2866
02:26:45,220 --> 02:26:50,320
cat-o'-nine-tails wouldn't mr. green it

2867
02:26:47,470 --> 02:26:52,510
sounds like to me that the inquisition

2868
02:26:50,320 --> 02:26:55,480
they used to do live interrogation - and

2869
02:26:52,510 --> 02:26:58,120
it was otherwise first Iraq and screw as

2870
02:26:55,480 --> 02:27:00,070
I recall I'm gonna take some for as long

2871
02:26:58,120 --> 02:27:01,870
as I got a bounce of breath in my body

2872
02:27:00,070 --> 02:27:03,940
and if I'm the only red light on this

2873
02:27:01,870 --> 02:27:05,710
board you're not gonna catch me vote for

2874
02:27:03,940 --> 02:27:07,000
garbage like this and that's just what I

2875
02:27:05,710 --> 02:27:09,250
don't think you're gonna be the only red

2876

02:27:07,000 --> 02:27:11,290
life that's tossed about and I and look

2877
02:27:09,250 --> 02:27:14,170
at it look who's gonna beat look who's

2878
02:27:11,290 --> 02:27:17,910
gonna be on this board mr. picker yes

2879
02:27:14,170 --> 02:27:20,740
the gentleman yields mr. McAllister ah

2880
02:27:17,910 --> 02:27:21,521
Johnny I think you're very sincere in

2881
02:27:20,740 --> 02:27:25,330
what you're saying

2882
02:27:21,521 --> 02:27:27,641
I wonder if you're about ready to join

2883
02:27:25,330 --> 02:27:30,430
me in saying that our whole property tax

2884
02:27:27,641 --> 02:27:32,230
situation is one big Donnybrook it's

2885
02:27:30,430 --> 02:27:34,240
definitely one big Donnybrook and as you

2886
02:27:32,230 --> 02:27:36,010
know mr. McAllister I was on the Finance

2887
02:27:34,240 --> 02:27:38,561
Committee with the with chairman

2888
02:27:36,010 --> 02:27:40,690
Caldwell and we addressed ourselves to

2889
02:27:38,561 --> 02:27:43,240
this problem and I think probably wrote

2890
02:27:40,690 --> 02:27:45,460
one of the more progressive pieces of

2891
02:27:43,240 --> 02:27:47,830
work that came out of con Connor mr.

2892
02:27:45,460 --> 02:27:50,110
Peavey toe is taking that work and put

2893
02:27:47,830 --> 02:27:52,300
it into his bill and I think that this

2894
02:27:50,110 --> 02:27:54,580
is the vehicle we should take we should

2895
02:27:52,300 --> 02:27:56,790
not take this super super agency around

2896
02:27:54,580 --> 02:27:59,410
and that's exactly what this bill does

2897
02:27:56,790 --> 02:28:01,570
whatever they don't go the cost of here

2898
02:27:59,410 --> 02:28:02,950
we are needing money here we are need

2899
02:28:01,570 --> 02:28:05,021
money for education we're going to be

2900
02:28:02,950 --> 02:28:05,311
spending 14 million in three years on

2901
02:28:05,021 --> 02:28:07,830
this

2902
02:28:05,311 --> 02:28:09,421
bill when we could be using that to a

2903

02:28:07,830 --> 02:28:12,360
greater advantage we don't need to spend

2904
02:28:09,421 --> 02:28:13,830
this kind of money we've spent I don't

2905
02:28:12,360 --> 02:28:15,541
know how much money on legislative

2906
02:28:13,830 --> 02:28:16,921
property tax committee what do they told

2907
02:28:15,541 --> 02:28:18,570
us they told us what we already knew we

2908
02:28:16,921 --> 02:28:21,181
got a mess about seven eight hundred

2909
02:28:18,570 --> 02:28:25,261
thousand a year that's right we've spent

2910
02:28:21,181 --> 02:28:27,721
a bunch of dough well do you think if

2911
02:28:25,261 --> 02:28:29,851
this bill fails are we moving toward a

2912
02:28:27,721 --> 02:28:31,891
corporation tax no sir if this bill

2913
02:28:29,851 --> 02:28:33,301
fails we got Mr P veto this bill on

2914
02:28:31,891 --> 02:28:35,700
Friday which is the answer to our

2915
02:28:33,301 --> 02:28:37,771
problems this bill all it is is creation

2916
02:28:35,700 --> 02:28:39,511
of problems and if you think you've seen

2917
02:28:37,771 --> 02:28:43,891
problems vote for this little jewel I

2918
02:28:39,511 --> 02:28:46,291
ask you to vote for my amendment that's

2919
02:28:43,891 --> 02:28:49,530
right close on this amendment mr.

2920
02:28:46,291 --> 02:28:51,330
speaker I'll yield mr. Hale mr. Tillman

2921
02:28:49,530 --> 02:28:54,391
yield of a tale I want to raise a point

2922
02:28:51,330 --> 02:28:56,251
of order mr. speaker state your point of

2923
02:28:54,391 --> 02:28:58,021
order mr. Dale I raise a point of order

2924
02:28:56,251 --> 02:29:00,271
against further consideration of the

2925
02:28:58,021 --> 02:29:04,801
Hostin back amendment in that it

2926
02:29:00,271 --> 02:29:09,061
violates rule 19 section 24 of the house

2927
02:29:04,801 --> 02:29:10,761
rose and section 30 of article 3 of the

2928
02:29:09,061 --> 02:29:14,631
Texas Constitution

2929
02:29:10,761 --> 02:29:14,631
Rangi point forward Matteo

2930

02:35:08,420 --> 02:35:13,280
they overthrow this point of order mr.

2931
02:35:10,340 --> 02:35:15,880
halston back pulled down his amendment

2932
02:35:13,280 --> 02:35:15,880
temporarily

2933
02:35:36,630 --> 02:35:40,800
following amendment the clerk will read

2934
02:35:38,560 --> 02:35:40,800
the amendment

2935
02:35:43,470 --> 02:35:48,580
amendment by hosted back I'm in House

2936
02:35:46,150 --> 02:35:55,630
bill chosen back to explain his

2937
02:35:48,580 --> 02:35:58,350
amendment mr. speaker and members

2938
02:35:55,630 --> 02:36:05,560
all I have done by this amendment is

2939
02:35:58,350 --> 02:36:07,480
simply striking the enacting clause and

2940
02:36:05,560 --> 02:36:11,860
of course that will have the effect of

2941
02:36:07,480 --> 02:36:14,020
killing the bill it's certainly will it

2942
02:36:11,860 --> 02:36:18,490
will not go back and eliminate the

2943
02:36:14,020 --> 02:36:20,890
property tax committee but this will for

2944
02:36:18,490 --> 02:36:22,810
this point in time kill the bill and

2945
02:36:20,890 --> 02:36:25,180
then we will be able to come back with

2946
02:36:22,810 --> 02:36:26,980
mr. Peavey toes bill I am as much for

2947
02:36:25,180 --> 02:36:28,870
property truthfully I'm as much for

2948
02:36:26,980 --> 02:36:30,820
property tax reform is y'all are and I

2949
02:36:28,870 --> 02:36:33,580
think it's definitely needed and it's

2950
02:36:30,820 --> 02:36:36,610
needed all over the state but sometimes

2951
02:36:33,580 --> 02:36:39,130
we have a tendency to overreact and I

2952
02:36:36,610 --> 02:36:42,130
think the provisions of this bill is

2953
02:36:39,130 --> 02:36:43,960
certainly an overreaction and so let's

2954
02:36:42,130 --> 02:36:45,790
let's knock this bill out and when mr.

