

1  
00:00:00,120 --> 00:00:04,830  
this system here says that it shall be

2  
00:00:02,909 --> 00:00:07,170  
if you want to get a ticket if you get

3  
00:00:04,830 --> 00:00:09,420  
one in the city of Houston and you go

4  
00:00:07,170 --> 00:00:10,920  
down to the traffic court and you ask

5  
00:00:09,420 --> 00:00:12,420  
for a trial and you don't have an

6  
00:00:10,920 --> 00:00:14,519  
attorney or don't know what's going on

7  
00:00:12,420 --> 00:00:16,350  
and the judge finds you guilty of the

8  
00:00:14,519 --> 00:00:19,170  
offense and you get to thinking about it

9  
00:00:16,350 --> 00:00:20,939  
this is an absolute prohibition against

10  
00:00:19,170 --> 00:00:23,939  
you appealing unless you appeal upon

11  
00:00:20,939 --> 00:00:25,859  
some point of error committed during the

12  
00:00:23,939 --> 00:00:28,140  
trial of the case by the court and

13  
00:00:25,859 --> 00:00:29,849  
unless you preserve that point of error

14

00:00:28,140 --> 00:00:32,460  
and take that point of error up on an

15  
00:00:29,849 --> 00:00:34,649  
appeal and I submit to you that the cost

16  
00:00:32,460 --> 00:00:37,079  
of making an appeal would be prohibitive

17  
00:00:34,649 --> 00:00:39,059  
we talked the other day about court

18  
00:00:37,079 --> 00:00:41,489  
reporters you saw me up here begging and

19  
00:00:39,059 --> 00:00:43,710  
pleading to put some limitation upon the

20  
00:00:41,489 --> 00:00:46,649  
fees charged by court reporters in

21  
00:00:43,710 --> 00:00:48,149  
preparation of transcripts of cases we

22  
00:00:46,649 --> 00:00:50,309  
were talking about transcripts in

23  
00:00:48,149 --> 00:00:51,660  
criminal cases well my friends here's

24  
00:00:50,309 --> 00:00:54,090  
another example where you're going to

25  
00:00:51,660 --> 00:00:57,210  
begin to have a transcript prepared in a

26  
00:00:54,090 --> 00:00:58,980  
Municipal Court in a City Court over a

27  
00:00:57,210 --> 00:01:01,980  
traffic ticket they're going to prepare

28  
00:00:58,980 --> 00:01:03,960  
a written record of what we know and if

29  
00:01:01,980 --> 00:01:06,720  
you want to appeal your traffic court

30  
00:01:03,960 --> 00:01:08,790  
case in the city of Houston you're gonna

31  
00:01:06,720 --> 00:01:11,189  
have to get a written record of what

32  
00:01:08,790 --> 00:01:12,540  
went on from a court reporter now what

33  
00:01:11,189 --> 00:01:14,729  
are you going to get that written record

34  
00:01:12,540 --> 00:01:16,229  
well this bill doesn't provide that a

35  
00:01:14,729 --> 00:01:18,570  
court reporter will be in attendance at

36  
00:01:16,229 --> 00:01:21,180  
all times it provides if you ask for a

37  
00:01:18,570 --> 00:01:23,700  
court reporter they will be there what

38  
00:01:21,180 --> 00:01:25,920  
happens if you are in a person who is

39  
00:01:23,700 --> 00:01:28,049  
not an attorney you want the handle of

40  
00:01:25,920 --> 00:01:30,000  
your own case in the city court and you

41

00:01:28,049 --> 00:01:32,159  
negligently fail to ask for the repute

42  
00:01:30,000 --> 00:01:34,920  
for it to be reported you don't ask for

43  
00:01:32,159 --> 00:01:36,540  
a reporter to be there well when you

44  
00:01:34,920 --> 00:01:37,140  
come to appeal they're going to say I'm

45  
00:01:36,540 --> 00:01:39,630  
sorry

46  
00:01:37,140 --> 00:01:41,880  
there is no transcript there is nothing

47  
00:01:39,630 --> 00:01:43,350  
recorded there is no way you can get a

48  
00:01:41,880 --> 00:01:45,030  
written record of this case and your

49  
00:01:43,350 --> 00:01:47,430  
appeal will automatically be denied

50  
00:01:45,030 --> 00:01:49,890  
because you can't have no basis in fact

51  
00:01:47,430 --> 00:01:51,600  
to prepare a transcript of the case and

52  
00:01:49,890 --> 00:01:53,090  
point out any points of error well the

53  
00:01:51,600 --> 00:01:56,310  
gentleman you have her question are you

54  
00:01:53,090 --> 00:01:58,140  
gentleman yields mr. Spurlock are you

55

00:01:56,310 --> 00:02:00,869

telling us then that if this bill passes

56

00:01:58,140 --> 00:02:03,420

the way those traffic tickets are going

57

00:02:00,869 --> 00:02:05,909

to be handled is just like if there's

58

00:02:03,420 --> 00:02:07,290

going to be an appeal it's just like if

59

00:02:05,909 --> 00:02:10,380

we were going to appeal

60

00:02:07,290 --> 00:02:11,880

a criminal case from a trial court to

61

00:02:10,380 --> 00:02:14,610

the Court of Criminal Appeals here in

62

00:02:11,880 --> 00:02:17,070

Austin exactly it specifies the same

63

00:02:14,610 --> 00:02:19,110

rules of procedure and well what is that

64

00:02:17,070 --> 00:02:20,400

going to do to that county judge was

65

00:02:19,110 --> 00:02:22,590

it's over there is he's going to upgrade

66

00:02:20,400 --> 00:02:25,230

him into some kind of appellate judge

67

00:02:22,590 --> 00:02:27,150

for corporation court what is that going

68

00:02:25,230 --> 00:02:28,260  
to do to him well they already are I

69  
00:02:27,150 --> 00:02:30,060  
wouldn't want mislead house they're

70  
00:02:28,260 --> 00:02:31,680  
already our appellate judges no sense

71  
00:02:30,060 --> 00:02:34,050  
but me he's going to have to be writing

72  
00:02:31,680 --> 00:02:35,580  
opinions oh yes sir yeah this is what

73  
00:02:34,050 --> 00:02:38,100  
I'm talking to me you have this county

74  
00:02:35,580 --> 00:02:41,010  
court of law judges that are going to be

75  
00:02:38,100 --> 00:02:44,490  
having jurisdiction like the Court of

76  
00:02:41,010 --> 00:02:47,220  
Criminal Appeals rendering decisions on

77  
00:02:44,490 --> 00:02:49,620  
this traffic cases that have been filed

78  
00:02:47,220 --> 00:02:52,890  
in the corporation court is there any

79  
00:02:49,620 --> 00:02:55,710  
system that those decisions are going to

80  
00:02:52,890 --> 00:02:58,140  
be reported and recorded and what's the

81  
00:02:55,710 --> 00:03:00,750  
expense involved in all that I have no

82  
00:02:58,140 --> 00:03:02,610  
no idea they simply don't provide that

83  
00:03:00,750 --> 00:03:04,470  
they provide for the first level of

84  
00:03:02,610 --> 00:03:06,480  
Appeal which would be to the appellate

85  
00:03:04,470 --> 00:03:08,160  
court in the county which is normally

86  
00:03:06,480 --> 00:03:11,730  
some kind of county court at law or some

87  
00:03:08,160 --> 00:03:14,610  
kind of county court now so if you if

88  
00:03:11,730 --> 00:03:17,489  
you have a constituent of yours that say

89  
00:03:14,610 --> 00:03:20,250  
that if he gets one more conviction his

90  
00:03:17,489 --> 00:03:23,459  
driving license is on the line or his

91  
00:03:20,250 --> 00:03:26,700  
insurance his insurance premiums are

92  
00:03:23,459 --> 00:03:29,550  
going to go way up if he wants to appeal

93  
00:03:26,700 --> 00:03:31,800  
something like that how much do you

94  
00:03:29,550 --> 00:03:35,070  
think do you can you give us an estimate

95

00:03:31,800 --> 00:03:37,410  
of the cost exclusive and not counting

96  
00:03:35,070 --> 00:03:41,100  
attorneys fees just the extra cause for

97  
00:03:37,410 --> 00:03:42,900  
having a record a transcript the field

98  
00:03:41,100 --> 00:03:46,350  
work and all that that he would take for

99  
00:03:42,900 --> 00:03:48,510  
a men to appeal this kind of case from a

100  
00:03:46,350 --> 00:03:51,570  
corporation court from the city of

101  
00:03:48,510 --> 00:03:53,310  
Houston to a county court but I can't

102  
00:03:51,570 --> 00:03:55,019  
give you an estimate of the cost I can

103  
00:03:53,310 --> 00:03:56,820  
tell you what it costs now and trial de

104  
00:03:55,019 --> 00:03:58,560  
novo in Tarrant County it's forty seven

105  
00:03:56,820 --> 00:04:01,980  
dollars and ten cents is the court cost

106  
00:03:58,560 --> 00:04:03,750  
on appealing a case from the Municipal

107  
00:04:01,980 --> 00:04:05,730  
Court to the county court that has

108  
00:04:03,750 --> 00:04:07,680  
jurisdiction of the appeals now that

109  
00:04:05,730 --> 00:04:09,720  
forty seven dollars and ten cents is not

110  
00:04:07,680 --> 00:04:11,550  
a transcript that simply means they

111  
00:04:09,720 --> 00:04:13,860  
bundle up all the papers in the case

112  
00:04:11,550 --> 00:04:15,540  
they write out the front sheet that

113  
00:04:13,860 --> 00:04:16,980  
gives the Proceedings of the case and

114  
00:04:15,540 --> 00:04:19,209  
what the conviction was and the fine

115  
00:04:16,980 --> 00:04:21,160  
charge and mail that up to the

116  
00:04:19,209 --> 00:04:23,380  
- upstairs - the Court of Appeals that

117  
00:04:21,160 --> 00:04:25,150  
hears this case that's forty seven

118  
00:04:23,380 --> 00:04:27,819  
dollars and ten cents that's the minimum

119  
00:04:25,150 --> 00:04:29,680  
cost now charged by the state I have no

120  
00:04:27,819 --> 00:04:31,690  
idea what it would be if you're asking

121  
00:04:29,680 --> 00:04:34,180  
for a written record and transcript to

122

00:04:31,690 --> 00:04:35,949  
be prepared by a court reporter and if

123  
00:04:34,180 --> 00:04:37,960  
you have to present briefs on your

124  
00:04:35,949 --> 00:04:39,970  
points of error and in order to if you

125  
00:04:37,960 --> 00:04:42,069  
will people if you understand me to

126  
00:04:39,970 --> 00:04:43,210  
present a brief or to preserve points of

127  
00:04:42,069 --> 00:04:45,669  
error you're going to need an attorney

128  
00:04:43,210 --> 00:04:47,800  
in a court of record now if you want to

129  
00:04:45,669 --> 00:04:50,280  
have an attorneys make-work bill this

130  
00:04:47,800 --> 00:04:52,419  
one's it so you are creating the

131  
00:04:50,280 --> 00:04:54,490  
occupations for attorneys in this bill

132  
00:04:52,419 --> 00:04:56,440  
if so there may be you have the award so

133  
00:04:54,490 --> 00:04:59,770  
Harris County as the court of last

134  
00:04:56,440 --> 00:05:01,360  
resort for this traffic case is courts

135  
00:04:59,770 --> 00:05:03,970  
of record just like the Court of

136  
00:05:01,360 --> 00:05:06,759  
Criminal Appeals rendering decisions

137  
00:05:03,970 --> 00:05:09,130  
exact hearing arguments and their

138  
00:05:06,759 --> 00:05:11,650  
purpose in this bill is to stop people

139  
00:05:09,130 --> 00:05:13,690  
from appealing traffic cases and they

140  
00:05:11,650 --> 00:05:15,940  
think if they make it too difficult and

141  
00:05:13,690 --> 00:05:18,130  
too laborious and too time-consuming and

142  
00:05:15,940 --> 00:05:19,960  
if they put too many methods in here by

143  
00:05:18,130 --> 00:05:22,509  
which you can run afoul of the appellate

144  
00:05:19,960 --> 00:05:24,789  
procedure then they think that they can

145  
00:05:22,509 --> 00:05:27,310  
stop the appeals of the traffic cases I

146  
00:05:24,789 --> 00:05:29,199  
say the system is much too expensive who

147  
00:05:27,310 --> 00:05:33,460  
is going mrs. Porter who is going to

148  
00:05:29,199 --> 00:05:35,349  
record and report and publish this

149

00:05:33,460 --> 00:05:38,199  
decisions that's going to be rendered by

150  
00:05:35,349 --> 00:05:41,110  
their eminences down there at the county

151  
00:05:38,199 --> 00:05:43,360  
courts a Harris County I have no idea it

152  
00:05:41,110 --> 00:05:45,610  
doesn't it doesn't provide I don't know

153  
00:05:43,360 --> 00:05:47,680  
I don't know you'd ever get a rendering

154  
00:05:45,610 --> 00:05:50,469  
of an incision now that a court I have

155  
00:05:47,680 --> 00:05:53,289  
no way of knowing this this exorbitant

156  
00:05:50,469 --> 00:05:56,409  
caused for appealing a little traffic

157  
00:05:53,289 --> 00:05:58,719  
court case what is it going to do to

158  
00:05:56,409 --> 00:06:00,729  
those thousands and thousands of workers

159  
00:05:58,719 --> 00:06:02,320  
and little people down there in Harris

160  
00:06:00,729 --> 00:06:04,539  
County or who just happened to be going

161  
00:06:02,320 --> 00:06:06,639  
through there I don't know all I know is

162  
00:06:04,539 --> 00:06:08,110  
that there were a mere 1,400 last year

163  
00:06:06,639 --> 00:06:11,229  
that appealed and they think that's too

164  
00:06:08,110 --> 00:06:13,240  
many people out of a city of 1,200,000

165  
00:06:11,229 --> 00:06:14,530  
now I don't know how many traffic

166  
00:06:13,240 --> 00:06:16,780  
tickets they wrote but I bet it's

167  
00:06:14,530 --> 00:06:19,030  
considerably in excess of 300,000 and

168  
00:06:16,780 --> 00:06:21,520  
miss Jones didn't know and I don't say

169  
00:06:19,030 --> 00:06:23,380  
that's testimony but I do know that was

170  
00:06:21,520 --> 00:06:24,820  
what we had my County almost four years

171  
00:06:23,380 --> 00:06:28,120  
ago in one city

172  
00:06:24,820 --> 00:06:29,589  
now city of 1,200,000 people how many

173  
00:06:28,120 --> 00:06:31,949  
traffic tickets do they ride a year I

174  
00:06:29,589 --> 00:06:34,839  
don't know but they're hollering about

175  
00:06:31,949 --> 00:06:36,279  
1,400 traffic tickets those people got

176

00:06:34,839 --> 00:06:38,139  
away from their system of criminal

177  
00:06:36,279 --> 00:06:40,779  
justice and they're telling you that the

178  
00:06:38,139 --> 00:06:42,490  
right to appeal de novo is not a good

179  
00:06:40,779 --> 00:06:44,199  
right that you ought to have to preserve

180  
00:06:42,490 --> 00:06:45,849  
it and have a record and have a court

181  
00:06:44,199 --> 00:06:47,770  
reporter and bring it up on points of

182  
00:06:45,849 --> 00:06:51,309  
error on a brief and I don't think that

183  
00:06:47,770 --> 00:06:53,830  
that's a different system of justice for

184  
00:06:51,309 --> 00:06:56,529  
the same people will just happen to get

185  
00:06:53,830 --> 00:06:58,059  
a ticket outside the city limits yes sir

186  
00:06:56,529 --> 00:07:00,159  
the people that get one in the city

187  
00:06:58,059 --> 00:07:01,569  
limits of Harris County and not in the

188  
00:07:00,159 --> 00:07:03,399  
city limits of Houston but within the

189  
00:07:01,569 --> 00:07:05,469  
territorial limits of Harris County will

190  
00:07:03,399 --> 00:07:07,089  
get the bonafide right to appeal the

191  
00:07:05,469 --> 00:07:09,219  
noble the same as every other citizen

192  
00:07:07,089 --> 00:07:11,229  
does and most courts in this state we

193  
00:07:09,219 --> 00:07:12,999  
accept I think of pret Wichita Falls and

194  
00:07:11,229 --> 00:07:14,709  
execute most persons if they feel the

195  
00:07:12,999 --> 00:07:17,949  
Greve they don't have to go this

196  
00:07:14,709 --> 00:07:20,979  
exorbitant expensive route yes off

197  
00:07:17,949 --> 00:07:24,550  
having to have a lawyer file a brief for

198  
00:07:20,979 --> 00:07:28,419  
them assign errors transcripts statement

199  
00:07:24,550 --> 00:07:31,300  
of facts hear arguments and file briefs

200  
00:07:28,419 --> 00:07:32,619  
and counter briefs and all that stuff

201  
00:07:31,300 --> 00:07:34,360  
that goes on in the court of criminal

202  
00:07:32,619 --> 00:07:35,860  
appeals yes sir that's what the bill

203

00:07:34,360 --> 00:07:38,649  
provides that's where all that thing

204  
00:07:35,860 --> 00:07:41,589  
that my god mr. speaker of the gentleman

205  
00:07:38,649 --> 00:07:43,029  
yield how you gentleman yields it's fair

206  
00:07:41,589 --> 00:07:44,169  
like I want to appeal to your a

207  
00:07:43,029 --> 00:07:46,180  
law-and-order

208  
00:07:44,169 --> 00:07:49,869  
sense of justice and I agree with you

209  
00:07:46,180 --> 00:07:52,809  
most of time why we we don't allow trial

210  
00:07:49,869 --> 00:07:54,939  
de novo from county court criminal

211  
00:07:52,809 --> 00:07:58,860  
courts or from criminal district courts

212  
00:07:54,939 --> 00:08:00,759  
to the Court of Criminal Appeals no

213  
00:07:58,860 --> 00:08:03,279  
submissions we don't there's some

214  
00:08:00,759 --> 00:08:05,139  
rationale for my question these are more

215  
00:08:03,279 --> 00:08:07,599  
important cases these are cases where

216  
00:08:05,139 --> 00:08:09,189  
you can go to the penitentiary in cases

217  
00:08:07,599 --> 00:08:10,389  
where you can spend over two years in

218  
00:08:09,189 --> 00:08:13,059  
the State Penitentiary

219  
00:08:10,389 --> 00:08:16,059  
yes sir these would seem much more

220  
00:08:13,059 --> 00:08:18,669  
important to a defendant to the court

221  
00:08:16,059 --> 00:08:20,379  
system to get childr Novo's and Court of

222  
00:08:18,669 --> 00:08:22,300  
Criminal Appeals or I have some

223  
00:08:20,379 --> 00:08:23,649  
appellate procedure for a new trial for

224  
00:08:22,300 --> 00:08:25,479  
these people just to make sure that

225  
00:08:23,649 --> 00:08:27,610  
we've done the right thing now we don't

226  
00:08:25,479 --> 00:08:30,639  
do that in the important cases in the

227  
00:08:27,610 --> 00:08:32,469  
felony cases I can't see why you're so

228  
00:08:30,639 --> 00:08:35,139  
concerned about giving trial de novo on

229  
00:08:32,469 --> 00:08:36,880  
a traffic ticket because mr. Denton the

230

00:08:35,139 --> 00:08:39,039  
people of this state are normally by and

231  
00:08:36,880 --> 00:08:41,500  
large concerned and fearful of the

232  
00:08:39,039 --> 00:08:44,199  
of the municipal courts as you are aware

233  
00:08:41,500 --> 00:08:46,269  
of the the most of the assumption in

234  
00:08:44,199 --> 00:08:47,860  
municipal courts in this state is once

235  
00:08:46,269 --> 00:08:49,660  
you receive a traffic tickets you

236  
00:08:47,860 --> 00:08:52,120  
wouldn't be in that court unless you

237  
00:08:49,660 --> 00:08:55,360  
were guilty and the burden is on you mr.

238  
00:08:52,120 --> 00:08:57,130  
Benson and I deny you - I just asked you

239  
00:08:55,360 --> 00:08:59,110  
to deny that it's on you when you go in

240  
00:08:57,130 --> 00:09:00,730  
most traffic courts in this state the

241  
00:08:59,110 --> 00:09:02,560  
burdens on the defendant to prove he

242  
00:09:00,730 --> 00:09:04,329  
didn't break the speech Jones apparently

243  
00:09:02,560 --> 00:09:05,790  
Illinois - ordered the gentleman's time

244  
00:09:04,329 --> 00:09:08,079  
has expired

245  
00:09:05,790 --> 00:09:13,000  
the point of order is well taken and

246  
00:09:08,079 --> 00:09:15,459  
sustained chair recognizes mr. Maddox to

247  
00:09:13,000 --> 00:09:16,120  
speak against the bill mr. speaker with

248  
00:09:15,459 --> 00:09:18,190  
gentleman yield

249  
00:09:16,120 --> 00:09:20,800  
I'll you know very briefly gentleman

250  
00:09:18,190 --> 00:09:24,399  
yield mr. Maddox you practice in

251  
00:09:20,800 --> 00:09:27,130  
municipal courts and so do I be very

252  
00:09:24,399 --> 00:09:29,470  
honest most people who have a traffic

253  
00:09:27,130 --> 00:09:31,420  
ticket that they appeal at it's a it's a

254  
00:09:29,470 --> 00:09:33,540  
frivolous appeal it's a time factor to

255  
00:09:31,420 --> 00:09:35,440  
save time and take it up and hopefully

256  
00:09:33,540 --> 00:09:37,300  
County courts are bogged down and

257

00:09:35,440 --> 00:09:38,949  
they'll dismiss a case would you

258  
00:09:37,300 --> 00:09:41,440  
generally agree to that statement I

259  
00:09:38,949 --> 00:09:44,889  
would say that it happens sometimes yes

260  
00:09:41,440 --> 00:09:46,410  
but but you don't you feel that these

261  
00:09:44,889 --> 00:09:49,810  
are then are frivolous and they're not

262  
00:09:46,410 --> 00:09:52,380  
really substantive type Appeals that

263  
00:09:49,810 --> 00:09:54,550  
under the present system trial de novo I

264  
00:09:52,380 --> 00:09:56,709  
really don't think when you're speaking

265  
00:09:54,550 --> 00:09:58,000  
of the general system trial no I don't

266  
00:09:56,709 --> 00:10:00,279  
think that's the case because basically

267  
00:09:58,000 --> 00:10:02,350  
you're speaking about cases where you've

268  
00:10:00,279 --> 00:10:04,690  
actually had a trial and if you actually

269  
00:10:02,350 --> 00:10:06,220  
had a trial those cases are not

270  
00:10:04,690 --> 00:10:08,230  
generally frivolous those are generally

271  
00:10:06,220 --> 00:10:10,389  
meaningful cases where people have

272  
00:10:08,230 --> 00:10:12,510  
actually gotten you know gotten taken by

273  
00:10:10,389 --> 00:10:14,949  
this money collected in tax-collecting

274  
00:10:12,510 --> 00:10:16,870  
Municipal Court I frankly believe and I

275  
00:10:14,949 --> 00:10:18,730  
know that's the case and in most of

276  
00:10:16,870 --> 00:10:19,779  
courts I've ever been in well you know

277  
00:10:18,730 --> 00:10:21,459  
they're talking about all these

278  
00:10:19,779 --> 00:10:24,339  
pillowcases we're talking about the

279  
00:10:21,459 --> 00:10:26,050  
cases that are actually tried but we're

280  
00:10:24,339 --> 00:10:28,209  
talking about cases are tried are

281  
00:10:26,050 --> 00:10:30,310  
usually not on the merit but the recall

282  
00:10:28,209 --> 00:10:31,779  
someone's got three traffic tickets in a

283  
00:10:30,310 --> 00:10:33,399  
12-month period and the fourth one's

284

00:10:31,779 --> 00:10:35,259  
going to cause him to lose his license

285  
00:10:33,399 --> 00:10:37,060  
or there's been a negligent collision

286  
00:10:35,259 --> 00:10:40,060  
ticket issued and he's afraid that that

287  
00:10:37,060 --> 00:10:42,459  
might be used in civil litigation it's

288  
00:10:40,060 --> 00:10:44,199  
usually a good reason for those being

289  
00:10:42,459 --> 00:10:46,060  
trying it's not always on the merit from

290  
00:10:44,199 --> 00:10:48,190  
my experience well that's the point I'm

291  
00:10:46,060 --> 00:10:49,600  
trying to make that we're have

292  
00:10:48,190 --> 00:10:51,160  
frivolous Appeals and I think if

293  
00:10:49,600 --> 00:10:52,990  
someone's really serious about fighting

294  
00:10:51,160 --> 00:10:54,580  
their ticket this system is going to

295  
00:10:52,990 --> 00:10:56,650  
help them they can go in and have their

296  
00:10:54,580 --> 00:10:57,670  
trial then they can assign points of

297  
00:10:56,650 --> 00:11:02,140  
error and probably get it dismissed

298  
00:10:57,670 --> 00:11:04,210  
faster yes but let me one thing out to

299  
00:11:02,140 --> 00:11:07,180  
you is it when you've got the facts

300  
00:11:04,210 --> 00:11:08,980  
sitting there in front of you and you're

301  
00:11:07,180 --> 00:11:10,630  
bound on those facts whatever it is and

302  
00:11:08,980 --> 00:11:12,340  
your judge rules against you you're up a

303  
00:11:10,630 --> 00:11:13,000  
creek because you can't overturn the

304  
00:11:12,340 --> 00:11:14,950  
facts

305  
00:11:13,000 --> 00:11:16,210  
you can't overturn that ruling on the

306  
00:11:14,950 --> 00:11:19,000  
facts of the problem is you see those

307  
00:11:16,210 --> 00:11:20,950  
municipal judges are the one judges in

308  
00:11:19,000 --> 00:11:23,050  
our system that are appointed and

309  
00:11:20,950 --> 00:11:24,880  
they're the people that that are

310  
00:11:23,050 --> 00:11:27,010  
appointed and they only keep their

311

00:11:24,880 --> 00:11:29,320  
office to the extent that they keep

312  
00:11:27,010 --> 00:11:31,090  
bringing in revenue into the city and if

313  
00:11:29,320 --> 00:11:32,650  
they start ruling against you

314  
00:11:31,090 --> 00:11:34,030  
up and down us or anywhere else I'm

315  
00:11:32,650 --> 00:11:36,280  
ruling against the police department

316  
00:11:34,030 --> 00:11:38,350  
Arwen against municipal authorities then

317  
00:11:36,280 --> 00:11:40,390  
they lose their jobs and that's what the

318  
00:11:38,350 --> 00:11:42,310  
problem is let me remind you this is not

319  
00:11:40,390 --> 00:11:44,020  
a bill that will affect Dallas County

320  
00:11:42,310 --> 00:11:48,100  
this is for Harris County and we do have

321  
00:11:44,020 --> 00:11:49,870  
all lawyer JP or municipal judges over

322  
00:11:48,100 --> 00:11:51,070  
some of these but I understand that

323  
00:11:49,870 --> 00:11:53,830  
you've got a bracket in there but you

324  
00:11:51,070 --> 00:11:55,780  
know so answer is happening now most

325  
00:11:53,830 --> 00:11:57,760  
these bracket bills that the sit that

326  
00:11:55,780 --> 00:11:59,980  
other cities are either growing into

327  
00:11:57,760 --> 00:12:01,600  
those brackets then automatically make

328  
00:11:59,980 --> 00:12:03,130  
them participate in those brackets so

329  
00:12:01,600 --> 00:12:05,530  
this would come down and move the

330  
00:12:03,130 --> 00:12:07,360  
brackets up we're either gonna have to

331  
00:12:05,530 --> 00:12:09,790  
come in when Dallas gets bigger or

332  
00:12:07,360 --> 00:12:11,170  
something such as that it is a bracket

333  
00:12:09,790 --> 00:12:13,330  
bill but it's a bracket bill that I

334  
00:12:11,170 --> 00:12:16,300  
think it has no business going into I

335  
00:12:13,330 --> 00:12:18,160  
don't care I want to ask you another

336  
00:12:16,300 --> 00:12:20,140  
question too I think mr. Spurlock may

337  
00:12:18,160 --> 00:12:22,540  
have unintentionally misled the house

338

00:12:20,140 --> 00:12:24,160  
you have a right now in Municipal Court

339  
00:12:22,540 --> 00:12:25,690  
to take a court report over there if you

340  
00:12:24,160 --> 00:12:29,440  
want to preserve testimony you can

341  
00:12:25,690 --> 00:12:32,170  
certainly do this isn't that correct yes

342  
00:12:29,440 --> 00:12:33,880  
true but what difference it make well

343  
00:12:32,170 --> 00:12:35,260  
I'm trying to say he's trying to say

344  
00:12:33,880 --> 00:12:37,600  
this is something that's gonna cause a

345  
00:12:35,260 --> 00:12:39,540  
problem because people are not you're

346  
00:12:37,600 --> 00:12:42,310  
not gonna have a court reporter there

347  
00:12:39,540 --> 00:12:43,870  
this expense it's not correct you know

348  
00:12:42,310 --> 00:12:46,360  
any courts of record that don't have

349  
00:12:43,870 --> 00:12:47,950  
court reporters in the courtroom no I

350  
00:12:46,360 --> 00:12:50,080  
sure don't but I do you know during

351  
00:12:47,950 --> 00:12:51,790  
lawyer there's no facts you know any

352  
00:12:50,080 --> 00:12:55,000  
lawyer that doesn't have access to a

353  
00:12:51,790 --> 00:12:56,880  
court reporter most of the time people

354  
00:12:55,000 --> 00:13:00,140  
don't have lawyers and those in those

355  
00:12:56,880 --> 00:13:03,050  
municipal courts the ones that railroad

356  
00:13:00,140 --> 00:13:04,400  
as well as I do mister you know it you

357  
00:13:03,050 --> 00:13:05,630  
know as well as I do if you go down

358  
00:13:04,400 --> 00:13:07,460  
there to Harris County and try to get a

359  
00:13:05,630 --> 00:13:09,050  
fair trial in those courts you can't get

360  
00:13:07,460 --> 00:13:09,800  
a fair trial I'm not trying to do it for

361  
00:13:09,050 --> 00:13:11,780  
Dallas County

362  
00:13:09,800 --> 00:13:14,060  
I'm telling you can't get it anywhere in

363  
00:13:11,780 --> 00:13:16,400  
those municipal courts where the judges

364  
00:13:14,060 --> 00:13:18,200  
are getting paid by the fines and

365

00:13:16,400 --> 00:13:20,240  
tickets they got in you know we had an

366  
00:13:18,200 --> 00:13:22,670  
agency bail here you know I mean we were

367  
00:13:20,240 --> 00:13:25,580  
considering these publishing of agency

368  
00:13:22,670 --> 00:13:29,210  
rules and out here the membership said

369  
00:13:25,580 --> 00:13:31,430  
look we need we need a trial de novo on

370  
00:13:29,210 --> 00:13:34,400  
those big agency appeal type things and

371  
00:13:31,430 --> 00:13:36,830  
those guys are not getting paid those

372  
00:13:34,400 --> 00:13:38,510  
those judges or ministry officials are

373  
00:13:36,830 --> 00:13:40,790  
not getting paid by the same people are

374  
00:13:38,510 --> 00:13:43,070  
taking the fines in and this house spoke

375  
00:13:40,790 --> 00:13:44,360  
to the issue we spoke to the issue of

376  
00:13:43,070 --> 00:13:46,010  
whether y'all have trial de novo and

377  
00:13:44,360 --> 00:13:48,200  
what you're trying to do you know we

378  
00:13:46,010 --> 00:13:50,300  
keep referring to this you know Fox and

379  
00:13:48,200 --> 00:13:51,560  
chicken coop well most of municipal

380  
00:13:50,300 --> 00:13:53,350  
judges are the Fox is in the chicken

381  
00:13:51,560 --> 00:13:55,730  
coops because most of them are

382  
00:13:53,350 --> 00:13:57,350  
frequently or frequently their token

383  
00:13:55,730 --> 00:13:59,330  
appointments and one for another and

384  
00:13:57,350 --> 00:14:01,010  
what does it what the matter amounts to

385  
00:13:59,330 --> 00:14:03,050  
is they're just collecting money from

386  
00:14:01,010 --> 00:14:04,820  
folks and I must make me I never

387  
00:14:03,050 --> 00:14:06,290  
practice in it yes the matters aren't

388  
00:14:04,820 --> 00:14:07,790  
you making a good argument what I'm

389  
00:14:06,290 --> 00:14:10,040  
saying that if you make them courts of

390  
00:14:07,790 --> 00:14:11,480  
record they won't be going beyond the

391  
00:14:10,040 --> 00:14:15,170  
bounds of their authority you can appeal

392

00:14:11,480 --> 00:14:17,000  
it on the record yes you can because if

393  
00:14:15,170 --> 00:14:19,370  
they step beyond the bounds of evidence

394  
00:14:17,000 --> 00:14:21,050  
and do not rule like to shoot according

395  
00:14:19,370 --> 00:14:25,310  
to law you take them up and reverse them

396  
00:14:21,050 --> 00:14:27,230  
now all you get is you're not talking

397  
00:14:25,310 --> 00:14:29,540  
about the facts you see if that judge

398  
00:14:27,230 --> 00:14:31,340  
finds you guilty on the facts that's it

399  
00:14:29,540 --> 00:14:33,170  
it doesn't make any difference and I'm

400  
00:14:31,340 --> 00:14:35,420  
not talking about the law the law has no

401  
00:14:33,170 --> 00:14:37,700  
application whatsoever in this bill

402  
00:14:35,420 --> 00:14:40,490  
you're speaking directly to the fact

403  
00:14:37,700 --> 00:14:42,770  
issue and not to the law issue the fact

404  
00:14:40,490 --> 00:14:45,140  
issue on the law issue you're going to

405  
00:14:42,770 --> 00:14:46,460  
get a trial no vote every time every

406  
00:14:45,140 --> 00:14:48,140  
time you're going to get a trial to know

407  
00:14:46,460 --> 00:14:49,370  
though you're speaking directly at the

408  
00:14:48,140 --> 00:14:51,020  
facts and that's what's the problem is

409  
00:14:49,370 --> 00:14:52,490  
when you've got that judge sitting up

410  
00:14:51,020 --> 00:14:55,010  
here in front of you the judge is paid

411  
00:14:52,490 --> 00:14:56,870  
by those fans and that judge finds you

412  
00:14:55,010 --> 00:14:59,270  
guilty you don't have a trial to know

413  
00:14:56,870 --> 00:15:01,190  
though you don't have the jury is going

414  
00:14:59,270 --> 00:15:03,140  
to decide the facts assuming you have a

415  
00:15:01,190 --> 00:15:04,550  
jury you have a jury trial in a

416  
00:15:03,140 --> 00:15:06,330  
Municipal Court you don't have them you

417  
00:15:04,550 --> 00:15:08,010  
don't have a jury well what

418  
00:15:06,330 --> 00:15:09,630  
I would assume if you want to try it in

419

00:15:08,010 --> 00:15:11,220  
Municipal Court you would I think it'd

420  
00:15:09,630 --> 00:15:14,130  
be more favorable I think most lawyers

421  
00:15:11,220 --> 00:15:15,540  
do what I'm saying the people of the

422  
00:15:14,130 --> 00:15:17,760  
city of Houston are going to try that

423  
00:15:15,540 --> 00:15:19,440  
case in the Municipal Court and they're

424  
00:15:17,760 --> 00:15:21,240  
going to try in the County Court so I

425  
00:15:19,440 --> 00:15:23,310  
can't say that you're going to on the

426  
00:15:21,240 --> 00:15:25,590  
fact situation be any worse off in

427  
00:15:23,310 --> 00:15:27,720  
either one but now I get the problem is

428  
00:15:25,590 --> 00:15:29,760  
when you get to the county court you can

429  
00:15:27,720 --> 00:15:31,860  
have a trial if you want to up there in

430  
00:15:29,760 --> 00:15:34,200  
front of a judge that's not paid by

431  
00:15:31,860 --> 00:15:36,300  
those fans he's not paid by those fines

432  
00:15:34,200 --> 00:15:37,650  
kudos he's elected by the people where

433  
00:15:36,300 --> 00:15:40,440  
the municipal judges are appointed

434  
00:15:37,650 --> 00:15:42,540  
that's what your problem is sure you can

435  
00:15:40,440 --> 00:15:44,070  
see that those and you know from your

436  
00:15:42,540 --> 00:15:46,230  
own experiences those city judges are

437  
00:15:44,070 --> 00:15:48,000  
not giving you fair trials mr. Madison I

438  
00:15:46,230 --> 00:15:49,530  
only speak the city of Houston I don't

439  
00:15:48,000 --> 00:15:51,450  
think we have that caliber of municipal

440  
00:15:49,530 --> 00:15:53,430  
judges and they don't find people to get

441  
00:15:51,450 --> 00:15:56,400  
revenues mr. Jones brought out it's a

442  
00:15:53,430 --> 00:15:58,620  
small percentage of our total budget and

443  
00:15:56,400 --> 00:16:00,750  
in it I think there's no correlation

444  
00:15:58,620 --> 00:16:01,920  
there between the justice you get the

445  
00:16:00,750 --> 00:16:04,520  
amount of money they're trying to put

446

00:16:01,920 --> 00:16:09,000  
into the city coffers it doesn't work

447  
00:16:04,520 --> 00:16:10,440  
that much in Dallas County thank you and

448  
00:16:09,000 --> 00:16:12,210  
I printed out you got an amazing problem

449  
00:16:10,440 --> 00:16:14,280  
but the thing I'm trying to point out to

450  
00:16:12,210 --> 00:16:16,860  
us in these big state agencies we are

451  
00:16:14,280 --> 00:16:19,800  
providing for trial de novo in big state

452  
00:16:16,860 --> 00:16:21,030  
agencies and the situation is is you

453  
00:16:19,800 --> 00:16:23,970  
know if you've ever been out in front of

454  
00:16:21,030 --> 00:16:26,130  
one of these jp's how are you driving

455  
00:16:23,970 --> 00:16:27,780  
through some town are you there and all

456  
00:16:26,130 --> 00:16:29,190  
of a sudden you you're driving through

457  
00:16:27,780 --> 00:16:30,690  
and you get hauled in from the Jaypee

458  
00:16:29,190 --> 00:16:32,460  
and he says aren't we're going to have a

459  
00:16:30,690 --> 00:16:34,470  
little trial and you have your little

460  
00:16:32,460 --> 00:16:36,030  
trial and he finds you guilty well it

461  
00:16:34,470 --> 00:16:38,010  
doesn't matter how good you core the

462  
00:16:36,030 --> 00:16:40,530  
record is you don't ever get to have a

463  
00:16:38,010 --> 00:16:42,420  
review of the facts of the situation the

464  
00:16:40,530 --> 00:16:45,210  
only review that what this does it cuts

465  
00:16:42,420 --> 00:16:46,140  
off any review of the facts and and

466  
00:16:45,210 --> 00:16:47,910  
that's the problem

467  
00:16:46,140 --> 00:16:49,830  
every review know the facts put you

468  
00:16:47,910 --> 00:16:51,780  
right down and you can always have a

469  
00:16:49,830 --> 00:16:53,970  
review of the law that has no effect on

470  
00:16:51,780 --> 00:16:55,800  
it but you want to have a review of the

471  
00:16:53,970 --> 00:16:57,630  
determination of whether that judge is

472  
00:16:55,800 --> 00:16:59,760  
correct or not correct on the fact

473

00:16:57,630 --> 00:17:02,100  
situation you cannot appeal the facts

474  
00:16:59,760 --> 00:17:03,690  
for instance if the officer says I saw

475  
00:17:02,100 --> 00:17:05,550  
him going down the street driving 40

476  
00:17:03,690 --> 00:17:07,410  
miles an hour you could have been going

477  
00:17:05,550 --> 00:17:09,360  
20 miles an hour and if that judge finds

478  
00:17:07,410 --> 00:17:11,130  
you guilty and it's appealed up to the

479  
00:17:09,360 --> 00:17:12,790  
higher court you're guilty it doesn't

480  
00:17:11,130 --> 00:17:15,310  
matter whether whether the officer was

481  
00:17:12,790 --> 00:17:17,170  
Ryan or anything else off the RFU have

482  
00:17:15,310 --> 00:17:18,220  
an axe deal with another individual if

483  
00:17:17,170 --> 00:17:19,810  
you have an African ear with another

484  
00:17:18,220 --> 00:17:22,089  
individual and you get and you end you

485  
00:17:19,810 --> 00:17:25,000  
in symmetrical collision doc tap ticking

486  
00:17:22,089 --> 00:17:26,589  
and the judge finds you guilty well then

487  
00:17:25,000 --> 00:17:28,449  
you don't have ever have a chance to

488  
00:17:26,589 --> 00:17:30,250  
review the facts of that of that

489  
00:17:28,449 --> 00:17:32,020  
collision there's no way you can do that

490  
00:17:30,250 --> 00:17:34,990  
most people don't understand that and

491  
00:17:32,020 --> 00:17:36,760  
that's my problem is I haven't I in a

492  
00:17:34,990 --> 00:17:38,770  
time all times I've been practicing or I

493  
00:17:36,760 --> 00:17:40,810  
probably never pay or five cases in the

494  
00:17:38,770 --> 00:17:42,790  
municipal courts but I have tried a

495  
00:17:40,810 --> 00:17:45,250  
bunch of cases in front of municipal

496  
00:17:42,790 --> 00:17:46,780  
judges and I tell you very seldom very

497  
00:17:45,250 --> 00:17:49,000  
seldom can I say that I've ever received

498  
00:17:46,780 --> 00:17:51,370  
a fair trial and I'd ask you to vote

499  
00:17:49,000 --> 00:17:55,210  
against this bill well your your

500

00:17:51,370 --> 00:17:57,610  
question I just managed don't you think

501  
00:17:55,210 --> 00:17:59,350  
that what will happen is that a lot of

502  
00:17:57,610 --> 00:18:02,080  
this judge is going to be sitting there

503  
00:17:59,350 --> 00:18:04,360  
and some little old fella is going to

504  
00:18:02,080 --> 00:18:05,620  
come up before them and they know that

505  
00:18:04,360 --> 00:18:07,870  
they're going to be staring in the face

506  
00:18:05,620 --> 00:18:11,140  
a hundred and fifty two hundred dollars

507  
00:18:07,870 --> 00:18:13,000  
in costs alone to appeal the case from

508  
00:18:11,140 --> 00:18:14,890  
the corporation court to the county

509  
00:18:13,000 --> 00:18:16,630  
court that they're going to sit there

510  
00:18:14,890 --> 00:18:19,180  
they're actually going to increase their

511  
00:18:16,630 --> 00:18:21,130  
finances say well we're just fine in

512  
00:18:19,180 --> 00:18:22,990  
fifty dollars instead of ten dollars

513  
00:18:21,130 --> 00:18:25,060  
because he's going to have to make up

514  
00:18:22,990 --> 00:18:27,520  
his mind if he wants to pay two hundred

515  
00:18:25,060 --> 00:18:28,900  
dollars in court cause I think two

516  
00:18:27,520 --> 00:18:31,900  
hundred and fifty dollars in attorneys

517  
00:18:28,900 --> 00:18:34,000  
fees to appeal this case that's right

518  
00:18:31,900 --> 00:18:35,920  
and almost have no chance if he didn't

519  
00:18:34,000 --> 00:18:37,510  
have a lawyer with him in the trial of

520  
00:18:35,920 --> 00:18:39,340  
the case that's right they're going to

521  
00:18:37,510 --> 00:18:41,230  
be increasing those fines and the only

522  
00:18:39,340 --> 00:18:43,810  
ones that are going to suffer is the

523  
00:18:41,230 --> 00:18:46,030  
people who happen to get tickets in

524  
00:18:43,810 --> 00:18:48,460  
Harris County whether they're residents

525  
00:18:46,030 --> 00:18:50,500  
there or the residents of dollars or San

526  
00:18:48,460 --> 00:18:52,300  
Antonio or whatever this is purely a

527

00:18:50,500 --> 00:18:54,460  
corrosive matter if you go confront in

528  
00:18:52,300 --> 00:18:56,290  
front of a judge and he finds you guilty

529  
00:18:54,460 --> 00:18:58,570  
on a ten dollar ticket and you're not

530  
00:18:56,290 --> 00:19:00,100  
guilty and you're not guilty if you want

531  
00:18:58,570 --> 00:19:01,420  
to appeal that ten dollar ticket

532  
00:19:00,100 --> 00:19:03,100  
it's going to cost you two or three

533  
00:19:01,420 --> 00:19:04,660  
hundred dollars and that's not right

534  
00:19:03,100 --> 00:19:06,220  
that's not justice for any of us

535  
00:19:04,660 --> 00:19:08,920  
particularly when you get in front of

536  
00:19:06,220 --> 00:19:10,090  
suddenly Shanghai Municipal Court the

537  
00:19:08,920 --> 00:19:12,100  
don't that don't make a difference

538  
00:19:10,090 --> 00:19:14,560  
what's happened let me go down to you

539  
00:19:12,100 --> 00:19:15,520  
why water what are we going to happen to

540  
00:19:14,560 --> 00:19:17,230  
what's going to happen

541

00:19:15,520 --> 00:19:19,450  
the way we want to reconcile the

542

00:19:17,230 --> 00:19:21,220  
differences of this various ports mr.

543

00:19:19,450 --> 00:19:22,960  
ezel raise me one more the gentleman's

544

00:19:21,220 --> 00:19:28,690  
time expired the Port Authority well

545

00:19:22,960 --> 00:19:31,090  
take me to stay well this matters chair

546

00:19:28,690 --> 00:19:36,429  
recognizes mr. Washington to close pour

547

00:19:31,090 --> 00:19:39,160  
the bill Thank You mr. speaker

548

00:19:36,429 --> 00:19:43,360  
mr. Hernandez would yield will you yield

549

00:19:39,160 --> 00:19:44,800  
mr. washer are you mr. Washington how

550

00:19:43,360 --> 00:19:50,679  
many courts a municipal courts do you

551

00:19:44,800 --> 00:19:55,510  
have in Houston we have six courts mr.

552

00:19:50,679 --> 00:19:58,150  
Hernandez in about 1213 judges and this

553

00:19:55,510 --> 00:20:00,309  
would require for practical purposes a

554

00:19:58,150 --> 00:20:05,260  
court reporter for each of the courts

555  
00:20:00,309 --> 00:20:07,330  
that you have no sir they don't all have

556  
00:20:05,260 --> 00:20:09,520  
docket sitting at I mean the courts

557  
00:20:07,330 --> 00:20:12,550  
don't all sit at the same time it would

558  
00:20:09,520 --> 00:20:14,530  
require at least one or several court

559  
00:20:12,550 --> 00:20:16,870  
reporters to be in attendance of the

560  
00:20:14,530 --> 00:20:19,179  
courts when the the court the court is

561  
00:20:16,870 --> 00:20:23,559  
in session for the purpose of recording

562  
00:20:19,179 --> 00:20:25,690  
the proceedings now in I'm trying to

563  
00:20:23,559 --> 00:20:27,550  
make it comparable you know to the

564  
00:20:25,690 --> 00:20:30,220  
county courts for example in San Antonio

565  
00:20:27,550 --> 00:20:32,620  
we have a court reporter for each of the

566  
00:20:30,220 --> 00:20:35,260  
courts the county courts and of course

567  
00:20:32,620 --> 00:20:37,000  
they take all guilty pleas for example

568  
00:20:35,260 --> 00:20:38,679  
are taken and recorded with this require

569  
00:20:37,000 --> 00:20:40,600  
each of the guilty pleas to be taken by

570  
00:20:38,679 --> 00:20:43,360  
a court reporter I've nearly guilty

571  
00:20:40,600 --> 00:20:45,250  
pleas not there's no requirement under

572  
00:20:43,360 --> 00:20:47,140  
the statute as you very well know mr.

573  
00:20:45,250 --> 00:20:49,750  
Hernandez that our guilty plea be taken

574  
00:20:47,140 --> 00:20:51,190  
in open court what it has a requirement

575  
00:20:49,750 --> 00:20:54,070  
to be taking an open court but not

576  
00:20:51,190 --> 00:20:57,370  
before the court so the person may enter

577  
00:20:54,070 --> 00:20:59,950  
a guilty plea on a traffic ticket or any

578  
00:20:57,370 --> 00:21:02,050  
other class see mr. misdemeanor pending

579  
00:20:59,950 --> 00:21:03,820  
in Municipal Court without making a

580  
00:21:02,050 --> 00:21:05,710  
formal presentation before the court

581

00:21:03,820 --> 00:21:08,020  
entering a plea of guilty and getting

582  
00:21:05,710 --> 00:21:09,309  
the entered up record but how many court

583  
00:21:08,020 --> 00:21:11,559  
reporters do you think would be required

584  
00:21:09,309 --> 00:21:14,350  
for Houston if this bill were to pass

585  
00:21:11,559 --> 00:21:17,080  
probably no more than two okay and they

586  
00:21:14,350 --> 00:21:19,690  
make one about 15,000 16,000 a year I'm

587  
00:21:17,080 --> 00:21:21,580  
not advised exactly what they make they

588  
00:21:19,690 --> 00:21:25,120  
probably make that much in district

589  
00:21:21,580 --> 00:21:25,740  
court or in in county court but you know

590  
00:21:25,120 --> 00:21:27,840  
of course

591  
00:21:25,740 --> 00:21:32,760  
the bill provides for alternative means

592  
00:21:27,840 --> 00:21:35,279  
of reproducing videotape and other means

593  
00:21:32,760 --> 00:21:37,289  
of recording the proceedings wouldn't

594  
00:21:35,279 --> 00:21:41,789  
necessarily wouldn't wouldn't mandate

595

00:21:37,289 --> 00:21:44,250

that a court reporter I'd like to talk

596

00:21:41,789 --> 00:21:46,740

on this bill mr. chairman Washington

597

00:21:44,250 --> 00:21:48,240

because you are my chairman the problem

598

00:21:46,740 --> 00:21:50,279

is that once it gets into Houston that

599

00:21:48,240 --> 00:21:53,039

it's going to spread to Bayer County

600

00:21:50,279 --> 00:21:54,779

where some of us that practice you know

601

00:21:53,039 --> 00:21:57,000

generally in the district courts County

602

00:21:54,779 --> 00:21:58,830

courts and periodically in a great while

603

00:21:57,000 --> 00:22:00,210

you know in a Municipal Court it's gonna

604

00:21:58,830 --> 00:22:01,740

spread and that's the reason you know

605

00:22:00,210 --> 00:22:03,179

that we're concerned we don't want to

606

00:22:01,740 --> 00:22:04,980

meddle in Houston's business understand

607

00:22:03,179 --> 00:22:06,000

we just don't want the grass to grow on

608

00:22:04,980 --> 00:22:07,590  
the other side of the fence

609  
00:22:06,000 --> 00:22:09,059  
I understand mr. Helme Hernandez you

610  
00:22:07,590 --> 00:22:10,620  
have a fine delegation of

611  
00:22:09,059 --> 00:22:13,350  
representatives down here from Bayer

612  
00:22:10,620 --> 00:22:15,720  
County and I'm sure that you and your

613  
00:22:13,350 --> 00:22:17,429  
colleagues from Barrett County will as

614  
00:22:15,720 --> 00:22:19,289  
you have in the past protect those

615  
00:22:17,429 --> 00:22:21,870  
rights and liberties of the people in

616  
00:22:19,289 --> 00:22:24,000  
bear County as you see fit and I'm

617  
00:22:21,870 --> 00:22:26,340  
certain that if you don't want this

618  
00:22:24,000 --> 00:22:27,779  
measure to apply to Bayer County as long

619  
00:22:26,340 --> 00:22:30,360  
as you're in the legislature and the

620  
00:22:27,779 --> 00:22:31,679  
formidable opponent of such measures as

621  
00:22:30,360 --> 00:22:33,090  
you are that you'd be able to keep it

622  
00:22:31,679 --> 00:22:35,460  
from happening in your County this

623  
00:22:33,090 --> 00:22:37,830  
bigger gentleman yield be happy to the

624  
00:22:35,460 --> 00:22:41,190  
gentleman you mr. Washington exist a

625  
00:22:37,830 --> 00:22:43,940  
local bill Harris County when it only

626  
00:22:41,190 --> 00:22:46,500  
applies to county having a population of

627  
00:22:43,940 --> 00:22:48,690  
1,200,000 by the last federal decennial

628  
00:22:46,500 --> 00:22:50,970  
census mr. Vic but it is a local

629  
00:22:48,690 --> 00:22:53,220  
building at mr. Washington yes it only

630  
00:22:50,970 --> 00:22:56,549  
applies the Harris County right well can

631  
00:22:53,220 --> 00:22:58,260  
you tell me why the other members in

632  
00:22:56,549 --> 00:22:59,970  
this house if this is a local bill or

633  
00:22:58,260 --> 00:23:02,190  
meddling in our affairs can you tell me

634  
00:22:59,970 --> 00:23:04,860  
that well I wouldn't I would state it in

635

00:23:02,190 --> 00:23:06,720  
such strong a terms mr. Vick they have a

636  
00:23:04,860 --> 00:23:09,029  
right to vote for it against it and I

637  
00:23:06,720 --> 00:23:10,980  
wouldn't call it meddling of course let

638  
00:23:09,029 --> 00:23:12,630  
me say that they are concerned about it

639  
00:23:10,980 --> 00:23:14,880  
the application of it at some future

640  
00:23:12,630 --> 00:23:16,919  
point to their counties but let me say

641  
00:23:14,880 --> 00:23:18,929  
that because the bill stands not only

642  
00:23:16,919 --> 00:23:20,730  
applies in Harris County mr. Barr raised

643  
00:23:18,929 --> 00:23:23,100  
the point of order that this bill is a

644  
00:23:20,730 --> 00:23:25,080  
local bill and that our search it has

645  
00:23:23,100 --> 00:23:27,720  
not met the publication that is required

646  
00:23:25,080 --> 00:23:30,409  
of a local bill we bring your point of

647  
00:23:27,720 --> 00:23:30,409  
order down front

648  
00:23:47,910 --> 00:24:05,890  
boy border is overruled for the reason

649

00:23:53,500 --> 00:24:10,030

that the bill is not a local bill mr.

650

00:24:05,890 --> 00:24:11,320

Washington may continue are you mr.

651

00:24:10,030 --> 00:24:14,350

Washington I've heard your statement

652

00:24:11,320 --> 00:24:16,720

seen you and what you've said up there I

653

00:24:14,350 --> 00:24:19,270

still haven't heard you say anything or

654

00:24:16,720 --> 00:24:20,890

address yourself to the cost of the

655

00:24:19,270 --> 00:24:22,870

people who appear in these courts that

656

00:24:20,890 --> 00:24:24,970

run as I understand night and day in

657

00:24:22,870 --> 00:24:27,750

Houston is that right some of them

658

00:24:24,970 --> 00:24:30,640

several our toys rounded Honnold

659

00:24:27,750 --> 00:24:33,540

misdemeanor cases not involving traffic

660

00:24:30,640 --> 00:24:36,190

traffic offenses necessary to meet at

661

00:24:33,540 --> 00:24:38,020

varying hours and of course that that

662

00:24:36,190 --> 00:24:40,780  
are limited to handling traffic matters

663  
00:24:38,020 --> 00:24:42,910  
mrs verloc are there to have two to

664  
00:24:40,780 --> 00:24:44,890  
three dockets per day and they don't

665  
00:24:42,910 --> 00:24:47,380  
meet on weekends but because of non

666  
00:24:44,890 --> 00:24:49,300  
traffic traffic offenses like low-grade

667  
00:24:47,380 --> 00:24:50,710  
misdemeanors Class C misdemeanors and

668  
00:24:49,300 --> 00:24:52,720  
which persons are brought to jail

669  
00:24:50,710 --> 00:24:54,670  
there's a necessity for one of the

670  
00:24:52,720 --> 00:24:56,320  
courts court three I believe is a number

671  
00:24:54,670 --> 00:24:58,210  
of it there's an assistant for that

672  
00:24:56,320 --> 00:25:00,940  
court to meet at odd hours to take up

673  
00:24:58,210 --> 00:25:02,950  
jail dockets for non traffic offense mr.

674  
00:25:00,940 --> 00:25:04,720  
Washington I would trust your statement

675  
00:25:02,950 --> 00:25:06,970  
in this regard you have practiced in

676  
00:25:04,720 --> 00:25:10,330  
courts like this what do you expect the

677  
00:25:06,970 --> 00:25:13,420  
cost would be to a person who wanted to

678  
00:25:10,330 --> 00:25:15,700  
appeal from an adverse decision in one

679  
00:25:13,420 --> 00:25:18,070  
of these courts by the terms of this

680  
00:25:15,700 --> 00:25:20,410  
bill up to the appellate court you tell

681  
00:25:18,070 --> 00:25:22,090  
me and my honest opinion mr. Spurlock I

682  
00:25:20,410 --> 00:25:24,400  
think the cost would be the same and I'm

683  
00:25:22,090 --> 00:25:26,770  
not trying to to be including the cost

684  
00:25:24,400 --> 00:25:28,780  
of a transcript because the truck the

685  
00:25:26,770 --> 00:25:31,210  
cost that the transcript is prepared at

686  
00:25:28,780 --> 00:25:34,150  
no expense to the defendant where is

687  
00:25:31,210 --> 00:25:35,740  
that that's in the bill neji if you

688  
00:25:34,150 --> 00:25:40,150  
would didn't read it to us because it

689

00:25:35,740 --> 00:25:43,560  
does not provide you read your amendment

690  
00:25:40,150 --> 00:25:43,560  
the committee amendment mr. Washington

691  
00:25:44,870 --> 00:25:53,090  
section 12 and what is the language in

692  
00:25:50,289 --> 00:25:55,309  
record on appeal the record on appeal in

693  
00:25:53,090 --> 00:25:57,230  
a case appeal from the Municipal Court

694  
00:25:55,309 --> 00:25:59,299  
consists of a transcript and where

695  
00:25:57,230 --> 00:26:01,100  
necessary to the appeal a statement

696  
00:25:59,299 --> 00:26:03,139  
affects which may be prepared by a

697  
00:26:01,100 --> 00:26:06,080  
certified court reporter of such court

698  
00:26:03,139 --> 00:26:08,299  
are from mechanical recordings of the

699  
00:26:06,080 --> 00:26:10,549  
proceedings are from videotape

700  
00:26:08,299 --> 00:26:12,529  
recordings of the proceedings comma all

701  
00:26:10,549 --> 00:26:13,220  
of which shall be at no cost to the

702  
00:26:12,529 --> 00:26:14,659  
defendant

703  
00:26:13,220 --> 00:26:16,039  
all right then that won't cost anything

704  
00:26:14,659 --> 00:26:17,720  
all right then what about the attorney

705  
00:26:16,039 --> 00:26:19,820  
that has to write the brief and has to

706  
00:26:17,720 --> 00:26:22,009  
make the points of order well that of

707  
00:26:19,820 --> 00:26:25,309  
course is the cost that the person may

708  
00:26:22,009 --> 00:26:27,499  
or may not bear his own choosing I don't

709  
00:26:25,309 --> 00:26:29,269  
think it's necessary the least the

710  
00:26:27,499 --> 00:26:31,460  
supreme court to my knowledge has not

711  
00:26:29,269 --> 00:26:33,950  
uttered on the question of the necessity

712  
00:26:31,460 --> 00:26:37,190  
for a lawyer in a traffic court offense

713  
00:26:33,950 --> 00:26:39,049  
and where the maximum no talking about

714  
00:26:37,190 --> 00:26:39,740  
an appeal perfecting an appeal mr.

715  
00:26:39,049 --> 00:26:41,539  
Washington

716

00:26:39,740 --> 00:26:43,549  
yes attorney bringing up points of order

717  
00:26:41,539 --> 00:26:45,259  
properly within the ten days it's

718  
00:26:43,549 --> 00:26:47,210  
required the motion for new trial which

719  
00:26:45,259 --> 00:26:48,649  
is required in here which must state

720  
00:26:47,210 --> 00:26:50,899  
your points of order and the hearing

721  
00:26:48,649 --> 00:26:52,999  
required on the motion for new trial you

722  
00:26:50,899 --> 00:26:54,679  
mean that that a non-lawyer layman can

723  
00:26:52,999 --> 00:26:57,740  
within wind his way through that

724  
00:26:54,679 --> 00:27:00,230  
procedure in your own estimation it

725  
00:26:57,740 --> 00:27:02,749  
would probably be difficult for thank

726  
00:27:00,230 --> 00:27:04,580  
much but it doesn't require the bill

727  
00:27:02,749 --> 00:27:06,860  
does not mandate or require that a

728  
00:27:04,580 --> 00:27:08,990  
lawyer assist a person who's appealing a

729  
00:27:06,860 --> 00:27:10,460  
traffic court case I understand this

730  
00:27:08,990 --> 00:27:12,139  
portion that's one reason we had trial

731  
00:27:10,460 --> 00:27:14,720  
de novo was that people could take it up

732  
00:27:12,139 --> 00:27:17,179  
by themselves but the point is this bill

733  
00:27:14,720 --> 00:27:19,340  
now really precludes that without the

734  
00:27:17,179 --> 00:27:22,460  
assistance of an attorney in real

735  
00:27:19,340 --> 00:27:24,379  
practical terms does it not no sir I

736  
00:27:22,460 --> 00:27:27,740  
don't believe that it does well I just

737  
00:27:24,379 --> 00:27:30,049  
grow that work figure well gentleman

738  
00:27:27,740 --> 00:27:31,610  
yield behalf of you gentleman yield

739  
00:27:30,049 --> 00:27:33,019  
Frank what kind of fear you're going to

740  
00:27:31,610 --> 00:27:34,549  
charge all these people that you're

741  
00:27:33,019 --> 00:27:37,429  
going to start appealing these cases

742  
00:27:34,549 --> 00:27:38,539  
farther now do it themselves mr.

743

00:27:37,429 --> 00:27:40,070  
Halliwell I'm getting out of the

744  
00:27:38,539 --> 00:27:42,139  
criminal law business I don't think I'll

745  
00:27:40,070 --> 00:27:44,240  
be I haven't handled a traffic cold case

746  
00:27:42,139 --> 00:27:45,919  
and a good while and a doubt sister did

747  
00:27:44,240 --> 00:27:47,869  
that be enough money involved for me to

748  
00:27:45,919 --> 00:27:50,869  
warrant getting back into the business

749  
00:27:47,869 --> 00:27:53,240  
I'm gonna get it mr. speaker mr. Landis

750  
00:27:50,869 --> 00:27:54,250  
will the Chairman yield please I'll be

751  
00:27:53,240 --> 00:27:57,640  
happy to hear

752  
00:27:54,250 --> 00:27:59,640  
you mr. Washington again being concerned

753  
00:27:57,640 --> 00:28:01,809  
about Barry County should in the Senate

754  
00:27:59,640 --> 00:28:04,480  
something happened to the bill and they

755  
00:28:01,809 --> 00:28:06,520  
attach it or mayor County's attached to

756  
00:28:04,480 --> 00:28:09,100  
it can you tell us at this time that you

757  
00:28:06,520 --> 00:28:10,960  
will help us get Barry County office if

758  
00:28:09,100 --> 00:28:14,020  
it comes back to the house when it comes

759  
00:28:10,960 --> 00:28:15,730  
back on conference I do my level best to

760  
00:28:14,020 --> 00:28:18,190  
mr. Hernandez it would then become a

761  
00:28:15,730 --> 00:28:19,570  
bracket bill if it applied to Harris

762  
00:28:18,190 --> 00:28:21,909  
County would happen to then apply to

763  
00:28:19,570 --> 00:28:24,580  
Dallas County before it could apply to

764  
00:28:21,909 --> 00:28:26,500  
bare County they might go both the bill

765  
00:28:24,580 --> 00:28:28,240  
would be bracketed on both and if you

766  
00:28:26,500 --> 00:28:29,650  
touch it to a point and I would raise it

767  
00:28:28,240 --> 00:28:31,240  
yeah I understand it but if they bring

768  
00:28:29,650 --> 00:28:32,620  
in Dallas and Bayer County

769  
00:28:31,240 --> 00:28:34,510  
if delos should want it later on but

770

00:28:32,620 --> 00:28:36,700  
fair county I would say at this time

771  
00:28:34,510 --> 00:28:38,620  
that can you more or less tell us that

772  
00:28:36,700 --> 00:28:39,730  
you will not accept Bayer County

773  
00:28:38,620 --> 00:28:42,130  
should you be on the conference

774  
00:28:39,730 --> 00:28:43,870  
committee and probably you will be to my

775  
00:28:42,130 --> 00:28:45,669  
knowledge mr. Hernandez there's no way

776  
00:28:43,870 --> 00:28:48,520  
to make the bill apply to Harris County

777  
00:28:45,669 --> 00:28:50,830  
at bare County and exclude Dallas County

778  
00:28:48,520 --> 00:28:53,260  
well we're not concerned about excluding

779  
00:28:50,830 --> 00:28:54,730  
Dallas because if Barry County does come

780  
00:28:53,260 --> 00:28:56,200  
in then Dallas would have to come on in

781  
00:28:54,730 --> 00:28:57,909  
all right if they did then the bill

782  
00:28:56,200 --> 00:28:59,590  
would be bracketed on both ends and

783  
00:28:57,909 --> 00:29:00,730  
therefore subject to appoint order so I

784  
00:28:59,590 --> 00:29:03,340  
understand if we're not speaking about

785  
00:29:00,730 --> 00:29:05,950  
the same thing should the population be

786  
00:29:03,340 --> 00:29:08,169  
dropped down let's say to 600,000 will

787  
00:29:05,950 --> 00:29:09,940  
you in the conference committee help us

788  
00:29:08,169 --> 00:29:11,620  
keep bayer county out give you my word

789  
00:29:09,940 --> 00:29:13,419  
that our will and other of your

790  
00:29:11,620 --> 00:29:14,770  
associates from houston because i want

791  
00:29:13,419 --> 00:29:15,700  
to help you pass this bill if you wanted

792  
00:29:14,770 --> 00:29:17,890  
from houston that's a reason i'm

793  
00:29:15,700 --> 00:29:19,929  
concerned that by the me for future

794  
00:29:17,890 --> 00:29:21,940  
generations well of course but for the

795  
00:29:19,929 --> 00:29:24,340  
64th session of the legislature i would

796  
00:29:21,940 --> 00:29:27,250  
oppose so okay thank you very much thank

797

00:29:24,340 --> 00:29:29,460  
you sir I move adoption of passes to

798  
00:29:27,250 --> 00:29:31,840  
engrossment mr. speak of House bill 398

799  
00:29:29,460 --> 00:29:35,230  
the question is on passage of

800  
00:29:31,840 --> 00:29:37,500  
engrossment the House bill 398 all those

801  
00:29:35,230 --> 00:29:39,940  
in favor will say aye all those opposed

802  
00:29:37,500 --> 00:29:41,909  
record votes been called for a record

803  
00:29:39,940 --> 00:29:44,530  
vote is granted clerk will ring the bell

804  
00:29:41,909 --> 00:29:47,400  
all those in favor vote aye all those

805  
00:29:44,530 --> 00:29:47,400  
opposed vote nay

806  
00:29:49,680 --> 00:29:53,330  
show the chair voting nay

807  
00:30:18,200 --> 00:30:29,960  
show mr. Washington voting I show mr.

808  
00:30:24,950 --> 00:30:35,980  
Jones voting I if they all voted Jones

809  
00:30:29,960 --> 00:30:35,980  
of Harris voting I all voted

810  
00:30:43,340 --> 00:30:46,930  
so mr. Wyatt voting aye

811  
00:31:04,000 --> 00:31:09,850  
show mr. Blythe voting I instead of nay

812  
00:31:18,550 --> 00:31:23,410  
there being 60 eyes 43 nays 26 present

813  
00:31:22,450 --> 00:31:28,020  
not voting

814  
00:31:23,410 --> 00:31:28,020  
House bill 398 passes to engross

815  
00:31:39,540 --> 00:31:48,330  
chair lays out backup recognize meant to

816  
00:31:45,420 --> 00:31:50,400  
raise for announcement miss speaker

817  
00:31:48,330 --> 00:31:52,230  
members the Rules Committee will meet in

818  
00:31:50,400 --> 00:31:55,280  
the speaker's committee room for about

819  
00:31:52,230 --> 00:31:57,780  
five or ten minutes to consider the

820  
00:31:55,280 --> 00:31:59,400  
motions so that we can happen for the

821  
00:31:57,780 --> 00:32:01,020  
motions calendars afternoon so they can

822  
00:31:59,400 --> 00:32:03,120  
be placed on that calendar for tomorrow

823  
00:32:01,020 --> 00:32:06,360  
we're meeting in five minutes and the

824

00:32:03,120 --> 00:32:08,820  
speaker's committee room chair lays out

825  
00:32:06,360 --> 00:32:15,090  
House bill 552 on second reading the

826  
00:32:08,820 --> 00:32:18,660  
clerk will read the bill House bill 552

827  
00:32:15,090 --> 00:32:22,190  
by tear away and others related chair

828  
00:32:18,660 --> 00:32:26,040  
recognizes mr. Carraway explains bill

829  
00:32:22,190 --> 00:32:28,200  
speaker members House bill 5 5 2 creates

830  
00:32:26,040 --> 00:32:31,260  
the hairiest Galveston coastal sub

831  
00:32:28,200 --> 00:32:33,180  
sadness district and that district is

832  
00:32:31,260 --> 00:32:35,220  
set up to regulate the withdrawal of

833  
00:32:33,180 --> 00:32:38,400  
groundwater and Harrison Galveston

834  
00:32:35,220 --> 00:32:41,520  
counties this is a local bill that has

835  
00:32:38,400 --> 00:32:44,520  
been approved by the Harris & Johnston

836  
00:32:41,520 --> 00:32:47,850  
County delegations both in the house and

837  
00:32:44,520 --> 00:32:50,310  
for the most part on the Senate side the

838  
00:32:47,850 --> 00:32:55,070  
problem we have in Harris in Galveston

839  
00:32:50,310 --> 00:32:57,450  
County is land sinking many homes and

840  
00:32:55,070 --> 00:33:00,210  
subdivisions have been inundated by this

841  
00:32:57,450 --> 00:33:03,570  
problem in that area of the costal

842  
00:33:00,210 --> 00:33:08,040  
margin region many areas have sunk as

843  
00:33:03,570 --> 00:33:10,380  
much as 7 or 8 feet in the Pasadena area

844  
00:33:08,040 --> 00:33:13,770  
of that that communities down in that

845  
00:33:10,380 --> 00:33:17,400  
area what this bill proposes to do is

846  
00:33:13,770 --> 00:33:19,950  
set up a regulatory body locally that

847  
00:33:17,400 --> 00:33:22,430  
will have regulatory authority over a

848  
00:33:19,950 --> 00:33:26,550  
groundwater usage which will in effect

849  
00:33:22,430 --> 00:33:30,270  
control the subsidence problem it is a

850  
00:33:26,550 --> 00:33:32,670  
local bill we you'll notice physical

851

00:33:30,270 --> 00:33:34,560  
node there's no physical implication to

852  
00:33:32,670 --> 00:33:37,800  
the passage of this bill at the present

853  
00:33:34,560 --> 00:33:40,110  
time it is a consensus bill we've had

854  
00:33:37,800 --> 00:33:42,510  
tremendous input from agriculture as

855  
00:33:40,110 --> 00:33:45,000  
well as industrial concerns in that area

856  
00:33:42,510 --> 00:33:48,080  
who have helped us in writing the

857  
00:33:45,000 --> 00:33:50,940  
legislation as well as many of the

858  
00:33:48,080 --> 00:33:53,820  
municipalities and cities of that

859  
00:33:50,940 --> 00:33:57,000  
in Galveston County regions it is a word

860  
00:33:53,820 --> 00:33:59,190  
project of the Galveston and Harris

861  
00:33:57,000 --> 00:34:01,620  
counties mayors and councilman's ad hoc

862  
00:33:59,190 --> 00:34:03,990  
committee on subsidence and so I think

863  
00:34:01,620 --> 00:34:06,900  
it does have tremendous local support

864  
00:34:03,990 --> 00:34:09,600  
mid speaker with the gentleman year we

865  
00:34:06,900 --> 00:34:11,370  
yield is Kelly I'm glad to say I have so

866  
00:34:09,600 --> 00:34:15,780  
many good friends back there gentleman

867  
00:34:11,370 --> 00:34:20,520  
yield mr. Carraway as you stated some

868  
00:34:15,780 --> 00:34:24,150  
parts of hash County had some seven foot

869  
00:34:20,520 --> 00:34:26,610  
and better are you familiar that with

870  
00:34:24,150 --> 00:34:29,520  
the Joe Janice City Galena Park area

871  
00:34:26,610 --> 00:34:32,460  
which lies within my district did you

872  
00:34:29,520 --> 00:34:36,150  
send a city and Galena Park area in the

873  
00:34:32,460 --> 00:34:38,490  
last 10 years has sunk by four foot now

874  
00:34:36,150 --> 00:34:43,020  
over the last 40 years it has sunk by

875  
00:34:38,490 --> 00:34:44,940  
almost 8 feet and but 10 is the 4 foot

876  
00:34:43,020 --> 00:34:46,590  
of that has happened within the last 10

877  
00:34:44,940 --> 00:34:48,990  
years so I think you have a real good

878

00:34:46,590 --> 00:34:53,400  
thing thank you miss nickel mr. speaker

879  
00:34:48,990 --> 00:34:55,080  
miss Sharon member yield no real rich

880  
00:34:53,400 --> 00:34:56,670  
German German yells my sermon what's

881  
00:34:55,080 --> 00:34:59,420  
wrong with what he was just talking

882  
00:34:56,670 --> 00:35:02,070  
about pretty soon you may get rid of him

883  
00:34:59,420 --> 00:35:03,570  
representative had stated representative

884  
00:35:02,070 --> 00:35:05,310  
Nichols that if you'd leave town he

885  
00:35:03,570 --> 00:35:07,710  
wouldn't sink so fast but I don't want

886  
00:35:05,310 --> 00:35:09,210  
to say that publicly mr. speaker would

887  
00:35:07,710 --> 00:35:12,480  
the gentleman yield for a question mr.

888  
00:35:09,210 --> 00:35:15,210  
Cahill mr. Ewing you let's go well mr.

889  
00:35:12,480 --> 00:35:17,400  
Carraway indignant true that some of the

890  
00:35:15,210 --> 00:35:19,530  
finest minds in this nation have studied

891  
00:35:17,400 --> 00:35:22,500  
the problem and that the only reason

892  
00:35:19,530 --> 00:35:24,480  
that that land is sinking is because

893  
00:35:22,500 --> 00:35:30,240  
that monument is pushing it down into

894  
00:35:24,480 --> 00:35:32,130  
the ground now appreciate that coming

895  
00:35:30,240 --> 00:35:33,510  
all right if you got a right to work in

896  
00:35:32,130 --> 00:35:37,170  
this state what's wrong with the right

897  
00:35:33,510 --> 00:35:38,820  
to sing I hope there's not too many of

898  
00:35:37,170 --> 00:35:41,340  
our colleagues that agree with you only

899  
00:35:38,820 --> 00:35:43,260  
mr. Cole will know I visited the area

900  
00:35:41,340 --> 00:35:44,760  
and it really is a tragedy now you've

901  
00:35:43,260 --> 00:35:46,170  
got a very good bill and I'm sure you'll

902  
00:35:44,760 --> 00:35:48,990  
get a lot of school thank you sir

903  
00:35:46,170 --> 00:35:51,150  
miss Baker gentleman yield yield miss

904  
00:35:48,990 --> 00:35:53,640  
caraway don't worry all about yield when

905

00:35:51,150 --> 00:35:54,870  
you miss just two short questions miss

906  
00:35:53,640 --> 00:35:58,830  
currently what yes sir

907  
00:35:54,870 --> 00:36:00,790  
one are you sure the ground sinking is

908  
00:35:58,830 --> 00:36:04,460  
not that the oceans rising

909  
00:36:00,790 --> 00:36:06,690  
[Laughter]

910  
00:36:04,460 --> 00:36:09,270  
don't studied this to the point that

911  
00:36:06,690 --> 00:36:11,160  
you're positive of your premise I'm

912  
00:36:09,270 --> 00:36:13,380  
positive my premise based on all

913  
00:36:11,160 --> 00:36:15,390  
available technical information the

914  
00:36:13,380 --> 00:36:17,400  
expertise of people testifying before

915  
00:36:15,390 --> 00:36:20,070  
our committee and subcommittee of our

916  
00:36:17,400 --> 00:36:21,810  
delegation yes well I'm just worried

917  
00:36:20,070 --> 00:36:23,520  
about these local Harris County bills

918  
00:36:21,810 --> 00:36:26,250  
this thing may spread on after the

919  
00:36:23,520 --> 00:36:28,290  
planes if I think you're safe and

920  
00:36:26,250 --> 00:36:30,210  
Galveston County right now if we feel

921  
00:36:28,290 --> 00:36:32,220  
helpless solid your group also

922  
00:36:30,210 --> 00:36:34,170  
responsible for this picture place to

923  
00:36:32,220 --> 00:36:35,730  
our shelter there don't you really

924  
00:36:34,170 --> 00:36:37,320  
pleased that that monument looks better

925  
00:36:35,730 --> 00:36:40,590  
with all that water around it does

926  
00:36:37,320 --> 00:36:42,570  
rolling I think it's gonna be very

927  
00:36:40,590 --> 00:36:45,210  
difficult to have a Bicentennial out

928  
00:36:42,570 --> 00:36:46,310  
there without an aqua suit some can this

929  
00:36:45,210 --> 00:36:48,270  
bigger

930  
00:36:46,310 --> 00:36:51,240  
hanussen where the gentleman yield

931  
00:36:48,270 --> 00:36:52,500  
certainly yeah - mr. Carraway I asked

932

00:36:51,240 --> 00:36:54,840  
you about this the other day but I want

933  
00:36:52,500 --> 00:36:56,910  
to get it perfectly clear yes what

934  
00:36:54,840 --> 00:37:00,440  
provisions have you made in your bill

935  
00:36:56,910 --> 00:37:03,660  
for single-family dwellings with that

936  
00:37:00,440 --> 00:37:05,490  
have water well depend upon the intent

937  
00:37:03,660 --> 00:37:07,710  
of this legislation it's not the place

938  
00:37:05,490 --> 00:37:10,260  
undue burden on those people and those

939  
00:37:07,710 --> 00:37:12,360  
people with five-inch casings or lists

940  
00:37:10,260 --> 00:37:14,850  
are not regulated under this legislation

941  
00:37:12,360 --> 00:37:18,060  
and that's the type of cases that are in

942  
00:37:14,850 --> 00:37:20,160  
most of the world but that's the

943  
00:37:18,060 --> 00:37:23,250  
situation small whales that you're

944  
00:37:20,160 --> 00:37:27,230  
concerned with yes sir how much how much

945  
00:37:23,250 --> 00:37:29,640  
of the problem is contributed by these

946  
00:37:27,230 --> 00:37:32,490  
individually owned well according dr.