2955
02:36:43,960 --> 02:36:48,730
Peavey toes bill comes up the other week

2956
02:36:45,790 --> 02:36:51,190
then we'll have our vehicle to what I

2957

02:36:48,730 --> 02:36:56,230
would call some sane property tax reform

2958
02:36:51,190 --> 02:37:01,020
in this state that's why I speak against

2959
02:36:56,230 --> 02:37:05,400
the amendment mr. speaker and members

2960
02:37:01,020 --> 02:37:09,730
no one said that road to equality and

2961
02:37:05,400 --> 02:37:13,990
school finance was going to be easy no

2962
02:37:09,730 --> 02:37:17,380
one said that we didn't need the exact

2963
02:37:13,990 --> 02:37:20,140
figures and need the study to come up

2964
02:37:17,380 --> 02:37:22,810
with the results that I believe the

2965
02:37:20,140 --> 02:37:24,550
people in this state expect now there

2966
02:37:22,810 --> 02:37:26,200
were some statements made a moment ago

2967
02:37:24,550 --> 02:37:30,100
about the legislative property tax

2968
02:37:26,200 --> 02:37:32,020
committee and what they didn't do this

2969
02:37:30,100 --> 02:37:33,760
is not going to be the legislative

2970
02:37:32,020 --> 02:37:35,560
property tax committee members it's not

2971
02:37:33,760 --> 02:37:37,510
going to have a majority of citizen

2972
02:37:35,560 --> 02:37:39,700
members it's going to be composed of

2973
02:37:37,510 --> 02:37:41,410
legislatures head-up but the lieutenant

2974
02:37:39,700 --> 02:37:42,730
governor of Texas followed by the

2975
02:37:41,410 --> 02:37:44,770
Speaker of the House and then they

2976
02:37:42,730 --> 02:37:47,320
appoint four members of each body of

2977
02:37:44,770 --> 02:37:48,489
this legislature it's not going to be a

2978
02:37:47,320 --> 02:37:50,529
wild group

2979
02:37:48,489 --> 02:37:52,720
people they're not going to be out there

2980
02:37:50,529 --> 02:37:55,209
subpoena never record of anybody in this

2981
02:37:52,720 --> 02:37:57,669
state and everybody in this state in

2982
02:37:55,209 --> 02:37:59,890
taking people into court and and

2983
02:37:57,669 --> 02:38:03,909
bringing them before of the committee

2984

02:37:59,890 --> 02:38:05,949
the board and and and telling them and

2985
02:38:03,909 --> 02:38:08,140
putting them under oath and testifying

2986
02:38:05,949 --> 02:38:11,169
every day I don't think you're going to

2987
02:38:08,140 --> 02:38:13,659
find that kind of irresponsibility from

2988
02:38:11,169 --> 02:38:15,220
the elected leaders of this state now

2989
02:38:13,659 --> 02:38:17,430
let me tell you one of the things that

2990
02:38:15,220 --> 02:38:21,430
the property tax committee has done in

2991
02:38:17,430 --> 02:38:24,850
the last year when the members of the

2992
02:38:21,430 --> 02:38:28,299
legislature became a majority they began

2993
02:38:24,850 --> 02:38:30,159
to do a market value study or a market

2994
02:38:28,299 --> 02:38:34,029
value audit in thirty five school

2995
02:38:30,159 --> 02:38:35,799
districts and what did they find they

2996
02:38:34,029 --> 02:38:38,319
found that it didn't make any difference

2997
02:38:35,799 --> 02:38:41,770
if you were a small business or a small

2998
02:38:38,319 --> 02:38:44,709
house or a small farmer are small

2999
02:38:41,770 --> 02:38:47,949
anything when it came to the appraised

3000
02:38:44,709 --> 02:38:51,069
value of your property most of that

3001
02:38:47,949 --> 02:38:53,560
value was going to be on the rolls but

3002
02:38:51,069 --> 02:38:54,609
if you are a big farmer or you were a

3003
02:38:53,560 --> 02:38:57,909
big house owner

3004
02:38:54,609 --> 02:39:00,729
are you a big corporation or you were a

3005
02:38:57,909 --> 02:39:03,850
big commercial enterprise then it came

3006
02:39:00,729 --> 02:39:07,739
down to about 50% of appraised value of

3007
02:39:03,850 --> 02:39:11,289
the property or less in every category

3008
02:39:07,739 --> 02:39:12,239
in every category now maybe that's a

3009
02:39:11,289 --> 02:39:14,529
waste of money

3010
02:39:12,239 --> 02:39:17,129
maybe it'll be a waste of money in the

3011

02:39:14,529 --> 02:39:20,049
future to let the people of Texas know

3012
02:39:17,129 --> 02:39:22,299
that if you're small you going to pay

3013
02:39:20,049 --> 02:39:24,449
more and more your value is going to be

3014
02:39:22,299 --> 02:39:29,049
on the property tax rolls of this state

3015
02:39:24,449 --> 02:39:30,729
if you want to find out what the value

3016
02:39:29,049 --> 02:39:33,039
of the property is in a district and

3017
02:39:30,729 --> 02:39:35,499
this bill doesn't touch top side or

3018
02:39:33,039 --> 02:39:36,180
bottom local control in any shape form

3019
02:39:35,499 --> 02:39:39,399
or fashion

3020
02:39:36,180 --> 02:39:41,799
it leaves local control right where it

3021
02:39:39,399 --> 02:39:43,839
ought to be and if mr. Holsten Bach is

3022
02:39:41,799 --> 02:39:47,079
worried about local control he better

3023
02:39:43,839 --> 02:39:51,939
reread the bill that he thinks is so

3024
02:39:47,079 --> 02:39:55,539
good this bill doesn't touch local

3025
02:39:51,939 --> 02:40:01,029
control at all

3026
02:39:55,539 --> 02:40:01,790
top or bottom this bill is going to give

3027
02:40:01,029 --> 02:40:04,939
you

3028
02:40:01,790 --> 02:40:08,090
Top Sider but thank you mr. Bricker Oh

3029
02:40:04,939 --> 02:40:10,550
gentlemen this bill is going to Cerie

3030
02:40:08,090 --> 02:40:13,399
figures just enormous help the necessary

3031
02:40:10,550 --> 02:40:16,880
figures to distribute funds in this

3032
02:40:13,399 --> 02:40:19,010
state on an equitable basis in two years

3033
02:40:16,880 --> 02:40:20,569
and it's going to cost you eight million

3034
02:40:19,010 --> 02:40:22,850
dollars and I understand and realize

3035
02:40:20,569 --> 02:40:25,040
that but you either going to spend the

3036
02:40:22,850 --> 02:40:26,359
money and get the information or you're

3037
02:40:25,040 --> 02:40:27,680
not going to spend the money and you're

3038

02:40:26,359 --> 02:40:29,720
going to come back up here two years

3039
02:40:27,680 --> 02:40:32,270
from now and we're going to be in the

3040
02:40:29,720 --> 02:40:34,220
same place we are right now except the

3041
02:40:32,270 --> 02:40:35,600
state courts and the federal courts are

3042
02:40:34,220 --> 02:40:37,970
going to be up here with us

3043
02:40:35,600 --> 02:40:40,609
I'll yield you know any other material

3044
02:40:37,970 --> 02:40:43,090
mr. white doesn't really boil down to

3045
02:40:40,609 --> 02:40:46,010
the question that either we are for

3046
02:40:43,090 --> 02:40:48,080
property tax reform or we're not that's

3047
02:40:46,010 --> 02:40:49,939
really about the issue involve didn't it

3048
02:40:48,080 --> 02:40:51,800
well that's part of the issue mr. Hale

3049
02:40:49,939 --> 02:40:53,750
that the issue is whether or not you're

3050
02:40:51,800 --> 02:40:57,290
gonna you're going to distribute funds

3051
02:40:53,750 --> 02:40:59,840
from the state level equitably or not we

3052
02:40:57,290 --> 02:41:01,939
can't we can't determine that even

3053
02:40:59,840 --> 02:41:04,160
though we give lip service to it unless

3054
02:41:01,939 --> 02:41:05,960
we have adequate information on which to

3055
02:41:04,160 --> 02:41:08,000
base an intelligent decision

3056
02:41:05,960 --> 02:41:10,399
yes sir mr. Hale that is correct and the

3057
02:41:08,000 --> 02:41:12,380
purpose of this Tax Board is to provide

3058
02:41:10,399 --> 02:41:14,060
and supply that information to the

3059
02:41:12,380 --> 02:41:16,460
members of the legislature so that we

3060
02:41:14,060 --> 02:41:19,189
will have accurate information brought

3061
02:41:16,460 --> 02:41:21,170
to us by our own membership after

3062
02:41:19,189 --> 02:41:23,930
thorough study and intensive

3063
02:41:21,170 --> 02:41:25,819
investigation in order that we then can

3064
02:41:23,930 --> 02:41:27,680
make an intelligent decision in the

3065

02:41:25,819 --> 02:41:29,840
distribution of these state funds yes

3066
02:41:27,680 --> 02:41:32,020
sir mr. Hale that is also correct and

3067
02:41:29,840 --> 02:41:34,880
would you agree that that's a necessary

3068
02:41:32,020 --> 02:41:37,279
prerequisite to meaningful reform and

3069
02:41:34,880 --> 02:41:40,460
our finance system for it for our local

3070
02:41:37,279 --> 02:41:42,260
school operation yes sir mr. Hale I

3071
02:41:40,460 --> 02:41:43,430
certainly do and that's why this bill

3072
02:41:42,260 --> 02:41:45,979
came out of the revenue and Taxation

3073
02:41:43,430 --> 02:41:48,290
Committee along with the property tax

3074
02:41:45,979 --> 02:41:53,300
administration bill and is on this floor

3075
02:41:48,290 --> 02:41:55,520
today Thank You mr. speaker mexicanos

3076
02:41:53,300 --> 02:41:57,590
will the gentleman you yes sir I'll

3077
02:41:55,520 --> 02:41:59,090
you'll never know semitic analysis mr.

3078
02:41:57,590 --> 02:42:01,609
white i'd like to ask you a few

3079
02:41:59,090 --> 02:42:05,060
questions concerning your bill here is

3080
02:42:01,609 --> 02:42:07,250
it the intent of this bill to create

3081
02:42:05,060 --> 02:42:11,779
this tax board and then the legislature

3082
02:42:07,250 --> 02:42:13,190
to at that time levy the tax or how do

3083
02:42:11,779 --> 02:42:15,110
you plan on working this thing

3084
02:42:13,190 --> 02:42:17,391
no sir mr. Canalis this bill doesn't

3085
02:42:15,110 --> 02:42:19,490
levy any taxes no no no no no I

3086
02:42:17,391 --> 02:42:22,601
realize that you're creating a Tax Board

3087
02:42:19,490 --> 02:42:27,380
right which isn't going to investigate

3088
02:42:22,601 --> 02:42:29,900
we're going to do an audit of the values

3089
02:42:27,380 --> 02:42:31,940
of property within the counties and

3090
02:42:29,900 --> 02:42:33,680
school districts that usually propose

3091
02:42:31,940 --> 02:42:35,900
that the legislature is going to do this

3092

02:42:33,680 --> 02:42:37,880
the Tax Board is going to do it well the

3093
02:42:35,900 --> 02:42:41,540
Tax Board it's just like the Legislative

3094
02:42:37,880 --> 02:42:43,250
Budget board hires auditors and and in

3095
02:42:41,540 --> 02:42:45,680
this ledger now it's not allowed

3096
02:42:43,250 --> 02:42:47,360
throughout the state and and look at

3097
02:42:45,680 --> 02:42:49,391
state agencies and recommend a budget

3098
02:42:47,360 --> 02:42:51,311
and this is right valorem tax purposes

3099
02:42:49,391 --> 02:42:55,610
yes sir

3100
02:42:51,311 --> 02:42:57,440
mr. speaker Mitch I'd raise a point of

3101
02:42:55,610 --> 02:42:59,780
order again against further

3102
02:42:57,440 --> 02:43:01,790
consideration of House bill 637 and that

3103
02:42:59,780 --> 02:43:07,130
it is in violation of article 8 section

3104
02:43:01,790 --> 02:43:08,811
14 which delegates to the tax assessor

3105
02:43:07,130 --> 02:43:10,521
collector of each county the authority

3106
02:43:08,811 --> 02:43:12,740
to investigate and determine the ad

3107
02:43:10,521 --> 02:43:15,910
valorem taxes in the county bring your

3108
02:43:12,740 --> 02:43:15,910
point forward mr. Canales

3109
02:44:27,670 --> 02:44:30,540
because

3110
02:44:33,800 --> 02:44:38,000
various architectures

3111
02:45:00,010 --> 02:45:05,110
I wanna voters with Dawn mr. speaker

3112
02:45:04,120 --> 02:45:08,530
with a gentleman yield for a question

3113
02:45:05,110 --> 02:45:12,280
yes or miss bigger gentleman yield let's

3114
02:45:08,530 --> 02:45:16,181
go well mr. white isn't it true that a

3115
02:45:12,280 --> 02:45:19,090
little over a year ago in Alabama there

3116
02:45:16,181 --> 02:45:21,250
ad valorem property tax was struck down

3117
02:45:19,090 --> 02:45:26,170
by the United States Supreme Court is

3118
02:45:21,250 --> 02:45:29,190
unconstitutional and that their property

3119

02:45:26,170 --> 02:45:32,110
tax ad valorem property tax bill is is

3120
02:45:29,190 --> 02:45:35,110
almost word-for-word just like ours in

3121
02:45:32,110 --> 02:45:37,240
theory yes that is correct and it was

3122
02:45:35,110 --> 02:45:43,000
struck down on several points one being

3123
02:45:37,240 --> 02:45:45,820
that values were not accurate that is

3124
02:45:43,000 --> 02:45:47,740
that the values varied and also the

3125
02:45:45,820 --> 02:45:53,170
ratio to value varied upon which the

3126
02:45:47,740 --> 02:45:59,280
state tax was imposed now I appreciate

3127
02:45:53,170 --> 02:46:02,021
the concern of mr. holsombach however

3128
02:45:59,280 --> 02:46:05,771
don't you agree that the the pivotal

3129
02:46:02,021 --> 02:46:10,420
bill which I'm a co-author of would work

3130
02:46:05,771 --> 02:46:12,340
hand in glove with this device now the

3131
02:46:10,420 --> 02:46:14,021
concern I mean the people who are

3132
02:46:12,340 --> 02:46:16,870
getting taken advantage of in this state

3133
02:46:14,021 --> 02:46:18,521
unfortunately don't know it because

3134
02:46:16,870 --> 02:46:21,340
they're the bulk of the people they're

3135
02:46:18,521 --> 02:46:23,351
the people that pay taxes on their homes

3136
02:46:21,340 --> 02:46:26,440
and provide a large measure of the

3137
02:46:23,351 --> 02:46:28,300
support for the political subdivisions

3138
02:46:26,440 --> 02:46:30,851
the school districts the drainage

3139
02:46:28,300 --> 02:46:32,141
districts the towns the cities in this

3140
02:46:30,851 --> 02:46:33,490
state they're the people who are

3141
02:46:32,141 --> 02:46:36,900
suffering now who are playing a

3142
02:46:33,490 --> 02:46:42,160
disproportionate share of this time and

3143
02:46:36,900 --> 02:46:46,330
so all you propose to do is to have a

3144
02:46:42,160 --> 02:46:48,550
vehicle by which in depth studies can be

3145
02:46:46,330 --> 02:46:53,610
made in various areas of the state to

3146

02:46:48,550 --> 02:46:56,021
help work with the pivotal plan so that

3147
02:46:53,610 --> 02:46:57,610
professionalism is achieved is that

3148
02:46:56,021 --> 02:47:00,160
isn't that what all you're trying to do

3149
02:46:57,610 --> 02:47:02,141
that is exactly right mr. Cole well we

3150
02:47:00,160 --> 02:47:03,940
have talked with the tax director of the

3151
02:47:02,141 --> 02:47:07,271
state of California the state of New

3152
02:47:03,940 --> 02:47:09,641
York we have talked to the international

3153
02:47:07,271 --> 02:47:12,190
director of property taxation in

3154
02:47:09,641 --> 02:47:13,150
Washington who did the Washington DC

3155
02:47:12,190 --> 02:47:15,131
audit

3156
02:47:13,150 --> 02:47:18,670
and every one of those gentlemen say

3157
02:47:15,131 --> 02:47:20,920
uniformly that you must have the audit

3158
02:47:18,670 --> 02:47:24,450
before you can begin to promulgate the

3159
02:47:20,920 --> 02:47:27,460
rules because to determine to provide

3160
02:47:24,450 --> 02:47:29,110
uniformity and and throughout every

3161
02:47:27,460 --> 02:47:32,110
district if you don't know where you're

3162
02:47:29,110 --> 02:47:35,440
going you can't write a rule to get

3163
02:47:32,110 --> 02:47:38,320
there and each one of them recommend and