947  
00:37:29,640 --> 00:37:34,380  
Danvers with Geological Survey they talk

948  
00:37:32,490 --> 00:37:36,150  
with our committee and is visited with

949  
00:37:34,380 --> 00:37:38,160  
the groups working on this that that's

950  
00:37:36,150 --> 00:37:39,960  
not a major contributing factor it's

951  
00:37:38,160 --> 00:37:42,380  
mainly municipal and industrial use

952  
00:37:39,960 --> 00:37:42,380  
water

953  
00:37:44,350 --> 00:37:49,690  
following committee amendment the clerk

954  
00:37:46,000 --> 00:37:52,030  
will read the amendment committee member

955  
00:37:49,690 --> 00:37:58,000  
1 by pivot oh I'm into House bill number

956  
00:37:52,030 --> 00:37:59,710  
5 5 2 chair recognize miss Kari we own a

957  
00:37:58,000 --> 00:38:01,900  
moment remember this is a committee

958  
00:37:59,710 --> 00:38:04,390  
substitute after input from various

959

00:38:01,900 --> 00:38:06,490  
groups and interested individuals we

960  
00:38:04,390 --> 00:38:08,470  
made those changes in committee that the

961  
00:38:06,490 --> 00:38:09,790  
committee was satisfied with and that's

962  
00:38:08,470 --> 00:38:12,310  
essentially what this is

963  
00:38:09,790 --> 00:38:14,470  
it's champ Mr Speaker I moved for

964  
00:38:12,310 --> 00:38:17,890  
passage of third reading in House bill 5

965  
00:38:14,470 --> 00:38:19,090  
to question now is only adoption the

966  
00:38:17,890 --> 00:38:21,910  
committee amendment number 1 is there

967  
00:38:19,090 --> 00:38:23,550  
objection to its adoption chair here's

968  
00:38:21,910 --> 00:38:26,830  
on the amendment is adopted

969  
00:38:23,550 --> 00:38:28,720  
question now occurs on passage in gross

970  
00:38:26,830 --> 00:38:30,700  
for the House bill 552 all those in

971  
00:38:28,720 --> 00:38:36,160  
favor the passage integral for the House

972  
00:38:30,700 --> 00:38:42,100  
bill 550 to say aye all opposed no House

973  
00:38:36,160 --> 00:38:43,840  
bill 552 is engrossed excuse

974  
00:38:42,100 --> 00:38:45,130  
representative Newton for the balance

975  
00:38:43,840 --> 00:38:46,390  
the week because of the important

976  
00:38:45,130 --> 00:38:47,380  
vendors on a motion of Representative

977  
00:38:46,390 --> 00:38:53,320  
Bach is there objection

978  
00:38:47,380 --> 00:38:55,300  
shares no surely that on second reading

979  
00:38:53,320 --> 00:39:03,460  
House bill 1195 the clerk will read the

980  
00:38:55,300 --> 00:39:05,410  
bill House bill 1195 by Blake amending

981  
00:39:03,460 --> 00:39:09,250  
chapter 75 acts of the regular session

982  
00:39:05,410 --> 00:39:13,210  
of the 50th legislature mr. Blake

983  
00:39:09,250 --> 00:39:14,280  
explain his bill Thank You mr. speaker

984  
00:39:13,210 --> 00:39:17,530  
and members

985  
00:39:14,280 --> 00:39:18,970  
House bill 1195 is a non-controversial

986

00:39:17,530 --> 00:39:20,560

bill that was heard in the

987

00:39:18,970 --> 00:39:24,460

intergovernmental affairs committee a

988

00:39:20,560 --> 00:39:27,700

couple of weeks ago it was heard with no

989

00:39:24,460 --> 00:39:30,160

opposition in fact was recommended that

990

00:39:27,700 --> 00:39:32,890

it be placed on the consent calendar but

991

00:39:30,160 --> 00:39:36,280

because of the fact that it was somewhat

992

00:39:32,890 --> 00:39:37,930

lengthy and somewhat involved we thought

993

00:39:36,280 --> 00:39:39,640

that it would be better that we didn't

994

00:39:37,930 --> 00:39:42,330

put it on the consent calendar and then

995

00:39:39,640 --> 00:39:44,950

I might give some more explanation

996

00:39:42,330 --> 00:39:50,260

before I do explain the bill I think I

997

00:39:44,950 --> 00:39:53,770

need to say first of all what the Texas

998

00:39:50,260 --> 00:39:55,810

Municipal retirement system is before I

999

00:39:53,770 --> 00:39:56,810

tell you how this bill amends the

1000  
00:39:55,810 --> 00:40:01,790  
retirement system

1001  
00:39:56,810 --> 00:40:03,710  
as you may or may not know back in 1947

1002  
00:40:01,790 --> 00:40:05,930  
the legislature adopted the Texas

1003  
00:40:03,710 --> 00:40:07,700  
vanilla an act that created the Texas

1004  
00:40:05,930 --> 00:40:11,270  
Municipal retirement system which is

1005  
00:40:07,700 --> 00:40:14,390  
authorized by a state constitution to

1006  
00:40:11,270 --> 00:40:18,650  
provide for a retirement plan for the

1007  
00:40:14,390 --> 00:40:20,740  
employees of the cities of Texas back in

1008  
00:40:18,650 --> 00:40:23,270  
1947

1009  
00:40:20,740 --> 00:40:26,030  
most of the large cities at that time

1010  
00:40:23,270 --> 00:40:27,770  
had a retirement system of their own so

1011  
00:40:26,030 --> 00:40:30,440  
they did not come under the plan we

1012  
00:40:27,770 --> 00:40:33,680  
current currently have some 288 cities

1013

00:40:30,440 --> 00:40:36,620  
in Texas whose employees are covered

1014  
00:40:33,680 --> 00:40:39,140  
under this retirement system I had

1015  
00:40:36,620 --> 00:40:41,510  
placed on your desk this morning a copy

1016  
00:40:39,140 --> 00:40:44,120  
of the 288 cities so that you might see

1017  
00:40:41,510 --> 00:40:46,730  
which cities are in your district and

1018  
00:40:44,120 --> 00:40:49,910  
which are not most of the large cities

1019  
00:40:46,730 --> 00:40:53,780  
except Houston Dallas San Antonio San

1020  
00:40:49,910 --> 00:40:55,790  
Antonio is in the system our members of

1021  
00:40:53,780 --> 00:40:59,150  
the system but these large cities had a

1022  
00:40:55,790 --> 00:41:04,540  
system of their own and so no need to

1023  
00:40:59,150 --> 00:41:09,080  
come under the retirement system act the

1024  
00:41:04,540 --> 00:41:11,270  
dmrs as its referred to is is run run by

1025  
00:41:09,080 --> 00:41:14,360  
a Board of Trustees appointed with the

1026  
00:41:11,270 --> 00:41:16,850  
advice and consent of the Senate it has

1027  
00:41:14,360 --> 00:41:18,950  
an executive director it has legal

1028  
00:41:16,850 --> 00:41:21,350  
counsel who actually drew this bill up

1029  
00:41:18,950 --> 00:41:23,360  
mr. Gaynor Kendall there's been much

1030  
00:41:21,350 --> 00:41:25,040  
study in it and I can assure you that it

1031  
00:41:23,360 --> 00:41:27,710  
is a good bill and one that will help

1032  
00:41:25,040 --> 00:41:30,650  
the employees of the cities have a

1033  
00:41:27,710 --> 00:41:32,480  
better retirement this retirement system

1034  
00:41:30,650 --> 00:41:36,250  
is different from some of the others in

1035  
00:41:32,480 --> 00:41:39,170  
that it uses the money purchase method

1036  
00:41:36,250 --> 00:41:41,870  
for a foreign employee rather than

1037  
00:41:39,170 --> 00:41:44,210  
retiring on a percentage of their salary

1038  
00:41:41,870 --> 00:41:47,210  
for the last few years in other words

1039  
00:41:44,210 --> 00:41:49,880  
the city deduct from an employee's

1040

00:41:47,210 --> 00:41:52,100  
paycheck a certain amount of money that

1041  
00:41:49,880 --> 00:41:56,390  
goes into the retirement system into his

1042  
00:41:52,100 --> 00:41:59,120  
account then when he retires the city

1043  
00:41:56,390 --> 00:42:01,970  
matches that account with some money

1044  
00:41:59,120 --> 00:42:05,990  
that they have put in and in a sense a

1045  
00:42:01,970 --> 00:42:10,380  
an annuity is both bought from the

1046  
00:42:05,990 --> 00:42:13,440  
system for the lifetime of the employee

1047  
00:42:10,380 --> 00:42:15,150  
with five years certainty now the

1048  
00:42:13,440 --> 00:42:19,070  
problem that we have and the problem

1049  
00:42:15,150 --> 00:42:23,280  
that this bill would what correct is

1050  
00:42:19,070 --> 00:42:26,910  
okay it is that this bill will allow

1051  
00:42:23,280 --> 00:42:29,210  
these cities on a local option basis to

1052  
00:42:26,910 --> 00:42:31,740  
put money into their account and

1053  
00:42:29,210 --> 00:42:33,270  
amortize these payments over a period of

1054  
00:42:31,740 --> 00:42:35,310  
twenty five years so that they can

1055  
00:42:33,270 --> 00:42:37,560  
retire with more money the second thing

1056  
00:42:35,310 --> 00:42:41,460  
it does is it does the same things but

1057  
00:42:37,560 --> 00:42:42,780  
the employees that are now retired in

1058  
00:42:41,460 --> 00:42:44,790  
that it would allow the city or the

1059  
00:42:42,780 --> 00:42:46,350  
local option basis to put money into the

1060  
00:42:44,790 --> 00:42:48,390  
account in return on more money the

1061  
00:42:46,350 --> 00:42:52,890  
third thing it does is that it would

1062  
00:42:48,390 --> 00:42:56,010  
allow a person to that has been with the

1063  
00:42:52,890 --> 00:42:58,830  
city for two years to buy back some

1064  
00:42:56,010 --> 00:43:01,220  
previously time that he had with the

1065  
00:42:58,830 --> 00:43:04,590  
city then it then it has about for

1066  
00:43:01,220 --> 00:43:07,830  
housekeeping amendments mr. chairman if

1067

00:43:04,590 --> 00:43:09,480  
they there are no questions I move for

1068  
00:43:07,830 --> 00:43:13,110  
passage to third reading of House bill

1069  
00:43:09,480 --> 00:43:16,590  
1195 mr. mr. Blake moves in House bill

1070  
00:43:13,110 --> 00:43:19,470  
1194 5b pans tenant Grossman all those

1071  
00:43:16,590 --> 00:43:20,780  
in favor of passing 1195 the engrossment

1072  
00:43:19,470 --> 00:43:24,960  
say aye

1073  
00:43:20,780 --> 00:43:31,650  
all opposed no House bill 1195 is passed

1074  
00:43:24,960 --> 00:43:33,330  
in grossman Cheerilee that on second

1075  
00:43:31,650 --> 00:43:37,440  
reading House bill 141 the clerk will

1076  
00:43:33,330 --> 00:43:39,540  
read the bill House bill 141 by Hudson

1077  
00:43:37,440 --> 00:43:41,730  
relating to contractors performance and

1078  
00:43:39,540 --> 00:43:43,320  
payment bonds and certainly no contracts

1079  
00:43:41,730 --> 00:43:46,010  
over a certain amount mr. Hudson to

1080  
00:43:43,320 --> 00:43:46,010  
explain his bill

1081  
00:43:55,210 --> 00:44:02,920  
memo's SPO relates to the increasing of

1082  
00:43:59,260 --> 00:44:05,560  
the present contract performance bond

1083  
00:44:02,920 --> 00:44:08,380  
requirement of two thousand to ten

1084  
00:44:05,560 --> 00:44:11,560  
thousand I have an amendment which I am

1085  
00:44:08,380 --> 00:44:14,200  
proposing which is based upon further

1086  
00:44:11,560 --> 00:44:18,160  
started by the committee and the members

1087  
00:44:14,200 --> 00:44:22,630  
to increase it to fifteen the reason for

1088  
00:44:18,160 --> 00:44:24,250  
this is presently the ceiling being two

1089  
00:44:22,630 --> 00:44:27,190  
thousand squeezes out the small

1090  
00:44:24,250 --> 00:44:28,930  
businessman and makes it impossible for

1091  
00:44:27,190 --> 00:44:30,940  
him to participate in some of the

1092  
00:44:28,930 --> 00:44:35,170  
contract opportunities which provided by

1093  
00:44:30,940 --> 00:44:39,880  
state agencies it's a situation which is

1094

00:44:35,170 --> 00:44:45,850  
very grave and which it is recommended

1095  
00:44:39,880 --> 00:44:47,470  
that changes be made to allow and to

1096  
00:44:45,850 --> 00:44:50,770  
make it possible for the small

1097  
00:44:47,470 --> 00:44:54,190  
businessman to operate more online and

1098  
00:44:50,770 --> 00:44:58,300  
in tune with the present daily

1099  
00:44:54,190 --> 00:45:00,580  
requirements upon which he is faced to

1100  
00:44:58,300 --> 00:45:03,580  
be able to get a appreciable amount of

1101  
00:45:00,580 --> 00:45:08,620  
work and to be able to perform along

1102  
00:45:03,580 --> 00:45:12,430  
with the demand that is apparent that is

1103  
00:45:08,620 --> 00:45:16,440  
the basic purpose of the bill and I

1104  
00:45:12,430 --> 00:45:18,700  
appreciate your support in that regard

1105  
00:45:16,440 --> 00:45:20,650  
now I'd like to offer an amendment

1106  
00:45:18,700 --> 00:45:23,650  
following others perfection amendment a

1107  
00:45:20,650 --> 00:45:25,780  
clerk will read the amendment amendment

1108  
00:45:23,650 --> 00:45:29,130  
won by Hudson amend House bill number 1

1109  
00:45:25,780 --> 00:45:34,720  
attach them to explain his amendment

1110  
00:45:29,130 --> 00:45:39,130  
as stated this amendment changes the 10

1111  
00:45:34,720 --> 00:45:42,550  
to 15 so far as the ceilin requirement

1112  
00:45:39,130 --> 00:45:44,920  
is concerned and as I stated the basic

1113  
00:45:42,550 --> 00:45:48,670  
reason is that this is more in line with

1114  
00:45:44,920 --> 00:45:51,460  
what would really help the small

1115  
00:45:48,670 --> 00:45:53,950  
businessman regarding this problem which

1116  
00:45:51,460 --> 00:45:56,320  
they ever said with mr. speaker with

1117  
00:45:53,950 --> 00:46:01,690  
gentleman here yes I you tell me on the

1118  
00:45:56,320 --> 00:46:03,640  
tale mr. na I'm for you bill but I'm

1119  
00:46:01,690 --> 00:46:06,710  
concerned about this amendment the

1120  
00:46:03,640 --> 00:46:09,920  
committee cut it from 20,000 to 10

1121

00:46:06,710 --> 00:46:13,370  
which is a 500% increase because the

1122  
00:46:09,920 --> 00:46:15,740  
president lost mm why that why I'm

1123  
00:46:13,370 --> 00:46:17,420  
putting it rising it above the ten the

1124  
00:46:15,740 --> 00:46:20,330  
committee must have some good reason for

1125  
00:46:17,420 --> 00:46:22,850  
cutting it to ten did did not well at

1126  
00:46:20,330 --> 00:46:29,440  
that time there were a lot of misgivings

1127  
00:46:22,850 --> 00:46:31,160  
that the committee was assessing and

1128  
00:46:29,440 --> 00:46:35,140  
thinking of at that time

1129  
00:46:31,160 --> 00:46:38,180  
and after it was aired by the

1130  
00:46:35,140 --> 00:46:42,170  
subcommittee some of the these

1131  
00:46:38,180 --> 00:46:44,570  
misgivings were alleviated and they

1132  
00:46:42,170 --> 00:46:46,610  
found out that there were not as there

1133  
00:46:44,570 --> 00:46:49,670  
was not as much reason to keep it at ten

1134  
00:46:46,610 --> 00:46:51,680  
as was originally contemplated now those

1135  
00:46:49,670 --> 00:46:53,360  
members since then most of them have

1136  
00:46:51,680 --> 00:46:56,630  
agreed that fifteen would be a more

1137  
00:46:53,360 --> 00:47:00,370  
reasonable and just amount for us to

1138  
00:46:56,630 --> 00:47:02,750  
undertake in correcting the problem and

1139  
00:47:00,370 --> 00:47:04,850  
basically I guess the gist of it is that

1140  
00:47:02,750 --> 00:47:06,530  
since we have we are making a change

1141  
00:47:04,850 --> 00:47:08,000  
that it should be a meaningful change

1142  
00:47:06,530 --> 00:47:11,150  
rather than a change it wouldn't help

1143  
00:47:08,000 --> 00:47:14,210  
very much and this change at the level

1144  
00:47:11,150 --> 00:47:16,600  
that it is at ten does not really help

1145  
00:47:14,210 --> 00:47:18,650  
that much because of the fact that the

1146  
00:47:16,600 --> 00:47:20,660  
bonding companies don't like to fool

1147  
00:47:18,650 --> 00:47:22,400  
with small bonds like that and then it's

1148

00:47:20,660 --> 00:47:24,320  
not that much work that's available just

1149  
00:47:22,400 --> 00:47:27,830  
at ten there is more work available at

1150  
00:47:24,320 --> 00:47:31,400  
15 than at 10 that the small businessman

1151  
00:47:27,830 --> 00:47:35,750  
can perform so he would still be sort of

1152  
00:47:31,400 --> 00:47:37,730  
squeezed out and at 10 and was he'll be

1153  
00:47:35,750 --> 00:47:40,580  
still be suffering the same problem too

1154  
00:47:37,730 --> 00:47:42,320  
is just atrocious to is just

1155  
00:47:40,580 --> 00:47:44,690  
unreasonable and it's completely lots of

1156  
00:47:42,320 --> 00:47:46,490  
small business run out so that's the

1157  
00:47:44,690 --> 00:47:49,160  
reason for the change it's just an

1158  
00:47:46,490 --> 00:47:50,840  
increase in the amount of five points

1159  
00:47:49,160 --> 00:47:52,970  
that are we appreciate your

1160  
00:47:50,840 --> 00:47:55,840  
consideration over well I can understand

1161  
00:47:52,970 --> 00:47:58,550  
the need for an increase in it and I was

1162  
00:47:55,840 --> 00:48:00,560  
concerned about the 20 and then I saw it

1163  
00:47:58,550 --> 00:48:03,080  
been changed by the committee to ten and

1164  
00:48:00,560 --> 00:48:04,790  
I was real pleased with that because I

1165  
00:48:03,080 --> 00:48:06,680  
felt like well ten would probably be a

1166  
00:48:04,790 --> 00:48:08,150  
regional figure all right let me ask you

1167  
00:48:06,680 --> 00:48:10,490  
this all we're talking about here is a

1168  
00:48:08,150 --> 00:48:12,620  
performance bond are we done that's

1169  
00:48:10,490 --> 00:48:18,080  
right and the lien that goes along with

1170  
00:48:12,620 --> 00:48:19,230  
it are they having any trouble well it

1171  
00:48:18,080 --> 00:48:21,570  
applies

1172  
00:48:19,230 --> 00:48:24,390  
the same way that the artisans would

1173  
00:48:21,570 --> 00:48:26,520  
have a limb against the government

1174  
00:48:24,390 --> 00:48:29,099  
agency for the amount of the contract if

1175

00:48:26,520 --> 00:48:30,510  
the if the contractor defaulted on their

1176  
00:48:29,099 --> 00:48:32,430  
payments that's right it would be

1177  
00:48:30,510 --> 00:48:35,339  
commensurate with the amount of the

1178  
00:48:32,430 --> 00:48:37,859  
performers bond ceiling but of course

1179  
00:48:35,339 --> 00:48:41,550  
the performance bond is also to protect

1180  
00:48:37,859 --> 00:48:43,710  
the governmental agency that's right to

1181  
00:48:41,550 --> 00:48:46,410  
ensure that the contractor is capable of

1182  
00:48:43,710 --> 00:48:48,300  
performing and I I'm concerned about

1183  
00:48:46,410 --> 00:48:51,750  
getting these exemptions too high

1184  
00:48:48,300 --> 00:48:56,930  
you think 15 is a valid figure yes sir I

1185  
00:48:51,750 --> 00:49:00,570  
certainly do and in accordance with the

1186  
00:48:56,930 --> 00:49:02,940  
general change that has been made in

1187  
00:49:00,570 --> 00:49:05,910  
many other states this is this is a fair

1188  
00:49:02,940 --> 00:49:08,250  
amount it the experience of the other

1189  
00:49:05,910 --> 00:49:12,599  
states have shown that that uh this

1190  
00:49:08,250 --> 00:49:16,339  
amount works at the lowest level to the

1191  
00:49:12,599 --> 00:49:16,339  
advantage of the small businessman

1192  
00:49:16,460 --> 00:49:23,010  
speaker yes

1193  
00:49:21,150 --> 00:49:25,710  
gentleman yield mr. told Mr Hudson maybe

1194  
00:49:23,010 --> 00:49:27,569  
you can help us some when was this limit

1195  
00:49:25,710 --> 00:49:30,900  
of two thousand dollars instituted do

1196  
00:49:27,569 --> 00:49:35,420  
you have any idea that was all many

1197  
00:49:30,900 --> 00:49:35,420  
legislators ago huh I don't know exactly

1198  
00:49:35,690 --> 00:49:40,560  
what if one of us see

1199  
00:49:37,430 --> 00:49:40,560  
[Music]

1200  
00:49:42,480 --> 00:49:49,500  
some are like 61 what yeah some point at

1201  
00:49:45,930 --> 00:49:51,869  
that area have you got any idea how much

1202

00:49:49,500 --> 00:49:55,530  
and what rate construction costs have

1203  
00:49:51,869 --> 00:49:57,480  
escalated from 1961 to 1975 I know it

1204  
00:49:55,530 --> 00:50:03,990  
must be a great amount which means that

1205  
00:49:57,480 --> 00:50:05,970  
you probably at \$2,000 1961 could do

1206  
00:50:03,990 --> 00:50:07,859  
what you could do for 25 now with you

1207  
00:50:05,970 --> 00:50:09,900  
when you said that's pretty much it the

1208  
00:50:07,859 --> 00:50:11,190  
organization so it's found a reasonable

1209  
00:50:09,900 --> 00:50:14,070  
that you're trying to increase this from

1210  
00:50:11,190 --> 00:50:15,599  
1961 up to \$15,000 are you not I

1211  
00:50:14,070 --> 00:50:17,940  
certainly think that it would be

1212  
00:50:15,599 --> 00:50:19,680  
uncomfortable it is not crucial in an

1213  
00:50:17,940 --> 00:50:21,570  
effort on many our parts to get many

1214  
00:50:19,680 --> 00:50:23,970  
more of the small businessmen in the

1215  
00:50:21,570 --> 00:50:26,490  
state involved in contracting with state

1216  
00:50:23,970 --> 00:50:27,960  
government we ask for a crucial critical

1217  
00:50:26,490 --> 00:50:29,640  
problem with that matter of fact we've

1218  
00:50:27,960 --> 00:50:31,470  
got a very large segment of our small

1219  
00:50:29,640 --> 00:50:33,510  
business community Texas who almost now

1220  
00:50:31,470 --> 00:50:35,369  
are exempted from participation by

1221  
00:50:33,510 --> 00:50:36,900  
virtue of the fact is not available and

1222  
00:50:35,369 --> 00:50:39,089  
promised month just plain unavailable

1223  
00:50:36,900 --> 00:50:41,339  
that's right we are

1224  
00:50:39,089 --> 00:50:43,109  
I like to add that there was a committee

1225  
00:50:41,339 --> 00:50:44,250  
that studied this doing the interim and

1226  
00:50:43,109 --> 00:50:45,570  
this was one of the basic

1227  
00:50:44,250 --> 00:50:48,450  
recommendations was that this

1228  
00:50:45,570 --> 00:50:50,430  
performance bond be increased most of

1229

00:50:48,450 --> 00:50:52,560  
the problems center around the fact that

1230  
00:50:50,430 --> 00:50:54,839  
there the small businessman cannot get

1231  
00:50:52,560 --> 00:50:56,760  
bonding right any condition enough to

1232  
00:50:54,839 --> 00:50:58,650  
make it worthwhile and participated in

1233  
00:50:56,760 --> 00:51:00,420  
the projects right and he can't not get

1234  
00:50:58,650 --> 00:51:03,359  
a track record going because because

1235  
00:51:00,420 --> 00:51:04,619  
\$2,000 is not enough that's right now

1236  
00:51:03,359 --> 00:51:06,359  
this problem would not be enough to

1237  
00:51:04,619 --> 00:51:09,480  
develop him a track record said he then

1238  
00:51:06,359 --> 00:51:11,040  
could go in and compete with the with

1239  
00:51:09,480 --> 00:51:13,560  
the other small businessmen with the

1240  
00:51:11,040 --> 00:51:16,890  
larger businessman and be in a position

1241  
00:51:13,560 --> 00:51:19,319  
to have performance bonds issues on his

1242  
00:51:16,890 --> 00:51:20,609  
work to see just caught between the

1243  
00:51:19,319 --> 00:51:22,530  
middle he can't get enough work to get

1244  
00:51:20,609 --> 00:51:24,359  
him a track record going he had been in

1245  
00:51:22,530 --> 00:51:25,770  
business for 40 years like many buy more

1246  
00:51:24,359 --> 00:51:27,060  
established company so he just can't get

1247  
00:51:25,770 --> 00:51:28,530  
started he's kind of caught between and

1248  
00:51:27,060 --> 00:51:30,599  
that's right in the river rock and hard

1249  
00:51:28,530 --> 00:51:32,040  
place and then on top of that the

1250  
00:51:30,599 --> 00:51:35,190  
bonding companies don't like to fool

1251  
00:51:32,040 --> 00:51:36,810  
those small bonds like that precisely it

1252  
00:51:35,190 --> 00:51:38,700  
makes it he's catching it from both

1253  
00:51:36,810 --> 00:51:41,490  
directions you know when we consider

1254  
00:51:38,700 --> 00:51:43,200  
that this \$2,000 to 1961 and you're

1255  
00:51:41,490 --> 00:51:45,030  
trying to raise that to 15,000 I think

1256

00:51:43,200 --> 00:51:47,790  
you've got a very good bill well thank

1257  
00:51:45,030 --> 00:51:50,069  
you thank you very much that's bigger

1258  
00:51:47,790 --> 00:51:52,560  
well gentlemen you yes gentlemen you

1259  
00:51:50,069 --> 00:51:53,130  
about two ghagra mr. Dodson do you have

1260  
00:51:52,560 --> 00:51:55,799  
any

1261  
00:51:53,130 --> 00:51:59,069  
information for us about how many jobs

1262  
00:51:55,799 --> 00:52:03,210  
are actually left where the amount

1263  
00:51:59,069 --> 00:52:07,740  
involved is \$10,000 or less or \$15,000

1264  
00:52:03,210 --> 00:52:10,440  
or less or 20,000 or less well I don't

1265  
00:52:07,740 --> 00:52:12,660  
have what you would consider exact

1266  
00:52:10,440 --> 00:52:14,910  
figures but through the committee

1267  
00:52:12,660 --> 00:52:23,390  
studies there was not very many that

1268  
00:52:14,910 --> 00:52:23,390  
will let below the 15,000 level and and

1269  
00:52:23,480 --> 00:52:32,750  
there I guess many contracts that other

1270  
00:52:28,519 --> 00:52:36,509  
agencies have that are below that but

1271  
00:52:32,750 --> 00:52:39,000  
there again you have that problem you it

1272  
00:52:36,509 --> 00:52:43,230  
doesn't fit 15 as generally the best

1273  
00:52:39,000 --> 00:52:46,200  
level that soups itself to the contracts

1274  
00:52:43,230 --> 00:52:47,910  
that are led from what I have heard

1275  
00:52:46,200 --> 00:52:50,609  
through the testimony of people who are

1276  
00:52:47,910 --> 00:52:52,529  
in a position to know well I can't I

1277  
00:52:50,609 --> 00:52:54,150  
can't give you any exact figures because

1278  
00:52:52,529 --> 00:52:56,460  
of the fact that I'd have to go back to

1279  
00:52:54,150 --> 00:52:58,799  
the statistics and that have come

1280  
00:52:56,460 --> 00:53:01,319  
through those agencies well that's what

1281  
00:52:58,799 --> 00:53:02,880  
people who have said that's what the

1282  
00:53:01,319 --> 00:53:04,980  
people have said who are in positions to

1283

00:53:02,880 --> 00:53:07,289  
know and understand well could you tell

1284  
00:53:04,980 --> 00:53:12,750  
us who some of those people were and

1285  
00:53:07,289 --> 00:53:17,000  
what what their testimony was well Parks

1286  
00:53:12,750 --> 00:53:19,829  
and Wildlife Division was a person who

1287  
00:53:17,000 --> 00:53:26,490  
had a person who explained this very

1288  
00:53:19,829 --> 00:53:29,819  
thoroughly techsan be zombie and the

1289  
00:53:26,490 --> 00:53:33,920  
small business of organizations that are

1290  
00:53:29,819 --> 00:53:37,529  
represented through our taxonomy without

1291  
00:53:33,920 --> 00:53:39,269  
mister has an idiot the case that when

1292  
00:53:37,529 --> 00:53:42,240  
you're dealing with a contract say of

1293  
00:53:39,269 --> 00:53:45,000  
less than two thousand dollars that's

1294  
00:53:42,240 --> 00:53:47,009  
probably I love some payment at the

1295  
00:53:45,000 --> 00:53:51,150  
conclusion of the work but if you get

1296  
00:53:47,009 --> 00:53:53,609  
into 10,000 or 15,000 or 20,000 don't

1297  
00:53:51,150 --> 00:53:56,099  
you get into progress payments under

1298  
00:53:53,609 --> 00:53:58,170  
those can they vote yes yes it's true

1299  
00:53:56,099 --> 00:54:02,069  
and when you get into progress payments

1300  
00:53:58,170 --> 00:54:03,670  
don't you give the contractor the

1301  
00:54:02,069 --> 00:54:05,319  
opportunity to

1302  
00:54:03,670 --> 00:54:07,210  
failed to pay his workmen even though

1303  
00:54:05,319 --> 00:54:11,160  
they all thought about it gentlemen time

1304  
00:54:07,210 --> 00:54:11,160  
expired wanted well taking a stain

1305  
00:54:14,640 --> 00:54:18,250  
questions on the adoption of the Hudson

1306  
00:54:16,930 --> 00:54:21,490  
Amendment is there objection to its

1307  
00:54:18,250 --> 00:54:23,460  
adoption there is objection knowledge

1308  
00:54:21,490 --> 00:54:28,859  
and play with adoption amendment say aye

1309  
00:54:23,460 --> 00:54:40,119  
all opposed no the amendment is adopted

1310

00:54:28,859 --> 00:54:47,680  
question now the following amendment the

1311  
00:54:40,119 --> 00:54:51,400  
clerk will read the amendment I'm Emma

1312  
00:54:47,680 --> 00:54:58,540  
by Hudson am in House bill 141 for mr.

1313  
00:54:51,400 --> 00:55:02,829  
Hudson to explain his amendment seen a

1314  
00:54:58,540 --> 00:55:05,200  
need to correct the original bill to

1315  
00:55:02,829 --> 00:55:10,119  
conform with the amendment and he

1316  
00:55:05,200 --> 00:55:11,859  
corrected the the the second part in

1317  
00:55:10,119 --> 00:55:15,700  
accordance with which deal with the

1318  
00:55:11,859 --> 00:55:20,430  
early liens to comply with the the

1319  
00:55:15,700 --> 00:55:22,930  
thrust of the bill change that to \$15

1320  
00:55:20,430 --> 00:55:26,319  
okay as the objection to the adoption to

1321  
00:55:22,930 --> 00:55:28,750  
minimum number two shared on the

1322  
00:55:26,319 --> 00:55:32,140  
amendment is adopted question now occurs

1323  
00:55:28,750 --> 00:55:34,480  
on passage to House to engross for the

1324  
00:55:32,140 --> 00:55:36,579  
House bill of 141 all those in favor of

1325  
00:55:34,480 --> 00:55:39,660  
passage a road for House bill 141 will

1326  
00:55:36,579 --> 00:55:43,109  
say aye all opposed no

1327  
00:55:39,660 --> 00:55:46,260  
House bill 141 is engrossed

1328  
00:55:43,109 --> 00:55:46,260  
thank you

1329  
00:55:53,280 --> 00:55:56,520  
Cheerilee at that house bill for on

1330  
00:55:55,320 --> 00:56:02,100  
second reading the clerk will read the

1331  
00:55:56,520 --> 00:56:03,600  
bill House bill 4 by Bynum regulating

1332  
00:56:02,100 --> 00:56:06,660  
campaign contributions and expenditures

1333  
00:56:03,600 --> 00:56:09,530  
and political advertising at the Bynum

1334  
00:56:06,660 --> 00:56:09,530  
to explain his bill

1335  
00:56:22,800 --> 00:56:30,150  
mr. speaker and members House bill 4 is

1336  
00:56:26,970 --> 00:56:33,810  
an amendment to the Election Code which

1337

00:56:30,150 --> 00:56:37,260  
is in effect an amendment to House bill

1338  
00:56:33,810 --> 00:56:39,660  
4 which is the campaign reporting the

1339  
00:56:37,260 --> 00:56:42,420  
Disclosure Act that we passed during the

1340  
00:56:39,660 --> 00:56:45,290  
last session of the legislature as many

1341  
00:56:42,420 --> 00:56:48,660  
of you who are here two years ago recall

1342  
00:56:45,290 --> 00:56:52,110  
from this same front microphone as we

1343  
00:56:48,660 --> 00:56:53,940  
were spending many hours discussing this

1344  
00:56:52,110 --> 00:56:57,840  
bill and in the late part of the session

1345  
00:56:53,940 --> 00:57:00,750  
I stated repeatedly that no new concept

1346  
00:56:57,840 --> 00:57:02,130  
and no bill is complicated could finally

1347  
00:57:00,750 --> 00:57:04,410  
be finished until it had a shakedown

1348  
00:57:02,130 --> 00:57:06,990  
period until we saw how it worked and

1349  
00:57:04,410 --> 00:57:08,310  
that we needed to work out the problems

1350  
00:57:06,990 --> 00:57:10,440  
this bill and that if there were

1351  
00:57:08,310 --> 00:57:12,630  
problems that that I would be back with

1352  
00:57:10,440 --> 00:57:16,560  
the necessary amendments to make the

1353  
00:57:12,630 --> 00:57:19,590  
bill workable and enforceable and today

1354  
00:57:16,560 --> 00:57:22,710  
I am back with House bill 4 which is an

1355  
00:57:19,590 --> 00:57:25,650  
amendment of that same act the house

1356  
00:57:22,710 --> 00:57:27,630  
bill basically is an effort to correct

1357  
00:57:25,650 --> 00:57:30,030  
the problems which have come up and

1358  
00:57:27,630 --> 00:57:31,440  
which have arisen in the Secretary of

1359  
00:57:30,030 --> 00:57:34,500  
State's office and with the many people

1360  
00:57:31,440 --> 00:57:37,320  
who have been dealing with this bill in

1361  
00:57:34,500 --> 00:57:40,830  
the two years since the bill is passed

1362  
00:57:37,320 --> 00:57:42,480  
I'd like to ask the houses attention on

1363  
00:57:40,830 --> 00:57:44,970  
this bill because there are some very

1364

00:57:42,480 --> 00:57:47,580  
significant things in this bill which

1365  
00:57:44,970 --> 00:57:49,410  
affect every single one of us here and

1366  
00:57:47,580 --> 00:57:53,910  
thousands of other people in this state

1367  
00:57:49,410 --> 00:57:57,090  
who run for national statewide County

1368  
00:57:53,910 --> 00:58:00,210  
district wide local offices all over

1369  
00:57:57,090 --> 00:58:01,740  
this state now this house should know

1370  
00:58:00,210 --> 00:58:04,050  
that when this bill was originally

1371  
00:58:01,740 --> 00:58:06,690  
passed two years ago by the house it was

1372  
00:58:04,050 --> 00:58:08,430  
a complete rewrite and it was a was a

1373  
00:58:06,690 --> 00:58:11,280  
pretty clean bill but when he went over

1374  
00:58:08,430 --> 00:58:15,030  
to the Senate the bill the Senate -

1375  
00:58:11,280 --> 00:58:17,610  
rewrote the bill and tried to put in the

1376  
00:58:15,030 --> 00:58:19,500  
bill that they wrote the concepts and

1377  
00:58:17,610 --> 00:58:21,690  
precepts that we were trying to get to

1378  
00:58:19,500 --> 00:58:24,360  
through the reform legislation and that

1379  
00:58:21,690 --> 00:58:27,420  
was to outlaw dummy political committees

1380  
00:58:24,360 --> 00:58:30,120  
that were not showing where money was

1381  
00:58:27,420 --> 00:58:32,040  
actually coming from they tried to write

1382  
00:58:30,120 --> 00:58:36,330  
that language into the in the

1383  
00:58:32,040 --> 00:58:38,820  
context of the of the old article 14 of

1384  
00:58:36,330 --> 00:58:41,160  
the Election Code and when they did this

1385  
00:58:38,820 --> 00:58:43,860  
there were a number of mistakes that may

1386  
00:58:41,160 --> 00:58:46,320  
that were made and in many ways this

1387  
00:58:43,860 --> 00:58:48,030  
bill is an effort to clean this up there

1388  
00:58:46,320 --> 00:58:50,610  
are two quick examples of this that I

1389  
00:58:48,030 --> 00:58:52,290  
would like to give the first example was

1390  
00:58:50,610 --> 00:58:54,990  
brought up in the Briscoe Ferren thaw

1391

00:58:52,290 --> 00:58:57,420  
lawsuit in bringing about the new

1392  
00:58:54,990 --> 00:59:01,110  
concepts the language had been used that

1393  
00:58:57,420 --> 00:59:04,650  
the bill related to anyone who made a

1394  
00:59:01,110 --> 00:59:07,250  
contribution or expenditure well now

1395  
00:59:04,650 --> 00:59:10,520  
obviously candidates seldom make

1396  
00:59:07,250 --> 00:59:12,660  
contributions to other candidates

1397  
00:59:10,520 --> 00:59:14,310  
obviously it was the intent of the

1398  
00:59:12,660 --> 00:59:16,820  
legislature and the intent of the

1399  
00:59:14,310 --> 00:59:20,370  
authors of the bills to say anybody who

1400  
00:59:16,820 --> 00:59:22,950  
received a contribution or made an

1401  
00:59:20,370 --> 00:59:24,870  
expenditure but that was not the actual

1402  
00:59:22,950 --> 00:59:27,270  
language of the bill so in the court

1403  
00:59:24,870 --> 00:59:29,160  
case there was a great deal made over

1404  
00:59:27,270 --> 00:59:31,860  
the fact that the bill actually said

1405  
00:59:29,160 --> 00:59:34,560  
anybody who made a contribution or

1406  
00:59:31,860 --> 00:59:36,870  
expenditure so this was an effort this

1407  
00:59:34,560 --> 00:59:37,980  
is an effort to clean that thing up to

1408  
00:59:36,870 --> 00:59:39,630  
illustrate another one of the

1409  
00:59:37,980 --> 00:59:41,490  
ambiguities that resulted from the

1410  
00:59:39,630 --> 00:59:43,410  
hurried efforts to arrive at a

1411  
00:59:41,490 --> 00:59:46,140  
compromise bill in the final hours of

1412  
00:59:43,410 --> 00:59:47,700  
the 63rd legislature let me direct you

1413  
00:59:46,140 --> 00:59:49,890  
to the prohibition against corporate

1414  
00:59:47,700 --> 00:59:51,960  
campaign contributions contained in

1415  
00:59:49,890 --> 00:59:54,690  
section 243 of the present Texas

1416  
00:59:51,960 --> 00:59:56,550  
election code the bill is drafted by the

1417  
00:59:54,690 --> 00:59:58,620  
state Affairs Committee did not permit

1418

00:59:56,550 --> 01:00:00,210  
legitimate lending institutions to make

1419  
00:59:58,620 --> 01:00:01,830  
loans either to a candidate or political

1420  
01:00:00,210 --> 01:00:04,410  
committee in the due course of their

1421  
01:00:01,830 --> 01:00:06,600  
business to correct this defect however

1422  
01:00:04,410 --> 01:00:09,090  
a floor amendment was added to permit

1423  
01:00:06,600 --> 01:00:11,280  
such loans the amendment tracked the

1424  
01:00:09,090 --> 01:00:13,800  
wording of the prior statute which

1425  
01:00:11,280 --> 01:00:16,260  
permitted a legitimate loan only to a

1426  
01:00:13,800 --> 01:00:18,330  
candidate now we intended to allow

1427  
01:00:16,260 --> 01:00:20,100  
legitimate lending institutions to make

1428  
01:00:18,330 --> 01:00:21,960  
loans to both candidates and political

1429  
01:00:20,100 --> 01:00:24,510  
committees in the due course of their

1430  
01:00:21,960 --> 01:00:26,310  
business so long as such loans are not

1431  
01:00:24,510 --> 01:00:28,740  
directly or indirectly a contribution

1432  
01:00:26,310 --> 01:00:30,600  
but inherently drafting the floor

1433  
01:00:28,740 --> 01:00:32,640  
amendment we inadvertently failed to

1434  
01:00:30,600 --> 01:00:34,560  
insert the term political committee in

1435  
01:00:32,640 --> 01:00:36,720  
the exemption for loans drawn from the

1436  
01:00:34,560 --> 01:00:38,130  
old statute both the Senate in the

1437  
01:00:36,720 --> 01:00:40,530  
conference committee thought and

1438  
01:00:38,130 --> 01:00:42,690  
intended at section 243 authorized

1439  
01:00:40,530 --> 01:00:42,930  
legitimate loans by legitimate lending

1440  
01:00:42,690 --> 01:00:45,089  
in

1441  
01:00:42,930 --> 01:00:47,190  
to shion's no matter whether such loans

1442  
01:00:45,089 --> 01:00:49,170  
are made directly to a candidate or to a

1443  
01:00:47,190 --> 01:00:52,079  
political committee for the benefit of

1444  
01:00:49,170 --> 01:00:54,089  
candidate or candidates however the same

1445

01:00:52,079 --> 01:00:55,800  
people have been led to believe that the

1446  
01:00:54,089 --> 01:00:57,750  
legend however there are people who have

1447  
01:00:55,800 --> 01:00:59,250  
been led to believe that legitimate

1448  
01:00:57,750 --> 01:01:01,410  
loans to political committees were

1449  
01:00:59,250 --> 01:01:04,079  
prohibited which was never the intent

1450  
01:01:01,410 --> 01:01:06,300  
the 63rd legislature did not intend the

1451  
01:01:04,079 --> 01:01:08,579  
result and in order to clarify this the

1452  
01:01:06,300 --> 01:01:11,369  
new House bill 4 expressly permits such

1453  
01:01:08,579 --> 01:01:16,550  
loans mr. speaker will Yemen yield in

1454  
01:01:11,369 --> 01:01:16,550  
just a minute while you're covering it

1455  
01:01:17,180 --> 01:01:22,020  
mister Bynum I wanted to clarify that

1456  
01:01:19,680 --> 01:01:24,240  
point there he knows this because I have

1457  
01:01:22,020 --> 01:01:26,520  
been reading that section rather closely

1458  
01:01:24,240 --> 01:01:30,780  
even before your bill come up and it

1459  
01:01:26,520 --> 01:01:32,970  
does seem to me that we authorized some

1460  
01:01:30,780 --> 01:01:35,250  
some kind of activity to be made in

1461  
01:01:32,970 --> 01:01:38,550  
behalf of candidates committees and so

1462  
01:01:35,250 --> 01:01:40,290  
forth but then when loans were made we

1463  
01:01:38,550 --> 01:01:44,460  
authorized them only to be made to

1464  
01:01:40,290 --> 01:01:46,589  
candidates in the same section it was

1465  
01:01:44,460 --> 01:01:48,420  
just a mistake mr. BAE I understand he

1466  
01:01:46,589 --> 01:01:51,510  
was a mistake but I want to find as is

1467  
01:01:48,420 --> 01:01:54,089  
the although it was a mistake the effect

1468  
01:01:51,510 --> 01:01:57,839  
of it is that we were that we have

1469  
01:01:54,089 --> 01:02:01,079  
outlawed the making of loans to

1470  
01:01:57,839 --> 01:02:03,900  
political committees the effect of that

1471  
01:02:01,079 --> 01:02:08,280  
law as written regardless whether he was

1472

01:02:03,900 --> 01:02:11,069  
intentional or a mistake no sir I don't

1473  
01:02:08,280 --> 01:02:12,450  
think that we did I just I don't think

1474  
01:02:11,069 --> 01:02:14,730  
that's the really the effect of it

1475  
01:02:12,450 --> 01:02:17,849  
because political committees mr. Vaile

1476  
01:02:14,730 --> 01:02:19,410  
are for the purpose of a candidate in

1477  
01:02:17,849 --> 01:02:22,530  
other words political committees are

1478  
01:02:19,410 --> 01:02:24,900  
formed for the purpose of a candidate

1479  
01:02:22,530 --> 01:02:27,390  
and supporting candidates in an election

1480  
01:02:24,900 --> 01:02:30,150  
and I frankly think that that although

1481  
01:02:27,390 --> 01:02:32,910  
the law may appear to do what you say

1482  
01:02:30,150 --> 01:02:34,950  
that in reality and in effect that it

1483  
01:02:32,910 --> 01:02:37,020  
does not prohibit that I think that even

1484  
01:02:34,950 --> 01:02:39,480  
when the loan is made through a

1485  
01:02:37,020 --> 01:02:41,160  
political committee it ultimately ends

1486  
01:02:39,480 --> 01:02:43,349  
up in the hands of a candidate and

1487  
01:02:41,160 --> 01:02:45,420  
therefore I don't think you can really

1488  
01:02:43,349 --> 01:02:47,309  
interpret it that way but in spite of

1489  
01:02:45,420 --> 01:02:50,760  
that because there have been questions

1490  
01:02:47,309 --> 01:02:52,980  
raised on this matter we are in the new

1491  
01:02:50,760 --> 01:02:54,900  
house bill for going to clarify the

1492  
01:02:52,980 --> 01:02:58,770  
all right but I live away by one point

1493  
01:02:54,900 --> 01:03:01,050  
by doing this clarification if there has

1494  
01:02:58,770 --> 01:03:03,810  
been any wrongdoing in the past on that

1495  
01:03:01,050 --> 01:03:05,849  
section we're not going to sanction

1496  
01:03:03,810 --> 01:03:08,010  
anything that went that went on in the

1497  
01:03:05,849 --> 01:03:09,240  
past are we well I certainly don't it

1498  
01:03:08,010 --> 01:03:12,930  
didn't a point that I'm gonna try to

1499

01:03:09,240 --> 01:03:15,420  
make yes I know are some big lows that

1500  
01:03:12,930 --> 01:03:19,380  
have been made to some political

1501  
01:03:15,420 --> 01:03:21,750  
committees and I just want to make sure

1502  
01:03:19,380 --> 01:03:25,710  
that we're not going to come around here

1503  
01:03:21,750 --> 01:03:27,900  
and whitewash that anything that

1504  
01:03:25,710 --> 01:03:31,250  
happened while this section has been

1505  
01:03:27,900 --> 01:03:35,359  
pending in the forum that it was written

1506  
01:03:31,250 --> 01:03:38,250  
intentionally by mistake or otherwise

1507  
01:03:35,359 --> 01:03:40,650  
mr. mayor my only point is that I don't

1508  
01:03:38,250 --> 01:03:42,869  
think it was ever anyone's intent that a

1509  
01:03:40,650 --> 01:03:44,609  
legitimate lending institution ought not

1510  
01:03:42,869 --> 01:03:46,829  
be able to loan money for political

1511  
01:03:44,609 --> 01:03:48,960  
purposes I think that was very clearly

1512  
01:03:46,829 --> 01:03:51,930  
our intent it was the intent when the

1513  
01:03:48,960 --> 01:03:54,150  
amendment was offered on the floor it

1514  
01:03:51,930 --> 01:03:56,790  
was an oversight that what not that's

1515  
01:03:54,150 --> 01:03:59,490  
not what it said and and frankly I

1516  
01:03:56,790 --> 01:04:01,410  
frankly I believe mr. Vaile that it is

1517  
01:03:59,490 --> 01:04:04,260  
what I said and I do believe mr. Vaile

1518  
01:04:01,410 --> 01:04:06,420  
that that the law even the way it's

1519  
01:04:04,260 --> 01:04:08,790  
written in the present House bill 4

1520  
01:04:06,420 --> 01:04:11,910  
would not stop someone from blowing a

1521  
01:04:08,790 --> 01:04:13,829  
political committee money because that

1522  
01:04:11,910 --> 01:04:15,300  
money ultimately ends up in the hands of

1523  
01:04:13,829 --> 01:04:17,700  
a candidate I don't think it would

1524  
01:04:15,300 --> 01:04:19,440  
prevent them but there's a very strong

1525  
01:04:17,700 --> 01:04:21,869  
probability that they would subject

1526

01:04:19,440 --> 01:04:24,810  
themselves to the penalties provided in

1527  
01:04:21,869 --> 01:04:26,369  
the rest of that section I disagree with

1528  
01:04:24,810 --> 01:04:28,290  
that mr. mayor but I'm sure that'll be

1529  
01:04:26,369 --> 01:04:30,660  
then there is no need there's no need

1530  
01:04:28,290 --> 01:04:32,849  
for for jiggering around that provision

1531  
01:04:30,660 --> 01:04:34,890  
well I think there is to make it very

1532  
01:04:32,849 --> 01:04:36,450  
clear what the intent is and I and I'm

1533  
01:04:34,890 --> 01:04:38,040  
sure this matter if it ever gets into

1534  
01:04:36,450 --> 01:04:39,930  
court would be resolved by the courts

1535  
01:04:38,040 --> 01:04:41,550  
I'm just telling you what mine maybe ask

1536  
01:04:39,930 --> 01:04:43,710  
you one more thing on this section mr.