3164
02:47:35,440 --> 02:47:41,141
recommend strongly that you must have

3165
02:47:38,320 --> 02:47:43,480
the audit now it does fit hand in glove

3166
02:47:41,141 --> 02:47:46,690
with that approach you need this

3167
02:47:43,480 --> 02:47:49,330
approach and and this help to find out

3168
02:47:46,690 --> 02:47:51,011
and to help whoever does that and

3169
02:47:49,330 --> 02:47:51,940
promulgates the rules on a statewide

3170
02:47:51,011 --> 02:47:54,280
basis

3171
02:47:51,940 --> 02:47:56,110
whoever promulgates those rules he needs

3172
02:47:54,280 --> 02:47:58,900
this information to help in that process

3173

02:47:56,110 --> 02:48:03,490
and the only power that this gives to

3174
02:47:58,900 --> 02:48:08,141
the board to inquire is on the subject

3175
02:48:03,490 --> 02:48:10,030
of valuation of real property is that

3176
02:48:08,141 --> 02:48:12,160
not right yes sir that is exactly

3177
02:48:10,030 --> 02:48:15,580
correct well I don't understand what's

3178
02:48:12,160 --> 02:48:20,051
wrong with that you know how on earth

3179
02:48:15,580 --> 02:48:21,881
are you going to discover value if you

3180
02:48:20,051 --> 02:48:24,101
don't know for example one of the

3181
02:48:21,881 --> 02:48:26,051
essential ingredients is the price that

3182
02:48:24,101 --> 02:48:29,500
was paid there's no way we can determine

3183
02:48:26,051 --> 02:48:33,181
that now is it no sir and this would

3184
02:48:29,500 --> 02:48:36,221
give us a way to find out under oath

3185
02:48:33,181 --> 02:48:38,830
pertinent facts that relate only to the

3186
02:48:36,221 --> 02:48:40,960
issue of property valuation if that's

3187
02:48:38,830 --> 02:48:42,070
necessary mr. Cole well I quite prompt

3188
02:48:40,960 --> 02:48:44,681
you don't believe it's going to be

3189
02:48:42,070 --> 02:48:46,511
necessary but if we have to have it yes

3190
02:48:44,681 --> 02:48:49,330
we do have the ability to get that

3191
02:48:46,511 --> 02:48:51,070
information it's very interesting and

3192
02:48:49,330 --> 02:48:52,360
since you raised the point I don't think

3193
02:48:51,070 --> 02:48:53,980
it'll be necessary for anyone but

3194
02:48:52,360 --> 02:48:56,620
probably the very largest for instance

3195
02:48:53,980 --> 02:48:58,660
of corporations because they never sell

3196
02:48:56,620 --> 02:48:59,740
their property it's very difficult to

3197
02:48:58,660 --> 02:49:01,960
Aude it and appraisee

3198
02:48:59,740 --> 02:49:03,881
their property so you don't really have

3199
02:49:01,960 --> 02:49:05,740
an idea you kind of have what they tell

3200

02:49:03,881 --> 02:49:07,181
you they've got that Sherman raise a

3201
02:49:05,740 --> 02:49:09,011
point of order gentleman time expired

3202
02:49:07,181 --> 02:49:11,761
point of order we're taking entertain I

3203
02:49:09,011 --> 02:49:15,420
move the table mr. Hostin box amendment

3204
02:49:11,761 --> 02:49:15,420
goes back to close

3205
02:49:24,370 --> 02:49:32,390
let me make it very clear to this house

3206
02:49:28,180 --> 02:49:36,580
that I am as strong for property tax

3207
02:49:32,390 --> 02:49:41,660
reform as mr. Wyatt

3208
02:49:36,580 --> 02:49:45,230
mr. Carville and mr. Jones and have

3209
02:49:41,660 --> 02:49:50,780
consistently voted for property tax

3210
02:49:45,230 --> 02:49:55,940
reform but the answer to property tax

3211
02:49:50,780 --> 02:49:59,420
reform is not this super agency the

3212
02:49:55,940 --> 02:50:02,660
answer to property tax reform is through

3213
02:49:59,420 --> 02:50:08,510
mr. pebbles bill which will be here at

3214
02:50:02,660 --> 02:50:11,000
the end of the week now this bill they

3215
02:50:08,510 --> 02:50:16,061
talked about Oh

3216
02:50:11,000 --> 02:50:20,300
if this bill does is allow us to study

3217
02:50:16,061 --> 02:50:23,570
it doesn't really have any power go read

3218
02:50:20,300 --> 02:50:30,021
on page 7 second printing their subpoena

3219
02:50:23,570 --> 02:50:36,561
power read under Article 71 o for the

3220
02:50:30,021 --> 02:50:41,420
failure to obey subpoenas just read what

3221
02:50:36,561 --> 02:50:44,690
this 8 page bill does and I guarantee

3222
02:50:41,420 --> 02:50:46,850
you that it goes a lot further than what

3223
02:50:44,690 --> 02:50:48,470
they would lead you to believe that it

3224
02:50:46,850 --> 02:50:49,210
does mr. speaker will the gentleman

3225
02:50:48,470 --> 02:50:53,271
yield

3226
02:50:49,210 --> 02:50:55,040
I'll yield gentlemen cancer in looking

3227

02:50:53,271 --> 02:50:58,130
at this thing mr. hosteen back it

3228
02:50:55,040 --> 02:51:01,340
appears to me that what we are doing is

3229
02:50:58,130 --> 02:51:03,940
creating an eight million dollar interim

3230
02:51:01,340 --> 02:51:06,170
Study Committee made up of legislators

3231
02:51:03,940 --> 02:51:08,660
actually it's a 14 million dollar

3232
02:51:06,170 --> 02:51:10,610
interim 14 million dollars for an

3233
02:51:08,660 --> 02:51:13,790
interim Study Committee made up of

3234
02:51:10,610 --> 02:51:15,740
legislators which the work that they're

3235
02:51:13,790 --> 02:51:17,720
supposed to do was supposed to have been

3236
02:51:15,740 --> 02:51:23,300
done by the legislative property tax

3237
02:51:17,720 --> 02:51:25,460
committee and their work is I don't know

3238
02:51:23,300 --> 02:51:27,170
mr. Gaston any idea where they're going

3239
02:51:25,460 --> 02:51:29,660
to do their studying or are they going

3240
02:51:27,170 --> 02:51:30,980
to look at Alaska and Hawaii and a few

3241
02:51:29,660 --> 02:51:32,700
other places well they've obviously

3242
02:51:30,980 --> 02:51:33,960
talked to the international

3243
02:51:32,700 --> 02:51:35,670
director and they've talked to

3244
02:51:33,960 --> 02:51:38,010
California and they talked to New York

3245
02:51:35,670 --> 02:51:39,630
and I noticed mister why it's gonna be

3246
02:51:38,010 --> 02:51:41,760
on this committee he's locked in as a

3247
02:51:39,630 --> 02:51:44,070
member of the committee didn't we have a

3248
02:51:41,760 --> 02:51:46,380
property tax study committee of some

3249
02:51:44,070 --> 02:51:49,021
kind and hasn't they're finding been