1537  
01:04:41,550 --> 01:04:47,720  
Lathem am I correct in understanding

1538  
01:04:43,710 --> 01:04:50,420  
that national banks of national banks

1539  
01:04:47,720 --> 01:04:53,480  
banks worth national to federal charters

1540  
01:04:50,420 --> 01:04:58,079  
do not come under the provisions of this

1541  
01:04:53,480 --> 01:04:59,880  
of this Act a they do not come under the

1542  
01:04:58,079 --> 01:05:02,040  
provisions of it as it's written right

1543  
01:04:59,880 --> 01:05:03,690  
now I've got an amendment I think the

1544  
01:05:02,040 --> 01:05:05,970  
Second Amendment I've got up here there

1545  
01:05:03,690 --> 01:05:07,470  
was a typographical error when this

1546  
01:05:05,970 --> 01:05:08,849  
amendment came out of committee and I've

1547  
01:05:07,470 --> 01:05:10,890  
got an amendment up here that makes it

1548  
01:05:08,849 --> 01:05:13,109  
very clear that national banks are under

1549  
01:05:10,890 --> 01:05:14,700  
it so the way that that thing is written

1550  
01:05:13,109 --> 01:05:16,859  
yes you're right the way it's written

1551  
01:05:14,700 --> 01:05:18,569  
now that the definition of corporation

1552  
01:05:16,859 --> 01:05:20,849  
under this under this amendment is poor

1553

01:05:18,569 --> 01:05:22,470  
and I don't know how it got written that

1554  
01:05:20,849 --> 01:05:24,750  
way because that's not the way it came

1555  
01:05:22,470 --> 01:05:26,310  
out of subcommittee and I can't find any

1556  
01:05:24,750 --> 01:05:27,869  
record of an amendment changing it in

1557  
01:05:26,310 --> 01:05:29,819  
committee and I think it's a miss pretty

1558  
01:05:27,869 --> 01:05:31,680  
but there's amendment up here to fix

1559  
01:05:29,819 --> 01:05:33,450  
that so all those changes were made or

1560  
01:05:31,680 --> 01:05:34,890  
just happened to be mistakes when when

1561  
01:05:33,450 --> 01:05:37,319  
this thing was being written two years

1562  
01:05:34,890 --> 01:05:38,880  
ago something happened to it but now

1563  
01:05:37,319 --> 01:05:40,500  
we're taught but we're talking about the

1564  
01:05:38,880 --> 01:05:42,000  
difference between a corporate we're not

1565  
01:05:40,500 --> 01:05:43,980  
we're talk about a court the definition

1566  
01:05:42,000 --> 01:05:47,010  
of a corporation we're talking about

1567  
01:05:43,980 --> 01:05:51,150  
this definition now all right now that's

1568  
01:05:47,010 --> 01:05:52,980  
another mistake that happened we didn't

1569  
01:05:51,150 --> 01:05:57,319  
define in the definition section of

1570  
01:05:52,980 --> 01:06:00,540  
corporation two years ago the the next

1571  
01:05:57,319 --> 01:06:02,280  
the next the next subject that we

1572  
01:06:00,540 --> 01:06:03,869  
address to very directly and I think

1573  
01:06:02,280 --> 01:06:06,450  
it's very important to many of us is

1574  
01:06:03,869 --> 01:06:08,880  
that we redefine the whole term

1575  
01:06:06,450 --> 01:06:10,319  
political action committees now we

1576  
01:06:08,880 --> 01:06:11,760  
discovered as we've been working with

1577  
01:06:10,319 --> 01:06:13,470  
this bill that there's really two

1578  
01:06:11,760 --> 01:06:16,170  
different kinds of political committees

1579  
01:06:13,470 --> 01:06:17,730  
that exist one committee is the kind

1580

01:06:16,170 --> 01:06:20,940  
that is supporting a candidate or a

1581  
01:06:17,730 --> 01:06:22,859  
measure the reelect Bend binem committee

1582  
01:06:20,940 --> 01:06:25,290  
is a very specific limited political

1583  
01:06:22,859 --> 01:06:28,020  
committee on the other hand there are

1584  
01:06:25,290 --> 01:06:31,319  
many legitimate political action

1585  
01:06:28,020 --> 01:06:33,569  
committees those committees are formed

1586  
01:06:31,319 --> 01:06:36,510  
in their ongoing committees to support

1587  
01:06:33,569 --> 01:06:38,400  
candidates all over the state and we set

1588  
01:06:36,510 --> 01:06:40,260  
up a special classification for these

1589  
01:06:38,400 --> 01:06:42,420  
political action committees so that they

1590  
01:06:40,260 --> 01:06:46,970  
can function properly and they are not

1591  
01:06:42,420 --> 01:06:50,670  
placed under owners onerous burdens to

1592  
01:06:46,970 --> 01:06:52,589  
be required to report the same as an

1593  
01:06:50,670 --> 01:06:55,770  
individual candidate or an individual

1594  
01:06:52,589 --> 01:06:58,020  
political action committee would now if

1595  
01:06:55,770 --> 01:07:00,540  
the house will bear with me I will be

1596  
01:06:58,020 --> 01:07:02,190  
very give a very brief general view of

1597  
01:07:00,540 --> 01:07:05,369  
some of the things that we have done

1598  
01:07:02,190 --> 01:07:07,109  
which I think greatly improve this bill

1599  
01:07:05,369 --> 01:07:08,670  
I believe this bill is going to be

1600  
01:07:07,109 --> 01:07:11,280  
enforceable it is going to be much

1601  
01:07:08,670 --> 01:07:13,770  
easier for candidates to live with we

1602  
01:07:11,280 --> 01:07:15,190  
defined what affirmative action is that

1603  
01:07:13,770 --> 01:07:17,650  
has been a problem that we've had

1604  
01:07:15,190 --> 01:07:21,160  
over the years we stated that the bill

1605  
01:07:17,650 --> 01:07:22,990  
does not apply to Offices of a political

1606  
01:07:21,160 --> 01:07:26,020  
party only those people who are running

1607

01:07:22,990 --> 01:07:28,869  
for a public office and not offices of a

1608  
01:07:26,020 --> 01:07:31,270  
political party we do define and set up

1609  
01:07:28,869 --> 01:07:34,510  
the new classification of a political

1610  
01:07:31,270 --> 01:07:36,579  
action committee we state that political

1611  
01:07:34,510 --> 01:07:39,069  
action committees upon their formation

1612  
01:07:36,579 --> 01:07:41,770  
can have their campaign treasurer's file

1613  
01:07:39,069 --> 01:07:43,390  
in only one place and and set up very

1614  
01:07:41,770 --> 01:07:48,069  
clearly where these political action

1615  
01:07:43,390 --> 01:07:49,569  
committees do actually file we state we

1616  
01:07:48,069 --> 01:07:51,099  
state very clearly that it shall be

1617  
01:07:49,569 --> 01:07:52,960  
unlawful for a candidate or political

1618  
01:07:51,099 --> 01:07:55,810  
committee or political action committee

1619  
01:07:52,960 --> 01:07:58,540  
to accept monetary contributions in

1620  
01:07:55,810 --> 01:08:01,000  
excess of \$100 except by written

1621  
01:07:58,540 --> 01:08:02,619  
instrument that's a very important

1622  
01:08:01,000 --> 01:08:05,760  
reform that we're making in this bill

1623  
01:08:02,619 --> 01:08:09,970  
we're going to stop these \$10,000 cash

1624  
01:08:05,760 --> 01:08:12,609  
contributions only contributions of less

1625  
01:08:09,970 --> 01:08:15,069  
than \$100 can be made in cash any other

1626  
01:08:12,609 --> 01:08:17,020  
one must be by written instrument we

1627  
01:08:15,069 --> 01:08:19,270  
have also said that it shall be unlawful

1628  
01:08:17,020 --> 01:08:20,739  
and plugged another loophole by saying

1629  
01:08:19,270 --> 01:08:22,960  
it unlawful for a person to make

1630  
01:08:20,739 --> 01:08:25,380  
contribution or expenditures in the name

1631  
01:08:22,960 --> 01:08:29,020  
of another or in the behalf of another

1632  
01:08:25,380 --> 01:08:31,210  
without revealing that fact we have we

1633  
01:08:29,020 --> 01:08:34,120  
have throughout the bill attempted to

1634

01:08:31,210 --> 01:08:36,969  
bring the penalties in line with the

1635  
01:08:34,120 --> 01:08:39,489  
with the violations we found that that

1636  
01:08:36,969 --> 01:08:41,859  
putting felony violations in for every

1637  
01:08:39,489 --> 01:08:43,750  
single offense of this bill meant that

1638  
01:08:41,859 --> 01:08:46,359  
people just would not enforce it when a

1639  
01:08:43,750 --> 01:08:47,109  
fellow was a day late filing a campaign

1640  
01:08:46,359 --> 01:08:49,000  
disclosure

1641  
01:08:47,109 --> 01:08:51,310  
no one is going to send him to the

1642  
01:08:49,000 --> 01:08:53,020  
penitentiary for that so we brought that

1643  
01:08:51,310 --> 01:08:55,239  
we brought the penalties more in line

1644  
01:08:53,020 --> 01:08:58,180  
with what they ought to be and made the

1645  
01:08:55,239 --> 01:09:02,049  
bill conform in such a way that that it

1646  
01:08:58,180 --> 01:09:05,080  
can in fact be enforced mr. pickle

1647  
01:09:02,049 --> 01:09:09,069  
gentlemen you give us bottom yes sir

1648  
01:09:05,080 --> 01:09:11,529  
jimony Lilith Maddox mr. Viner ma'am I'm

1649  
01:09:09,069 --> 01:09:13,330  
not I'm asking some questions I don't

1650  
01:09:11,529 --> 01:09:15,819  
know the answer to you know you made

1651  
01:09:13,330 --> 01:09:17,890  
reference while ago to this Briscoe

1652  
01:09:15,819 --> 01:09:21,580  
Farenthold lawsuit to state that they

1653  
01:09:17,890 --> 01:09:24,120  
settled does does this bill require a

1654  
01:09:21,580 --> 01:09:26,190  
disclosure of what the terms

1655  
01:09:24,120 --> 01:09:28,440  
settlements of lawsuits such as that

1656  
01:09:26,190 --> 01:09:30,839  
were is not required to be disclosed in

1657  
01:09:28,440 --> 01:09:33,120  
here yes sir it would if that money was

1658  
01:09:30,839 --> 01:09:35,190  
paid for out of out of campaign funds

1659  
01:09:33,120 --> 01:09:39,900  
for damage if it's not paid for our

1660  
01:09:35,190 --> 01:09:43,170  
campaign funds well I suppose that if it

1661

01:09:39,900 --> 01:09:44,670  
was a civil suit against a person in

1662  
01:09:43,170 --> 01:09:47,580  
other words if it were a suit just

1663  
01:09:44,670 --> 01:09:50,009  
against you and you made that payment

1664  
01:09:47,580 --> 01:09:52,799  
out of your own pocket that it would not

1665  
01:09:50,009 --> 01:09:55,290  
be solved that way however if it was a

1666  
01:09:52,799 --> 01:09:56,910  
civil suit against a committee the

1667  
01:09:55,290 --> 01:09:59,130  
political committee or a political

1668  
01:09:56,910 --> 01:10:00,900  
action committee then the funds would

1669  
01:09:59,130 --> 01:10:02,430  
have to come out of that the funds of

1670  
01:10:00,900 --> 01:10:04,110  
that political committee or political

1671  
01:10:02,430 --> 01:10:05,370  
act committee and would would indeed

1672  
01:10:04,110 --> 01:10:07,680  
have to be disclosed

1673  
01:10:05,370 --> 01:10:09,360  
well what I'm what I'm getting at and

1674  
01:10:07,680 --> 01:10:11,010  
what I'm wondering is it I think

1675  
01:10:09,360 --> 01:10:12,960  
depending on how the suit was filed if

1676  
01:10:11,010 --> 01:10:14,969  
the suit was filed against the Jim

1677  
01:10:12,960 --> 01:10:17,580  
Maddox campaign fund then it would have

1678  
01:10:14,969 --> 01:10:20,760  
to be disclosed if it were filed against

1679  
01:10:17,580 --> 01:10:22,710  
you for a violation that you made say

1680  
01:10:20,760 --> 01:10:24,449  
not disclosing or something like that

1681  
01:10:22,710 --> 01:10:25,920  
then I suppose that that would have to

1682  
01:10:24,449 --> 01:10:28,260  
come out of your pocket well what

1683  
01:10:25,920 --> 01:10:30,330  
concerns me as for instance and this is

1684  
01:10:28,260 --> 01:10:33,390  
may or may not be a legitimate concern

1685  
01:10:30,330 --> 01:10:35,280  
is I have heard batted around the figure

1686  
01:10:33,390 --> 01:10:37,199  
that that the governor settled that

1687  
01:10:35,280 --> 01:10:40,199  
lawsuit for like a hundred thousand

1688

01:10:37,199 --> 01:10:41,940  
dollars hundred thousand dollars and the

1689  
01:10:40,199 --> 01:10:44,340  
figure has not been disclosed and it's

1690  
01:10:41,940 --> 01:10:46,110  
my worry about the thing that if you

1691  
01:10:44,340 --> 01:10:48,810  
know we just went through this Watergate

1692  
01:10:46,110 --> 01:10:50,550  
drama in his mind it would be my

1693  
01:10:48,810 --> 01:10:51,989  
suspicion that if something were settled

1694  
01:10:50,550 --> 01:10:53,430  
for a hundred thousand dollars when they

1695  
01:10:51,989 --> 01:10:55,650  
weren't supposed to do anything wrong

1696  
01:10:53,430 --> 01:10:57,510  
well then the settlement for a hundred

1697  
01:10:55,650 --> 01:11:00,030  
thousand dollars may be for the purpose

1698  
01:10:57,510 --> 01:11:02,489  
of covering up some other violation that

1699  
01:11:00,030 --> 01:11:03,989  
may not have been detected and if that's

1700  
01:11:02,489 --> 01:11:06,890  
the case when I'm kind of concerned

1701  
01:11:03,989 --> 01:11:09,480  
about is whether if we pass this bill

1702  
01:11:06,890 --> 01:11:11,790  
under the terms of the penal code as I

1703  
01:11:09,480 --> 01:11:14,400  
assume this comes under that for any

1704  
01:11:11,790 --> 01:11:16,140  
violation that that that is taking place

1705  
01:11:14,400 --> 01:11:17,730  
that this automatically would do away

1706  
01:11:16,140 --> 01:11:20,100  
from what do with do away with the

1707  
01:11:17,730 --> 01:11:23,190  
violation if it were not a continuing

1708  
01:11:20,100 --> 01:11:24,690  
violation under this particular bill can

1709  
01:11:23,190 --> 01:11:26,100  
you have any thoughts about that because

1710  
01:11:24,690 --> 01:11:27,449  
I think you're something hidden out

1711  
01:11:26,100 --> 01:11:31,770  
there now and many will figure out what

1712  
01:11:27,449 --> 01:11:33,890  
it is just yet well mr. Maddox I I think

1713  
01:11:31,770 --> 01:11:35,360  
that if those funds the

1714  
01:11:33,890 --> 01:11:36,950  
were used to settle water from the

1715

01:11:35,360 --> 01:11:37,940  
campaign fund and I think the suit

1716  
01:11:36,950 --> 01:11:40,580  
you're talking about was probably

1717  
01:11:37,940 --> 01:11:42,710  
against the campaign fund when when that

1718  
01:11:40,580 --> 01:11:46,190  
campaign fund has to make their next

1719  
01:11:42,710 --> 01:11:49,670  
report and they will have to then it

1720  
01:11:46,190 --> 01:11:52,010  
will have to be reporting as to the

1721  
01:11:49,670 --> 01:11:54,380  
whole problem you address let me just

1722  
01:11:52,010 --> 01:11:56,900  
hasten to tell you that this is the best

1723  
01:11:54,380 --> 01:11:59,990  
example of one of many good examples I

1724  
01:11:56,900 --> 01:12:02,000  
can think of why we need an election

1725  
01:11:59,990 --> 01:12:04,340  
commission to oversee and enforce this

1726  
01:12:02,000 --> 01:12:05,930  
law and that that when you have no

1727  
01:12:04,340 --> 01:12:09,290  
enforcement of the bill or when you

1728  
01:12:05,930 --> 01:12:11,270  
place it in the hands of a political

1729  
01:12:09,290 --> 01:12:12,710  
entity one political entity that being

1730  
01:12:11,270 --> 01:12:15,440  
the governor through the Secretary of

1731  
01:12:12,710 --> 01:12:17,810  
State that that you in fact will not

1732  
01:12:15,440 --> 01:12:20,030  
have enforcement of this bill and I

1733  
01:12:17,810 --> 01:12:21,860  
think that you're exactly right and if

1734  
01:12:20,030 --> 01:12:23,480  
we had an elections commission that

1735  
01:12:21,860 --> 01:12:25,550  
could look at these filings and check

1736  
01:12:23,480 --> 01:12:27,500  
these filings and it would do that sort

1737  
01:12:25,550 --> 01:12:29,600  
of thing as my amendment later will do

1738  
01:12:27,500 --> 01:12:31,610  
then I think we resolved the very

1739  
01:12:29,600 --> 01:12:33,350  
problem that you'd that you bring up mr.

1740  
01:12:31,610 --> 01:12:34,880  
Bergmann I think we need the election

1741  
01:12:33,350 --> 01:12:36,410  
commission and everything but one other

1742

01:12:34,880 --> 01:12:38,720  
thing and I'm wondering about and I'm

1743  
01:12:36,410 --> 01:12:41,690  
asking this I don't mean to be casting

1744  
01:12:38,720 --> 01:12:43,430  
any disparaging type implications

1745  
01:12:41,690 --> 01:12:45,770  
towards anybody but I'm asking all

1746  
01:12:43,430 --> 01:12:48,380  
sincerity do you know of any violation

1747  
01:12:45,770 --> 01:12:50,870  
that the governor has committed in any

1748  
01:12:48,380 --> 01:12:54,770  
way or any his campaign committees that

1749  
01:12:50,870 --> 01:12:57,650  
that this bill would change where where

1750  
01:12:54,770 --> 01:12:59,210  
he would not be prosecuted under for

1751  
01:12:57,650 --> 01:13:00,710  
violation of law because we'd be

1752  
01:12:59,210 --> 01:13:03,290  
changing this bill do you know of any

1753  
01:13:00,710 --> 01:13:07,370  
violation of that nature no sir I do not

1754  
01:13:03,290 --> 01:13:09,350  
thank you mr. speaker

1755  
01:13:07,370 --> 01:13:11,510  
miss Sullivan the gentleman yield mr.

1756  
01:13:09,350 --> 01:13:12,050  
Farnum yes mr. Sullivan Jimmy you of

1757  
01:13:11,510 --> 01:13:14,840  
miss Sullivan

1758  
01:13:12,050 --> 01:13:17,060  
bind them on page 8 about the middle of

1759  
01:13:14,840 --> 01:13:20,600  
the page you've stricken this whole

1760  
01:13:17,060 --> 01:13:22,070  
paragraph a and I I'm sure there's a

1761  
01:13:20,600 --> 01:13:23,750  
good reason for it and I just don't know

1762  
01:13:22,070 --> 01:13:27,530  
your bill well enough to know why but

1763  
01:13:23,750 --> 01:13:29,750  
could you explain it for me we you talk

1764  
01:13:27,530 --> 01:13:31,580  
about the repealing of that section yes

1765  
01:13:29,750 --> 01:13:33,050  
that's a very important thing in the

1766  
01:13:31,580 --> 01:13:35,420  
bill I'm glad you asked the question

1767  
01:13:33,050 --> 01:13:37,160  
that that repeals and you come down here

1768  
01:13:35,420 --> 01:13:39,620  
look at the election code that satting

1769

01:13:37,160 --> 01:13:42,080  
that repeals article 1403 which is the

1770  
01:13:39,620 --> 01:13:43,520  
purposes of expenditures if you've read

1771  
01:13:42,080 --> 01:13:44,840  
this bill as you probably have missed

1772  
01:13:43,520 --> 01:13:45,200  
something you know there's a laundry

1773  
01:13:44,840 --> 01:13:47,330  
list

1774  
01:13:45,200 --> 01:13:49,190  
things that are lawful expenditures

1775  
01:13:47,330 --> 01:13:51,890  
under this bill

1776  
01:13:49,190 --> 01:13:54,110  
no one can comply with that list there

1777  
01:13:51,890 --> 01:13:56,750  
they're vague but at the same time

1778  
01:13:54,110 --> 01:13:59,090  
they're unusually restrictive the theory

1779  
01:13:56,750 --> 01:14:01,610  
of this bill has always been and my

1780  
01:13:59,090 --> 01:14:04,970  
theory today is that that we shouldn't

1781  
01:14:01,610 --> 01:14:07,430  
place a limit on on how somebody spends

1782  
01:14:04,970 --> 01:14:10,190  
their money then what we should do is

1783  
01:14:07,430 --> 01:14:13,040  
make certain that it is disclosed to the

1784  
01:14:10,190 --> 01:14:15,950  
public and if somebody wants to spend

1785  
01:14:13,040 --> 01:14:18,500  
their money for for the purchase of an

1786  
01:14:15,950 --> 01:14:19,550  
automobile or if somebody wants to spend

1787  
01:14:18,500 --> 01:14:21,590  
the money that they've gone out and

1788  
01:14:19,550 --> 01:14:23,690  
raised through campaign contributions

1789  
01:14:21,590 --> 01:14:25,040  
for any other purpose then they can do

1790  
01:14:23,690 --> 01:14:27,080  
that but I'll give you the kind of

1791  
01:14:25,040 --> 01:14:28,790  
problem suppose you have a dinner for

1792  
01:14:27,080 --> 01:14:30,290  
your campaign they'll break in just at

1793  
01:14:28,790 --> 01:14:32,180  
the moment because you're talking to a

1794  
01:14:30,290 --> 01:14:36,050  
different problem - what I'm asking you

1795  
01:14:32,180 --> 01:14:40,340  
about on page 8 of your but the second

1796

01:14:36,050 --> 01:14:42,110  
reading second printing I mean right

1797  
01:14:40,340 --> 01:14:43,640  
about the middle of the page where it

1798  
01:14:42,110 --> 01:14:45,980  
used to say except as otherwise

1799  
01:14:43,640 --> 01:14:47,750  
prohibited by law shall be unlawful for

1800  
01:14:45,980 --> 01:14:50,540  
a person other than the corporation or

1801  
01:14:47,750 --> 01:14:54,530  
labor union etc all that is drinking

1802  
01:14:50,540 --> 01:14:57,200  
them I'm just asking why we we redefine

1803  
01:14:54,530 --> 01:14:59,950  
that we redefine that and covered it

1804  
01:14:57,200 --> 01:15:04,220  
properly over here in the section called

1805  
01:14:59,950 --> 01:15:06,710  
in 244 on page 11 stating corporations

1806  
01:15:04,220 --> 01:15:08,750  
and labor unions not to contribute we

1807  
01:15:06,710 --> 01:15:10,550  
pulled all of that language dealing with

1808  
01:15:08,750 --> 01:15:13,010  
corporate contributions and labor union

1809  
01:15:10,550 --> 01:15:15,620  
contributions into one one article and

1810  
01:15:13,010 --> 01:15:17,510  
we worked very hard mr. Sullivan to set

1811  
01:15:15,620 --> 01:15:19,040  
up the true balance and see to it the

1812  
01:15:17,510 --> 01:15:24,020  
corporations and labor unions were

1813  
01:15:19,040 --> 01:15:26,900  
treated the same on it Thank You mr.

1814  
01:15:24,020 --> 01:15:29,570  
speaker mr. Ryan well gentleman yield

1815  
01:15:26,900 --> 01:15:36,290  
yo mr. Lynam gentleman yield mr. Brian

1816  
01:15:29,570 --> 01:15:39,290  
Mr Bond I'm on page three section F you

1817  
01:15:36,290 --> 01:15:41,120  
have changed that's what under this list

1818  
01:15:39,290 --> 01:15:43,340  
of definitions public office is defined

1819  
01:15:41,120 --> 01:15:45,590  
as any always created under Authority

1820  
01:15:43,340 --> 01:15:47,630  
the laws and you put here but does not

1821  
01:15:45,590 --> 01:15:50,570  
include the offices of a political party

1822  
01:15:47,630 --> 01:15:52,430  
does that mean that this this bill is

1823

01:15:50,570 --> 01:15:54,650  
not going to cover County Democratic

1824  
01:15:52,430 --> 01:15:56,450  
Chairman County Republican chairman yes

1825  
01:15:54,650 --> 01:15:58,849  
sir it does there's some rationale for

1826  
01:15:56,450 --> 01:16:00,530  
that the that was not my line

1827  
01:15:58,849 --> 01:16:02,630  
that was the committee's I should tell

1828  
01:16:00,530 --> 01:16:04,550  
you mr. Bryant that this bill was

1829  
01:16:02,630 --> 01:16:06,829  
probably worked on by subcommittee for

1830  
01:16:04,550 --> 01:16:09,020  
an excess of 20 actual hours in meeting

1831  
01:16:06,829 --> 01:16:11,000  
and it this this is not my bill it's

1832  
01:16:09,020 --> 01:16:13,310  
it's the product of Miss wedington

1833  
01:16:11,000 --> 01:16:15,829  
subcommittee which did a tremendous job

1834  
01:16:13,310 --> 01:16:17,630  
of working out every single problem this

1835  
01:16:15,829 --> 01:16:20,360  
bill and the majority of that

1836  
01:16:17,630 --> 01:16:22,940  
subcommittee felt like that people who

1837  
01:16:20,360 --> 01:16:25,280  
are running for those offices should not

1838  
01:16:22,940 --> 01:16:27,199  
be included under this bill but you know

1839  
01:16:25,280 --> 01:16:28,550  
you're not sure that's the rash now

1840  
01:16:27,199 --> 01:16:30,199  
you're just presuming that that's what

1841  
01:16:28,550 --> 01:16:31,579  
it is so where do you think the

1842  
01:16:30,199 --> 01:16:33,320  
committee I don't raise apart but you're

1843  
01:16:31,579 --> 01:16:36,530  
not for sure what the reason was

1844  
01:16:33,320 --> 01:16:38,989  
I I think the rationale is that that for

1845  
01:16:36,530 --> 01:16:41,540  
four precinct chairman and four County

1846  
01:16:38,989 --> 01:16:44,360  
chairmen that that office is is not an

1847  
01:16:41,540 --> 01:16:46,969  
office which needs campaign reporting

1848  
01:16:44,360 --> 01:16:48,500  
and Disclosure and the majority members

1849  
01:16:46,969 --> 01:16:50,929  
of that committee felt like that we

1850

01:16:48,500 --> 01:16:58,730  
ought to exclude offices of a political

1851  
01:16:50,929 --> 01:17:00,770  
party thank you that's a piquant

1852  
01:16:58,730 --> 01:17:04,730  
doorkeeper message from the Senate

1853  
01:17:00,770 --> 01:17:06,320  
admit the messenger mr. speaker I'm

1854  
01:17:04,730 --> 01:17:08,179  
directed by the Senate to inform the

1855  
01:17:06,320 --> 01:17:10,219  
house that senators passed following on

1856  
01:17:08,179 --> 01:17:18,139  
the local and uncontested calendar has

1857  
01:17:10,219 --> 01:17:22,130  
to be 392 SB 1027 has to be 608 there's

1858  
01:17:18,139 --> 01:17:24,560  
figure Henderson gentleman venom yes sir

1859  
01:17:22,130 --> 01:17:32,360  
mr. Henner's and your bill analysis over

1860  
01:17:24,560 --> 01:17:34,579  
here under Section 2 237 a B you say you

1861  
01:17:32,360 --> 01:17:37,790  
have a new definition incorporation and

1862  
01:17:34,579 --> 01:17:39,889  
you says you defectively exempt

1863  
01:17:37,790 --> 01:17:42,710  
professional corporations while we doing

1864  
01:17:39,889 --> 01:17:45,560  
that well professional corporations are

1865  
01:17:42,710 --> 01:17:47,210  
corporations which are organized purely

1866  
01:17:45,560 --> 01:17:50,420  
for one reason and that is to take

1867  
01:17:47,210 --> 01:17:53,119  
advantage of federal tax law they are

1868  
01:17:50,420 --> 01:17:54,560  
specially created corporations both both

1869  
01:17:53,119 --> 01:17:56,320  
professional associations and

1870  
01:17:54,560 --> 01:17:59,869  
corporations it also includes

1871  
01:17:56,320 --> 01:18:02,659  
professional associations and the the

1872  
01:17:59,869 --> 01:18:06,199  
thought on that is is that those groups

1873  
01:18:02,659 --> 01:18:07,639  
are not stockholder type corporations

1874  
01:18:06,199 --> 01:18:09,290  
and they don't think they are

1875  
01:18:07,639 --> 01:18:11,950  
partnerships and they are not

1876  
01:18:09,290 --> 01:18:14,480  
the same as a normal corporation and

1877

01:18:11,950 --> 01:18:16,670  
often people make contributions by

1878  
01:18:14,480 --> 01:18:18,770  
writing a check on the only Association

1879  
01:18:16,670 --> 01:18:21,290  
which is two or three people and we are

1880  
01:18:18,770 --> 01:18:23,330  
excluding them from coverage under the

1881  
01:18:21,290 --> 01:18:25,160  
bill well then why don't we exclude the

1882  
01:18:23,330 --> 01:18:26,660  
type of corporations where you have sole

1883  
01:18:25,160 --> 01:18:28,640  
proprietorships that are in effect

1884  
01:18:26,660 --> 01:18:31,040  
corporations just to take some tax

1885  
01:18:28,640 --> 01:18:33,410  
advantages and some liability advantages

1886  
01:18:31,040 --> 01:18:36,530  
I think they're a matter of fact we do I

1887  
01:18:33,410 --> 01:18:38,240  
don't think you do in this bill what I'd

1888  
01:18:36,530 --> 01:18:40,070  
like to know is is if these people are

1889  
01:18:38,240 --> 01:18:41,390  
going to be provided the protections of

1890  
01:18:40,070 --> 01:18:43,370  
corporations if they're going to

1891  
01:18:41,390 --> 01:18:45,800  
incorporate why shouldn't they also

1892  
01:18:43,370 --> 01:18:48,710  
accept the disadvantages are the

1893  
01:18:45,800 --> 01:18:50,990  
operations right let me say that a

1894  
01:18:48,710 --> 01:18:54,410  
professional corporation Association

1895  
01:18:50,990 --> 01:18:57,290  
does not have the advantage as to

1896  
01:18:54,410 --> 01:19:00,380  
liability that any other corporation has

1897  
01:18:57,290 --> 01:19:02,000  
either a solopreneur diplomas time

1898  
01:19:00,380 --> 01:19:03,770  
expired point of order well taking them

1899  
01:19:02,000 --> 01:19:08,780  
sustained move its extent still a

1900  
01:19:03,770 --> 01:19:09,800  
business metric that's Henderson we're

1901  
01:19:08,780 --> 01:19:11,540  
fixing to lay out the committee

1902  
01:19:09,800 --> 01:19:20,570  
amendment which will automatically

1903  
01:19:11,540 --> 01:19:25,820  
extend this time following amendment the

1904

01:19:20,570 --> 01:19:28,360  
clerk will read the amendment committee

1905  
01:19:25,820 --> 01:19:31,130  
amendment 1 by wedington a min House

1906  
01:19:28,360 --> 01:19:32,600  
bill number 4 by striking all below the

1907  
01:19:31,130 --> 01:19:36,170  
enacting Clause and inserting lieu

1908  
01:19:32,600 --> 01:19:37,850  
thereof the following section 1 this act

1909  
01:19:36,170 --> 01:19:41,440  
shall be styled the campaign reporting

1910  
01:19:37,850 --> 01:19:45,410  
and Disclosure Act of 1975 section 2

1911  
01:19:41,440 --> 01:19:48,730  
section 2 37 Texas election code article

1912  
01:19:45,410 --> 01:19:51,340  
14 point o1 Vernon's Texas election code

1913  
01:19:48,730 --> 01:19:54,710  
at the bottom to explain the amendment

1914  
01:19:51,340 --> 01:19:56,210  
mr. speaker members that that is is the

1915  
01:19:54,710 --> 01:19:57,770  
committee substitute that I've actually

1916  
01:19:56,210 --> 01:20:00,560  
been explaining for the last few minutes

1917  
01:19:57,770 --> 01:20:02,780  
up here at the microphone now can we get

1918  
01:20:00,560 --> 01:20:04,970  
back to the PCs they get to put that

1919  
01:20:02,780 --> 01:20:07,340  
little PC after their name now I want to

1920  
01:20:04,970 --> 01:20:08,930  
know okay I got all these new advantages

1921  
01:20:07,340 --> 01:20:12,470  
I'd like to see what kind of liabilities

1922  
01:20:08,930 --> 01:20:15,500  
are going to excite the the professional

1923  
01:20:12,470 --> 01:20:17,360  
corporations do not have any advantages

1924  
01:20:15,500 --> 01:20:18,280  
under the under the clause of

1925  
01:20:17,360 --> 01:20:21,250  
incorporation

1926  
01:20:18,280 --> 01:20:23,230  
that a normal corporation has as you

1927  
01:20:21,250 --> 01:20:25,780  
well know the main advantage of a

1928  
01:20:23,230 --> 01:20:30,160  
corporation is its limitation of

1929  
01:20:25,780 --> 01:20:31,830  
liability and that under that that's

1930  
01:20:30,160 --> 01:20:35,670  
what even a sole proprietorship

1931

01:20:31,830 --> 01:20:38,170  
corporation does it limits liability a

1932  
01:20:35,670 --> 01:20:39,940  
professional association or professional

1933  
01:20:38,170 --> 01:20:42,010  
corporation does not enjoy the

1934  
01:20:39,940 --> 01:20:42,760  
limitation of liability they can still

1935  
01:20:42,010 --> 01:20:44,560  
be sued

1936  
01:20:42,760 --> 01:20:46,810  
just like the individuals that make up

1937  
01:20:44,560 --> 01:20:48,940  
that association can so they are

1938  
01:20:46,810 --> 01:20:51,370  
different they are unique they are

1939  
01:20:48,940 --> 01:20:54,250  
created in special chapters and articles

1940  
01:20:51,370 --> 01:20:56,530  
of the law and they are they are nothing

1941  
01:20:54,250 --> 01:20:58,330  
but about a group of individuals and

1942  
01:20:56,530 --> 01:21:00,820  
that's the reason for it are they are

1943  
01:20:58,330 --> 01:21:02,890  
they created under the texas business

1944  
01:21:00,820 --> 01:21:05,410  
corporation act or they have special

1945  
01:21:02,890 --> 01:21:08,830  
provisions i think they're created under

1946  
01:21:05,410 --> 01:21:11,310  
article 15 28 vernon civil statutes

1947  
01:21:08,830 --> 01:21:14,320  
section Z and Evan

1948  
01:21:11,310 --> 01:21:16,900  
there's one other part in here that got

1949  
01:21:14,320 --> 01:21:18,610  
me a little bit and I think I lost my

1950  
01:21:16,900 --> 01:21:21,070  
place here when I was talking but you

1951  
01:21:18,610 --> 01:21:22,960  
provide in here that all political

1952  
01:21:21,070 --> 01:21:27,400  
advertising is going to have to be on

1953  
01:21:22,960 --> 01:21:29,350  
file with the printer for public that is

1954  
01:21:27,400 --> 01:21:31,900  
that is correct mr. Edison and that is

1955  
01:21:29,350 --> 01:21:34,720  
present law that is presently in the law

1956  
01:21:31,900 --> 01:21:36,550  
there that doesn't really change the

1957  
01:21:34,720 --> 01:21:39,190  
present law the president law requires

1958

01:21:36,550 --> 01:21:44,740  
the printer not only to keep it on file

1959  
01:21:39,190 --> 01:21:47,110  
but also to identify himself all the

1960  
01:21:44,740 --> 01:21:48,730  
credit literature now this bill as it

1961  
01:21:47,110 --> 01:21:51,700  
came out of committee does not require

1962  
01:21:48,730 --> 01:21:54,000  
that there will be an amendment

1963  
01:21:51,700 --> 01:21:56,110  
submitted that will restore the

1964  
01:21:54,000 --> 01:21:58,510  
provisions of the present law with

1965  
01:21:56,110 --> 01:22:01,120  
regards to identification of printers

1966  
01:21:58,510 --> 01:22:03,250  
but that that's not a change in present

1967  
01:22:01,120 --> 01:22:06,700  
law that seems like a pretty heavy

1968  
01:22:03,250 --> 01:22:07,990  
burden on the small businessman who's

1969  
01:22:06,700 --> 01:22:10,840  
trying to make a living in the printing

1970  
01:22:07,990 --> 01:22:12,340  
business well you know the printing

1971  
01:22:10,840 --> 01:22:14,170  
business makes an awful lot of money out

1972  
01:22:12,340 --> 01:22:15,550  
of all these campaigns they get to print

1973  
01:22:14,170 --> 01:22:17,110  
all this literature for and for the

1974  
01:22:15,550 --> 01:22:19,480  
purposes of disclosure I don't think

1975  
01:22:17,110 --> 01:22:22,320  
it's unreasonable in an effort to try to

1976  
01:22:19,480 --> 01:22:24,910  
stop streets and smut sheets to as well

1977  
01:22:22,320 --> 01:22:25,420  
parliamentary inquiry states inquire mr.