3250
02:51:46,380 --> 02:51:52,190
gathering dust as most interim Study

3251
02:51:49,021 --> 02:51:55,320
committee's findings do that's it Frank

3252
02:51:52,190 --> 02:51:58,080
wouldn't we be able to hire some outfit

3253
02:51:55,320 --> 02:52:01,590
like Bob malice is outfit here in Austin

3254

02:51:58,080 --> 02:52:05,370
pay them outright on a contractual basis

3255
02:52:01,590 --> 02:52:07,681
for at least one-fifth of this figure of

3256
02:52:05,370 --> 02:52:09,840
eight million to 14 million dollars to

3257
02:52:07,681 --> 02:52:12,330
do the same job for us professionally

3258
02:52:09,840 --> 02:52:15,271
instead of having a bunch of legislators

3259
02:52:12,330 --> 02:52:17,700
who are not accountants do the job well

3260
02:52:15,271 --> 02:52:19,410
Frank I don't know what their cost would

3261
02:52:17,700 --> 02:52:21,300
be and I'm sure that's a good point I

3262
02:52:19,410 --> 02:52:23,040
hopefully it for me to try to answer

3263
02:52:21,300 --> 02:52:24,990
that affirmatively I couldn't because

3264
02:52:23,040 --> 02:52:27,360
I'm not that familiar with them but I do

3265
02:52:24,990 --> 02:52:29,970
know that the point you're making is

3266
02:52:27,360 --> 02:52:32,970
that this is a big boondoggle it's

3267
02:52:29,970 --> 02:52:36,120
creating a super Snooper agency if the

3268
02:52:32,970 --> 02:52:38,070
people of Texas are they how many of you

3269
02:52:36,120 --> 02:52:41,070
in this room let me ask this question

3270
02:52:38,070 --> 02:52:42,990
Frank how many of you in this room said

3271
02:52:41,070 --> 02:52:46,050
I'm going to Austin to create more state

3272
02:52:42,990 --> 02:52:48,000
agencies and every time we turn around

3273
02:52:46,050 --> 02:52:50,700
we're creating a new state agency that

3274
02:52:48,000 --> 02:52:54,200
and all this is doing is creating

3275
02:52:50,700 --> 02:52:56,880
another agency another bureaucracy

3276
02:52:54,200 --> 02:52:58,561
another ripoff of the tax dollar we're

3277
02:52:56,880 --> 02:53:01,800
not going to get any tangible benefits

3278
02:52:58,561 --> 02:53:04,080
from it whatsoever I don't know I had a

3279
02:53:01,800 --> 02:53:06,391
doctor tell me some time ago that I was

3280
02:53:04,080 --> 02:53:08,160
allergic to dust and that may be why I'm

3281

02:53:06,391 --> 02:53:10,320
allergic to this bill because I think

3282
02:53:08,160 --> 02:53:12,150
the results of this is going to be just

3283
02:53:10,320 --> 02:53:14,641
another study that's going to gather

3284
02:53:12,150 --> 02:53:16,620
dust somewhere and allow a bunch of

3285
02:53:14,641 --> 02:53:18,240
legislators to run around the state and

3286
02:53:16,620 --> 02:53:23,880
run around the country at state expense

3287
02:53:18,240 --> 02:53:24,990
that's exactly right mr. speaker Salem

3288
02:53:23,880 --> 02:53:28,200
will the gentleman yield

3289
02:53:24,990 --> 02:53:30,300
jimony or mr. Salem mr. Austin back mr.

3290
02:53:28,200 --> 02:53:32,730
Gaston's said that this was creating

3291
02:53:30,300 --> 02:53:34,681
another interim study committee at the

3292
02:53:32,730 --> 02:53:37,080
cost of four million dollars and you

3293
02:53:34,681 --> 02:53:39,090
agreed with him is that right I know I

3294
02:53:37,080 --> 02:53:40,800
didn't I say to be 14 million over three

3295
02:53:39,090 --> 02:53:44,370
years but you agreed that it was an

3296
02:53:40,800 --> 02:53:46,439
interim study committee it has the same

3297
02:53:44,370 --> 02:53:48,029
it would have the same effect

3298
02:53:46,439 --> 02:53:49,920
the interim Study Committee that's true

3299
02:53:48,029 --> 02:53:52,170
mr. ha stand back I know that you're a

3300
02:53:49,920 --> 02:53:54,449
gambling man and you'll take bets on 50

3301
02:53:52,170 --> 02:53:55,680
to 1 what if this in from study

3302
02:53:54,449 --> 02:53:57,659
committee let's say that it is an

3303
02:53:55,680 --> 02:54:01,619
interim study committee got out here

3304
02:53:57,659 --> 02:54:05,789
into Texas and they audited the property

3305
02:54:01,619 --> 02:54:09,090
across the state and found that there

3306
02:54:05,789 --> 02:54:11,640
was not equality and came back and said

3307
02:54:09,090 --> 02:54:13,529
that there was not equality and said

3308

02:54:11,640 --> 02:54:16,079
that theory here is whether deficiencies

3309
02:54:13,529 --> 02:54:18,479
are what's going mr. Salem they party

3310
02:54:16,079 --> 02:54:20,939
what's new I didn't hear you I said

3311
02:54:18,479 --> 02:54:22,739
what's new don't you think that it would

3312
02:54:20,939 --> 02:54:24,989
be worth spending the money for them to

3313
02:54:22,739 --> 02:54:27,090
get out there and determine Joe I don't

3314
02:54:24,989 --> 02:54:28,680
need to spend 14 million dollars to tell

3315
02:54:27,090 --> 02:54:30,600
that for them to tell me something I

3316
02:54:28,680 --> 02:54:32,520
already know well do you know how you're

3317
02:54:30,600 --> 02:54:34,649
going to let X lady property tax be you

3318
02:54:32,520 --> 02:54:37,079
know I was an active legislature knows

3319
02:54:34,649 --> 02:54:38,729
and that mr. P veto knows it's the con

3320
02:54:37,079 --> 02:54:39,479
carne knew and we're trying to cure it

3321
02:54:38,729 --> 02:54:41,760
Donny

3322
02:54:39,479 --> 02:54:43,949
spend 14 million dollars and having go

3323
02:54:41,760 --> 02:54:45,869
looking through a bunch of books of our

3324
02:54:43,949 --> 02:54:48,119
people what to tell us something we

3325
02:54:45,869 --> 02:54:50,069
already know mr. Hassan Bank it's easy

3326
02:54:48,119 --> 02:54:52,859
to be against anything do you have any

3327
02:54:50,069 --> 02:54:54,749
constructive ideas on how this could be

3328
02:54:52,859 --> 02:54:56,640
been standing up here telling you from

3329
02:54:54,749 --> 02:54:58,829
the minute I walked up here I'm for it

3330
02:54:56,640 --> 02:55:00,840
and I'm gonna go with mr. people and

3331
02:54:58,829 --> 02:55:03,409
work for his bill but you need this bill

3332
02:55:00,840 --> 02:55:06,569
to compliment mr. Peabody low it's on

3333
02:55:03,409 --> 02:55:08,100
this bill to complement nothing mr.