1978  
01:22:24,910 --> 01:22:27,210  
Wilson

1979  
01:22:25,420 --> 01:22:29,520  
are we debating a committee substitute

1980  
01:22:27,210 --> 01:22:31,350  
committee amendment yes committee of

1981  
01:22:29,520 --> 01:22:33,320  
how many amendments are pending on this

1982  
01:22:31,350 --> 01:22:37,850  
bill and speakers desk

1983  
01:22:33,320 --> 01:22:37,850  
approximately ten can't a minute

1984  
01:22:55,650 --> 01:23:00,210  
mr. speaker will the gentleman yield

1985

01:22:57,659 --> 01:23:02,340  
yell at blenheim yes sir I'll yield I'm

1986  
01:23:00,210 --> 01:23:05,070  
quite frankly I've I don't know what I'm

1987  
01:23:02,340 --> 01:23:06,810  
negligent or not I'm trying to figure

1988  
01:23:05,070 --> 01:23:08,849  
out when this came from committee but

1989  
01:23:06,810 --> 01:23:11,489  
now I'm I've studied this whole matter

1990  
01:23:08,849 --> 01:23:13,260  
of election code and some other laws

1991  
01:23:11,489 --> 01:23:17,070  
that are very important to us that we

1992  
01:23:13,260 --> 01:23:18,929  
passed in great haste in 1973 yes sir

1993  
01:23:17,070 --> 01:23:20,730  
can I just - that's why I'm here

1994  
01:23:18,929 --> 01:23:23,400  
all right I just want to ask you on page

1995  
01:23:20,730 --> 01:23:25,080  
12 then fly out but before we complete

1996  
01:23:23,400 --> 01:23:25,889  
this thing I hope we've ferried it out

1997  
01:23:25,080 --> 01:23:28,980  
all of them

1998  
01:23:25,889 --> 01:23:30,989  
why on page 12 do you permit

1999

01:23:28,980 --> 01:23:33,679

communications of corporations to

2000

01:23:30,989 --> 01:23:37,400

stockholders but not to their employees

2001

01:23:33,679 --> 01:23:40,830

well mr. Hutchison we specifically

2002

01:23:37,400 --> 01:23:43,650

tracked federal law on in this section

2003

01:23:40,830 --> 01:23:45,360

why are we tracking federal law well to

2004

01:23:43,650 --> 01:23:47,040

keep in compliance and because it was a

2005

01:23:45,360 --> 01:23:49,409

general feeling that that law was well

2006

01:23:47,040 --> 01:23:51,239

worked out law mr. Davis has an

2007

01:23:49,409 --> 01:23:53,250

amendment up here which I signed and

2008

01:23:51,239 --> 01:23:56,070

will accept to put employees in that

2009

01:23:53,250 --> 01:23:59,250

bill well it's that how many other kinds

2010

01:23:56,070 --> 01:24:01,469

of little intricacies of this thing and

2011

01:23:59,250 --> 01:24:03,239

let me mr. Schad let me say this about

2012

01:24:01,469 --> 01:24:05,429  
that that was not done hastily or

2013  
01:24:03,239 --> 01:24:07,949  
without reason that is very carefully

2014  
01:24:05,429 --> 01:24:10,080  
thought out language there and I'm sure

2015  
01:24:07,949 --> 01:24:10,650  
it was but I'm not sure by whom I know

2016  
01:24:10,080 --> 01:24:12,119  
by who

2017  
01:24:10,650 --> 01:24:13,889  
well it was thought out it was thought

2018  
01:24:12,119 --> 01:24:15,900  
out by the by the federal Congress as a

2019  
01:24:13,889 --> 01:24:19,020  
matter of fact any well who influences

2020  
01:24:15,900 --> 01:24:20,610  
the federal Congress mr. Barnum let me

2021  
01:24:19,020 --> 01:24:22,590  
let me say that there's a great effort

2022  
01:24:20,610 --> 01:24:25,560  
to balance and be fair here between

2023  
01:24:22,590 --> 01:24:27,619  
between labor and management and and the

2024  
01:24:25,560 --> 01:24:32,790  
that what this bill does is it allows

2025  
01:24:27,619 --> 01:24:34,560  
the the corporations to to send

2026  
01:24:32,790 --> 01:24:36,300  
communications to their stockholders and

2027  
01:24:34,560 --> 01:24:39,150  
the labor unions to communicate to their

2028  
01:24:36,300 --> 01:24:41,250  
members now the theory has always been

2029  
01:24:39,150 --> 01:24:43,139  
on the prohibition against against the

2030  
01:24:41,250 --> 01:24:46,310  
unions and management contributing money

2031  
01:24:43,139 --> 01:24:48,510  
to campaigns that that that a

2032  
01:24:46,310 --> 01:24:50,070  
corporation should not contribute their

2033  
01:24:48,510 --> 01:24:51,960  
stockholders money into a political

2034  
01:24:50,070 --> 01:24:53,730  
campaign because the stockholder might

2035  
01:24:51,960 --> 01:24:56,010  
federally object to the cause of the

2036  
01:24:53,730 --> 01:24:58,139  
candidate that his monies being spent to

2037  
01:24:56,010 --> 01:24:59,790  
support by the same token the theory

2038  
01:24:58,139 --> 01:25:02,159  
holds with labor unions that dues money

2039

01:24:59,790 --> 01:25:04,500  
should not be contributed to a candidate

2040  
01:25:02,159 --> 01:25:06,510  
because that man the roman's dues money

2041  
01:25:04,500 --> 01:25:08,409  
might be in support of a candidate that

2042  
01:25:06,510 --> 01:25:10,570  
he doesn't that he does not

2043  
01:25:08,409 --> 01:25:12,249  
along with the theory is that the

2044  
01:25:10,570 --> 01:25:14,349  
stockholders are part of that

2045  
01:25:12,249 --> 01:25:16,780  
corporation and that the corpora that

2046  
01:25:14,349 --> 01:25:18,280  
they make up that corporation and if

2047  
01:25:16,780 --> 01:25:19,989  
they are that they are the owners of

2048  
01:25:18,280 --> 01:25:21,880  
that corporation and that the

2049  
01:25:19,989 --> 01:25:24,130  
corporation cannot communicate with them

2050  
01:25:21,880 --> 01:25:25,659  
on certain matters involved in elections

2051  
01:25:24,130 --> 01:25:27,729  
and candidates well are the labor

2052  
01:25:25,659 --> 01:25:30,130  
organizations the owners of its members

2053  
01:25:27,729 --> 01:25:32,650  
mr. Bynum or what so that what you're

2054  
01:25:30,130 --> 01:25:38,199  
saying the labor organizations are the

2055  
01:25:32,650 --> 01:25:40,059  
owners of the members mobilization mr.

2056  
01:25:38,199 --> 01:25:43,300  
Bantam scuse me I have no great problem

2057  
01:25:40,059 --> 01:25:45,579  
with that particular distinction but

2058  
01:25:43,300 --> 01:25:48,249  
it's just what it raises to me and I'm

2059  
01:25:45,579 --> 01:25:50,380  
wondering if you agree that maybe we're

2060  
01:25:48,249 --> 01:25:53,650  
getting off into the same quagmire we

2061  
01:25:50,380 --> 01:25:55,510  
did last time in attempting without

2062  
01:25:53,650 --> 01:25:57,340  
really thoroughly reviewing all the

2063  
01:25:55,510 --> 01:26:00,880  
details and understanding this bill

2064  
01:25:57,340 --> 01:26:03,309  
before we try to try to pass the bill

2065  
01:26:00,880 --> 01:26:05,709  
mr. mr. Hutchison I would disagree with

2066

01:26:03,309 --> 01:26:09,579  
you this is a complex bill it is an

2067  
01:26:05,709 --> 01:26:11,559  
important bill in and I think that it is

2068  
01:26:09,579 --> 01:26:14,139  
a well studied out bill and to answer

2069  
01:26:11,559 --> 01:26:16,599  
your question a subcommittee of the

2070  
01:26:14,139 --> 01:26:19,269  
Elections Committee spent hours and

2071  
01:26:16,599 --> 01:26:20,800  
hours working on this bill and I'm

2072  
01:26:19,269 --> 01:26:22,780  
telling you that that committee took

2073  
01:26:20,800 --> 01:26:25,360  
this bill with the Secretary of State's

2074  
01:26:22,780 --> 01:26:27,249  
office present in representatives of the

2075  
01:26:25,360 --> 01:26:29,320  
Secretary of State's office with myself

2076  
01:26:27,249 --> 01:26:31,510  
and the members of that subcommittee and

2077  
01:26:29,320 --> 01:26:33,789  
took this bill apart sentence by

2078  
01:26:31,510 --> 01:26:35,439  
sentence section by section and is a

2079  
01:26:33,789 --> 01:26:38,019  
very carefully prepared and thought-out

2080  
01:26:35,439 --> 01:26:39,969  
bill mr. Chen and I use what you asked

2081  
01:26:38,019 --> 01:26:42,639  
me about as an example that that was

2082  
01:26:39,969 --> 01:26:44,289  
what was language well fall out I don't

2083  
01:26:42,639 --> 01:26:46,599  
object to an amendment that you're

2084  
01:26:44,289 --> 01:26:48,249  
suggesting but that there was reason

2085  
01:26:46,599 --> 01:26:50,199  
behind that language it was not

2086  
01:26:48,249 --> 01:26:52,719  
something that just floated in there

2087  
01:26:50,199 --> 01:26:54,789  
that way it was intended to be that way

2088  
01:26:52,719 --> 01:26:57,939  
mr. Egan mr. shaver gentleman yield yeah

2089  
01:26:54,789 --> 01:26:59,019  
miss bottom yes right Helios

2090  
01:26:57,939 --> 01:27:01,209  
mr. bottom you were talking about

2091  
01:26:59,019 --> 01:27:03,880  
Secretary of State I wanted to I mean

2092  
01:27:01,209 --> 01:27:05,889  
the secretaries they review this this

2093

01:27:03,880 --> 01:27:08,229  
substitute I don't know why you're aware

2094  
01:27:05,889 --> 01:27:09,820  
of it or not but well I guess you are

2095  
01:27:08,229 --> 01:27:12,939  
aware of it because you're in in that in

2096  
01:27:09,820 --> 01:27:15,989  
that County those of us who represent

2097  
01:27:12,939 --> 01:27:20,110  
just a part of a County are required to

2098  
01:27:15,989 --> 01:27:21,810  
file our statements with the County

2099  
01:27:20,110 --> 01:27:23,250  
Clerk and

2100  
01:27:21,810 --> 01:27:25,890  
people that represent more than one

2101  
01:27:23,250 --> 01:27:28,440  
County are required to file with the

2102  
01:27:25,890 --> 01:27:30,510  
Secretary of State yeah this bill keeps

2103  
01:27:28,440 --> 01:27:34,650  
that in there and the Secretary of State

2104  
01:27:30,510 --> 01:27:36,810  
has advocated a a an amendment that that

2105  
01:27:34,650 --> 01:27:38,640  
everyone filed with him and it's

2106  
01:27:36,810 --> 01:27:42,570  
something that that I support and I was

2107  
01:27:38,640 --> 01:27:45,240  
just wondering in in order to make it

2108  
01:27:42,570 --> 01:27:47,550  
easy on everyone and to know where these

2109  
01:27:45,240 --> 01:27:49,590  
records are kept as far as contributions

2110  
01:27:47,550 --> 01:27:51,960  
and all that if you would accept an

2111  
01:27:49,590 --> 01:27:55,200  
amendment that would would place the

2112  
01:27:51,960 --> 01:27:56,850  
filing of those statements with the

2113  
01:27:55,200 --> 01:27:58,530  
Secretary of State so that we clear up

2114  
01:27:56,850 --> 01:28:00,150  
the law and we don't have these these

2115  
01:27:58,530 --> 01:28:04,080  
two different kind of statements being

2116  
01:28:00,150 --> 01:28:06,360  
filed no sir I would not that that is a

2117  
01:28:04,080 --> 01:28:08,400  
very that is a political issue a

2118  
01:28:06,360 --> 01:28:10,530  
judgment call and you'll get agreement

2119  
01:28:08,400 --> 01:28:12,600  
on both sides it was discussed for in

2120

01:28:10,530 --> 01:28:14,970  
excess of 30 minutes by the subcommittee

2121  
01:28:12,600 --> 01:28:16,860  
and a vote was time finally taking the

2122  
01:28:14,970 --> 01:28:18,990  
vote was 3 to 2 in subcommittee to leave

2123  
01:28:16,860 --> 01:28:21,090  
it like it presently is now here's the

2124  
01:28:18,990 --> 01:28:22,560  
issue on the one hand you have the issue

2125  
01:28:21,090 --> 01:28:24,990  
that you mentioned and that is the

2126  
01:28:22,560 --> 01:28:26,760  
centralization of all records making

2127  
01:28:24,990 --> 01:28:29,610  
those records probably available to the

2128  
01:28:26,760 --> 01:28:31,650  
Capitol press corps in on the other side

2129  
01:28:29,610 --> 01:28:33,510  
of that if mr. Sieber is the argument

2130  
01:28:31,650 --> 01:28:35,880  
that that my people and Amaral present

2131  
01:28:33,510 --> 01:28:38,490  
and that is they want to be able to see

2132  
01:28:35,880 --> 01:28:41,360  
my campaign filings boy with my campaign

2133  
01:28:38,490 --> 01:28:43,950  
filings are down here in Austin it's my

2134  
01:28:41,360 --> 01:28:46,890  
people and the members of my press corps

2135  
01:28:43,950 --> 01:28:49,290  
can't afford to come 500 miles to find

2136  
01:28:46,890 --> 01:28:50,940  
my what difference is it in in the

2137  
01:28:49,290 --> 01:28:55,620  
people of amarelle and the people naka

2138  
01:28:50,940 --> 01:28:58,770  
don't use mr. Blake's people I'm sure

2139  
01:28:55,620 --> 01:29:00,780  
just as interested in that in the in his

2140  
01:28:58,770 --> 01:29:03,180  
matters is your people in al Burrell are

2141  
01:29:00,780 --> 01:29:05,310  
the the issue has been raised and I

2142  
01:29:03,180 --> 01:29:07,230  
think falsely that that this takes it

2143  
01:29:05,310 --> 01:29:10,020  
away from the newsman that when fact of

2144  
01:29:07,230 --> 01:29:11,970  
the matter is that that these major

2145  
01:29:10,020 --> 01:29:13,740  
metropolitan areas are the ones that's

2146  
01:29:11,970 --> 01:29:17,780  
Castro's point of order the gentleman's

2147

01:29:13,740 --> 01:29:17,780  
time expired corn oil taking us abstain

2148  
01:29:19,850 --> 01:29:25,500  
chair recognizes mr. Halliwell against

2149  
01:29:22,980 --> 01:29:27,180  
the bill mr. speaker and I'm not up here

2150  
01:29:25,500 --> 01:29:29,460  
to speak against the bill I'd like to

2151  
01:29:27,180 --> 01:29:31,950  
move to postpone this until Friday the

2152  
01:29:29,460 --> 01:29:34,980  
25th and let me faith why very briefly

2153  
01:29:31,950 --> 01:29:35,220  
there are 12 amendments up here plus a

2154  
01:29:34,980 --> 01:29:37,770  
can

2155  
01:29:35,220 --> 01:29:41,160  
many substitute some of these amendments

2156  
01:29:37,770 --> 01:29:43,380  
are two and three pages long many of us

2157  
01:29:41,160 --> 01:29:46,080  
have been working this week until 10:30

2158  
01:29:43,380 --> 01:29:48,390  
and 11 o'clock every night it's now a

2159  
01:29:46,080 --> 01:29:51,000  
four o'clock and this is an important

2160  
01:29:48,390 --> 01:29:54,150  
bill and it deserves consideration by

2161  
01:29:51,000 --> 01:29:56,910  
this house on the basis of knowing what

2162  
01:29:54,150 --> 01:29:58,890  
we're doing and so if this postponed I

2163  
01:29:56,910 --> 01:30:01,680  
checked the calendar next week and the

2164  
01:29:58,890 --> 01:30:03,720  
only day that is not full is Friday and

2165  
01:30:01,680 --> 01:30:05,910  
we can take this next Friday morning and

2166  
01:30:03,720 --> 01:30:08,580  
do a good job on it and an intelligent

2167  
01:30:05,910 --> 01:30:11,100  
job and therefore members I move to

2168  
01:30:08,580 --> 01:30:12,690  
postpone this until Friday the 25th and

2169  
01:30:11,100 --> 01:30:15,360  
I ask that you vote you have a time cert

2170  
01:30:12,690 --> 01:30:18,470  
mr. Halliwell thirty in the morning 9:30

2171  
01:30:15,360 --> 01:30:18,470  
to be just fine

2172  
01:30:21,050 --> 01:30:26,010  
that's the Bynum speak against the

2173  
01:30:23,160 --> 01:30:29,100  
motion mr. mr. speaker and members I

2174

01:30:26,010 --> 01:30:31,590  
know retired today and and I know that

2175  
01:30:29,100 --> 01:30:33,570  
many people want to postpone this we can

2176  
01:30:31,590 --> 01:30:35,760  
postpone it but it won't go away this

2177  
01:30:33,570 --> 01:30:38,190  
bill needs to be passed by this

2178  
01:30:35,760 --> 01:30:41,610  
legislature this bill clears up a number

2179  
01:30:38,190 --> 01:30:43,920  
of areas that that need to be cleared up

2180  
01:30:41,610 --> 01:30:45,690  
Hispanic anybody that's just a minute I

2181  
01:30:43,920 --> 01:30:48,120  
will mr. Davis I think anybody that's

2182  
01:30:45,690 --> 01:30:49,590  
dealt with with these laws and that all

2183  
01:30:48,120 --> 01:30:52,500  
of us except those who didn't have an

2184  
01:30:49,590 --> 01:30:54,750  
opponent last time at all know that we

2185  
01:30:52,500 --> 01:30:57,750  
need to clean this bill up now I don't

2186  
01:30:54,750 --> 01:30:59,460  
object too much to mr. de mr. holland's

2187  
01:30:57,750 --> 01:31:01,230  
motion except that this bill has been

2188  
01:30:59,460 --> 01:31:03,690  
out of committee for more than two weeks

2189  
01:31:01,230 --> 01:31:05,220  
now this bill didn't just suddenly come

2190  
01:31:03,690 --> 01:31:06,660  
out of committee and get on the calendar

2191  
01:31:05,220 --> 01:31:09,000  
it's been out of committee for more than

2192  
01:31:06,660 --> 01:31:11,130  
two weeks now and I submit to this house

2193  
01:31:09,000 --> 01:31:13,140  
that the press of legislation is not

2194  
01:31:11,130 --> 01:31:15,690  
going to get any better next week or the

2195  
01:31:13,140 --> 01:31:18,330  
next or the next it's going to get worse

2196  
01:31:15,690 --> 01:31:21,270  
and I would suggest to you that that

2197  
01:31:18,330 --> 01:31:23,460  
what we might ought to do is kill this

2198  
01:31:21,270 --> 01:31:25,770  
motion and let the speaker recognize a

2199  
01:31:23,460 --> 01:31:27,630  
motion to recess until tomorrow if

2200  
01:31:25,770 --> 01:31:29,850  
somebody does have problems they agreed

2201

01:31:27,630 --> 01:31:31,380  
it overnight but postponing this for a

2202  
01:31:29,850 --> 01:31:33,360  
week really it going to clear up the

2203  
01:31:31,380 --> 01:31:34,980  
problem very much and it is a good bill

2204  
01:31:33,360 --> 01:31:37,020  
that we need to pass and I think the

2205  
01:31:34,980 --> 01:31:39,420  
people here know that so I wish you'd

2206  
01:31:37,020 --> 01:31:42,060  
vote no mr. Halliwell motion mr. Baum

2207  
01:31:39,420 --> 01:31:44,250  
will you you yes I don't you know mr.

2208  
01:31:42,060 --> 01:31:45,660  
Baum that mr. Halliwell has your

2209  
01:31:44,250 --> 01:31:46,110  
interest at heart he knows you've had

2210  
01:31:45,660 --> 01:31:48,510  
two

2211  
01:31:46,110 --> 01:31:50,699  
difficult bills already to work on this

2212  
01:31:48,510 --> 01:31:52,409  
week one of them that had some real

2213  
01:31:50,699 --> 01:31:54,900  
trouble with it and also that you had a

2214  
01:31:52,409 --> 01:31:56,940  
very difficult and trying committee

2215  
01:31:54,900 --> 01:31:58,619  
meeting Tuesday night that you required

2216  
01:31:56,940 --> 01:32:00,000  
the chair and he wants to give you a

2217  
01:31:58,619 --> 01:32:01,380  
chance to get a little rest too and I

2218  
01:32:00,000 --> 01:32:03,210  
just want if you knew he had your

2219  
01:32:01,380 --> 01:32:06,320  
interest at heart when he was moving to

2220  
01:32:03,210 --> 01:32:08,940  
postpone this till a week from tomorrow

2221  
01:32:06,320 --> 01:32:10,619  
mr. Davis I did indeed have a trying

2222  
01:32:08,940 --> 01:32:11,580  
committee meeting and one of the reason

2223  
01:32:10,619 --> 01:32:19,730  
is because you're a member of that

2224  
01:32:11,580 --> 01:32:21,810  
committee mr. mr. Larry on the motion

2225  
01:32:19,730 --> 01:32:24,750  
remembers let me give you just a little

2226  
01:32:21,810 --> 01:32:27,570  
bit of legislative background where we

2227  
01:32:24,750 --> 01:32:32,639  
are pike powers and myself interviewed

2228

01:32:27,570 --> 01:32:34,230  
juste House bill 10:43 this bill was

2229  
01:32:32,639 --> 01:32:36,179  
introduced to request the Secretary of

2230  
01:32:34,230 --> 01:32:41,310  
State to correct some existing problems

2231  
01:32:36,179 --> 01:32:43,830  
in our reporting laws our measure was

2232  
01:32:41,310 --> 01:32:45,210  
almost totally in fact 100% incorporated

2233  
01:32:43,830 --> 01:32:48,330  
into House bill forward

2234  
01:32:45,210 --> 01:32:50,670  
it's when Lynn worked over subcommittee

2235  
01:32:48,330 --> 01:32:52,500  
and committee now I'm personally

2236  
01:32:50,670 --> 01:32:53,969  
familiar with all the amendments that

2237  
01:32:52,500 --> 01:32:56,010  
mr. Bonner is going to offer and I'm

2238  
01:32:53,969 --> 01:32:59,369  
going to oppose about 90% of them mr.

2239  
01:32:56,010 --> 01:33:00,810  
powers is - I do realize that the bill

2240  
01:32:59,369 --> 01:33:02,550  
it's lengthy and that there are a number

2241  
01:33:00,810 --> 01:33:04,980  
of amendments and I can certainly

2242  
01:33:02,550 --> 01:33:07,170  
understand it if the house wishes to

2243  
01:33:04,980 --> 01:33:08,969  
postpone but I do want you to know that

2244  
01:33:07,170 --> 01:33:10,949  
mr. powers and I have worked with this

2245  
01:33:08,969 --> 01:33:12,929  
and are not in agreement mr. Bible a

2246  
01:33:10,949 --> 01:33:15,300  
number of things we'll plan to hold this

2247  
01:33:12,929 --> 01:33:17,250  
bill exactly as it is with the exception

2248  
01:33:15,300 --> 01:33:18,929  
of one or two corrective measures I'll

2249  
01:33:17,250 --> 01:33:23,699  
let the well of a house beside whether

2250  
01:33:18,929 --> 01:33:27,330  
we consider today or next week Halliwell

2251  
01:33:23,699 --> 01:33:29,310  
I own his motion now you've heard enough

2252  
01:33:27,330 --> 01:33:32,219  
year I think to justify my motion to

2253  
01:33:29,310 --> 01:33:34,170  
postpone and while this may have been on

2254  
01:33:32,219 --> 01:33:35,850  
our destined umber of days I haven't had

2255

01:33:34,170 --> 01:33:37,770  
an opportunity not a single member

2256  
01:33:35,850 --> 01:33:39,630  
unless you happen to be the group that's

2257  
01:33:37,770 --> 01:33:40,980  
working on this have seen these 13

2258  
01:33:39,630 --> 01:33:44,070  
amendments some of them two in three

2259  
01:33:40,980 --> 01:33:45,719  
pages long and so we can't intelligently

2260  
01:33:44,070 --> 01:33:48,780  
approach this thing and I don't intend

2261  
01:33:45,719 --> 01:33:50,969  
to vote for it blindly and I don't like

2262  
01:33:48,780 --> 01:33:52,320  
to vote against any bill but I'm not

2263  
01:33:50,969 --> 01:33:54,810  
going to vote for anything that I don't

2264  
01:33:52,320 --> 01:33:56,909  
understand and it's an important bill

2265  
01:33:54,810 --> 01:33:58,949  
and it deserves our consideration and

2266  
01:33:56,909 --> 01:33:59,550  
let's put it next Friday where we can

2267  
01:33:58,949 --> 01:34:02,370  
start

2268  
01:33:59,550 --> 01:34:05,580  
afresh at 9:30 on this matter and

2269

01:34:02,370 --> 01:34:10,500

consider it deliberately vote on the

2270

01:34:05,580 --> 01:34:12,600

motion to postpone mr. Halliwell moves

2271

01:34:10,500 --> 01:34:15,140

to postpone for the consideration of

2272

01:34:12,600 --> 01:34:18,000

House bill 4 all those in favor

2273

01:34:15,140 --> 01:34:19,620

postponing for the consideration of vote

2274

01:34:18,000 --> 01:34:23,090

aye all those opposed will vote no it's

2275

01:34:19,620 --> 01:34:23,090

a record vote to clerk a ring the bell

2276

01:34:53,170 --> 01:34:56,550

if all members voted

2277

01:35:30,040 --> 01:35:35,380

they're being 79 eyes 15 in one days one

2278

01:35:33,489 --> 01:35:38,650

president not voting the motion to

2279

01:35:35,380 --> 01:35:41,340

postpone prevails till 9:30 a.m. the

2280

01:35:38,650 --> 01:35:43,540

25th of April

2281

01:35:41,340 --> 01:35:45,160

mr. speaker remembered I just like to

2282

01:35:43,540 --> 01:35:46,540  
say it I really don't object to this and

2283  
01:35:45,160 --> 01:35:48,700  
I think it may be very well that we've

2284  
01:35:46,540 --> 01:35:50,500  
done it but now if our purpose is to

2285  
01:35:48,700 --> 01:35:52,900  
give people time to study this bill and

2286  
01:35:50,500 --> 01:35:55,210  
digest it it is a significant important

2287  
01:35:52,900 --> 01:35:57,280  
piece of legislation please take time

2288  
01:35:55,210 --> 01:35:58,989  
now to do it so we can come back here

2289  
01:35:57,280 --> 01:36:01,239  
and have an intelligent discussion of it

2290  
01:35:58,989 --> 01:36:02,650  
next Friday morning mr. excuse

2291  
01:36:01,239 --> 01:36:04,030  
representing chairman of the balance of

2292  
01:36:02,650 --> 01:36:06,489  
day because of illness on a motion or a

2293  
01:36:04,030 --> 01:36:09,880  
representative see most of the last

2294  
01:36:06,489 --> 01:36:12,010  
record vote what's breaking the tone

2295  
01:36:09,880 --> 01:36:14,890  
what amazing quiet state you inquire mr.

2296  
01:36:12,010 --> 01:36:16,780  
oh we have postponed consideration this

2297  
01:36:14,890 --> 01:36:18,820  
bill but is they aware we can we can

2298  
01:36:16,780 --> 01:36:20,530  
guarantee that these five and six page

2299  
01:36:18,820 --> 01:36:24,660  
amendments without to be submitted any

2300  
01:36:20,530 --> 01:36:24,660  
time before 9:30 a.m. next Friday

2301  
01:36:25,410 --> 01:36:30,460  
mr. hold you might inquire the author if

2302  
01:36:29,140 --> 01:36:31,690  
he would give you copies of the

2303  
01:36:30,460 --> 01:36:37,410  
amendments I'm sure he wouldn't make

2304  
01:36:31,690 --> 01:36:37,410  
them available it's big

2305  
01:36:52,540 --> 01:36:59,450  
mr. hollar there's nowhere in the rules

2306  
01:36:55,130 --> 01:37:02,360  
that require that the author you know

2307  
01:36:59,450 --> 01:37:04,340  
give my car until such time as they're

2308  
01:37:02,360 --> 01:37:05,870  
laid out and I understand what you're

2309

01:37:04,340 --> 01:37:07,100  
inquiring up I know you need this

2310  
01:37:05,870 --> 01:37:09,950  
information if you're going to make a

2311  
01:37:07,100 --> 01:37:11,420  
careful study of it that's what I'm

2312  
01:37:09,950 --> 01:37:12,320  
asking mrs. big it seems that we haven't

2313  
01:37:11,420 --> 01:37:13,610  
done a whole lot because there's

2314  
01:37:12,320 --> 01:37:15,260  
anything prevent somebody from bringing

2315  
01:37:13,610 --> 01:37:16,160  
a 10-page amendment in here next Friday

2316  
01:37:15,260 --> 01:37:22,010  
at 9:30

2317  
01:37:16,160 --> 01:37:26,330  
anyway rules no there's not mr. Mitch

2318  
01:37:22,010 --> 01:37:28,880  
speaker miss Nichols I just had a call

2319  
01:37:26,330 --> 01:37:30,770  
from Washington from a good friend of a

2320  
01:37:28,880 --> 01:37:33,440  
lot of people's on the House floor here

2321  
01:37:30,770 --> 01:37:34,850  
and he wanted to let everybody know that

2322  
01:37:33,440 --> 01:37:36,140  
you may have killed his bill this

2323  
01:37:34,850 --> 01:37:37,520  
morning but you didn't stop him from

2324  
01:37:36,140 --> 01:37:40,370  
being a grandfather

2325  
01:37:37,520 --> 01:37:42,800  
our good friend dolly with us had a son

2326  
01:37:40,370 --> 01:37:46,270  
Enid wipeouts a 6-pound baby boy this

2327  
01:37:42,800 --> 01:37:46,270  
morning we're pleased to know that

2328  
01:38:05,940 --> 01:38:12,360  
members we have completed the calendar

2329  
01:38:09,250 --> 01:38:14,770  
for today chair has a number of votes

2330  
01:38:12,360 --> 01:38:17,590  
that need to be recorded these are not

2331  
01:38:14,770 --> 01:38:20,830  
vote changes is there objection to any

2332  
01:38:17,590 --> 01:38:22,480  
of them being recorded chair here's none

2333  
01:38:20,830 --> 01:38:25,600  
and would like to call your attention to

2334  
01:38:22,480 --> 01:38:28,360  
one vote that the chair but failed to

2335  
01:38:25,600 --> 01:38:32,139  
call this morning that was mr. Nichols

2336

01:38:28,360 --> 01:38:34,000  
on his bill - chair failed to recognize

2337  
01:38:32,139 --> 01:38:40,170  
him voting for that and it's in this

2338  
01:38:34,000 --> 01:38:40,170  
package - mr. Nichols voted for his bill

2339  
01:38:40,320 --> 01:38:47,110  
is there objection

2340  
01:38:42,280 --> 01:38:51,250  
see here is none now it's commercial

2341  
01:38:47,110 --> 01:38:55,199  
time members we got mr. Riebe back first

2342  
01:38:51,250 --> 01:38:55,199  
for permission to introduce a bill

2343  
01:39:00,629 --> 01:39:08,669  
mr. speaker with speaker members these

2344  
01:39:03,479 --> 01:39:12,329  
are two good law enforcement bills one

2345  
01:39:08,669 --> 01:39:13,800  
one deals with unlawfully carrying a

2346  
01:39:12,329 --> 01:39:14,999  
prohibited weapon which right now is a

2347  
01:39:13,800 --> 01:39:17,579  
misdemeanor which would make it a

2348  
01:39:14,999 --> 01:39:19,679  
third-degree felony the other the other

2349  
01:39:17,579 --> 01:39:21,869  
deals with the use of a firearm in a

2350  
01:39:19,679 --> 01:39:24,269  
crime with making an enhanced felony if

2351  
01:39:21,869 --> 01:39:26,129  
your folks are interested in law

2352  
01:39:24,269 --> 01:39:27,659  
enforcement legislation both of these

2353  
01:39:26,129 --> 01:39:29,939  
would be good

2354  
01:39:27,659 --> 01:39:33,239  
I ask you to suspend the rules to allow

2355  
01:39:29,939 --> 01:39:36,389  
me to at least introduce it is there

2356  
01:39:33,239 --> 01:39:39,449  
objection permission man granting there

2357  
01:39:36,389 --> 01:39:42,809  
is objection all those in favor let's

2358  
01:39:39,449 --> 01:39:46,769  
see mr. rebec all right we're gonna take

2359  
01:39:42,809 --> 01:39:48,570  
them one at a time mr. it back let's

2360  
01:39:46,769 --> 01:39:52,289  
come back up to microphone dismiss

2361  
01:39:48,570 --> 01:39:54,530  
bigger going to vote in state's point of

2362  
01:39:52,289 --> 01:39:57,300  
order mr. isn't that routine motion time

2363

01:39:54,530 --> 01:40:00,379  
mr. order mr. hole the point of ordered

2364  
01:39:57,300 --> 01:40:00,379  
well taken and sustained

2365  
01:40:12,179 --> 01:40:18,630  
okay members now commercial time chair

2366  
01:40:14,940 --> 01:40:20,010  
recognizes mr. Wilson misfigured members

2367  
01:40:18,630 --> 01:40:22,110  
would like to announce a meeting of the

2368  
01:40:20,010 --> 01:40:25,710  
Subcommittee on social services for

2369  
01:40:22,110 --> 01:40:28,550  
House bill 454 as Temple Hannah Johnson

2370  
01:40:25,710 --> 01:40:30,480  
and Barrientos at my desk on adjournment

2371  
01:40:28,550 --> 01:40:32,969  
chair recognize mr. white for

2372  
01:40:30,480 --> 01:40:35,130  
announcement miss Picard members the

2373  
01:40:32,969 --> 01:40:38,330  
revenue and Taxation Committee will meet

2374  
01:40:35,130 --> 01:40:42,179  
again this afternoon on House bill 2083

2375  
01:40:38,330 --> 01:40:46,140  
which is the the bill that creates the

2376  
01:40:42,179 --> 01:40:48,360  
amusements Machine Commission as soon as

2377

01:40:46,140 --> 01:40:51,360  
the Subcommittee on state finance

2378

01:40:48,360 --> 01:40:54,179  
finishes their meeting we'll meet in the

2379

01:40:51,360 --> 01:40:55,860  
speaker's committee room as soon as

2380

01:40:54,179 --> 01:41:00,630  
state finance finishes their committee

2381

01:40:55,860 --> 01:41:02,929  
hearing okay who's next

2382

01:41:00,630 --> 01:41:05,310  
okay mr. Chavez vÃrnamo Department

2383

01:41:02,929 --> 01:41:07,500  
Subcommittee on transportation with me

2384

01:41:05,310 --> 01:41:12,750  
at my desk when a German to consider

2385

01:41:07,500 --> 01:41:15,719  
House bill 780 mr. gas emits Aloha okay

2386

01:41:12,750 --> 01:41:18,000  
mr. Tovar announcement the subcommittee

2387

01:41:15,719 --> 01:41:20,429  
of social services committee consisting

2388

01:41:18,000 --> 01:41:23,100  
of miss Johnson barrientos Hanna and

2389

01:41:20,429 --> 01:41:26,219  
Wilson will meet on the bills posted

2390

01:41:23,100 --> 01:41:28,440  
previously plus House bill 581 in Senate

2391  
01:41:26,219 --> 01:41:33,570  
bill 277 immediately upon adjournment

2392  
01:41:28,440 --> 01:41:38,670  
and the members land mr. Martin phone

2393  
01:41:33,570 --> 01:41:42,420  
announcement upon media adjournment and

2394  
01:41:38,670 --> 01:41:47,310  
this on House bill 13:45 composed of

2395  
01:41:42,420 --> 01:41:49,080  
Preston reigns and the south mr. Allen

2396  
01:41:47,310 --> 01:41:50,909  
Funt announcement the Subcommittee on

2397  
01:41:49,080 --> 01:41:52,620  
state finance will meet the speaker's

2398  
01:41:50,909 --> 01:41:54,030  
committee room immediately upon

2399  
01:41:52,620 --> 01:42:02,909  
adjournment to consider the bills

2400  
01:41:54,030 --> 01:42:05,400  
they're posted mr. speaker members in

2401  
01:42:02,909 --> 01:42:06,989  
addition to the bills already posted for

2402  
01:42:05,400 --> 01:42:10,170  
the state affairs subcommittee they will

2403  
01:42:06,989 --> 01:42:14,550  
also hear House bill 900 apologia at my

2404  
01:42:10,170 --> 01:42:17,340  
desk short fun announcement mr. Vega

2405  
01:42:14,550 --> 01:42:19,800  
members we're going tonight begin the

2406  
01:42:17,340 --> 01:42:22,889  
land use bills here on the House floor

2407  
01:42:19,800 --> 01:42:25,560  
at 7:00 o'clock and we will only hear

2408  
01:42:22,889 --> 01:42:27,420  
the proponents of the bills will be

2409  
01:42:25,560 --> 01:42:29,100  
having a series of meetings on these

2410  
01:42:27,420 --> 01:42:30,900  
particular bills that's the land use

2411  
01:42:29,100 --> 01:42:35,760  
bills beginning their meetings tonight

2412  
01:42:30,900 --> 01:42:37,320  
at 7 o'clock that's cheaper Martin Ellen

2413  
01:42:35,760 --> 01:42:39,179  
speaker members the Committee on local

2414  
01:42:37,320 --> 01:42:40,969  
consent calendars will meet immediately

2415  
01:42:39,179 --> 01:42:50,520  
on a German at my desk

2416  
01:42:40,969 --> 01:42:55,830  
consider three house citation motion mr.

2417

01:42:50,520 --> 01:42:56,250  
neighbors for emotion mr. speaker and

2418  
01:42:55,830 --> 01:42:59,340  
members

2419  
01:42:56,250 --> 01:43:03,810  
I'd like to suspend the posting rules on

2420  
01:42:59,340 --> 01:43:06,090  
Senate bill 310 311 and 469 these are

2421  
01:43:03,810 --> 01:43:09,239  
companion bills two bills have already

2422  
01:43:06,090 --> 01:43:11,429  
been heard that were House bills for the

2423  
01:43:09,239 --> 01:43:15,929  
Health and Welfare Committee this

2424  
01:43:11,429 --> 01:43:17,159  
afternoon okay you've heard the motion

2425  
01:43:15,929 --> 01:43:19,380  
for the suspension the posting rules

2426  
01:43:17,159 --> 01:43:22,500  
there's their objection chair here done

2427  
01:43:19,380 --> 01:43:24,030  
the rules are suspended share recognize

2428  
01:43:22,500 --> 01:43:26,760  
mr. Brown for an announcement the

2429  
01:43:24,030 --> 01:43:31,820  
Subcommittee on data fares will meet on

2430  
01:43:26,760 --> 01:43:36,179  
HB 185 at mr. ezel death to the Chairman

2431  
01:43:31,820 --> 01:43:38,909  
mr. Baker Brown announcement on House

2432  
01:43:36,179 --> 01:43:39,989  
bill 198 821 Judicial Affairs will meet

2433  
01:43:38,909 --> 01:43:43,230  
oh I don't get the press box on a

2434  
01:43:39,989 --> 01:43:46,080  
journal mr. Manson barn announcement

2435  
01:43:43,230 --> 01:43:48,000  
civil rights Subcommittee on House

2436  
01:43:46,080 --> 01:43:49,650  
Committee on state affairs will meet on

2437  
01:43:48,000 --> 01:43:53,610  
adjournment on the House floor to

2438  
01:43:49,650 --> 01:43:58,020  
consider House bill 666 hospital 1654 in

2439  
01:43:53,610 --> 01:43:59,969  
House bill 27 President Obama

2440  
01:43:58,020 --> 01:44:04,620  
announcement preparations immediately at

2441  
01:43:59,969 --> 01:44:06,860  
4:30 and again at 7:30 any additional

2442  
01:44:04,620 --> 01:44:06,860  
announcements

2443  
01:44:06,889 --> 01:44:11,780  
that's about for announcement

2444

01:44:09,710 --> 01:44:17,870  
the liquor regulations committee will

2445  
01:44:11,780 --> 01:44:20,840  
meet in 346 on adjournment we win mr.

2446  
01:44:17,870 --> 01:44:22,420  
Washington pardon announcement some of

2447  
01:44:20,840 --> 01:44:25,340  
Jurisprudence committee would meet at

2448  
01:44:22,420 --> 01:44:29,440  
4:15 and the old court of criminal

2449  
01:44:25,340 --> 01:44:32,330  
appeals members have no objection

2450  
01:44:29,440 --> 01:44:33,860  
sure except a motion to recess till 9:00

2451  
01:44:32,330 --> 01:44:36,140  
a.m. in the morning pending the reading

2452  
01:44:33,860 --> 01:44:38,920  
and referral of bills as to buying them

2453  
01:44:36,140 --> 01:44:41,810  
so moves is there objection

2454  
01:44:38,920 --> 01:44:43,220  
Sierra here has done according to the

2455  
01:44:41,810 --> 01:44:44,720  
house will stand adjourned until 9:00

2456  
01:44:43,220 --> 01:44:47,390  
a.m. in the morning pending the reading

2457  
01:44:44,720 --> 01:44:48,800  
referral bills recess Deline a.m. in the

2458  
01:44:47,390 --> 01:44:50,720  
morning pending their firown' read of

2459  
01:44:48,800 --> 01:44:52,160  
the bills the following bills and

2460  
01:44:50,720 --> 01:44:53,390  
resolutions on first reading reference

2461  
01:44:52,160 --> 01:44:55,510  
committee clerk to read the bills and

2462  
01:44:53,390 --> 01:44:55,510  
resolutions

2463  
01:45:24,070 --> 01:45:28,210  
Senate bill 10 27 by Agra lating to

2464  
01:45:26,890 --> 01:45:29,710  
creating a firemen's relief and

2465  
01:45:28,210 --> 01:45:31,120  
retirement fund in certain cities and

2466  
01:45:29,710 --> 01:45:34,080  
declaring an emergency refer to the

2467  
01:45:31,120 --> 01:45:37,960  
Committee on intergovernmental affairs

2468  
01:45:34,080 --> 01:45:39,430  
Senate bill 392 by Jones relating to

2469  
01:45:37,960 --> 01:45:40,900  
changing the names of game management

2470  
01:45:39,430 --> 01:45:42,010  
officers of the Parks and Wildlife

2471

01:45:40,900 --> 01:45:44,020  
Department and declaring an emergency

2472  
01:45:42,010 --> 01:45:49,480  
refer to the Committee on Environmental

2473  
01:45:44,020 --> 01:45:51,430  
Affairs Senate bill 608 by McKinnon

2474  
01:45:49,480 --> 01:45:53,050  
relating to audits of River authorities

2475  
01:45:51,430 --> 01:45:55,170  
in declaring an emergency refer to the

2476  
01:45:53,050 --> 01:45:58,540  
Committee on Natural Resources

2477  
01:45:55,170 --> 01:46:00,810  
Senate bill 647 by Swartz relating to

2478  
01:45:58,540 --> 01:46:03,490  
claiming tax exemptions under article 8

2479  
01:46:00,810 --> 01:46:04,900  
of the Texas Constitution and occurring

2480  
01:46:03,490 --> 01:46:09,520  
an emergency refer to the Committee on

2481  
01:46:04,900 --> 01:46:11,410  
revenue and Taxation Senate bill 681 by

2482  
01:46:09,520 --> 01:46:12,880  
longoria related the person's authorized

2483  
01:46:11,410 --> 01:46:14,380  
to conduct marriage ceremonies and

2484  
01:46:12,880 --> 01:46:18,970  
declaring an emergency refer to the

2485  
01:46:14,380 --> 01:46:21,580  
Committee on judiciary Senate bill 601

2486  
01:46:18,970 --> 01:46:23,170  
by longoria relating the colourings

2487  
01:46:21,580 --> 01:46:25,090  
citrus fruit and declaring an emergency

2488  
01:46:23,170 --> 01:46:27,180  
refer to the Committee on agriculture

2489  
01:46:25,090 --> 01:46:30,640  
and livestock

2490  
01:46:27,180 --> 01:46:32,410  
Senate bill 391 by Jones relating to the

2491  
01:46:30,640 --> 01:46:33,790  
setting collection and disposition of

2492  
01:46:32,410 --> 01:46:35,400  
fees by the parks and Wildlife

2493  
01:46:33,790 --> 01:46:37,570  
Commission for stocking certain lakes

2494  
01:46:35,400 --> 01:46:40,320  
declaring an emergency refer to the

2495  
01:46:37,570 --> 01:46:44,440  
Committee on Environmental Affairs

2496  
01:46:40,320 --> 01:46:45,940  
Senate bill 717 by Williams relating to

2497  
01:46:44,440 --> 01:46:48,010  
the creation membership and function of

2498

01:46:45,940 --> 01:46:49,630  
the chiropractic chiropractic peer

2499  
01:46:48,010 --> 01:46:51,940  
review committees and granting immunity

2500  
01:46:49,630 --> 01:46:54,030  
and declaring an emergency refer to the

2501  
01:46:51,940 --> 01:46:58,570  
Committee on Health and Welfare

2502  
01:46:54,030 --> 01:47:00,220  
Senate bill 1008 by Farabee authorizing

2503  
01:46:58,570 --> 01:47:01,720  
the Texas Board of mental health and

2504  
01:47:00,220 --> 01:47:05,200  
mental retardation to convey a certain

2505  
01:47:01,720 --> 01:47:06,820  
sanitary sewer main and easement in

2506  
01:47:05,200 --> 01:47:09,010  
Wichita County to the city of Wichita

2507  
01:47:06,820 --> 01:47:11,250  
Falls and declaring an emergency refer

2508  
01:47:09,010 --> 01:47:14,380  
to the Committee on state affairs

2509  
01:47:11,250 --> 01:47:15,550  
Senate bill 537 by more related to the

2510  
01:47:14,380 --> 01:47:17,320  
authority of the Comptroller of Public

2511  
01:47:15,550 --> 01:47:18,970  
Accounts to prescribe the dates of

2512  
01:47:17,320 --> 01:47:21,820  
reports and payments to be made pursuant

2513  
01:47:18,970 --> 01:47:23,500  
to title 122 a Taxation General revised

2514  
01:47:21,820 --> 01:47:25,420  
civil statutes of Texas and declaring an

2515  
01:47:23,500 --> 01:47:28,930  
emergency refer to the Committee on

2516  
01:47:25,420 --> 01:47:30,580  
revenue and Taxation Senate bill 534 by

2517  
01:47:28,930 --> 01:47:32,380  
awk relating to original and appellate

2518  
01:47:30,580 --> 01:47:33,460  
jurisdiction in probate matters and

2519  
01:47:32,380 --> 01:47:35,170  
declaring an emergency

2520  
01:47:33,460 --> 01:47:37,230  
refer to the Committee on judicial

2521  
01:47:35,170 --> 01:47:42,280  
affairs

2522  
01:47:37,230 --> 01:47:44,950  
Senate bill 7 787 by McKinnon exempting

2523  
01:47:42,280 --> 01:47:46,210  
exempting Kennedy and cleburn counties

2524  
01:47:44,950 --> 01:47:49,120  
from certain provisions of the Uniform

2525

01:47:46,210 --> 01:47:50,610  
wildlife regulatory act refer to the

2526  
01:47:49,120 --> 01:47:54,790  
Committee on Environmental Affairs

2527  
01:47:50,610 --> 01:47:56,290  
Senate bill 179 by Harrington relating

2528  
01:47:54,790 --> 01:47:57,790  
to the taking of alligators and

2529  
01:47:56,290 --> 01:48:00,030  
declaring an emergency refer to the

2530  
01:47:57,790 --> 01:48:03,850  
Committee on Environmental Affairs

2531  
01:48:00,030 --> 01:48:05,560  
Senate bill 767 by Meyer relating to

2532  
01:48:03,850 --> 01:48:06,970  
venue and suits on policies against a

2533  
01:48:05,560 --> 01:48:09,010  
company authorized to operate in this

2534  
01:48:06,970 --> 01:48:11,680  
state and declaring an emergency refer

2535  
01:48:09,010 --> 01:48:14,320  
to the Committee on judiciary Senate

2536  
01:48:11,680 --> 01:48:16,060  
bill 897 by Doggett relating to payroll

2537  
01:48:14,320 --> 01:48:17,710  
deductions from wages and salaries of

2538  
01:48:16,060 --> 01:48:21,610  
county employees in counties having

2539  
01:48:17,710 --> 01:48:22,990  
20,000 or more population and declaring

2540  
01:48:21,610 --> 01:48:26,110  
an emergency refer to the Committee on

2541  
01:48:22,990 --> 01:48:28,930  
intergovernmental affairs Senate bill 7

2542  
01:48:26,110 --> 01:48:32,500  
69 by Meyer relating to waiver of

2543  
01:48:28,930 --> 01:48:34,290  
grounds not claimed in certain writ

2544  
01:48:32,500 --> 01:48:36,160  
proceedings and declaring it him

2545  
01:48:34,290 --> 01:48:39,730  
referred to the Committee on criminal

2546  
01:48:36,160 --> 01:48:41,740  
jurisprudence Senate bill 577 by Hogg

2547  
01:48:39,730 --> 01:48:43,390  
relating to fees paid by probationers

2548  
01:48:41,740 --> 01:48:45,180  
and declaring an emergency refer to the

2549  
01:48:43,390 --> 01:48:48,370  
Committee on criminal jurisprudence

2550  
01:48:45,180 --> 01:48:50,170  
Senate bill 533 by agra lating to the

2551  
01:48:48,370 --> 01:48:51,730  
compensation of certain retired district

2552

01:48:50,170 --> 01:48:53,460  
judges in declaring an emergency refer

2553  
01:48:51,730 --> 01:48:57,100  
to the Committee on judicial affairs

2554  
01:48:53,460 --> 01:48:59,020  
Senate bill 690 by Traeger in our

2555  
01:48:57,100 --> 01:49:00,430  
relation to the creation operation and

2556  
01:48:59,020 --> 01:49:02,200  
dissolution of sheriff's department

2557  
01:49:00,430 --> 01:49:04,150  
civil service system in certain County

2558  
01:49:02,200 --> 01:49:05,850  
declaring an emergency refer to the

2559  
01:49:04,150 --> 01:49:09,400  
Committee on intergovernmental affairs

2560  
01:49:05,850 --> 01:49:10,930  
Senate bill 76 by Doggett's related to

2561  
01:49:09,400 --> 01:49:12,970  
the membership of juvenile boards in

2562  
01:49:10,930 --> 01:49:14,890  
Camille Hayes Caldwell Austin and

2563  
01:49:12,970 --> 01:49:16,090  
Fayette County declaring an emergency

2564  
01:49:14,890 --> 01:49:17,320  
refer to the Committee on

2565  
01:49:16,090 --> 01:49:20,590  
intergovernmental affairs

2566  
01:49:17,320 --> 01:49:22,150  
Senate bill 699 by tracker relating to

2567  
01:49:20,590 --> 01:49:23,860  
the creation of a juvenile board in each

2568  
01:49:22,150 --> 01:49:26,290  
of the counties of Colorado lavaca

2569  
01:49:23,860 --> 01:49:27,550  
Gonzalez and Guadalupe providing for a

2570  
01:49:26,290 --> 01:49:28,930  
juvenile officer in each County and

2571  
01:49:27,550 --> 01:49:31,620  
declaring an emergency refer to the

2572  
01:49:28,930 --> 01:49:34,840  
Committee on intergovernmental affairs

2573  
01:49:31,620 --> 01:49:36,610  
Senate bill 751 by Lombardi no related

2574  
01:49:34,840 --> 01:49:37,870  
to an increase in pension benefits for

2575  
01:49:36,610 --> 01:49:39,370  
certain firemen and policemen and

2576  
01:49:37,870 --> 01:49:41,190  
declaring an emergency refer to the

2577  
01:49:39,370 --> 01:49:44,680  
Committee on intergovernmental affairs

2578  
01:49:41,190 --> 01:49:46,139  
Senate bill 634 by Sherman related to

2579

01:49:44,680 --> 01:49:47,940  
the licensing of physical therapy

2580  
01:49:46,139 --> 01:49:50,719  
and declaring an emergency refer to the

2581  
01:49:47,940 --> 01:49:54,869  
Committee on health and welfare

2582  
01:49:50,719 --> 01:49:56,310  
Senate bill 382 by longoria relating to

2583  
01:49:54,869 --> 01:49:58,260  
probation on a plea of guilty and

2584  
01:49:56,310 --> 01:49:59,400  
deferred adjudication of guilt and

2585  
01:49:58,260 --> 01:50:00,929  
declaring an emergency

2586  
01:49:59,400 --> 01:50:05,070  
refer to the Committee on criminal

2587  
01:50:00,929 --> 01:50:08,070  
jurisprudence Senate bill 547 by santi a

2588  
01:50:05,070 --> 01:50:09,869  
statement facilitating and the

2589  
01:50:08,070 --> 01:50:11,340  
implementation of the treaty to resolve

2590  
01:50:09,869 --> 01:50:13,800  
pending boundary differences and

2591  
01:50:11,340 --> 01:50:15,330  
maintain the Rio Grande and Colorado

2592  
01:50:13,800 --> 01:50:16,920  
River as an international boundary

2593  
01:50:15,330 --> 01:50:19,139  
between the United States of America and

2594  
01:50:16,920 --> 01:50:19,920  
the United Mexican states and declaring

2595  
01:50:19,139 --> 01:50:22,699  
an emergency

2596  
01:50:19,920 --> 01:50:26,100  
refer to the Committee on state affairs

2597  
01:50:22,699 --> 01:50:27,780  
Senate bill 5 98 by Doggett relating to

2598  
01:50:26,100 --> 01:50:30,030  
creating a Furman's relief in retirement

2599  
01:50:27,780 --> 01:50:31,380  
fund in certain cities and declaring an

2600  
01:50:30,030 --> 01:50:33,020  
emergency refer to the Committee on

2601  
01:50:31,380 --> 01:50:36,230  
intergovernmental affairs

2602  
01:50:33,020 --> 01:50:38,550  
Senate bill 655 by santi a statement

2603  
01:50:36,230 --> 01:50:40,170  
relating to the assessment of taxes by

2604  
01:50:38,550 --> 01:50:42,060  
certain hospital districts and declaring

2605  
01:50:40,170 --> 01:50:43,639  
an emergency refer to the Committee on

2606

01:50:42,060 --> 01:50:46,739  
energy mental affairs

2607  
01:50:43,639 --> 01:50:48,690  
Senate bill 26 by Doggett relating to

2608  
01:50:46,739 --> 01:50:50,850  
certain notations on driver's licenses

2609  
01:50:48,690 --> 01:50:52,110  
or personal identification certificates

2610  
01:50:50,850 --> 01:50:54,500  
and declaring an emergency

2611  
01:50:52,110 --> 01:50:57,690  
refer to the Committee on transportation

2612  
01:50:54,500 --> 01:50:59,340  
Senate bill 604 by Creighton relate to

2613  
01:50:57,690 --> 01:51:01,110  
the payment and disposition of royalties

2614  
01:50:59,340 --> 01:51:03,710  
from oil and leases covering land leased

2615  
01:51:01,110 --> 01:51:06,060  
by the school school Land Board and

2616  
01:51:03,710 --> 01:51:08,900  
declaring an emergency refer to the

2617  
01:51:06,060 --> 01:51:14,670  
Committee on state affairs

2618  
01:51:08,900 --> 01:51:16,469  
Senate bill 302 by Creighton relating to

2619  
01:51:14,670 --> 01:51:17,040  
secure transactions and declaring an

2620  
01:51:16,469 --> 01:51:19,260  
emergency

2621  
01:51:17,040 --> 01:51:24,300  
refer to the Committee on business and

2622  
01:51:19,260 --> 01:51:25,980  
industry Senate bill 27 by Doggett

2623  
01:51:24,300 --> 01:51:27,900  
relating to the provision of special

2624  
01:51:25,980 --> 01:51:29,639  
license plates for vehicles owned by

2625  
01:51:27,900 --> 01:51:30,300  
certain disabled persons and declaring

2626  
01:51:29,639 --> 01:51:33,469  
an emergency

2627  
01:51:30,300 --> 01:51:37,520  
refer to the Committee on Transportation

2628  
01:51:33,469 --> 01:51:39,840  
Senate bill 1011 by Jones

2629  
01:51:37,520 --> 01:51:41,310  
authorizing the Texas Youth Council to

2630  
01:51:39,840 --> 01:51:43,170  
convey the property of the Mountainview

2631  
01:51:41,310 --> 01:51:44,909  
school for boys to the Texas Board of

2632  
01:51:43,170 --> 01:51:46,710  
Corrections and declaring an emergency

2633

01:51:44,909 --> 01:51:51,949  
refer to the Committee on social

2634  
01:51:46,710 --> 01:51:54,239  
services Senate bill 219 by Breck line

2635  
01:51:51,949 --> 01:51:56,340  
relating to the authority of district

2636  
01:51:54,239 --> 01:51:58,219  
court to order destruction of controlled

2637  
01:51:56,340 --> 01:52:00,139  
substances by law enforcement 18

2638  
01:51:58,219 --> 01:52:02,229  
without necessity of formal notice and

2639  
01:52:00,139 --> 01:52:04,219  
hearing and declaring an emergency

2640  
01:52:02,229 --> 01:52:09,170  
referred to the Committee on criminal

2641  
01:52:04,219 --> 01:52:11,360  
jurisprudence Senate bill 927 by hands

2642  
01:52:09,170 --> 01:52:13,519  
relating to the conveyance or dedication

2643  
01:52:11,360 --> 01:52:15,019  
of certain rights title rights of way or

2644  
01:52:13,519 --> 01:52:18,019  
easements by the Board of Regents of

2645  
01:52:15,019 --> 01:52:21,260  
Texas Tech University or Texas Tech

2646  
01:52:18,019 --> 01:52:23,539  
University School of Medicine to a

2647  
01:52:21,260 --> 01:52:25,400  
utility company or utility provided to

2648  
01:52:23,539 --> 01:52:27,349  
provide utility services to Texas Tech

2649  
01:52:25,400 --> 01:52:28,880  
University School of Medicine and

2650  
01:52:27,349 --> 01:52:31,789  
declaring an emergency refer to the

2651  
01:52:28,880 --> 01:52:34,820  
Committee on Health and Welfare the

2652  
01:52:31,789 --> 01:52:37,280  
Senate bill 881 buy Doggett relating to

2653  
01:52:34,820 --> 01:52:38,960  
the transportation allowance for travel

2654  
01:52:37,280 --> 01:52:41,329  
by certain state employees within their

2655  
01:52:38,960 --> 01:52:41,929  
designated headquarters and declaring an

2656  
01:52:41,329 --> 01:52:43,070  
emergency

2657  
01:52:41,929 --> 01:52:46,579  
referred to the Committee on

2658  
01:52:43,070 --> 01:52:51,949  
Appropriations Senate bill 527 by

2659  
01:52:46,579 --> 01:52:54,559  
Harrington amending paragraph d of

2660

01:52:51,949 --> 01:52:56,329  
subsection 11 of subsection 6 of chapter

2661  
01:52:54,559 --> 01:52:59,030  
27 acts of the regular session of the

2662  
01:52:56,329 --> 01:53:00,079  
60th legislature declaring an emergency

2663  
01:52:59,030 --> 01:53:06,979  
refer to the Committee on

2664  
01:53:00,079 --> 01:53:09,380  
intergovernmental affairs HSR 134 by

2665  
01:53:06,979 --> 01:53:10,849  
Maloney relating to directing the House

2666  
01:53:09,380 --> 01:53:12,229  
Committee on liquor regulation to

2667  
01:53:10,849 --> 01:53:14,059  
cooperate and work with the Texas

2668  
01:53:12,229 --> 01:53:16,130  
Legislative Council and Rico defying the

2669  
01:53:14,059 --> 01:53:22,670  
liquor laws of Texas referred to the

2670  
01:53:16,130 --> 01:53:26,239  
Committee on liquor regulation House

2671  
01:53:22,670 --> 01:53:27,619  
bill 2180 6 by Larry relating to the

2672  
01:53:26,239 --> 01:53:29,269  
authority of a city attorney to bring

2673  
01:53:27,619 --> 01:53:30,949  
suit to enjoin public nuisances and

2674  
01:53:29,269 --> 01:53:34,329  
declaring an emergency refer to the

2675  
01:53:30,949 --> 01:53:39,380  
Committee on intergovernmental affairs

2676  
01:53:34,329 --> 01:53:41,210  
House bill 2187 by grant relating to the

2677  
01:53:39,380 --> 01:53:43,010  
tagging inspection and operation of

2678  
01:53:41,210 --> 01:53:43,610  
certain fishing devices and declaring an

2679  
01:53:43,010 --> 01:53:45,019  
emergency

2680  
01:53:43,610 --> 01:53:49,219  
referred to the Committee on

2681  
01:53:45,019 --> 01:53:51,920  
Environmental Affairs House bill 2188

2682  
01:53:49,219 --> 01:53:53,659  
by Maloney relating to increasing the

2683  
01:53:51,920 --> 01:53:55,039  
per diem paid members of the Alcoholic

2684  
01:53:53,659 --> 01:53:55,670  
Beverage Commission and declaring an

2685  
01:53:55,039 --> 01:53:57,260  
emergency

2686  
01:53:55,670 --> 01:54:01,880  
referred to the Committee on liquor

2687

01:53:57,260 --> 01:54:04,190  
regulation House bill 2189 by Bigham

2688  
01:54:01,880 --> 01:54:05,869  
requiring an operator of a restaurant to

2689  
01:54:04,190 --> 01:54:07,699  
keep on the restaurant premises a device

2690  
01:54:05,869 --> 01:54:10,580  
for dislodging food stuck in a person's

2691  
01:54:07,699 --> 01:54:12,050  
throat and declaring an emergency

2692  
01:54:10,580 --> 01:54:16,120  
refer to the Committee on business and

2693  
01:54:12,050 --> 01:54:18,620  
industry House bill 2190 by Bigham

2694  
01:54:16,120 --> 01:54:20,210  
relating to the compensation expenses

2695  
01:54:18,620 --> 01:54:22,010  
and allowances of certain officers and

2696  
01:54:20,210 --> 01:54:23,750  
employees paid wholly from county funds

2697  
01:54:22,010 --> 01:54:25,460  
declaring an emergency

2698  
01:54:23,750 --> 01:54:30,170  
referred to the Committee on inner cover

2699  
01:54:25,460 --> 01:54:32,690  
mental affairs House bill 21 91 by

2700  
01:54:30,170 --> 01:54:34,160  
Bigham relating to the approval by the

2701  
01:54:32,690 --> 01:54:35,720  
Commissioner's Court of expenditures

2702  
01:54:34,160 --> 01:54:36,530  
from the County Treasury and declaring

2703  
01:54:35,720 --> 01:54:37,730  
an emergency

2704  
01:54:36,530 --> 01:54:42,440  
referred to the Committee on

2705  
01:54:37,730 --> 01:54:45,440  
intergovernmental affairs House bill 21

2706  
01:54:42,440 --> 01:54:47,360  
92 by Bigham relating to shooting or

2707  
01:54:45,440 --> 01:54:48,830  
throwing objects at certain conveyances

2708  
01:54:47,360 --> 01:54:50,840  
declaring an emergency

2709  
01:54:48,830 --> 01:54:56,110  
referred to the Committee on criminal

2710  
01:54:50,840 --> 01:54:58,550  
jurisprudence House bill 21 93 by Baker

2711  
01:54:56,110 --> 01:55:00,440  
relating to longevity pay for

2712  
01:54:58,550 --> 01:55:01,040  
commissioned duty sheriff's and Duty

2713  
01:55:00,440 --> 01:55:03,440  
comp

2714

01:55:01,040 --> 01:55:04,820  
deputy comp constables and declaring an

2715  
01:55:03,440 --> 01:55:07,750  
emergency refer to the Committee on

2716  
01:55:04,820 --> 01:55:07,750  
intergovernmental affairs

2717  
01:55:11,890 --> 01:55:16,850  
Senate bill 2 relating to alcoholism and

2718  
01:55:15,080 --> 01:55:19,100  
occupation was originally referred to

2719  
01:55:16,850 --> 01:55:20,810  
the Committee on state affairs the chair

2720  
01:55:19,100 --> 01:55:22,220  
after further consideration now corrects

2721  
01:55:20,810 --> 01:55:25,390  
the referral Senate bill to the

2722  
01:55:22,220 --> 01:55:25,390  
Committee on health and welfare

2723  
01:55:28,369 --> 01:55:31,760  
according to have ocean previously

2724  
01:55:29,960 --> 01:55:37,489  
adopted the house stands resistant I

2725  
01:55:31,760 --> 01:55:38,630  
think of our warranty house will come

2726  
01:55:37,489 --> 01:55:42,880  
daughter the members of please

2727  
01:55:38,630 --> 01:55:42,880  
registered as Hannah

2728  
02:03:43,420 --> 02:03:47,010  
you're all members registered

2729  
02:04:16,870 --> 02:04:23,890  
the chair recognizes dr. Ralph Smith for

2730  
02:04:19,390 --> 02:04:25,540  
the invocation a quorum is present the

2731  
02:04:23,890 --> 02:04:30,130  
house and gallery will please rise for

2732  
02:04:25,540 --> 02:04:33,070  
the invocation dr. Smith dear Heavenly

2733  
02:04:30,130 --> 02:04:36,220  
Father guide this legislative body and

2734  
02:04:33,070 --> 02:04:39,070  
its deliberations thank you for these

2735  
02:04:36,220 --> 02:04:41,400  
men and women who so unselfishly give

2736  
02:04:39,070 --> 02:04:45,280  
themselves to building a better state

2737  
02:04:41,400 --> 02:04:47,800  
crown their labors with success today we

2738  
02:04:45,280 --> 02:04:50,380  
pray for our governor help him and his

2739  
02:04:47,800 --> 02:04:52,450  
many responsibilities to guide your

2740  
02:04:50,380 --> 02:04:55,420  
servant bill Clayton as he leads this

2741

02:04:52,450 --> 02:04:59,350  
house we pray especially today for the

2742  
02:04:55,420 --> 02:05:01,840  
refugees in Southeast Asia help them in

2743  
02:04:59,350 --> 02:05:04,920  
that trouble part of the world in Jesus

2744  
02:05:01,840 --> 02:05:04,920  
name we pray amen

2745  
02:05:08,040 --> 02:05:14,620  
the chair when I hear excuses for

2746  
02:05:10,510 --> 02:05:17,440  
absence of members excused

2747  
02:05:14,620 --> 02:05:19,060  
representative Garcia of aid I'll go on

2748  
02:05:17,440 --> 02:05:23,500  
account of important business on motion

2749  
02:05:19,060 --> 02:05:25,960  
of representative tourist excuse

2750  
02:05:23,500 --> 02:05:28,510  
representative Denton Denson on

2751  
02:05:25,960 --> 02:05:31,450  
accountable illness on motion of

2752  
02:05:28,510 --> 02:05:33,490  
representing Hostin box excused

2753  
02:05:31,450 --> 02:05:34,720  
representative Kubiak o because of

2754  
02:05:33,490 --> 02:05:37,210  
important business on motion of

2755  
02:05:34,720 --> 02:05:39,160  
representative Carter I've excused

2756  
02:05:37,210 --> 02:05:40,690  
representative Gilly because of

2757  
02:05:39,160 --> 02:05:43,360  
important business on motion of

2758  
02:05:40,690 --> 02:05:45,310  
representing Dell co-accused

2759  
02:05:43,360 --> 02:05:46,720  
representative government because of

2760  
02:05:45,310 --> 02:05:49,540  
important business on motion of

2761  
02:05:46,720 --> 02:05:51,280  
representative cartwright excused

2762  
02:05:49,540 --> 02:05:52,720  
representative Evans because of

2763  
02:05:51,280 --> 02:05:55,270  
important business on motion of

2764  
02:05:52,720 --> 02:05:57,460  
representative Maloney the excuse

2765  
02:05:55,270 --> 02:05:59,170  
representative lane Denton because of

2766  
02:05:57,460 --> 02:06:02,080  
important business on motion of

2767  
02:05:59,170 --> 02:06:03,970  
representative grant excused

2768

02:06:02,080 --> 02:06:05,680  
representative on because of important

2769  
02:06:03,970 --> 02:06:12,480  
business on motion of representative

2770  
02:06:05,680 --> 02:06:14,890  
Greene excused representative reigns

2771  
02:06:12,480 --> 02:06:17,290  
because of state business on motion of

2772  
02:06:14,890 --> 02:06:18,910  
representative bob excused

2773  
02:06:17,290 --> 02:06:21,070  
representative Hernandez because of

2774  
02:06:18,910 --> 02:06:23,590  
important business on motion of

2775  
02:06:21,070 --> 02:06:25,810  
representative Chavez excused

2776  
02:06:23,590 --> 02:06:27,310  
representative Tanner because of

2777  
02:06:25,810 --> 02:06:29,430  
important business on motion of

2778  
02:06:27,310 --> 02:06:31,720  
represented maize

2779  
02:06:29,430 --> 02:06:33,010  
excuse represented Smith because of

2780  
02:06:31,720 --> 02:06:35,890  
important business on motion of

2781  
02:06:33,010 --> 02:06:37,810  
representative it excuse representing

2782  
02:06:35,890 --> 02:06:40,930  
bird because of important business on

2783  
02:06:37,810 --> 02:06:42,520  
motion of representative coil the excuse

2784  
02:06:40,930 --> 02:06:45,610  
represented powwow because of them

2785  
02:06:42,520 --> 02:06:49,570  
illness on motion of representative

2786  
02:06:45,610 --> 02:06:51,910  
Parker excuse represented Massey because

2787  
02:06:49,570 --> 02:06:58,000  
of illness on motion of represented Mac

2788  
02:06:51,910 --> 02:07:00,160  
be excused represented Martin because of

2789  
02:06:58,000 --> 02:07:04,090  
important business on motion of

2790  
02:07:00,160 --> 02:07:06,160  
representative castor excuse represented

2791  
02:07:04,090 --> 02:07:09,310  
see most because of important business

2792  
02:07:06,160 --> 02:07:11,110  
on motion of represented Brown excuse

2793  
02:07:09,310 --> 02:07:13,060  
represented powers because of important

2794  
02:07:11,110 --> 02:07:20,910  
business on motion of representative

2795

02:07:13,060 --> 02:07:28,600  
peter told their objection to the motion

2796  
02:07:20,910 --> 02:07:30,280  
the chair is not a sordid excuse

2797  
02:07:28,600 --> 02:07:34,080  
represented kate's because of important

2798  
02:07:30,280 --> 02:07:34,080  
business on motion representative castor

2799  
02:07:38,220 --> 02:07:43,090  
excused representative Garcia bear

2800  
02:07:40,990 --> 02:07:45,960  
because of important business on motion

2801  
02:07:43,090 --> 02:07:45,960  
representative Truong

2802  
02:07:52,880 --> 02:08:01,230  
excuse represent if see most because of

2803  
02:07:55,200 --> 02:08:04,530  
important business oh this is a strike

2804  
02:08:01,230 --> 02:08:06,120  
that excuse represent Carl Parker

2805  
02:08:04,530 --> 02:08:09,020  
because of important business on motion

2806  
02:08:06,120 --> 02:08:09,020  
of representative Edwards

2807  
02:08:19,230 --> 02:08:22,650  
is there objection to the motion the

2808  
02:08:21,390 --> 02:08:24,980  
chair hears none of the members are

2809  
02:08:22,650 --> 02:08:24,980  
excused

2810  
02:08:33,230 --> 02:08:37,670  
members this morning we're getting ready

2811  
02:08:35,660 --> 02:08:39,890  
to go on the local and consent calendar

2812  
02:08:37,670 --> 02:08:41,330  
would you please follow and come down a

2813  
02:08:39,890 --> 02:08:42,650  
little bit ahead of when your number

2814  
02:08:41,330 --> 02:08:45,969  
comes up on the bill so we can move

2815  
02:08:42,650 --> 02:08:45,969  
along we have a lot of work this morning

2816  
02:09:19,719 --> 02:09:23,559  
mr. big I'm on the floor

2817  
02:09:28,590 --> 02:09:32,090  
mr. big him in the coffee shop

2818  
02:09:43,690 --> 02:09:49,519  
just a minute mr. Bingham excuse

2819  
02:09:47,599 --> 02:09:51,050  
representative McDonald of the Dow go on

2820  
02:09:49,519 --> 02:09:54,920  
account of important business on motion

2821  
02:09:51,050 --> 02:10:01,760  
of mr. Kaster is our objection chair

2822

02:09:54,920 --> 02:10:03,920  
here's none of members excuse chair

2823  
02:10:01,760 --> 02:10:06,079  
recognizes mr. Bingham for an

2824  
02:10:03,920 --> 02:10:08,630  
explanation of Senate bill 79 this

2825  
02:10:06,079 --> 02:10:11,630  
speaker member of Senate bill 79 simply

2826  
02:10:08,630 --> 02:10:14,150  
fills the vacancy that Senator Patton

2827  
02:10:11,630 --> 02:10:16,940  
and I Patman and I inadvertently created

2828  
02:10:14,150 --> 02:10:19,280  
last session it seems that in aligning

2829  
02:10:16,940 --> 02:10:21,650  
the three district courts where they

2830  
02:10:19,280 --> 02:10:23,420  
would serve at the same time using the

2831  
02:10:21,650 --> 02:10:26,599  
same juries that we create a vacancy

2832  
02:10:23,420 --> 02:10:28,130  
during the end of August in the first of

2833  
02:10:26,599 --> 02:10:29,869  
September in which none of the three

2834  
02:10:28,130 --> 02:10:32,959  
courts can transact business and this

2835  
02:10:29,869 --> 02:10:34,579  
simply corrects that they can see is

2836  
02:10:32,959 --> 02:10:38,599  
there objection to the consideration of

2837  
02:10:34,579 --> 02:10:41,630  
this bill the charioteers none and lays

2838  
02:10:38,599 --> 02:10:47,360  
before the house senate bill 79 the

2839  
02:10:41,630 --> 02:10:49,610  
clerk will read the bill Senate bill 79

2840  
02:10:47,360 --> 02:10:53,420  
by Patman an act relating to the terms

2841  
02:10:49,610 --> 02:10:57,590  
of the 27th 146 and 160 ninth district

2842  
02:10:53,420 --> 02:10:58,670  
courts and declaring an emergency the

2843  
02:10:57,590 --> 02:11:01,309  
question before the house is on the

2844  
02:10:58,670 --> 02:11:03,769  
passage to engrossment of Senate bill 79

2845  
02:11:01,309 --> 02:11:07,449  
is objection the chair here is none

2846  
02:11:03,769 --> 02:11:07,449  
insent barrel 79 is in growth

2847  
02:11:21,390 --> 02:11:26,030  
who wants to carry mr. McDonald of \$1

2848  
02:11:23,790 --> 02:11:26,030  
bill

2849

02:11:31,940 --> 02:11:36,440  
chair-elect diverse cheaper for an

2850  
02:11:33,710 --> 02:11:38,270  
explanation bill winsome ever since bill

2851  
02:11:36,440 --> 02:11:40,880  
does just what the caption says it does

2852  
02:11:38,270 --> 02:11:43,190  
pertains white-winged dove hunting and

2853  
02:11:40,880 --> 02:11:45,650  
the and the monies collected from the

2854  
02:11:43,190 --> 02:11:47,300  
stamps that are sold or be expended for

2855  
02:11:45,650 --> 02:11:50,810  
the development of a white-winged of

2856  
02:11:47,300 --> 02:11:54,349  
habitat is there objection to the

2857  
02:11:50,810 --> 02:11:56,270  
consideration of this bill the chair

2858  
02:11:54,349 --> 02:11:58,460  
here is none lays before the house

2859  
02:11:56,270 --> 02:12:01,790  
Senate bill 166 the clerk will read the

2860  
02:11:58,460 --> 02:12:03,590  
bill Senate bill 166 by Longoria and act

2861  
02:12:01,790 --> 02:12:05,750  
relating to the use of funds received

2862  
02:12:03,590 --> 02:12:08,000  
from the sale of white-winged of stamps

2863  
02:12:05,750 --> 02:12:09,349  
and declaring an emergency is there

2864  
02:12:08,000 --> 02:12:13,929  
objection to the considerate to the

2865  
02:12:09,349 --> 02:12:16,550  
passage engrossment of Senate bill 166

2866  
02:12:13,929 --> 02:12:19,989  
the chair here is known in Senate bill

2867  
02:12:16,550 --> 02:12:19,989  
166 is in Grove

2868  
02:12:27,730 --> 02:12:33,850  
but Socratic explained sent bill 402 mr.

2869  
02:12:31,179 --> 02:12:38,560  
speaker remember Senate bill 402 just

2870  
02:12:33,850 --> 02:12:42,070  
allows the board or to have sale long

2871  
02:12:38,560 --> 02:12:43,840  
gas at a public auction at other places

2872  
02:12:42,070 --> 02:12:45,489  
rather than just in Austin it's a

2873  
02:12:43,840 --> 02:12:49,449  
permissive thing and left up to the

2874  
02:12:45,489 --> 02:12:53,219  
board is there objection to the

2875  
02:12:49,449 --> 02:12:56,620  
consideration of this bill chair is none

2876

02:12:53,219 --> 02:12:57,610  
and lays before the house senate bill

2877  
02:12:56,620 --> 02:13:03,190  
402

2878  
02:12:57,610 --> 02:13:05,830  
the clerk will read the bill Senate bill

2879  
02:13:03,190 --> 02:13:07,960  
402 by Snelson and AK relating to the

2880  
02:13:05,830 --> 02:13:12,850  
place of sale for oil and gas and

2881  
02:13:07,960 --> 02:13:14,140  
university lands a question for the

2882  
02:13:12,850 --> 02:13:16,480  
house is on the passage the third

2883  
02:13:14,140 --> 02:13:17,250  
reading of Senate bill 402 is there

2884  
02:13:16,480 --> 02:13:20,050  
objection

2885  
02:13:17,250 --> 02:13:24,100  
the charity is not in Senate bill 402 is

2886  
02:13:20,050 --> 02:13:27,219  
passed a third read mr. speaker mr.

2887  
02:13:24,100 --> 02:13:31,179  
Dougan I want to raise the question of a

2888  
02:13:27,219 --> 02:13:33,010  
quorum I count less than 60 members of

2889  
02:13:31,179 --> 02:13:39,250  
the house on the floor at the present

2890  
02:13:33,010 --> 02:13:44,850  
time the last record vote requested

2891  
02:13:39,250 --> 02:13:44,850  
reflected a quorum ah nice to know you

2892  
02:13:45,090 --> 02:13:49,210  
well then I would like to ask for a

2893  
02:13:47,650 --> 02:13:50,830  
record vote on the next bill that's

2894  
02:13:49,210 --> 02:13:55,870  
considered mr. speaker I'll bring you

2895  
02:13:50,830 --> 02:13:58,739  
the written tab mr. Nugent takes three

2896  
02:13:55,870 --> 02:13:58,739  
people for a record vote

2897  
02:14:02,760 --> 02:14:09,719  
Carrie recognized mr. Hendrix to explain

2898  
02:14:05,400 --> 02:14:12,239  
Senate bill 640 mr. speaker members

2899  
02:14:09,719 --> 02:14:14,670  
Senate bill 640 is a bill pertaining to

2900  
02:14:12,239 --> 02:14:16,770  
the North Texas Municipal Water District

2901  
02:14:14,670 --> 02:14:20,880  
that's Lake LaVon located in Collin

2902  
02:14:16,770 --> 02:14:22,170  
County Texas thank you is there

2903

02:14:20,880 --> 02:14:25,590  
objection to consideration of this bill

2904  
02:14:22,170 --> 02:14:27,300  
the chair is not laid before the House

2905  
02:14:25,590 --> 02:14:33,000  
Senate bill 640 the clerk will read the

2906  
02:14:27,300 --> 02:14:34,860  
bill Senate bill 640 by McKnight and AK

2907  
02:14:33,000 --> 02:14:36,840  
relating to the acquisition ownership

2908  
02:14:34,860 --> 02:14:38,730  
operation and financing of certain

2909  
02:14:36,840 --> 02:14:41,130  
facilities of and the performance of

2910  
02:14:38,730 --> 02:14:43,940  
certain services and functions by the

2911  
02:14:41,130 --> 02:14:46,679  
North Texas Municipal Water District

2912  
02:14:43,940 --> 02:14:48,510  
equation for the house is paget to the

2913  
02:14:46,679 --> 02:14:49,350  
third reading of Senate bill 640 is

2914  
02:14:48,510 --> 02:14:51,449  
there objection

2915  
02:14:49,350 --> 02:14:53,690  
the chair is none the bill passed third

2916  
02:14:51,449 --> 02:14:53,690  
reading

2917  
02:15:02,010 --> 02:15:05,400  
excuse representative Halon kind of

2918  
02:15:03,989 --> 02:15:09,420  
important business on motion of

2919  
02:15:05,400 --> 02:15:13,670  
representative Salem is there objection

2920  
02:15:09,420 --> 02:15:13,670  
the chair is none the members excuse me

2921  
02:15:36,159 --> 02:15:46,570  
cherry recognized mr. Van Daan for an

2922  
02:15:38,169 --> 02:15:47,949  
explanation of House bill 1002 Mr

2923  
02:15:46,570 --> 02:15:50,320  
Speaker and fellow members House bill

2924  
02:15:47,949 --> 02:15:52,359  
100 - is the bill that was on the

2925  
02:15:50,320 --> 02:15:54,760  
consent calendar last week which relates

2926  
02:15:52,359 --> 02:15:57,999  
to the State Board of Pharmacy which is

2927  
02:15:54,760 --> 02:15:59,829  
a wholly financed board from fees

2928  
02:15:57,999 --> 02:16:02,679  
collected from the pharmacists at within

2929  
02:15:59,829 --> 02:16:05,829  
the state of Texas at when the bill was

2930

02:16:02,679 --> 02:16:07,659  
on the calendar last week it was knocked

2931  
02:16:05,829 --> 02:16:10,389  
off the calendar because of a committee

2932  
02:16:07,659 --> 02:16:14,889  
amendment which raised the per diem from

2933  
02:16:10,389 --> 02:16:16,979  
the requested \$50 to \$100 a day I'm

2934  
02:16:14,889 --> 02:16:20,619  
going to move when the bill is laid out

2935  
02:16:16,979 --> 02:16:23,169  
to table the committee amendment so that

2936  
02:16:20,619 --> 02:16:26,469  
that will place it back at the level of

2937  
02:16:23,169 --> 02:16:30,639  
\$50 per day on the on the per diem

2938  
02:16:26,469 --> 02:16:34,540  
again this is a wholly financed board by

2939  
02:16:30,639 --> 02:16:37,540  
fees paid from the pharmacists of the

2940  
02:16:34,540 --> 02:16:38,979  
state the bill has been approved both by

2941  
02:16:37,540 --> 02:16:41,949  
the Texas pharmaceutical Association

2942  
02:16:38,979 --> 02:16:43,659  
membership and has been requested by the

2943  
02:16:41,949 --> 02:16:46,239  
board because of the need for additional

2944  
02:16:43,659 --> 02:16:48,909  
inspectors within the state to enforce

2945  
02:16:46,239 --> 02:16:50,769  
the pharmacy law I would appreciate your

2946  
02:16:48,909 --> 02:16:52,210  
consideration it is a good bill and

2947  
02:16:50,769 --> 02:16:54,519  
we're going to take it back to the way

2948  
02:16:52,210 --> 02:16:56,010  
the bill was correct was originally

2949  
02:16:54,519 --> 02:16:59,189  
requested

2950  
02:16:56,010 --> 02:17:02,500  
Mr Speaker I request a record vote I

2951  
02:16:59,189 --> 02:17:05,500  
request that we have here request mr.

2952  
02:17:02,500 --> 02:17:08,349  
Nugent members mr. Nugent has requested

2953  
02:17:05,500 --> 02:17:11,019  
a record vote in order to determine a

2954  
02:17:08,349 --> 02:17:12,369  
quorum and then miss also the strict

2955  
02:17:11,019 --> 02:17:15,359  
enforcement of the rules you have to

2956  
02:17:12,369 --> 02:17:15,359  
vote from your desk

2957

02:17:18,400 --> 02:17:25,960  
is there objection to the consideration

2958  
02:17:20,290 --> 02:17:31,000  
of this bill the chair here Dunkirk will

2959  
02:17:25,960 --> 02:17:32,679  
read the bill House bill a thousand two

2960  
02:17:31,000 --> 02:17:35,020  
by Vaughn Dolan relating to the

2961  
02:17:32,679 --> 02:17:35,920  
increasing certain fees charged by and

2962  
02:17:35,020 --> 02:17:38,230  
therefore dime

2963  
02:17:35,920 --> 02:17:41,980  
pay of members of the State Board of

2964  
02:17:38,230 --> 02:17:46,120  
Pharmacy final amendment the clerk will

2965  
02:17:41,980 --> 02:17:48,460  
read the amendment amendment by Leyland

2966  
02:17:46,120 --> 02:17:51,820  
and Giger am in House bill thousand two

2967  
02:17:48,460 --> 02:17:52,929  
first printing by striking the word mr.