3334
02:55:06,569 --> 02:55:09,390
Hosking back if you'd stop being and

3335

02:55:08,100 --> 02:55:12,149
again err and come up with something

3336
02:55:09,390 --> 02:55:13,920
constructive well you served on the con

3337
02:55:12,149 --> 02:55:16,050
con Finance Committee with me and I

3338
02:55:13,920 --> 02:55:17,699
voted and we voted and we all voted to

3339
02:55:16,050 --> 02:55:21,779
do the very thing that mr. Peavey those

3340
02:55:17,699 --> 02:55:25,439
trying to do what do you yield John for

3341
02:55:21,779 --> 02:55:30,180
you depending yes yes John you know we

3342
02:55:25,439 --> 02:55:32,130
created a election Study Commission

3343
02:55:30,180 --> 02:55:34,319
yesterday and we create this one day

3344
02:55:32,130 --> 02:55:36,689
when keep this up when create 3040 more

3345
02:55:34,319 --> 02:55:38,220
for a session hansgame all we're doing a

3346
02:55:36,689 --> 02:55:39,959
good job and don't you know the people

3347
02:55:38,220 --> 02:55:41,909
are going to appreciate that yeah and

3348
02:55:39,959 --> 02:55:43,649
everyone I bet you not even the most

3349
02:55:41,909 --> 02:55:45,959
from the most conservative or the most

3350
02:55:43,649 --> 02:55:47,520
liberal district the word you get is the

3351
02:55:45,959 --> 02:55:49,079
people don't want any more agencies and

3352
02:55:47,520 --> 02:55:50,970
that's all we do up here well don't you

3353
02:55:49,079 --> 02:55:53,159
think you fellas and we get those thick

3354
02:55:50,970 --> 02:55:55,229
reports which we file away and never

3355
02:55:53,159 --> 02:55:56,699
look at don't you think you fella is

3356
02:55:55,229 --> 02:55:57,680
gonna be on this you know these

3357
02:55:56,699 --> 02:56:00,109
so-called No

3358
02:55:57,680 --> 02:56:02,000
once they're going to enjoy these good

3359
02:56:00,109 --> 02:56:03,590
steaks in this travel if they get to

3360
02:56:02,000 --> 02:56:05,420
come down here and spend two or three

3361
02:56:03,590 --> 02:56:09,439
weeks at taxpayers expense don't you

3362

02:56:05,420 --> 02:56:11,149
think you enjoy that that's a tough

3363
02:56:09,439 --> 02:56:15,229
question well that's exactly what it's

3364
02:56:11,149 --> 02:56:17,029
going to be used for in have you ever

3365
02:56:15,229 --> 02:56:19,010
heard miss knows about the old statement

3366
02:56:17,029 --> 02:56:24,710
that one of these study Commission's is

3367
02:56:19,010 --> 02:56:26,449
a last refuge of a rascal mr. speaker

3368
02:56:24,710 --> 02:56:28,609
will the gentleman yield

3369
02:56:26,449 --> 02:56:32,229
yeah my thousand back gentleman yield to

3370
02:56:28,609 --> 02:56:35,600
mr. Garcia one one very brief questions

3371
02:56:32,229 --> 02:56:37,340
representative Hostin bark yes visualize

3372
02:56:35,600 --> 02:56:39,470
that the members that are appointed to

3373
02:56:37,340 --> 02:56:41,210
this committee will go all over the

3374
02:56:39,470 --> 02:56:43,550
state of Texas for the next two years

3375
02:56:41,210 --> 02:56:47,120
and discharge the functions that are

3376
02:56:43,550 --> 02:56:48,800
imposed upon them by this bill well if

3377
02:56:47,120 --> 02:56:50,449
the if the bill passes I would hope that

3378
02:56:48,800 --> 02:56:52,310
they would discharge the functions that

3379
02:56:50,449 --> 02:56:57,859
they've been charged did you say about

3380
02:56:52,310 --> 02:56:59,899
any interim Study committee's yeah how

3381
02:56:57,859 --> 02:57:02,420
many times do you remember having

3382
02:56:59,899 --> 02:57:04,520
trouble getting enough members to go out

3383
02:57:02,420 --> 02:57:06,920
to make it a respectable-looking

3384
02:57:04,520 --> 02:57:09,109
committee for the public to be able to

3385
02:57:06,920 --> 02:57:10,790
say we are being responded to in our

3386
02:57:09,109 --> 02:57:12,470
problems that's my knowledge all the

3387
02:57:10,790 --> 02:57:14,149
interim Study committee's made

3388
02:57:12,470 --> 02:57:15,649
respectable showings and all of them

3389

02:57:14,149 --> 02:57:17,960
made reports yes sir

3390
02:57:15,649 --> 02:57:19,850
do you think that this one would all the

3391
02:57:17,960 --> 02:57:21,470
work that is called for by this bill I

3392
02:57:19,850 --> 02:57:24,680
guarantee you they're gonna spend 14

3393
02:57:21,470 --> 02:57:26,540
million mr. Garcia or dive gear on to

3394
02:57:24,680 --> 02:57:30,160
you do you agree with me that the road

3395
02:57:26,540 --> 02:57:30,160
to heaven is paved with good intentions

3396
02:57:30,910 --> 02:57:39,790
members I would ask you to vote no on a

3397
02:57:34,939 --> 02:57:42,260
motion to table and when you do this

3398
02:57:39,790 --> 02:57:44,420
just go back and take a look at the

3399
02:57:42,260 --> 02:57:48,319
little section which gives them to fire

3400
02:57:44,420 --> 02:57:52,370
to do whatever they want with your

3401
02:57:48,319 --> 02:57:54,710
people's books records etc and then look

3402
02:57:52,370 --> 02:57:56,899
at their subpoena fire and look to what

3403
02:57:54,710 --> 02:57:59,120
happens to a person if they fail to obey

3404
02:57:56,899 --> 02:58:01,939
a subpoena and with that thought in mind

3405
02:57:59,120 --> 02:58:04,250
with the thought that we do have the

3406
02:58:01,939 --> 02:58:07,670
methods before this legislature to cure

3407
02:58:04,250 --> 02:58:08,600
our property tax problems I ask you to

3408
02:58:07,670 --> 02:58:13,580
vote no on the most

3409
02:58:08,600 --> 02:58:16,010
table okay ma'am repent those back sends

3410
02:58:13,580 --> 02:58:17,869
up an amendment mr. Wyatt mood stable

3411
02:58:16,010 --> 02:58:19,489
questions on a motion to table all those

3412
02:58:17,869 --> 02:58:21,170
in favor of the motion table vote aye

3413
02:58:19,489 --> 02:58:24,550
all those opposed to vote no it's a

3414
02:58:21,170 --> 02:58:24,550
record vote declare Corina bail

3415
02:58:31,630 --> 02:58:42,640
she'll mr. white voting aye all members

3416

02:58:40,430 --> 02:58:42,640
voted

3417
02:58:50,950 --> 02:58:58,140
okay show mr. Oh voting aye all members

3418
02:58:55,810 --> 02:58:58,140
voted

3419
02:59:11,080 --> 02:59:14,640
so Matt Donaldson boring I

3420
02:59:26,779 --> 02:59:39,090
they're being 88 hours and 53 knows the

3421
02:59:29,670 --> 02:59:40,199
motion to table prevails following

3422
02:59:39,090 --> 02:59:43,170
amendment to the amendment a clerk will

3423
02:59:40,199 --> 02:59:45,810
read the amendment amendment by hosting

3424
02:59:43,170 --> 02:59:48,870
back and charmin mr. hosting back

3425
02:59:45,810 --> 02:59:50,399
explain his amendment I won't take any

3426
02:59:48,870 --> 02:59:52,050
time this amendment this deletes that

3427
02:59:50,399 --> 02:59:53,819
section it would allow them to come in

3428
02:59:52,050 --> 02:59:55,890
and look at anything they want to look

3429
02:59:53,819 --> 02:59:58,680
at the section I was talking about

3430
02:59:55,890 --> 03:00:02,600
section 21 and it just simply deletes

3431
02:59:58,680 --> 03:00:02,600
that particular section from the bill

3432
03:00:05,210 --> 03:00:10,409
mr. Jones mr. speaker remember I'd like

3433
03:00:08,370 --> 03:00:13,649
to tell the members I don't think mr.