2968  
02:17:51,820 --> 02:17:55,179  
Vaughn Dolan to explain the amendment

2969  
02:17:52,929 --> 02:18:00,630  
mr. speaker and members I moved to table

2970  
02:17:55,179 --> 02:18:00,630  
the committee amendment mr. Vaughn

2971  
02:18:05,180 --> 02:18:09,970  
mr. Newton you want this one on the bill

2972  
02:18:19,030 --> 02:18:23,200  
is there objection to the tabling of the

2973  
02:18:21,040 --> 02:18:31,450  
amendment cherry is none amendment

2974  
02:18:23,200 --> 02:18:34,840  
stable the question is on the passage to

2975  
02:18:31,450 --> 02:18:36,610  
engrossment of House bill 1002 all those

2976  
02:18:34,840 --> 02:18:38,200  
in favor Lodhi those opposed vote no

2977  
02:18:36,610 --> 02:18:38,910  
that's a record vote the clerk will ring

2978  
02:18:38,200 --> 02:18:41,200  
the bell

2979  
02:18:38,910 --> 02:18:42,849  
vote from your desk members strict

2980  
02:18:41,200 --> 02:18:45,660  
enforcement call for strict

2981  
02:18:42,849 --> 02:18:45,660  
enforcement's granny

2982  
02:18:52,220 --> 02:18:54,790  
sure

2983  
02:19:02,630 --> 02:19:06,279  
show mr. slack voting on

2984

02:19:17,260 --> 02:19:22,810  
mr. speaker i observe a number of vacant

2985  
02:19:20,470 --> 02:19:24,610  
desks whose buttons are depressed in the

2986  
02:19:22,810 --> 02:19:30,100  
yes and who are being reflected on the

2987  
02:19:24,610 --> 02:19:38,140  
board is voting co-advised the chair who

2988  
02:19:30,100 --> 02:19:40,030  
the author charles strike them you mean

2989  
02:19:38,140 --> 02:19:41,940  
it's necessary for me to do this i

2990  
02:19:40,030 --> 02:19:44,290  
thought the chair had the machinery to

2991  
02:19:41,940 --> 02:19:46,360  
necessitate and bring about strict

2992  
02:19:44,290 --> 02:19:50,190  
enforcement is he you want to be left up

2993  
02:19:46,360 --> 02:19:50,190  
to a single member to see if that's done

2994  
02:19:52,381 --> 02:19:57,761  
i was under the impression you were the

2995  
02:19:55,780 --> 02:20:03,610  
guardian of the room mr. speaker no I'm

2996  
02:19:57,761 --> 02:20:05,530  
the referee you're the guardian oh you

2997  
02:20:03,610 --> 02:20:13,750  
you don't want that ball is that what

2998  
02:20:05,530 --> 02:20:16,620  
you're saying have all voted show must

2999  
02:20:13,750 --> 02:20:16,620  
all read building on

3000  
02:20:28,750 --> 02:20:34,101  
mr. speaker where the process take me

3001  
02:20:32,780 --> 02:20:36,200  
boatman well under strict enforcement

3002  
02:20:34,101 --> 02:20:37,820  
how did you vote mr. Allred from down in

3003  
02:20:36,200 --> 02:20:41,450  
front since you the guardian of these

3004  
02:20:37,820 --> 02:20:44,891  
rules we were allowed to vote from the

3005  
02:20:41,450 --> 02:20:48,021  
floor mr. Nugent from the same side I

3006  
02:20:44,891 --> 02:20:57,160  
didn't vote anyone from the floor except

3007  
02:20:48,021 --> 02:21:01,061  
mr. Allred there being 102 eyes six nose

3008  
02:20:57,160 --> 02:21:04,790  
House bill 1002 is passed and Grossman

3009  
02:21:01,061 --> 02:21:07,250  
mr. speaker parliamentary inquiry state

3010  
02:21:04,790 --> 02:21:09,110  
you inquire on screen when a record vote

3011

02:21:07,250 --> 02:21:11,000  
is requested on a local in consent

3012  
02:21:09,110 --> 02:21:13,641  
calendar there are more than five

3013  
02:21:11,000 --> 02:21:15,200  
negative votes does that knock the bill

3014  
02:21:13,641 --> 02:21:18,950  
off the consent calendar for third

3015  
02:21:15,200 --> 02:21:20,990  
reading we asked if there was objection

3016  
02:21:18,950 --> 02:21:26,380  
to the consideration of the bill mr.

3017  
02:21:20,990 --> 02:21:29,530  
Greene those six before we lay it out

3018  
02:21:26,380 --> 02:21:29,530  
thank you

3019  
02:21:50,860 --> 02:21:58,040  
that's the speaker mr. dorky but we have

3020  
02:21:56,479 --> 02:22:08,240  
a message from the Senate

3021  
02:21:58,040 --> 02:22:16,610  
admit the messenger SB 609 by mechanical

3022  
02:22:08,240 --> 02:22:17,479  
picture fellow member it all doesn't end

3023  
02:22:16,610 --> 02:22:20,890  
with a message

3024  
02:22:17,479 --> 02:22:20,890  
let the messenger go ahead go ahead

3025  
02:22:32,630 --> 02:22:36,470  
I'm directly by the surgeon from the

3026  
02:22:34,399 --> 02:22:38,300  
house sending this pastor following SB

3027  
02:22:36,470 --> 02:22:40,670  
609 by McKinnon making a supplemental

3028  
02:22:38,300 --> 02:22:43,460  
appropriation Texas Ani University and

3029  
02:22:40,670 --> 02:22:46,220  
declaring emergency sjr 49 by Sherman

3030  
02:22:43,460 --> 02:22:47,510  
proposed an increase to 800 million

3031  
02:22:46,220 --> 02:22:50,449  
dollars amount of the Texas Water

3032  
02:22:47,510 --> 02:22:52,489  
Development bonds that may be issued SB

3033  
02:22:50,449 --> 02:22:54,229  
636 by Sherman related issuance

3034  
02:22:52,489 --> 02:22:55,369  
additional amount of Texas Water

3035  
02:22:54,229 --> 02:22:58,310  
Development bonds in between an

3036  
02:22:55,369 --> 02:22:59,750  
emergency I'm directly buddy sent and

3037  
02:22:58,310 --> 02:23:01,670  
for the House the Senate has passed a

3038

02:22:59,750 --> 02:23:07,970  
polling on local and uncontested

3039  
02:23:01,670 --> 02:23:17,649  
calendar SB 720's be 653 SB 130 has to

3040  
02:23:07,970 --> 02:23:26,899  
be 553 SB 878 that's been 996s be 891 SB

3041  
02:23:17,649 --> 02:23:38,510  
374 SB 464 SB 643 SB 754 SB 827 SB 883

3042  
02:23:26,899 --> 02:23:42,140  
SB 889 and SB 898 now mr. Florence for

3043  
02:23:38,510 --> 02:23:44,659  
an explanation of House bill 1022 mr.

3044  
02:23:42,140 --> 02:23:46,909  
speaker fellow members this is just a

3045  
02:23:44,659 --> 02:23:49,550  
local gaming bill for Upshur County

3046  
02:23:46,909 --> 02:23:51,800  
Texas that would shorten the deer season

3047  
02:23:49,550 --> 02:23:55,069  
and it would increase the quail season

3048  
02:23:51,800 --> 02:23:56,510  
and I move that it be passed is there

3049  
02:23:55,069 --> 02:24:00,460  
objection to the consideration of this

3050  
02:23:56,510 --> 02:24:02,720  
bill is there objection

3051  
02:24:00,460 --> 02:24:05,420  
chair here is none and lays before the

3052  
02:24:02,720 --> 02:24:10,010  
house House bill 1022 the clerk will

3053  
02:24:05,420 --> 02:24:11,689  
read the bill Council 1022 by Florence

3054  
02:24:10,010 --> 02:24:17,720  
relating to the deer season and the

3055  
02:24:11,689 --> 02:24:19,069  
quail season and Upshur County the

3056  
02:24:17,720 --> 02:24:22,359  
question is on the passage engrossment

3057  
02:24:19,069 --> 02:24:25,310  
of House bill 1022 is there objection

3058  
02:24:22,359 --> 02:24:29,630  
the chair has none in House bill 1022 is

3059  
02:24:25,310 --> 02:24:34,640  
engrossed Jerry recognized mr. Hendricks

3060  
02:24:29,630 --> 02:24:38,600  
on House bill 1139 mr. speaker members

3061  
02:24:34,640 --> 02:24:40,909  
House bill 1139 pertains to common

3062  
02:24:38,600 --> 02:24:42,800  
school districts in Collin County Texas

3063  
02:24:40,909 --> 02:24:44,630  
and there's only one

3064  
02:24:42,800 --> 02:24:46,729  
School District in Collin County and

3065

02:24:44,630 --> 02:24:49,189  
that's Lovejoy mr. speaker very quick

3066  
02:24:46,729 --> 02:24:51,620  
question you yield for question

3067  
02:24:49,189 --> 02:24:53,120  
gentleman you missed end Rex are you

3068  
02:24:51,620 --> 02:24:58,189  
satisfied that this bill is

3069  
02:24:53,120 --> 02:24:59,899  
constitutional yes I am the Thor we had

3070  
02:24:58,189 --> 02:25:02,420  
to go on a brac bill I have published

3071  
02:24:59,899 --> 02:25:05,660  
notice on this it's been in the papers I

3072  
02:25:02,420 --> 02:25:08,720  
have an affidavit of publication and it

3073  
02:25:05,660 --> 02:25:10,130  
is a permissive bill it says May as far

3074  
02:25:08,720 --> 02:25:12,109  
as a Commissioner's Court and does

3075  
02:25:10,130 --> 02:25:14,630  
require an election in the common school

3076  
02:25:12,109 --> 02:25:18,649  
district strictly permissive I move

3077  
02:25:14,630 --> 02:25:22,490  
adoption is there objection to the

3078  
02:25:18,649 --> 02:25:25,910  
consideration of the bill the chair here

3079  
02:25:22,490 --> 02:25:28,510  
is done lays before the house House Bill

3080  
02:25:25,910 --> 02:25:31,430  
1139 clerk will read the bill House bill

3081  
02:25:28,510 --> 02:25:33,410  
1139 by Hendrix relating to an increased

3082  
02:25:31,430 --> 02:25:37,960  
maintenance tax and certain common

3083  
02:25:33,410 --> 02:25:41,240  
school districts questions on page 211

3084  
02:25:37,960 --> 02:25:43,310  
39 is there objection

3085  
02:25:41,240 --> 02:25:48,200  
the chair has none in the house bill

3086  
02:25:43,310 --> 02:25:52,520  
1139 is in groves chair recognized mr.

3087  
02:25:48,200 --> 02:25:54,530  
Van Hollen on House bill 1211 Mr Speaker

3088  
02:25:52,520 --> 02:25:56,750  
and fellow members House bill 1211

3089  
02:25:54,530 --> 02:25:58,580  
relates to the audit that has to be

3090  
02:25:56,750 --> 02:26:01,100  
performed for river authorities under

3091  
02:25:58,580 --> 02:26:03,410  
the current law the state auditor must

3092

02:26:01,100 --> 02:26:06,080  
perform all the audits for the river

3093  
02:26:03,410 --> 02:26:08,689  
authorities what this bill would provide

3094  
02:26:06,080 --> 02:26:11,569  
is a means whereby the state auditor

3095  
02:26:08,689 --> 02:26:14,840  
would still have control over all audits

3096  
02:26:11,569 --> 02:26:18,710  
but in addition to that where bonds are

3097  
02:26:14,840 --> 02:26:21,080  
issued by a river authority the river

3098  
02:26:18,710 --> 02:26:25,220  
authority is required to have an audit

3099  
02:26:21,080 --> 02:26:27,710  
by the 1st of January of each year as a

3100  
02:26:25,220 --> 02:26:31,580  
result of that several River authorities

3101  
02:26:27,710 --> 02:26:32,870  
are required to have two audits during

3102  
02:26:31,580 --> 02:26:34,700  
the course of a year one by an

3103  
02:26:32,870 --> 02:26:37,250  
independent auditor and one by the state

3104  
02:26:34,700 --> 02:26:39,859  
auditor this would allow an independent

3105  
02:26:37,250 --> 02:26:41,330  
auditor to perform the official audit it

3106  
02:26:39,859 --> 02:26:43,550  
would then be submitted to the water

3107  
02:26:41,330 --> 02:26:45,710  
rights commission and then to the state

3108  
02:26:43,550 --> 02:26:47,960  
auditor and if the state auditor had any

3109  
02:26:45,710 --> 02:26:50,510  
objection he would reaper form the audit

3110  
02:26:47,960 --> 02:26:54,200  
it is an effort to save the taxpayers

3111  
02:26:50,510 --> 02:26:56,511  
money and provide a suitable audit it

3112  
02:26:54,200 --> 02:26:59,240  
does not in any way

3113  
02:26:56,511 --> 02:27:01,160  
any authority away from the state

3114  
02:26:59,240 --> 02:27:02,870  
auditor and continues to provide

3115  
02:27:01,160 --> 02:27:05,091  
protection to the public on the state

3116  
02:27:02,870 --> 02:27:06,681  
state's dollars mr. picker will

3117  
02:27:05,091 --> 02:27:09,110  
gentleman you yes I will mr. alright

3118  
02:27:06,681 --> 02:27:10,851  
gentleman you how will having an

3119

02:27:09,110 --> 02:27:12,530  
independent auditor who must be paid

3120  
02:27:10,851 --> 02:27:17,631  
from ever Authority fun to save money

3121  
02:27:12,530 --> 02:27:20,061  
please sir well the the auditor at this

3122  
02:27:17,631 --> 02:27:25,181  
time the state auditor must go out and

3123  
02:27:20,061 --> 02:27:27,410  
perform the audit in it in addition they

3124  
02:27:25,181 --> 02:27:29,660  
went where there are bonds that are

3125  
02:27:27,410 --> 02:27:31,971  
issued they then must goes contract with

3126  
02:27:29,660 --> 02:27:34,190  
the state auditor excuse me with with

3127  
02:27:31,971 --> 02:27:35,750  
that independent auditor and they're

3128  
02:27:34,190 --> 02:27:37,671  
required under present law to have an

3129  
02:27:35,750 --> 02:27:39,290  
independent audit anyway no they're

3130  
02:27:37,671 --> 02:27:41,841  
required under present law to have the

3131  
02:27:39,290 --> 02:27:43,490  
state auditor perform the audit then in

3132  
02:27:41,841 --> 02:27:46,761  
addition they must hire an independent

3133  
02:27:43,490 --> 02:27:48,141  
auditor if they have bonds issued how

3134  
02:27:46,761 --> 02:27:50,780  
many of your River authorities issue

3135  
02:27:48,141 --> 02:27:53,120  
bonds there are some ten that I'm aware

3136  
02:27:50,780 --> 02:27:55,101  
of mr. Allred as an example the Trinity

3137  
02:27:53,120 --> 02:27:57,740  
River Authority this year the cost of

3138  
02:27:55,101 --> 02:28:00,230  
their audit second audit was between 12

3139  
02:27:57,740 --> 02:28:02,450  
and 15 thousand dollars the Lavaca

3140  
02:28:00,230 --> 02:28:04,370  
navitat River Authority which is down in

3141  
02:28:02,450 --> 02:28:06,771  
my district was some three or four

3142  
02:28:04,370 --> 02:28:08,870  
thousand additional dollars simply

3143  
02:28:06,771 --> 02:28:11,721  
because the state auditor was not able

3144  
02:28:08,870 --> 02:28:13,971  
to get to each River Authority within

3145  
02:28:11,721 --> 02:28:16,700  
the time required by their bonding

3146

02:28:13,971 --> 02:28:18,051  
companies how many river authorities are

3147  
02:28:16,700 --> 02:28:21,171  
there in Texas I'm not but I'm not

3148  
02:28:18,051 --> 02:28:22,971  
advised mr. Allred but this even though

3149  
02:28:21,171 --> 02:28:25,610  
they have to pay the independent auditor

3150  
02:28:22,971 --> 02:28:27,320  
this would still it would amount to a

3151  
02:28:25,610 --> 02:28:29,150  
cost saving to the state the bill has

3152  
02:28:27,320 --> 02:28:32,301  
been cleared with the state auditor and

3153  
02:28:29,150 --> 02:28:35,780  
it was that in fact worked out at his in

3154  
02:28:32,301 --> 02:28:39,141  
consultation with him and he feels like

3155  
02:28:35,780 --> 02:28:41,990  
it is necessary in his duties but thank

3156  
02:28:39,141 --> 02:28:44,961  
you is there objection to the

3157  
02:28:41,990 --> 02:28:47,811  
consideration of this bill the chair has

3158  
02:28:44,961 --> 02:28:49,490  
none lays out before the house House

3159  
02:28:47,811 --> 02:28:52,341  
bill 12:11 the clerk will read the bill

3160  
02:28:49,490 --> 02:28:54,261  
House bill 12:11 by Vaughn Dolan

3161  
02:28:52,341 --> 02:28:56,511  
relating to audits of River authorities

3162  
02:28:54,261 --> 02:28:57,261  
and declaring an emergency is there

3163  
02:28:56,511 --> 02:28:59,211  
objection

3164  
02:28:57,261 --> 02:29:01,881  
the question before the house is the

3165  
02:28:59,211 --> 02:29:04,341  
passed engrossment of House bill 1211 is

3166  
02:29:01,881 --> 02:29:07,870  
the objection the chair has none in

3167  
02:29:04,341 --> 02:29:07,870  
House bill 1211 is engrossed

3168  
02:29:10,370 --> 02:29:18,810  
pursuant to rule 24 section 10 the chair

3169  
02:29:17,040 --> 02:29:23,760  
gives notice that after the expiration

3170  
02:29:18,810 --> 02:29:28,100  
of one hour will rocket will mr. Clayton

3171  
02:29:23,760 --> 02:29:31,410  
will be recognized to suspend the rules

3172  
02:29:28,100 --> 02:29:34,280  
to take up and consider Memorial motion

3173

02:29:31,410 --> 02:29:34,280  
number 243

3174  
02:29:45,820 --> 02:29:56,140  
let's back up numbers the that number

3175  
02:29:48,670 --> 02:29:59,700  
instead of 243 is 79 asked me more

3176  
02:29:56,140 --> 02:29:59,700  
emotion number 79 was

3177  
02:30:05,391 --> 02:30:08,110  
I'm gonna

3178  
02:30:10,830 --> 02:30:16,830  
mr. RL to explain hospital 1317 speaker

3179  
02:30:14,760 --> 02:30:18,450  
member is currently the president law

3180  
02:30:16,830 --> 02:30:20,910  
Rises of Parks and Wildlife Department

3181  
02:30:18,450 --> 02:30:24,120  
office to disseminate information to the

3182  
02:30:20,910 --> 02:30:27,510  
public regarding wildlife values and

3183  
02:30:24,120 --> 02:30:29,490  
management this bill amends that the

3184  
02:30:27,510 --> 02:30:30,780  
current law to allow the Parks and

3185  
02:30:29,490 --> 02:30:32,640  
Wildlife Department to disseminate

3186  
02:30:30,780 --> 02:30:35,609  
information regarding all phases of its

3187  
02:30:32,640 --> 02:30:40,080  
operation law this bill also requires

3188  
02:30:35,609 --> 02:30:42,060  
that any revenue received miself in the

3189  
02:30:40,080 --> 02:30:44,040  
publication be deposit to the fund from

3190  
02:30:42,060 --> 02:30:45,390  
which expense occurred instead of the

3191  
02:30:44,040 --> 02:30:47,609  
special fund to which it is now

3192  
02:30:45,390 --> 02:30:49,649  
deposited which causes an undue burden

3193  
02:30:47,609 --> 02:30:50,100  
on the that took it fund I'll move it to

3194  
02:30:49,649 --> 02:30:53,700  
dock

3195  
02:30:50,100 --> 02:30:57,210  
mr. Baker mr. Holsten Bob gentleman

3196  
02:30:53,700 --> 02:31:02,700  
yield I yield killing yield mr. Earle I

3197  
02:30:57,210 --> 02:31:04,770  
noticed that the fiscal note indicates

3198  
02:31:02,700 --> 02:31:10,170  
that there will be no fiscal

3199  
02:31:04,770 --> 02:31:12,750  
implications isn't it true that if the

3200

02:31:10,170 --> 02:31:17,880  
Parks and Wildlife start reporting on

3201  
02:31:12,750 --> 02:31:20,010  
all of their operations that

3202  
02:31:17,880 --> 02:31:23,640  
automatically they're going to have to

3203  
02:31:20,010 --> 02:31:26,670  
expand the size and maybe even add an

3204  
02:31:23,640 --> 02:31:29,520  
additional publication no sir my

3205  
02:31:26,670 --> 02:31:31,710  
understanding is that this simply allows

3206  
02:31:29,520 --> 02:31:34,950  
them to report anything anybody asks

3207  
02:31:31,710 --> 02:31:37,020  
them about instead of simply information

3208  
02:31:34,950 --> 02:31:38,910  
regarding wildlife values and management

3209  
02:31:37,020 --> 02:31:40,590  
it would require no expansion of the

3210  
02:31:38,910 --> 02:31:41,670  
staff the Parks and Wildlife Department

3211  
02:31:40,590 --> 02:31:45,149  
at all

3212  
02:31:41,670 --> 02:31:47,310  
well I mr. Earle it says the Parks and

3213  
02:31:45,149 --> 02:31:50,130  
Wildlife is hereby authorized to

3214  
02:31:47,310 --> 02:31:52,830  
disseminate information to the public

3215  
02:31:50,130 --> 02:31:56,700  
regarding all phases of its operations

3216  
02:31:52,830 --> 02:31:59,819  
now my life at this time issues a

3217  
02:31:56,700 --> 02:32:01,800  
publication concerning just limited

3218  
02:31:59,819 --> 02:32:04,560  
aspects of its operations in that

3219  
02:32:01,800 --> 02:32:06,510  
correct yes sir

3220  
02:32:04,560 --> 02:32:09,510  
basically that is so this would make it

3221  
02:32:06,510 --> 02:32:12,060  
possible for them to the issue another

3222  
02:32:09,510 --> 02:32:16,380  
publication or expand their present

3223  
02:32:12,060 --> 02:32:18,240  
publication to cover all aspects of

3224  
02:32:16,380 --> 02:32:21,120  
their operations isn't that right no sir

3225  
02:32:18,240 --> 02:32:23,011  
it simply would allow the department in

3226  
02:32:21,120 --> 02:32:25,891  
the event of inquiry to descend

3227

02:32:23,011 --> 02:32:27,780  
information recording all pledges of its

3228  
02:32:25,891 --> 02:32:29,280  
operation instead of simply wildlife

3229  
02:32:27,780 --> 02:32:30,211  
they using management to which it's

3230  
02:32:29,280 --> 02:32:32,400  
limited now

3231  
02:32:30,211 --> 02:32:34,440  
now there is one publication there are

3232  
02:32:32,400 --> 02:32:36,241  
no plans to make any other publication

3233  
02:32:34,440 --> 02:32:38,341  
at all it's just it's simply

3234  
02:32:36,241 --> 02:32:40,530  
unnecessarily limited the way the law is

3235  
02:32:38,341 --> 02:32:43,561  
now it referred to the old Game and Fish

3236  
02:32:40,530 --> 02:32:45,030  
Commission mr. Holsten Bach which was

3237  
02:32:43,561 --> 02:32:46,711  
much more limited in scope than the

3238  
02:32:45,030 --> 02:32:48,721  
current Parks and Wildlife Department

3239  
02:32:46,711 --> 02:32:51,570  
it's simply a housekeeping amendment mr.

3240  
02:32:48,721 --> 02:32:53,461  
Bach now mr. Earl I can't agree with you

3241  
02:32:51,570 --> 02:32:55,711  
on that let me now let me ask you about

3242  
02:32:53,461 --> 02:32:57,661  
I think this definitely opens the door

3243  
02:32:55,711 --> 02:32:59,610  
for them now I want you to tell me if

3244  
02:32:57,661 --> 02:33:01,171  
this is true it does open the door for

3245  
02:32:59,610 --> 02:33:04,081  
them does it not to issue other

3246  
02:33:01,171 --> 02:33:06,030  
publications concerning other operations

3247  
02:33:04,081 --> 02:33:08,070  
other than those are restricted to now

3248  
02:33:06,030 --> 02:33:11,371  
doesn't it clearly state that in the

3249  
02:33:08,070 --> 02:33:14,121  
bill well sure I suppose you could say

3250  
02:33:11,371 --> 02:33:16,471  
that they could open a publishing house

3251  
02:33:14,121 --> 02:33:18,241  
just like any other state agency could

3252  
02:33:16,471 --> 02:33:20,041  
but I really don't think that's that's

3253  
02:33:18,241 --> 02:33:23,461  
contemplated by the department but it

3254

02:33:20,041 --> 02:33:25,881  
could be done if they wanted to I'm not

3255  
02:33:23,461 --> 02:33:29,911  
sure mr. Olson Bach with regard to the

3256  
02:33:25,881 --> 02:33:31,801  
limitations on the special money there

3257  
02:33:29,911 --> 02:33:34,201  
are limitations on special funds from

3258  
02:33:31,801 --> 02:33:35,780  
forward which pay for the publications

3259  
02:33:34,201 --> 02:33:37,891  
that are the publication is currently

3260  
02:33:35,780 --> 02:33:39,091  
done by the Parks and Wildlife

3261  
02:33:37,891 --> 02:33:40,681  
Department I don't think those

3262  
02:33:39,091 --> 02:33:41,881  
limitations would allow the kind of

3263  
02:33:40,681 --> 02:33:43,891  
breadth of publishing you're talking

3264  
02:33:41,881 --> 02:33:45,721  
about explain to me this this fun

3265  
02:33:43,891 --> 02:33:47,070  
transfer of business tell me about that

3266  
02:33:45,721 --> 02:33:48,601  
it looks like we're rating the state

3267  
02:33:47,070 --> 02:33:52,381  
treasury to put it over and some of this

3268  
02:33:48,601 --> 02:33:54,841  
dedicated or our designated Parks and

3269  
02:33:52,381 --> 02:33:56,161  
Wildlife funds is that true I'm sorry I

3270  
02:33:54,841 --> 02:33:58,381  
didn't understand your question it looks

3271  
02:33:56,161 --> 02:34:01,860  
like we're raiding the state treasury to

3272  
02:33:58,381 --> 02:34:03,421  
put some more money into this desert

3273  
02:34:01,860 --> 02:34:05,730  
no sir what that works there are

3274  
02:34:03,421 --> 02:34:08,601  
currently 11 funds from winter parks and

3275  
02:34:05,730 --> 02:34:08,601  
wildlife to opera opera

3276  
02:34:13,700 --> 02:34:19,891  
remembers we have five objections to

3277  
02:34:16,200 --> 02:34:22,280  
House bill 1317 it's knocked off the

3278  
02:34:19,891 --> 02:34:22,280  
counter

3279  
02:34:28,869 --> 02:34:33,670  
chair recognizes mr. Watson for

3280  
02:34:30,819 --> 02:34:37,149  
explanation of House bill 1356 mr.

3281

02:34:33,670 --> 02:34:39,909  
speaker members on the present law and

3282  
02:34:37,149 --> 02:34:45,189  
Chambers County it's unlawful to kill or

3283  
02:34:39,909 --> 02:34:47,729  
take deer this law expires in 1975 all

3284  
02:34:45,189 --> 02:34:51,310  
this law that I have today

3285  
02:34:47,729 --> 02:34:56,189  
13:56 that extend that to 1980 that's a

3286  
02:34:51,310 --> 02:35:00,670  
simple extension of the present law from

3287  
02:34:56,189 --> 02:35:02,170  
1975 to 1980 appreciate your support is

3288  
02:35:00,670 --> 02:35:05,079  
there objection to the consideration of

3289  
02:35:02,170 --> 02:35:05,920  
this bill the charioteers none lays

3290  
02:35:05,079 --> 02:35:08,829  
before the house

3291  
02:35:05,920 --> 02:35:12,880  
House bill 1356 the clerk will read the

3292  
02:35:08,829 --> 02:35:15,239  
bill House bill 1356 by Watson relate to

3293  
02:35:12,880 --> 02:35:17,380  
the taking of deer in Chambers County

3294  
02:35:15,239 --> 02:35:19,899  
the question for the house is on the

3295  
02:35:17,380 --> 02:35:21,000  
passage engrossment of House bill 1356

3296  
02:35:19,899 --> 02:35:27,300  
is there objection

3297  
02:35:21,000 --> 02:35:27,300  
chairs none in House bill 1356 engrossed

3298  
02:35:27,479 --> 02:35:34,600  
chair lays out the House bill recognized

3299  
02:35:31,060 --> 02:35:37,020  
mr. Atkinson to explain House bill 1522

3300  
02:35:34,600 --> 02:35:39,340  
press speaker' members house bill at

3301  
02:35:37,020 --> 02:35:41,770  
1522 there's a local bill for lamb

3302  
02:35:39,340 --> 02:35:43,510  
county it takes the quail hunting out of

3303  
02:35:41,770 --> 02:35:45,729  
the general law in places under the

3304  
02:35:43,510 --> 02:35:48,220  
record or authority is there objection

3305  
02:35:45,729 --> 02:35:50,079  
to the consideration of this bill chair

3306  
02:35:48,220 --> 02:35:52,720  
here is not in lays before the house

3307  
02:35:50,079 --> 02:35:56,260  
House bill 1522 the clerk will read the

3308

02:35:52,720 --> 02:35:58,479  
bill House bill 1522 by atkinson and f

3309  
02:35:56,260 --> 02:36:00,340  
green relating to the approval by the

3310  
02:35:58,479 --> 02:36:01,930  
Commissioner's Court of LAM county of

3311  
02:36:00,340 --> 02:36:03,550  
orders rules and regulations of the

3312  
02:36:01,930 --> 02:36:06,550  
Parks and Wildlife Commission regarding

3313  
02:36:03,550 --> 02:36:08,979  
quail season questions on the price

3314  
02:36:06,550 --> 02:36:10,140  
until in grossmutter of House bill 15 22

3315  
02:36:08,979 --> 02:36:13,239  
is there objection

3316  
02:36:10,140 --> 02:36:15,659  
chair hears none in House bill 15 22 is

3317  
02:36:13,239 --> 02:36:15,659  
engrossed

3318  
02:36:16,229 --> 02:36:21,760  
recognize mr. credit for an explanation

3319  
02:36:18,640 --> 02:36:24,250  
of House bill 1667 mr. Baker members

3320  
02:36:21,760 --> 02:36:26,020  
Hospital 1667 relates to the number of

3321  
02:36:24,250 --> 02:36:28,029  
days which an employer may protest

3322  
02:36:26,020 --> 02:36:30,189  
substantial charge backs of his

3323  
02:36:28,029 --> 02:36:33,040  
unemployment compensation contribution

3324  
02:36:30,189 --> 02:36:35,409  
rate and what it does today they give

3325  
02:36:33,040 --> 02:36:37,750  
you 10 to AIDS and we're just raising 15

3326  
02:36:35,409 --> 02:36:39,380  
excluding holidays and weekends this

3327  
02:36:37,750 --> 02:36:43,280  
came out of the Labor Committee and

3328  
02:36:39,380 --> 02:36:45,350  
honestly and it's just a problem like

3329  
02:36:43,280 --> 02:36:48,170  
out in our area where people are sitting

3330  
02:36:45,350 --> 02:36:49,729  
on wells and also the male takes two

3331  
02:36:48,170 --> 02:36:51,770  
days from Austin to Midland two days

3332  
02:36:49,729 --> 02:36:54,370  
back and that eats up four days before

3333  
02:36:51,770 --> 02:36:58,010  
you ever hit a weekend

3334  
02:36:54,370 --> 02:36:59,270  
move its adoption let's say I just want

3335

02:36:58,010 --> 02:37:00,110  
to ask him a question but is this a

3336  
02:36:59,270 --> 02:37:02,390  
proper time

3337  
02:37:00,110 --> 02:37:06,050  
that's four all right okay gentlemen you

3338  
02:37:02,390 --> 02:37:08,149  
Tom has the as mr. Bertram of the Texas

3339  
02:37:06,050 --> 02:37:10,430  
lawmen Commission removed his objections

3340  
02:37:08,149 --> 02:37:11,660  
they didn't he never had any object well

3341  
02:37:10,430 --> 02:37:15,920  
he claims that there would be quite a

3342  
02:37:11,660 --> 02:37:17,840  
bit of confusion among the employers and

3343  
02:37:15,920 --> 02:37:19,250  
a lot of an extra administrative work I

3344  
02:37:17,840 --> 02:37:20,450  
was trying to get him on the phone I

3345  
02:37:19,250 --> 02:37:21,740  
hadn't been able to but I don't want to

3346  
02:37:20,450 --> 02:37:26,110  
knock it off let me just talk to you

3347  
02:37:21,740 --> 02:37:28,840  
about Joe no one testified against it

3348  
02:37:26,110 --> 02:37:31,850  
which bicker with a gentleman you know

3349  
02:37:28,840 --> 02:37:33,800  
gentlemen you butt crack it wasn't there

3350  
02:37:31,850 --> 02:37:36,080  
was not anyone came testified in

3351  
02:37:33,800 --> 02:37:39,710  
opposition to this bill no sir

3352  
02:37:36,080 --> 02:37:43,660  
sure why is there objection to the

3353  
02:37:39,710 --> 02:37:47,330  
consideration of this bill chairs none

3354  
02:37:43,660 --> 02:37:49,450  
lays before the house House Bill 1667

3355  
02:37:47,330 --> 02:37:52,130  
the clerk will read the bill House bill

3356  
02:37:49,450 --> 02:37:54,140  
1667 by kradic relating to the number of

3357  
02:37:52,130 --> 02:37:57,050  
days in which an employer may protest

3358  
02:37:54,140 --> 02:37:58,340  
potential chargebacks of it following

3359  
02:37:57,050 --> 02:38:02,060  
committee amendment the clerk will read

3360  
02:37:58,340 --> 02:38:05,030  
the amendment committee amendment 1 by

3361  
02:38:02,060 --> 02:38:06,640  
nickles amend House bill 1667 first

3362

02:38:05,030 --> 02:38:10,689

printing as follows

3363

02:38:06,640 --> 02:38:13,070

mr. Craig to explain the amendment

3364

02:38:10,689 --> 02:38:14,689

committee amendment number 1 just does

3365

02:38:13,070 --> 02:38:17,240

what I've already explained and changed

3366

02:38:14,689 --> 02:38:21,860

it from 10 to 15 and and then also on

3367

02:38:17,240 --> 02:38:24,080

the is there objection to the adoption

3368

02:38:21,860 --> 02:38:27,170

of the amendment the chair here is not

3369

02:38:24,080 --> 02:38:30,350

in the amendment is adopted the

3370

02:38:27,170 --> 02:38:32,890

following committee amendment Burke will

3371

02:38:30,350 --> 02:38:36,140

read the amendment

3372

02:38:32,890 --> 02:38:39,680

committee amendment 2 by watts by kradic

3373

02:38:36,140 --> 02:38:41,300

have been House bill 1667 Mr Craddock to

3374

02:38:39,680 --> 02:38:43,340

explain the amendment this is just

3375

02:38:41,300 --> 02:38:45,410

making the appeal period the same amount

3376  
02:38:43,340 --> 02:38:46,761  
of time so that it's all the same 15

3377  
02:38:45,410 --> 02:38:48,710  
days I move it

3378  
02:38:46,761 --> 02:38:50,960  
there's there objection to adoption of

3379  
02:38:48,710 --> 02:38:54,320  
the amendment the chair has none in the

3380  
02:38:50,960 --> 02:38:56,360  
amendment is adopted the question occurs

3381  
02:38:54,320 --> 02:39:00,431  
on the passage to engrossment of House

3382  
02:38:56,360 --> 02:39:02,860  
bill 1667 as amended is there objection

3383  
02:39:00,431 --> 02:39:08,300  
the chair here is known in House bill

3384  
02:39:02,860 --> 02:39:12,940  
1667 as a minute is engrossed chair

3385  
02:39:08,300 --> 02:39:12,940  
recognizes mr. Tanner on House bill 1955

3386  
02:39:13,811 --> 02:39:19,190  
mr. Mayes you him in Chariton Tanner is

3387  
02:39:17,150 --> 02:39:22,971  
absent on important business this is a

3388  
02:39:19,190 --> 02:39:24,860  
simple bill providing an archery season

3389

02:39:22,971 --> 02:39:29,420  
for the taking of deer and only two

3390  
02:39:24,860 --> 02:39:30,891  
counties Trinity in Houston counties is

3391  
02:39:29,420 --> 02:39:31,870  
there objection to the consideration of

3392  
02:39:30,891 --> 02:39:34,761  
this bill

3393  
02:39:31,870 --> 02:39:37,190  
the chair is done lays before the house

3394  
02:39:34,761 --> 02:39:40,910  
House bill 1955 the clerk will read the

3395  
02:39:37,190 --> 02:39:42,771  
bill House bill 1955 by Tanner relating

3396  
02:39:40,910 --> 02:39:44,570  
to providing an archery season for the

3397  
02:39:42,771 --> 02:39:47,120  
taking of deer in Trinity in Houston

3398  
02:39:44,570 --> 02:39:49,761  
County the course is on the past

3399  
02:39:47,120 --> 02:39:52,070  
endorsement of House bill 1955 is there

3400  
02:39:49,761 --> 02:39:55,931  
objection the chair here is known in

3401  
02:39:52,070 --> 02:39:55,931  
House bill 1955 is it engrossed

3402  
02:39:56,771 --> 02:40:01,641  
excuse represented Preston because of

3403  
02:39:59,181 --> 02:40:03,620  
important business on motion of

3404  
02:40:01,641 --> 02:40:04,280  
representative Hall of well is there

3405  
02:40:03,620 --> 02:40:05,420  
objection

3406  
02:40:04,280 --> 02:40:07,960  
the chair has none of the members

3407  
02:40:05,420 --> 02:40:07,960  
excused

3408  
02:40:12,939 --> 02:40:22,330  
I have a represent a request for a

3409  
02:40:15,430 --> 02:40:24,670  
change of voting it well this is a

3410  
02:40:22,330 --> 02:40:26,860  
request to be shown as voting it's not a

3411  
02:40:24,670 --> 02:40:29,189  
change that will not change the results

3412  
02:40:26,860 --> 02:40:33,570  
is there objection

3413  
02:40:29,189 --> 02:40:33,570  
carries no sword

3414  
02:40:40,680 --> 02:40:47,850  
mr. sheaf removes the Houston adjourned

3415  
02:40:43,560 --> 02:40:49,770  
until 9:50 his objection

3416

02:40:47,850 --> 02:40:58,350  
the chair is none in the house according

3417  
02:40:49,770 --> 02:41:00,949  
stands adjourned until 9:50 the house

3418  
02:40:58,350 --> 02:41:00,949  
will come to order

3419  
02:41:01,640 --> 02:41:06,229  
all members present will please register

3420  
02:41:11,739 --> 02:41:16,390  
excuse representative short because of

3421  
02:41:15,040 --> 02:41:17,920  
the illness the family on emotion of

3422  
02:41:16,390 --> 02:41:30,069  
representative Bailey is there objection

3423  
02:41:17,920 --> 02:41:33,640  
cheers now Joe mr. Truong present show

3424  
02:41:30,069 --> 02:41:37,270  
mr. Wilson president don't miss to you

3425  
02:41:33,640 --> 02:41:42,449  
her president show mr. May is president

3426  
02:41:37,270 --> 02:41:42,449  
of all members show mr. Davis president

3427  
02:41:44,279 --> 02:41:48,330  
show mr. Edwards president

3428  
02:41:51,030 --> 02:41:57,860  
all members rested so what's the Landy

3429  
02:41:55,500 --> 02:41:57,860  
prison

3430  
02:42:16,021 --> 02:42:19,490  
you let the whole president

3431  
02:42:34,090 --> 02:42:38,640  
all members rested

3432  
02:43:15,560 --> 02:43:23,539  
quorum is present mr. mr. Sieber me

3433  
02:43:21,169 --> 02:43:26,479  
moves that the excuses for those absent

3434  
02:43:23,539 --> 02:43:29,529  
the previous day be recorded as absent

3435  
02:43:26,479 --> 02:43:32,680  
for today is there objection

3436  
02:43:29,529 --> 02:43:32,680  
there's no

3437  
02:43:36,510 --> 02:43:41,250  
mr. Schaffer Moo's that we spend all

3438  
02:43:39,570 --> 02:43:43,410  
necessary rules that we might take up

3439  
02:43:41,250 --> 02:43:45,240  
and consider all those bills on local

3440  
02:43:43,410 --> 02:43:46,700  
consent counter and finally pass them is

3441  
02:43:45,240 --> 02:43:50,811  
there objection

3442  
02:43:46,700 --> 02:43:50,811  
share here's known as so ordered

3443

02:44:07,669 --> 02:44:14,100  
Cheerilee is out following bills on

3444  
02:44:11,879 --> 02:44:15,449  
consent counter on third reading and

3445  
02:44:14,100 --> 02:44:17,749  
final passage the clerk will read the

3446  
02:44:15,449 --> 02:44:17,749  
bills

3447  
02:44:29,020 --> 02:44:33,760  
House bill 1022 by Florence relating to

3448  
02:44:31,960 --> 02:44:37,300  
the deer season and quail season in

3449  
02:44:33,760 --> 02:44:39,190  
Upshur County Council bill 1356 by

3450  
02:44:37,300 --> 02:44:42,910  
Watson relating to the taking of deer in

3451  
02:44:39,190 --> 02:44:45,430  
Chambers County House bill 1522 by

3452  
02:44:42,910 --> 02:44:47,110  
Atkinson and evergreen relating to the

3453  
02:44:45,430 --> 02:44:48,850  
approval by the Commissioner's Court of

3454  
02:44:47,110 --> 02:44:50,590  
LAM county of orders rules and

3455  
02:44:48,850 --> 02:44:53,350  
regulations of the parks and Wildlife

3456  
02:44:50,590 --> 02:44:56,830  
Commission regarding quail season House

3457  
02:44:53,350 --> 02:44:58,780  
bill 1955 by Tanner and maze providing

3458  
02:44:56,830 --> 02:45:02,340  
an archery season for the taking of deer

3459  
02:44:58,780 --> 02:45:02,340  
in Trinity in Houston counties

3460  
02:45:23,799 --> 02:45:28,060  
okay murmurs question now is on passage

3461  
02:45:26,199 --> 02:45:29,770  
of those bills that was just read to the

3462  
02:45:28,060 --> 02:45:32,919  
clerk all those in favor of passing to

3463  
02:45:29,770 --> 02:45:36,100  
those bills will say aye all opposed no

3464  
02:45:32,919 --> 02:45:41,229  
the bills just read to the clerk or

3465  
02:45:36,100 --> 02:45:43,299  
finally passed surely it's out on third

3466  
02:45:41,229 --> 02:45:46,930  
reading final passage Senate bill 79 the

3467  
02:45:43,299 --> 02:45:48,819  
clerk will read the bill Senate bill 79

3468  
02:45:46,930 --> 02:45:52,180  
by Patman an act relating to the terms

3469  
02:45:48,819 --> 02:45:55,049  
of the 27th to 146 and 169th district

3470

02:45:52,180 --> 02:45:57,220  
courts in declaring an emergency

3471  
02:45:55,049 --> 02:45:58,239  
excuse representing powers because of

3472  
02:45:57,220 --> 02:46:00,399  
important business and emotion

3473  
02:45:58,239 --> 02:46:01,749  
representative Tarbox key represented

3474  
02:46:00,399 --> 02:46:03,279  
rentals because of important vendors on

3475  
02:46:01,749 --> 02:46:03,789  
a motion or epidemic or oaf is there

3476  
02:46:03,279 --> 02:46:07,149  
objection

3477  
02:46:03,789 --> 02:46:10,810  
chair here is none mr. chief removes

3478  
02:46:07,149 --> 02:46:14,020  
that the vote taken on was in the bill

3479  
02:46:10,810 --> 02:46:15,549  
79 be applied to those bills on the

3480  
02:46:14,020 --> 02:46:18,129  
consent counter that we're fixing to

3481  
02:46:15,549 --> 02:46:20,079  
read off members on final passage would

3482  
02:46:18,129 --> 02:46:22,119  
they understanding that you can rest

3483  
02:46:20,079 --> 02:46:25,299  
your vote change if you prefer not to

3484  
02:46:22,119 --> 02:46:28,270  
vote yes for sure sure lays out

3485  
02:46:25,299 --> 02:46:33,549  
including Senate bill 79 Cheerilee is

3486  
02:46:28,270 --> 02:46:38,100  
that the following bills on Senate okay

3487  
02:46:33,549 --> 02:46:38,100  
I don't think it will change

3488  
02:46:43,730 --> 02:46:50,880  
that question before the house his own

3489  
02:46:48,990 --> 02:46:52,320  
passage of Senate bill 79 it'll be a

3490  
02:46:50,880 --> 02:46:54,061  
record vote with all those in favor of

3491  
02:46:52,320 --> 02:46:55,650  
passage Senate bill 79 will vote aye all

3492  
02:46:54,061 --> 02:46:57,681  
those opposed to vote no the clerk will

3493  
02:46:55,650 --> 02:47:00,300  
ring a bell

3494  
02:46:57,681 --> 02:47:04,141  
remembers this vote will apply to all

3495  
02:47:00,300 --> 02:47:08,940  
the other bills on third reading

3496  
02:47:04,141 --> 02:47:11,250  
so after millions voting no mr. Nugent's

3497

02:47:08,940 --> 02:47:19,580  
you can record no this applies to all of

3498  
02:47:11,250 --> 02:47:19,580  
them so mr. Zell voting aye

3499  
02:47:25,400 --> 02:47:28,840  
have our members voted

3500  
02:47:36,359 --> 02:47:51,330  
have all members all members voted show

3501  
02:47:46,710 --> 02:47:54,050  
mr. Edwards voting on strike miss

3502  
02:47:51,330 --> 02:47:54,050  
Edwards and on the board

3503  
02:47:55,399 --> 02:48:02,840  
show mr. hull voting I show mr. Davis

3504  
02:47:58,890 --> 02:48:02,840  
voting no instead I instead of No

3505  
02:48:20,601 --> 02:48:28,851  
that being 114 isin 1 no Senate bill 79

3506  
02:48:25,280 --> 02:48:31,280  
is finally passed chair lays out the

3507  
02:48:28,851 --> 02:48:32,601  
following bills on third reading and

3508  
02:48:31,280 --> 02:48:40,630  
final passage of clerk will read the

3509  
02:48:32,601 --> 02:48:43,670  
bills Senate bill 166 six by Longoria

3510  
02:48:40,630 --> 02:48:45,620  
provides that proceeds from sale of

3511  
02:48:43,670 --> 02:48:47,301  
white-winged of stamps be expended for

3512  
02:48:45,620 --> 02:48:48,521  
the lease or development of white-winged

3513  
02:48:47,301 --> 02:48:52,040  
of habitat

3514  
02:48:48,521 --> 02:48:54,650  
Senate bill 402 by Snelson relating to

3515  
02:48:52,040 --> 02:49:00,141  
the place of sale for oil and gas and

3516  
02:48:54,650 --> 02:49:01,940  
university lands House bill 1202

3517  
02:49:00,141 --> 02:49:03,530  
increasing certain fees and the bird I'm

3518  
02:49:01,940 --> 02:49:06,980  
of members of the State Board of

3519  
02:49:03,530 --> 02:49:08,900  
Pharmacy Council Hill 1139 by Hendrix

3520  
02:49:06,980 --> 02:49:11,900  
relating to an increased maintenance tax

3521  
02:49:08,900 --> 02:49:15,410  
in certain common school districts House

3522  
02:49:11,900 --> 02:49:19,311  
bill 1211 by von dolan repeals article

3523  
02:49:15,410 --> 02:49:21,170  
44 13 a - 7 b requiring River

3524

02:49:19,311 --> 02:49:25,280  
authorities to have their audits made by

3525  
02:49:21,170 --> 02:49:27,320  
the state auditor House bill 1667 by

3526  
02:49:25,280 --> 02:49:30,080  
cranek relating to the number of days in

3527  
02:49:27,320 --> 02:49:31,610  
which an employer may protest potential

3528  
02:49:30,080 --> 02:49:35,681  
charge of acts of his unemployment

3529  
02:49:31,610 --> 02:49:35,681  
compensation contribution rate

3530  
02:49:46,209 --> 02:49:49,930  
remembers one of the bills on the

3531  
02:49:47,739 --> 02:49:55,390  
counter 6:40 Senate bill 640 was

3532  
02:49:49,930 --> 02:49:59,260  
withdrawn by the author is there

3533  
02:49:55,390 --> 02:50:01,600  
objection to the bills just having been

3534  
02:49:59,260 --> 02:50:04,090  
read on third reading having the votes

3535  
02:50:01,600 --> 02:50:06,189  
apply to them that was on Senate bill 79

3536  
02:50:04,090 --> 02:50:08,979  
the record vote with the understanding

3537  
02:50:06,189 --> 02:50:10,479  
that you can record a no vote with a

3538  
02:50:08,979 --> 02:50:11,140  
clerk if you so desire is there

3539  
02:50:10,479 --> 02:50:13,479  
objection

3540  
02:50:11,140 --> 02:50:17,279  
chair here is none and all these bills

3541  
02:50:13,479 --> 02:50:17,279  
just read the clerk or finally passed

3542  
02:50:20,970 --> 02:50:25,300  
chair recognizes mr. Greene for

3543  
02:50:23,470 --> 02:50:27,100  
permission to introduce a bill miss

3544  
02:50:25,300 --> 02:50:28,600  
speaker members I request the permission

3545  
02:50:27,100 --> 02:50:30,999  
to introduce a bill relating to

3546  
02:50:28,600 --> 02:50:32,880  
incentive pay for Peace Officers and

3547  
02:50:30,999 --> 02:50:35,199  
this only affects Harris County it's

3548  
02:50:32,880 --> 02:50:38,319  
strictly a permissive bill up to the

3549  
02:50:35,199 --> 02:50:40,300  
cities in that County you've heard the

3550  
02:50:38,319 --> 02:50:43,479  
request is there objection to granting

3551

02:50:40,300 --> 02:50:46,060  
permission what's bigger

3552  
02:50:43,479 --> 02:50:47,319  
yes mentors gentlemen year you know mr.