3434
03:00:10,409 --> 03:00:15,180
Holsten backs even read the bill if he

3435
03:00:13,649 --> 03:00:17,460
knows anything about admin role in taxes

3436
03:00:15,180 --> 03:00:19,620
in Texas every every equalization board

3437
03:00:17,460 --> 03:00:21,960
county equalization school boards of the

3438
03:00:19,620 --> 03:00:23,189
equalization have this power to examine

3439
03:00:21,960 --> 03:00:24,720
books and records the legislative

3440
03:00:23,189 --> 03:00:26,250
property tax committee had this power

3441
03:00:24,720 --> 03:00:28,489
for four years they never even used it

3442
03:00:26,250 --> 03:00:30,870
and if he'd read over on page seven

3443

03:00:28,489 --> 03:00:32,520
plates five it says with respect to

3444
03:00:30,870 --> 03:00:34,229
value related information furnished by

3445
03:00:32,520 --> 03:00:36,899
particular individuals firms and

3446
03:00:34,229 --> 03:00:38,640
corporations for purposes of the audits

3447
03:00:36,899 --> 03:00:40,800
provided for in this section no member

3448
03:00:38,640 --> 03:00:42,600
officer employee of the board may accept

3449
03:00:40,800 --> 03:00:44,489
is provided for under subsection 8 below

3450
03:00:42,600 --> 03:00:46,560
use the information for any purpose

3451
03:00:44,489 --> 03:00:48,090
other than statistical purposes for

3452
03:00:46,560 --> 03:00:49,830
which it is furnished or make any

3453
03:00:48,090 --> 03:00:52,050
publication whereby the particular

3454
03:00:49,830 --> 03:00:54,120
information can be identified or permit

3455
03:00:52,050 --> 03:00:55,620
anyone other than the members officers

3456
03:00:54,120 --> 03:00:58,109
employees of the board to examine the

3457
03:00:55,620 --> 03:00:59,909
information I move to table let's throw

3458
03:00:58,109 --> 03:01:01,529
it back close on his amendment that's

3459
03:00:59,909 --> 03:01:03,029
the most ridiculous argument ever heard

3460
03:01:01,529 --> 03:01:05,189
in the life now you think they're gonna

3461
03:01:03,029 --> 03:01:06,720
go in and have closed hearings and you

3462
03:01:05,189 --> 03:01:08,189
think the press is not gonna be allowed

3463
03:01:06,720 --> 03:01:10,170
to be there and you think when they call

3464
03:01:08,189 --> 03:01:11,760
up witnesses in with their books that

3465
03:01:10,170 --> 03:01:13,290
they're gonna allow closed hearing and

3466
03:01:11,760 --> 03:01:15,390
no one's going to know it's going to be

3467
03:01:13,290 --> 03:01:17,340
a public hearing it's going to be open

3468
03:01:15,390 --> 03:01:19,170
the press is going to be there the books

3469
03:01:17,340 --> 03:01:21,239
are going to be there the testimony is

3470

03:01:19,170 --> 03:01:24,420
going to be under oath and recorded and

3471
03:01:21,239 --> 03:01:25,770
that is a whole well if you think it's

3472
03:01:24,420 --> 03:01:27,750
going to be hidden in anger that

3473
03:01:25,770 --> 03:01:29,189
information gonna be released well how

3474
03:01:27,750 --> 03:01:31,589
long say is a

3475
03:01:29,189 --> 03:01:35,279
vote on the motion Plato I would urge

3476
03:01:31,589 --> 03:01:36,659
urge and encourage you to at least if

3477
03:01:35,279 --> 03:01:39,119
we're going to have this old bill to

3478
03:01:36,659 --> 03:01:41,100
take this section out where our people

3479
03:01:39,119 --> 03:01:43,379
are safeguarded and have their their

3480
03:01:41,100 --> 03:01:47,669
United States constitutional rights I

3481
03:01:43,379 --> 03:01:49,319
ask you to vote no mr. wax end up an

3482
03:01:47,669 --> 03:01:50,669
amendment mr. white moves the table a

3483
03:01:49,319 --> 03:01:52,289
question occurred on a motion to table

3484
03:01:50,669 --> 03:01:53,939
all those in favor of the motion table

3485
03:01:52,289 --> 03:01:55,739
vote aye all those opposed will vote no

3486
03:01:53,939 --> 03:01:57,259
it's a record vote the clerk or ring the

3487
03:01:55,739 --> 03:01:59,459
bell

3488
03:01:57,259 --> 03:02:02,089
she'll mr. white voting aye sir mr.

3489
03:01:59,459 --> 03:02:02,089
Jones voting aye

3490
03:02:08,270 --> 03:02:15,470
however all members voted show mr.

3491
03:02:12,710 --> 03:02:24,200
Baylor voting I show mr. Newton voting

3492
03:02:15,470 --> 03:02:26,120
no if all members voted mr. speaker

3493
03:02:24,200 --> 03:02:28,220
while he's getting the boat ready could

3494
03:02:26,120 --> 03:02:30,260
I ask you something go out of here would

3495
03:02:28,220 --> 03:02:32,450
you mind going and eating for a while

3496
03:02:30,260 --> 03:02:41,390
just a minute she'll miss Thompson

3497

03:02:32,450 --> 03:02:44,410
voting no-show mr. Leland voting I show

3498
03:02:41,390 --> 03:02:44,410
mr. Maloney voting No

3499
03:02:59,479 --> 03:03:05,740
they're being 89 hours and 50 knows the

3500
03:03:02,750 --> 03:03:05,740
motion to table prevails

3501
03:03:26,810 --> 03:03:29,990
don't like it

3502
03:03:43,250 --> 03:03:50,660
calling amendment a clerk will read the

3503
03:03:44,990 --> 03:03:53,181
amendment amendment by needed I'm in the

3504
03:03:50,660 --> 03:03:55,551
committee substitute two House bills mr.

3505
03:03:53,181 --> 03:03:57,580
Newton explain his amendment mr. speaker

3506
03:03:55,551 --> 03:03:59,900
and remember all this does is restored

3507
03:03:57,580 --> 03:04:01,580
worthy right now the lieutenant

3508
03:03:59,900 --> 03:04:03,771
governor's chairman speakers

3509
03:04:01,580 --> 03:04:05,330
vice-chairman and all it does is make

3510
03:04:03,771 --> 03:04:07,341
the lieutenant governor and speaker

3511
03:04:05,330 --> 03:04:09,021
co-chairman of it and I think we're

3512
03:04:07,341 --> 03:04:11,391
going to spend fourteen million dollars

3513
03:04:09,021 --> 03:04:13,490
miss Peecher poorer States upon water

3514
03:04:11,391 --> 03:04:15,980
mr. Davis a spoiler that the Newton

3515
03:04:13,490 --> 03:04:20,061
amendment is out of order in that it

3516
03:04:15,980 --> 03:04:21,771
attempts to delete from the men from the

3517
03:04:20,061 --> 03:04:23,710
bill matters which have been asserted by

3518
03:04:21,771 --> 03:04:26,540
prior amendment and that the

3519
03:04:23,710 --> 03:04:28,790
substitution form is not so materially

3520
03:04:26,540 --> 03:04:32,801
different as to render that which has

3521
03:04:28,790 --> 03:04:32,801
been previously added immaterial

3522
03:05:30,830 --> 03:05:34,841
miss davyss withdraws this bone of order

3523
03:05:36,730 --> 03:05:42,051
mr. Newton in the interest of time we're

3524

03:05:40,521 --> 03:05:43,671
all ready to go to lunch I don't think

3525
03:05:42,051 --> 03:05:46,551
it needs to be argued anymore it's 14

3526
03:05:43,671 --> 03:05:47,811
billion dollar study I think the speaker

3527
03:05:46,551 --> 03:05:49,820
and the lieutenant governor should both

3528
03:05:47,811 --> 03:05:51,501
be co-chairman I don't think there's any

3529
03:05:49,820 --> 03:05:57,950
objection to it or should we adopt it

3530
03:05:51,501 --> 03:06:00,620
and go on okay mr. Wyatt miss peak

3531
03:05:57,950 --> 03:06:02,271
remembers you vote on the thing I think

3532
03:06:00,620 --> 03:06:05,271
that you personally shall have one

3533
03:06:02,271 --> 03:06:07,610
chairman it's a hunting part again we

3534
03:06:05,271 --> 03:06:11,091
put the amendment on earlier today that

3535
03:06:07,610 --> 03:06:13,551
that the speaker authored that made the

3536
03:06:11,091 --> 03:06:16,040
lieutenant governor of Texas chairman of

3537
03:06:13,551 --> 03:06:17,721
the board and this ball is procedures

3538
03:06:16,040 --> 03:06:19,700
that have been set up historically with

3539
03:06:17,721 --> 03:06:24,471
legislative support agencies and I you

3540
03:06:19,700 --> 03:06:27,801
know vote any way you want to okay

3541
03:06:24,471 --> 03:06:29,751
members mr. mr. Newton close members mr.

3542
03:06:27,801 --> 03:06:32,391
speaker came out of committee with them

3543
03:06:29,751 --> 03:06:34,671
speaker being chairman of it this merely

3544
03:06:32,391 --> 03:06:36,320
gives the house and its are here the

3545
03:06:34,671 --> 03:06:37,971
right to be vice-chairman of it if we're

3546
03:06:36,320 --> 03:06:39,471
going to spend that kind of money I'll

3547
03:06:37,971 --> 03:06:40,910
thank the hundred and fifty members over

3548
03:06:39,471 --> 03:06:42,561
here would like to have our boys on

3549
03:06:40,910 --> 03:06:44,690
there through its vice chairman or

3550
03:06:42,561 --> 03:06:48,771
co-chairman being our speaker aren't you

3551

03:06:44,690 --> 03:06:54,820
to vote for it mr. Newton send up an

3552
03:06:48,771 --> 03:06:56,931
amendment all those in favor of demos

3553
03:06:54,820 --> 03:06:58,761
all those in favor of adopting the

3554
03:06:56,931 --> 03:07:01,480
amendment vote all those opposed vote no

3555
03:06:58,761 --> 03:07:01,480
it's division vote

3556
03:07:08,721 --> 03:07:15,681
you know Megan yeah

3557
03:07:12,051 --> 03:07:15,681
Lola members loaded

3558
03:07:46,910 --> 03:07:51,910
they're being 55,032 knows the amendment

3559
03:07:50,300 --> 03:07:54,710
is adopted

3560
03:07:51,910 --> 03:07:56,899
question now record on the adoption of

3561
03:07:54,710 --> 03:08:00,110
committee amendment number one is there

3562
03:07:56,899 --> 03:08:01,250
objection to its adoption chaired non

3563
03:08:00,110 --> 03:08:03,890
committee amendment number one is

3564
03:08:01,250 --> 03:08:08,390
adopted following caption amendment the

3565
03:08:03,890 --> 03:08:10,600
clerk will read the amendment committee

3566
03:08:08,390 --> 03:08:14,300
amendment two by Salem amend House Bill

3567
03:08:10,600 --> 03:08:15,560
637 by striking questions on the

3568
03:08:14,300 --> 03:08:17,420
adoption of the caption amendment is

3569
03:08:15,560 --> 03:08:18,770
there objection to its adoption chair

3570
03:08:17,420 --> 03:08:22,670
hearing on the caption amendment is

3571
03:08:18,770 --> 03:08:26,149
adopted mr. Wilson speak against the

3572
03:08:22,670 --> 03:08:28,010
bill mr. speaker and members you're

3573
03:08:26,149 --> 03:08:31,130
getting ready to cast a vote on whether

3574
03:08:28,010 --> 03:08:32,899
or not we adopt this bill to set up a

3575
03:08:31,130 --> 03:08:35,689
committee to study a valorem property

3576
03:08:32,899 --> 03:08:38,240
taxes in this state we've had a

3577
03:08:35,689 --> 03:08:41,090
committee study them for four years and

3578

03:08:38,240 --> 03:08:42,770
we have absolutely nothing absolutely

3579
03:08:41,090 --> 03:08:45,830
nothing except a budget for the

3580
03:08:42,770 --> 03:08:47,750
committee now we've had a lot of people

3581
03:08:45,830 --> 03:08:49,460
come up here to these mics the back mic

3582
03:08:47,750 --> 03:08:51,950
in the front mic today and tell you this

3583
03:08:49,460 --> 03:08:55,610
is the first step to school finance

3584
03:08:51,950 --> 03:08:58,220
reform that's absolutely not true the

3585
03:08:55,610 --> 03:09:00,770
first step to school finance reform is

3586
03:08:58,220 --> 03:09:02,210
to get a comprehensive school finance

3587
03:09:00,770 --> 03:09:05,990
bill out here on the floor of the house

3588
03:09:02,210 --> 03:09:08,870
this session and pass it we don't need

3589
03:09:05,990 --> 03:09:11,000
to do more studies we don't need to be

3590
03:09:08,870 --> 03:09:13,550
pulled pulled in school finance reform

3591
03:09:11,000 --> 03:09:15,950
for two years while they make this study

3592
03:09:13,550 --> 03:09:19,790
and use this bill as a reason for that

3593
03:09:15,950 --> 03:09:22,310
postponement if you are revised school

3594
03:09:19,790 --> 03:09:23,870
finance in Texas their comprehensive

3595
03:09:22,310 --> 03:09:26,390
bills that have been introduced in the

3596
03:09:23,870 --> 03:09:28,430
Texas Legislature today that you and I

3597
03:09:26,390 --> 03:09:31,820
can consider in the next five weeks and

3598
03:09:28,430 --> 03:09:33,500
pass and not need this study now I think

3599
03:09:31,820 --> 03:09:38,450
you ought to direct your attention to

3600
03:09:33,500 --> 03:09:41,479
page five section four where it mandates

3601
03:09:38,450 --> 03:09:43,670
that this committee study all taxes

3602
03:09:41,479 --> 03:09:46,399
required to be studied by laws in this

3603
03:09:43,670 --> 03:09:49,189
state those taxes are real and

3604
03:09:46,399 --> 03:09:50,840
personable personal property this

3605

03:09:49,189 --> 03:09:53,210
committee is not going to go out and

3606
03:09:50,840 --> 03:09:55,640
define their true values or the true

3607
03:09:53,210 --> 03:09:57,979
wealth of this state they're not going

3608
03:09:55,640 --> 03:09:59,480
out and study intangible property

3609
03:09:57,979 --> 03:10:01,400
they're not going to go

3610
03:09:59,480 --> 03:10:04,040
and identify those persons that hold

3611
03:10:01,400 --> 03:10:05,540
tax-free municipal bonds they're not

3612
03:10:04,040 --> 03:10:08,391
going to go out and find out and

3613
03:10:05,540 --> 03:10:11,480
evaluate those people that have \$100,000

3614
03:10:08,391 --> 03:10:13,551
CDs in the bank they're going out there

3615
03:10:11,480 --> 03:10:15,561
and study people that own a home they

3616
03:10:13,551 --> 03:10:16,820
don't a piece of real property that

3617
03:10:15,561 --> 03:10:19,490
owned their car and they're going to

3618
03:10:16,820 --> 03:10:22,461
come back with a roll a tax roll that

3619
03:10:19,490 --> 03:10:23,870
assesses real property it's not going to

3620
03:10:22,461 --> 03:10:26,240
come back and tell you what the true

3621
03:10:23,870 --> 03:10:28,070
value or the true wealth of this state

3622
03:10:26,240 --> 03:10:29,780
is they're not going to study those

3623
03:10:28,070 --> 03:10:31,671
people that really have the money in

3624
03:10:29,780 --> 03:10:33,171
this state the people that have the

3625
03:10:31,671 --> 03:10:35,631
intangible property that they're not

3626
03:10:33,171 --> 03:10:37,551
paying any taxes on they're not even

3627
03:10:35,631 --> 03:10:39,830
going to try to consider that under this

3628
03:10:37,551 --> 03:10:41,931
proposal I think you can see that it's

3629
03:10:39,830 --> 03:10:43,280
going to be worth it just exactly what

3630
03:10:41,931 --> 03:10:44,990
it's worth here today and that's the

3631
03:10:43,280 --> 03:10:47,421
paper that it's written on and we're

3632

03:10:44,990 --> 03:10:49,761
going to spend 14 million dollars in the

3633
03:10:47,421 --> 03:10:51,740
next three years to allow them to do it

3634
03:10:49,761 --> 03:10:54,681
and then we're going to postpone school

3635
03:10:51,740 --> 03:10:58,900
finance reform because we don't have the

3636
03:10:54,681 --> 03:10:58,900
facts and figures well gentlemen Italy

3637
03:12:14,069 --> 03:12:16,129
you