3553  
02:50:46,060 --> 02:50:50,020  
green gentleman yields myself a little

3554  
02:50:47,319 --> 02:50:53,109  
bit more detailed on that okay what it

3555  
02:50:50,020 --> 02:50:56,409  
is is that this bill applies only to

3556  
02:50:53,109 --> 02:50:58,119  
cities of 1,200,000 or more and what it

3557  
02:50:56,409 --> 02:50:59,619  
would be was incentive pay for Peace

3558  
02:50:58,119 --> 02:51:01,899  
Officers whether they have a basic

3559  
02:50:59,619 --> 02:51:04,300  
intermediate or advanced or certificate

3560  
02:51:01,899 --> 02:51:06,729  
and it's up to the local City Council to

3561  
02:51:04,300 --> 02:51:08,709  
to provide this disincentive pay if

3562  
02:51:06,729 --> 02:51:10,930  
they'd like to is it optional or

3563  
02:51:08,709 --> 02:51:13,239  
mandatory it's option off to the local

3564  
02:51:10,930 --> 02:51:17,669  
City Council and it's incentive pay for

3565  
02:51:13,239 --> 02:51:17,669  
peace off for Peace Officers okay

3566  
02:51:26,260 --> 02:51:31,060  
is there objection to granting

3567  
02:51:28,090 --> 02:51:31,780  
permission Jerry here is non information

3568  
02:51:31,060 --> 02:51:36,450  
is granted

3569  
02:51:31,780 --> 02:51:38,710  
Terry recognizes mr. huben permission

3570  
02:51:36,450 --> 02:51:40,380  
speak remember the house I'd like to ask

3571  
02:51:38,710 --> 02:51:42,400  
permission to introduce the bill that

3572  
02:51:40,380 --> 02:51:44,410  
we've been working with the state

3573  
02:51:42,400 --> 02:51:46,960  
controllers office on an exemption on

3574  
02:51:44,410 --> 02:51:49,420  
the taxation a certain farm machinery

3575  
02:51:46,960 --> 02:51:51,160  
and the controller asked me to carry

3576  
02:51:49,420 --> 02:51:53,560  
this bill as of yesterday and we're

3577  
02:51:51,160 --> 02:51:55,660  
going to drop it in this morning which

3578

02:51:53,560 --> 02:51:58,030  
we'll debate later on if see fed but

3579  
02:51:55,660 --> 02:51:59,680  
this is on certain farm machinery the

3580  
02:51:58,030 --> 02:52:01,960  
way it's used on a farm to say we use an

3581  
02:51:59,680 --> 02:52:03,370  
elevator you lowered equipment now on

3582  
02:52:01,960 --> 02:52:04,720  
the farm you want to go somewhere unload

3583  
02:52:03,370 --> 02:52:07,330  
as soon as you leave the farm which is

3584  
02:52:04,720 --> 02:52:09,370  
equipment it becomes commercial property

3585  
02:52:07,330 --> 02:52:13,720  
by what the statute reads not he wants a

3586  
02:52:09,370 --> 02:52:16,540  
clarification is there objection to

3587  
02:52:13,720 --> 02:52:21,030  
grand Commission chair here not non

3588  
02:52:16,540 --> 02:52:21,030  
permission is granted mr. reback

3589  
02:52:28,240 --> 02:52:33,700  
J recognized mr. Brabeck mission to

3590  
02:52:30,970 --> 02:52:35,920  
introduce avail the speaker members I'd

3591  
02:52:33,700 --> 02:52:38,970  
like to ask the house suspend the rules

3592  
02:52:35,920 --> 02:52:42,640  
to permit me to introduce a bill one

3593  
02:52:38,970 --> 02:52:44,860  
what it does when a felony is committed

3594  
02:52:42,640 --> 02:52:46,810  
using a firearm it would become an

3595  
02:52:44,860 --> 02:52:48,940  
enhanced felony adding a greater

3596  
02:52:46,810 --> 02:52:54,490  
punishment to the felony for which the

3597  
02:52:48,940 --> 02:52:58,750  
man was charged it's bigger

3598  
02:52:54,490 --> 02:53:01,540  
that's Washington Germany Germany limit

3599  
02:52:58,750 --> 02:53:03,250  
Washington I didn't hear all of your

3600  
02:53:01,540 --> 02:53:05,290  
explanation mr. Dreeben could you

3601  
02:53:03,250 --> 02:53:07,330  
explain the bill you're seeking

3602  
02:53:05,290 --> 02:53:09,670  
introduce a little bit more detail it

3603  
02:53:07,330 --> 02:53:11,260  
adds right now of course we have capital

3604  
02:53:09,670 --> 02:53:14,680  
felony authorities of the first degree

3605

02:53:11,260 --> 02:53:16,900  
second degree third degree this has the

3606  
02:53:14,680 --> 02:53:19,870  
what's called an enhanced felony the

3607  
02:53:16,900 --> 02:53:24,310  
what an enhanced enhanced felony

3608  
02:53:19,870 --> 02:53:26,229  
enhanced felony what is that sir well in

3609  
02:53:24,310 --> 02:53:29,440  
the situation I mean what class of

3610  
02:53:26,229 --> 02:53:32,440  
felony would it be it would be a

3611  
02:53:29,440 --> 02:53:34,060  
separate class well you you then you

3612  
02:53:32,440 --> 02:53:35,979  
would hear a wider classes of felonies

3613  
02:53:34,060 --> 02:53:38,410  
yes I understand but you you are aware

3614  
02:53:35,979 --> 02:53:39,970  
that about eight years and a good deal

3615  
02:53:38,410 --> 02:53:42,040  
of time and expense to the State Bar

3616  
02:53:39,970 --> 02:53:43,840  
Association the Texas criminal defense

3617  
02:53:42,040 --> 02:53:46,120  
lawyers Association Texas County and

3618  
02:53:43,840 --> 02:53:48,700  
District Attorneys Association went into

3619  
02:53:46,120 --> 02:53:51,940  
the product that is now the penal code

3620  
02:53:48,700 --> 02:53:53,800  
and it was fairly well thought out and

3621  
02:53:51,940 --> 02:53:55,540  
the classification system was attempt

3622  
02:53:53,800 --> 02:53:57,610  
attempting to make the whole cold

3623  
02:53:55,540 --> 02:53:59,860  
uniform mystery back and what your bill

3624  
02:53:57,610 --> 02:54:01,750  
would do would be to destroy all of that

3625  
02:53:59,860 --> 02:54:04,390  
work by going back in with special

3626  
02:54:01,750 --> 02:54:06,640  
classes of bills that don't I mean of

3627  
02:54:04,390 --> 02:54:08,770  
offenses that don't fit into the general

3628  
02:54:06,640 --> 02:54:10,120  
scheme and categories no mr. Washington

3629  
02:54:08,770 --> 02:54:12,280  
what I'm trying to do is most of the

3630  
02:54:10,120 --> 02:54:14,470  
folks in my district are fed up to here

3631  
02:54:12,280 --> 02:54:17,500  
with crime victim to crime being

3632

02:54:14,470 --> 02:54:19,270  
committed for weapon is unique about

3633  
02:54:17,500 --> 02:54:22,660  
your district in that regard I agree

3634  
02:54:19,270 --> 02:54:25,030  
that this is just an attempt to make it

3635  
02:54:22,660 --> 02:54:26,320  
tougher on the criminal who uses a

3636  
02:54:25,030 --> 02:54:27,220  
weapon the committing of a crime of

3637  
02:54:26,320 --> 02:54:30,820  
crime

3638  
02:54:27,220 --> 02:54:33,130  
another one of your weapons bills than

3639  
02:54:30,820 --> 02:54:34,960  
what it is this is not what the NRA is

3640  
02:54:33,130 --> 02:54:36,820  
opposed to the NRA would be very much in

3641  
02:54:34,960 --> 02:54:37,450  
favor of this mr. wise in our a as

3642  
02:54:36,820 --> 02:54:39,101  
opposed

3643  
02:54:37,450 --> 02:54:40,690  
anything with the word gun in it mr.

3644  
02:54:39,101 --> 02:54:42,340  
this this would be they would be a favor

3645  
02:54:40,690 --> 02:54:44,260  
along with the PTAs and all the little

3646  
02:54:42,340 --> 02:54:46,030  
ladies and should tennis shoes and and

3647  
02:54:44,260 --> 02:54:49,900  
what would your special class of felon

3648  
02:54:46,030 --> 02:54:51,790  
they do there well what what what would

3649  
02:54:49,900 --> 02:54:53,470  
be the crime for which that the

3650  
02:54:51,790 --> 02:54:54,910  
punishment would be said at this special

3651  
02:54:53,470 --> 02:54:57,280  
our asthma category all right let me

3652  
02:54:54,910 --> 02:54:59,590  
read to you one section if it be shown

3653  
02:54:57,280 --> 02:55:03,460  
the trial of an enhanced felony but the

3654  
02:54:59,590 --> 02:55:05,530  
defendant women erection would enhance

3655  
02:55:03,460 --> 02:55:07,271  
felon to be greater than a capital fell

3656  
02:55:05,530 --> 02:55:10,391  
in the new number being greater than a

3657  
02:55:07,271 --> 02:55:12,311  
first-degree exactly in other words you

3658  
02:55:10,391 --> 02:55:14,650  
creating another category of felony

3659

02:55:12,311 --> 02:55:16,840  
above the punishment range for the

3660  
02:55:14,650 --> 02:55:18,490  
first-degree felony now exactly because

3661  
02:55:16,840 --> 02:55:20,710  
at this time in the commission of most

3662  
02:55:18,490 --> 02:55:22,960  
crimes where a weapon is used there is

3663  
02:55:20,710 --> 02:55:25,061  
no additional way that you can live

3664  
02:55:22,960 --> 02:55:26,440  
allocate punishment for the use of the

3665  
02:55:25,061 --> 02:55:28,900  
weapon in committing of the current bid

3666  
02:55:26,440 --> 02:55:30,400  
it will be the minimum category all

3667  
02:55:28,900 --> 02:55:32,110  
right well let me read to you this one

3668  
02:55:30,400 --> 02:55:34,000  
section out of this thing enhanced

3669  
02:55:32,110 --> 02:55:36,190  
felony and in this individual judge

3670  
02:55:34,000 --> 02:55:37,540  
guilty of an enhanced felony shall be

3671  
02:55:36,190 --> 02:55:39,340  
punished by confinement of the Texas

3672  
02:55:37,540 --> 02:55:41,110  
Department of Corrections for a life or

3673  
02:55:39,340 --> 02:55:44,590  
for any term not more than ninety nine

3674  
02:55:41,110 --> 02:55:49,870  
years nor less than ten not wait a

3675  
02:55:44,590 --> 02:55:53,641  
minute what this was okay I don't think

3676  
02:55:49,870 --> 02:55:53,641  
on the state you tried to do all right

3677  
02:55:56,380 --> 02:56:03,220  
mr. Peter mr. Coleman well gentlemen ill

3678  
02:55:59,890 --> 02:56:05,590  
you yield mr. Reid back yes I do mr. B

3679  
02:56:03,220 --> 02:56:07,630  
yields mr. Coleman mr. Riebe back your

3680  
02:56:05,590 --> 02:56:11,170  
your your merely trying to introduce the

3681  
02:56:07,630 --> 02:56:13,271  
bill are you not that that speaks to the

3682  
02:56:11,170 --> 02:56:15,940  
issue of punishment give it for certain

3683  
02:56:13,271 --> 02:56:17,260  
offenses and in fact in many instances

3684  
02:56:15,940 --> 02:56:18,670  
we don't have and we don't speak to

3685  
02:56:17,260 --> 02:56:20,350  
enhancement in the penal code isn't that

3686

02:56:18,670 --> 02:56:22,570  
right that's exactly right mr. Cole all

3687  
02:56:20,350 --> 02:56:23,980  
right and all you're attempting to do is

3688  
02:56:22,570 --> 02:56:25,180  
let it let a full committee by

3689  
02:56:23,980 --> 02:56:26,950  
introducing this bill at a full

3690  
02:56:25,180 --> 02:56:28,150  
committee of which mr. Washington

3691  
02:56:26,950 --> 02:56:29,380  
happens to probably be the chairman of

3692  
02:56:28,150 --> 02:56:31,690  
the committee to which this bill will be

3693  
02:56:29,380 --> 02:56:33,521  
referred at least discuss that issue are

3694  
02:56:31,690 --> 02:56:35,290  
you that's all I want is a discussion of

3695  
02:56:33,521 --> 02:56:37,480  
the issue though I didn't in fact it it

3696  
02:56:35,290 --> 02:56:39,040  
also your opinion that that eight years

3697  
02:56:37,480 --> 02:56:40,750  
of work by the State Bar and the

3698  
02:56:39,040 --> 02:56:42,100  
criminal defense Association and the

3699  
02:56:40,750 --> 02:56:44,170  
district County Attorneys Association

3700  
02:56:42,100 --> 02:56:46,420  
hasn't probably really and truly met

3701  
02:56:44,170 --> 02:56:47,710  
every need in this state and probably we

3702  
02:56:46,420 --> 02:56:49,060  
can't anticipate that it's going to meet

3703  
02:56:47,710 --> 02:56:50,680  
every need of this state for the next

3704  
02:56:49,060 --> 02:56:53,410  
decade or so have they

3705  
02:56:50,680 --> 02:56:55,240  
mr. Coleman being a lawyer myself I have

3706  
02:56:53,410 --> 02:56:57,160  
to go on record that our State Bar has

3707  
02:56:55,240 --> 02:56:59,021  
not solved all the problems of the state

3708  
02:56:57,160 --> 02:57:01,060  
now there's trying to add some more

3709  
02:56:59,021 --> 02:57:02,170  
thought it to the problem so I hope the

3710  
02:57:01,060 --> 02:57:04,660  
house will let you introduce this bill

3711  
02:57:02,170 --> 02:57:07,390  
thank you that this figure would dim in

3712  
02:57:04,660 --> 02:57:09,220  
here you yield mr. e back sure mr. e

3713

02:57:07,390 --> 02:57:10,990  
bank is the only thing that occurs to me

3714  
02:57:09,220 --> 02:57:12,430  
as admit you and mr. Coleman thought is

3715  
02:57:10,990 --> 02:57:14,800  
what such a hot idea

3716  
02:57:12,430 --> 02:57:16,660  
why'd you wait til 109 days in a session

3717  
02:57:14,800 --> 02:57:18,460  
to think of it that's a good was the

3718  
02:57:16,660 --> 02:57:24,640  
question mr. Washington I wish I had

3719  
02:57:18,460 --> 02:57:26,410  
introduced it earlier is there objection

3720  
02:57:24,640 --> 02:57:30,640  
to granting permission to introduce a

3721  
02:57:26,410 --> 02:57:33,790  
bill there is objection all those in

3722  
02:57:30,640 --> 02:57:37,320  
favor vote I vote no it's a record vote

3723  
02:57:33,790 --> 02:57:37,320  
clerk or ring the bell

3724  
02:57:54,970 --> 02:57:58,739  
show mr. Willis voting on

3725  
02:58:13,220 --> 02:58:16,749  
have all members voted

3726  
02:58:21,229 --> 02:58:24,700  
if all members voted

3727  
02:59:01,131 --> 02:59:06,110  
so mr. Mays voting no instead of I

3728  
02:59:15,520 --> 02:59:20,590  
they're being 72 eyes and 35 nose

3729  
02:59:18,300 --> 02:59:24,780  
built-in one present not voting

3730  
02:59:20,590 --> 02:59:24,780  
permission introduced is not granted

3731  
02:59:26,580 --> 02:59:31,660  
chair gives you notice that after

3732  
02:59:28,600 --> 02:59:34,750  
expiration in one hour we will recognize

3733  
02:59:31,660 --> 02:59:39,990  
mr. Larry on this Laney on SCR fifty

3734  
02:59:34,750 --> 02:59:39,990  
according to rule 24 section ten

3735  
03:00:07,189 --> 03:00:10,240  
mr. cartilage

3736  
03:00:16,830 --> 03:00:22,141  
chair lays out on third reading final

3737  
03:00:18,840 --> 03:00:27,120  
passage House bill 945 clerk will read

3738  
03:00:22,141 --> 03:00:30,540  
the bill House bill 945 Cherokee knives

3739  
03:00:27,120 --> 03:00:33,630  
miss Cartledge explain the bill mr.

3740

03:00:30,540 --> 03:00:35,250  
speaker members HB 945 changes the

3741  
03:00:33,630 --> 03:00:36,900  
design of the license plate to have an

3742  
03:00:35,250 --> 03:00:40,790  
outline of the state in lieu of the star

3743  
03:00:36,900 --> 03:00:42,931  
I moved final passage of this bill

3744  
03:00:40,790 --> 03:00:46,800  
question for the house is on final

3745  
03:00:42,931 --> 03:00:50,601  
passage of House Bill 945 all those in

3746  
03:00:46,800 --> 03:00:59,790  
favor say aye all opposed

3747  
03:00:50,601 --> 03:01:01,471  
House bill 945 is finally passed chair

3748  
03:00:59,790 --> 03:01:03,360  
lays out on third reading and final

3749  
03:01:01,471 --> 03:01:07,891  
passage House bill 280 clerk will read

3750  
03:01:03,360 --> 03:01:10,320  
the bill House bill 280 chair recognizes

3751  
03:01:07,891 --> 03:01:11,700  
mr. manler explain the bill mr. speaker

3752  
03:01:10,320 --> 03:01:13,260  
members this is the mill that I

3753  
03:01:11,700 --> 03:01:17,271  
explained yesterday on gifted children

3754  
03:01:13,260 --> 03:01:17,271  
now I'd appreciate your aye vote

3755  
03:01:24,771 --> 03:01:29,790  
Cherokee Nuys mr. Davis to speak against

3756  
03:01:27,450 --> 03:01:31,590  
the bill mr. speaker and members feel

3757  
03:01:29,790 --> 03:01:34,110  
called this bill yesterday offered an

3758  
03:01:31,590 --> 03:01:37,800  
amendment which failed by a vote of 65

3759  
03:01:34,110 --> 03:01:39,480  
to 66 I think that the legislature and

3760  
03:01:37,800 --> 03:01:41,460  
particularly this house should look very

3761  
03:01:39,480 --> 03:01:44,460  
carefully at House bill 280 and the

3762  
03:01:41,460 --> 03:01:47,971  
principles are embodied in this piece of

3763  
03:01:44,460 --> 03:01:50,130  
legislation mr. Pantelis introduced a

3764  
03:01:47,971 --> 03:01:51,840  
bill which has original startup cost to

3765  
03:01:50,130 --> 03:01:53,431  
five hundred thousand dollars a year for

3766  
03:01:51,840 --> 03:01:55,920  
each school year from now until the

3767

03:01:53,431 --> 03:01:58,050  
school year that begins in 1979 and

3768  
03:01:55,920 --> 03:02:00,570  
thereafter the Legislative Budget board

3769  
03:01:58,050 --> 03:02:03,181  
projects the cost of this program to be

3770  
03:02:00,570 --> 03:02:06,120  
17 million dollars a year we are

3771  
03:02:03,181 --> 03:02:09,271  
committing in advance 17 million dollars

3772  
03:02:06,120 --> 03:02:11,760  
per year for the operation of a program

3773  
03:02:09,271 --> 03:02:14,221  
that has not even been started has not

3774  
03:02:11,760 --> 03:02:16,230  
been tested that's bigger I don't think

3775  
03:02:14,221 --> 03:02:17,910  
that the legislators of McAllen Texas

3776  
03:02:16,230 --> 03:02:20,220  
should do that what

3777  
03:02:17,910 --> 03:02:23,700  
gentleman yield are you when I finish my

3778  
03:02:20,220 --> 03:02:25,890  
steak he does not yield mr. Mack if we

3779  
03:02:23,700 --> 03:02:28,229  
are ever going to put a handle on the

3780  
03:02:25,890 --> 03:02:30,060  
appropriations process and bring under

3781  
03:02:28,229 --> 03:02:32,460  
control the problems of built-in

3782  
03:02:30,060 --> 03:02:35,729  
escalations in cost of state government

3783  
03:02:32,460 --> 03:02:37,320  
we better start now I think that many of

3784  
03:02:35,729 --> 03:02:39,540  
us are beginning to recognize that we

3785  
03:02:37,320 --> 03:02:41,880  
should have started yesterday or perhaps

3786  
03:02:39,540 --> 03:02:43,979  
a little sooner this is the tight bill

3787  
03:02:41,880 --> 03:02:46,470  
that we are not past it mr. Madeleine

3788  
03:02:43,979 --> 03:02:48,540  
wants a pilot program Lennie make the

3789  
03:02:46,470 --> 03:02:50,670  
bill a pilot program and if the pilot

3790  
03:02:48,540 --> 03:02:52,979  
program works then less funded and if it

3791  
03:02:50,670 --> 03:02:55,110  
doesn't work let's don't do it but let's

3792  
03:02:52,979 --> 03:02:57,210  
don't build in the cost for some

3793  
03:02:55,110 --> 03:02:59,550  
legislature that meets for years hence

3794

03:02:57,210 --> 03:03:02,580  
and say well we thought it was a good

3795  
03:02:59,550 --> 03:03:05,670  
idea we didn't know for sure and now you

3796  
03:03:02,580 --> 03:03:07,830  
go ahead and pay and I'll yield mr.

3797  
03:03:05,670 --> 03:03:09,630  
McAllister well mr. Davis uh we're

3798  
03:03:07,830 --> 03:03:11,580  
walking down that same old road where

3799  
03:03:09,630 --> 03:03:14,040  
the same logic would say that this

3800  
03:03:11,580 --> 03:03:16,950  
legislature is committed for 25 billion

3801  
03:03:14,040 --> 03:03:18,750  
dollars between now and 1779 by taking

3802  
03:03:16,950 --> 03:03:20,910  
the past record you know good and well

3803  
03:03:18,750 --> 03:03:23,939  
that there's never been a session where

3804  
03:03:20,910 --> 03:03:26,490  
we're looking more studiously and very

3805  
03:03:23,939 --> 03:03:28,080  
explicitly at the appropriations and

3806  
03:03:26,490 --> 03:03:29,460  
wouldn't you agree that from now on

3807  
03:03:28,080 --> 03:03:31,740  
especially if we're going to annual

3808  
03:03:29,460 --> 03:03:33,600  
sessions that any program that's not

3809  
03:03:31,740 --> 03:03:35,820  
working is going to come under the close

3810  
03:03:33,600 --> 03:03:38,160  
scrutiny of this legislature if not we

3811  
03:03:35,820 --> 03:03:42,780  
shouldn't be here isn't that true mr.

3812  
03:03:38,160 --> 03:03:44,070  
McAllister you and I are not advised as

3813  
03:03:42,780 --> 03:03:45,960  
to whether we're going to go to annual

3814  
03:03:44,070 --> 03:03:48,830  
sessions or not and the people are going

3815  
03:03:45,960 --> 03:03:51,660  
to make that decision come November I

3816  
03:03:48,830 --> 03:03:53,760  
don't think that we should at this time

3817  
03:03:51,660 --> 03:03:55,770  
stop and say we're going to have a

3818  
03:03:53,760 --> 03:03:57,270  
program that's going to cost seventeen

3819  
03:03:55,770 --> 03:04:00,120  
million dollars and we're going to look

3820  
03:03:57,270 --> 03:04:02,100  
at it later to see whether it's really

3821

03:04:00,120 --> 03:04:04,320  
working and whether we're not going to

3822  
03:04:02,100 --> 03:04:07,710  
fund it we ought to say and should say

3823  
03:04:04,320 --> 03:04:10,710  
we're going to start the pilot program

3824  
03:04:07,710 --> 03:04:12,810  
and work on a look at it to see if it is

3825  
03:04:10,710 --> 03:04:14,610  
working and if it is working then we're

3826  
03:04:12,810 --> 03:04:16,740  
going to fund it but this name is a way

3827  
03:04:14,610 --> 03:04:19,580  
to do it mr. Mack and you know it mr.

3828  
03:04:16,740 --> 03:04:22,160  
day you know in your own time

3829  
03:04:19,580 --> 03:04:24,620  
or we start an educational program of

3830  
03:04:22,160 --> 03:04:27,350  
this magnitude that we ought to have

3831  
03:04:24,620 --> 03:04:28,790  
some type of understanding and

3832  
03:04:27,350 --> 03:04:30,800  
appreciation of the scope and

3833  
03:04:28,790 --> 03:04:32,450  
responsibility of the program and the

3834  
03:04:30,800 --> 03:04:34,521  
implementation and whether it's working

3835  
03:04:32,450 --> 03:04:38,320  
we don't have that in House bill 280 and

3836  
03:04:34,521 --> 03:04:42,771  
I asked you to vote no that's 17 million

3837  
03:04:38,320 --> 03:04:47,180  
thank you mister day all right mr. Vick

3838  
03:04:42,771 --> 03:04:49,970  
to speak against mr. speaker and members

3839  
03:04:47,180 --> 03:04:53,540  
yesterday the authors of this bill had

3840  
03:04:49,970 --> 03:04:56,150  
passed out to you this particular

3841  
03:04:53,540 --> 03:04:58,400  
pamphlet the house interim Study

3842  
03:04:56,150 --> 03:05:02,021  
Committee on educational needs of the

3843  
03:04:58,400 --> 03:05:06,290  
gifted and talented and over night I

3844  
03:05:02,021 --> 03:05:08,630  
read this information it's one thing for

3845  
03:05:06,290 --> 03:05:10,940  
those of you that might not have made

3846  
03:05:08,630 --> 03:05:13,430  
close attention to the study that the

3847  
03:05:10,940 --> 03:05:17,630  
author's themselves put out that might

3848

03:05:13,430 --> 03:05:19,940  
be interesting to you now under funding

3849  
03:05:17,630 --> 03:05:23,150  
procedures on page 13 they tell us how

3850  
03:05:19,940 --> 03:05:26,390  
this money is going to be used five

3851  
03:05:23,150 --> 03:05:29,300  
funding phases provide for first of all

3852  
03:05:26,390 --> 03:05:32,271  
the cultivation of awareness and

3853  
03:05:29,300 --> 03:05:36,680  
dissemination of information regarding

3854  
03:05:32,271 --> 03:05:40,070  
gifted education secondly development of

3855  
03:05:36,680 --> 03:05:43,570  
model programs third updating and

3856  
03:05:40,070 --> 03:05:47,510  
replicating of successful models for

3857  
03:05:43,570 --> 03:05:49,760  
development of staff and finally full

3858  
03:05:47,510 --> 03:05:52,220  
implementation of a statewide program

3859  
03:05:49,760 --> 03:05:53,900  
for gifted education now I want you to

3860  
03:05:52,220 --> 03:05:56,570  
look very closely at what we're going to

3861  
03:05:53,900 --> 03:05:58,490  
spend our money for we're going to spend

3862  
03:05:56,570 --> 03:06:02,570  
it as I tried to point out to you

3863  
03:05:58,490 --> 03:06:05,720  
yesterday for the Texas Education Agency

3864  
03:06:02,570 --> 03:06:08,480  
and some people to have jobs on the

3865  
03:06:05,720 --> 03:06:10,490  
state payroll and the students are not

3866  
03:06:08,480 --> 03:06:13,820  
going to get the benefit of this for a

3867  
03:06:10,490 --> 03:06:16,070  
long time to come in their own material

3868  
03:06:13,820 --> 03:06:18,100  
they point out that they're going to

3869  
03:06:16,070 --> 03:06:20,080  
have and you tell me what this means

3870  
03:06:18,100 --> 03:06:22,700  
cultivation of awareness and

3871  
03:06:20,080 --> 03:06:24,800  
dissemination of information regarding

3872  
03:06:22,700 --> 03:06:25,400  
gifted children do you know what that

3873  
03:06:24,800 --> 03:06:27,771  
means

3874  
03:06:25,400 --> 03:06:30,771  
that means more of this these kinds of

3875

03:06:27,771 --> 03:06:31,730  
brochures printed so that the printers

3876  
03:06:30,771 --> 03:06:33,729  
in this town

3877  
03:06:31,730 --> 03:06:36,799  
can make money and that's

3878  
03:06:33,729 --> 03:06:40,640  
spending money on slicked-back paper to

3879  
03:06:36,799 --> 03:06:43,549  
disseminate information then they're

3880  
03:06:40,640 --> 03:06:46,009  
going to secondly they're going to

3881  
03:06:43,549 --> 03:06:48,169  
develop model programs well now who's

3882  
03:06:46,009 --> 03:06:50,149  
going to benefit in a model program are

3883  
03:06:48,169 --> 03:06:51,379  
the students the gifted students

3884  
03:06:50,149 --> 03:06:53,810  
throughout this state and in your

3885  
03:06:51,379 --> 03:06:55,969  
districts going to benefit from the

3886  
03:06:53,810 --> 03:06:59,180  
development of model programs this year

3887  
03:06:55,969 --> 03:07:03,289  
next year 1979-1980

3888  
03:06:59,180 --> 03:07:05,149  
I think you know the answer is No then

3889  
03:07:03,289 --> 03:07:06,829  
they're going to have updating well now

3890  
03:07:05,149 --> 03:07:10,729  
who's going to benefit from that funding

3891  
03:07:06,829 --> 03:07:13,189  
updating people in the Texas Education

3892  
03:07:10,729 --> 03:07:14,719  
Agency people on the state payroll not

3893  
03:07:13,189 --> 03:07:16,489  
the students not the people that you're

3894  
03:07:14,719 --> 03:07:20,569  
really concerned about and that this

3895  
03:07:16,489 --> 03:07:22,819  
bill would obliquely speak to but I

3896  
03:07:20,569 --> 03:07:25,009  
think that exactly is what this bill

3897  
03:07:22,819 --> 03:07:27,259  
does it o pletely speaks to helping the

3898  
03:07:25,009 --> 03:07:29,390  
gifted child and in fact doesn't do that

3899  
03:07:27,259 --> 03:07:31,579  
in fact it's going to just put more

3900  
03:07:29,390 --> 03:07:34,640  
people on the state payroll while they

3901  
03:07:31,579 --> 03:07:37,520  
replicate whatever that means successful

3902

03:07:34,640 --> 03:07:39,379  
models and then the fourth thing the

3903  
03:07:37,520 --> 03:07:41,930  
development of staff you see before they

3904  
03:07:39,379 --> 03:07:43,789  
ever get around to having the full

3905  
03:07:41,930 --> 03:07:47,810  
implementation of a statewide program

3906  
03:07:43,789 --> 03:07:50,209  
they're going to have development of

3907  
03:07:47,810 --> 03:07:51,949  
staff so people can be on the state

3908  
03:07:50,209 --> 03:07:55,729  
payroll now finally I want to point out

3909  
03:07:51,949 --> 03:08:01,579  
one more thing how are they going to do

3910  
03:07:55,729 --> 03:08:03,469  
this on page 21 they're going to have if

3911  
03:08:01,579 --> 03:08:04,810  
they have formal courses they point out

3912  
03:08:03,469 --> 03:08:08,029  
that it would be on a college campus

3913  
03:08:04,810 --> 03:08:10,939  
summer special extracurricular

3914  
03:08:08,029 --> 03:08:12,949  
opportunities either with credit are

3915  
03:08:10,939 --> 03:08:14,930  
without in other words they're going to

3916  
03:08:12,949 --> 03:08:17,359  
have these things and not even going to

3917  
03:08:14,930 --> 03:08:19,819  
be really educational programs with

3918  
03:08:17,359 --> 03:08:21,199  
giving credit to the students for these

3919  
03:08:19,819 --> 03:08:22,609  
kinds of programs that rather all

3920  
03:08:21,199 --> 03:08:27,350  
they're going to be doing is just having

3921  
03:08:22,609 --> 03:08:29,449  
all this extra curricular activity then

3922  
03:08:27,350 --> 03:08:32,149  
they speak of having alternative schools

3923  
03:08:29,449 --> 03:08:36,020  
and they're going to have unstructured

3924  
03:08:32,149 --> 03:08:38,779  
groups independent studies it says

3925  
03:08:36,020 --> 03:08:40,939  
credit should become less important with

3926  
03:08:38,779 --> 03:08:43,369  
more way to sign to goal achievement for

3927  
03:08:40,939 --> 03:08:45,079  
individuals now what kind of a mess are

3928  
03:08:43,369 --> 03:08:45,360  
we getting into if we fund this kind of

3929

03:08:45,079 --> 03:08:47,880  
thing

3930  
03:08:45,360 --> 03:08:50,820  
I'm telling you that it is ill-conceived

3931  
03:08:47,880 --> 03:08:52,710  
and under the guise of helping the

3932  
03:08:50,820 --> 03:08:54,811  
children which we all feel like we must

3933  
03:08:52,710 --> 03:08:57,091  
do I hope that you won't vote for this

3934  
03:08:54,811 --> 03:08:58,530  
bill simply because you feel you have an

3935  
03:08:57,091 --> 03:09:01,471  
obligation to have your voting record

3936  
03:08:58,530 --> 03:09:04,891  
showing that you are for children mr.

3937  
03:09:01,471 --> 03:09:05,580  
speaker mr. speaker first on the

3938  
03:09:04,891 --> 03:09:09,351  
gentleman deal

3939  
03:09:05,580 --> 03:09:13,080  
yes gentleman yield mr. big

3940  
03:09:09,351 --> 03:09:15,030  
without mr. Davis's amendment this bill

3941  
03:09:13,080 --> 03:09:18,210  
sounds a little bit like these book

3942  
03:09:15,030 --> 03:09:19,710  
clubs you join we're in order to not pay

3943  
03:09:18,210 --> 03:09:21,841  
for the book you got to seem to think

3944  
03:09:19,710 --> 03:09:24,601  
back rather than sending them an order

3945  
03:09:21,841 --> 03:09:26,370  
blank pour it each time in that what

3946  
03:09:24,601 --> 03:09:28,440  
we're doing that's a very good example

3947  
03:09:26,370 --> 03:09:29,851  
mr. settlement that's exactly what we're

3948  
03:09:28,440 --> 03:09:30,391  
doing in the state should not be in that

3949  
03:09:29,851 --> 03:09:33,811  
position

3950  
03:09:30,391 --> 03:09:35,790  
yeah in other words once we pass this

3951  
03:09:33,811 --> 03:09:38,130  
bill then we've got to do something of

3952  
03:09:35,790 --> 03:09:39,780  
our motive to stop the darn thing it's

3953  
03:09:38,130 --> 03:09:41,940  
going to keep going up to that 17

3954  
03:09:39,780 --> 03:09:44,551  
million mark unless the legislature

3955  
03:09:41,940 --> 03:09:46,681  
takes a farm ative action which would be

3956

03:09:44,551 --> 03:09:49,351  
of course corrected if we had adopted

3957  
03:09:46,681 --> 03:09:52,110  
mr. Davis's amendment would be that's

3958  
03:09:49,351 --> 03:09:53,670  
exactly right and with the mood of the

3959  
03:09:52,110 --> 03:09:55,830  
representatives and Senators of this

3960  
03:09:53,670 --> 03:09:59,940  
state it's going to be very difficult

3961  
03:09:55,830 --> 03:10:01,830  
for us to be able to answer a question

3962  
03:09:59,940 --> 03:10:03,360  
why do we vote against gifted children I

3963  
03:10:01,830 --> 03:10:05,130  
can understand the problem that we're in

3964  
03:10:03,360 --> 03:10:06,900  
but if we have already passed this and

3965  
03:10:05,130 --> 03:10:08,910  
then all they're doing is coming to the

3966  
03:10:06,900 --> 03:10:11,280  
house and the Senate and asking for

3967  
03:10:08,910 --> 03:10:12,540  
funding then it's just like the book

3968  
03:10:11,280 --> 03:10:15,540  
club you go to have to get you a lawyer

3969  
03:10:12,540 --> 03:10:17,521  
to get out of it and Congress of the

3970  
03:10:15,540 --> 03:10:20,820  
United States has always been known as a

3971  
03:10:17,521 --> 03:10:24,000  
real conservative body as we all know

3972  
03:10:20,820 --> 03:10:26,730  
yeah and you know even they have come to

3973  
03:10:24,000 --> 03:10:28,471  
the idea of fly before you buy when

3974  
03:10:26,730 --> 03:10:30,450  
they're talking about military hardware

3975  
03:10:28,471 --> 03:10:34,170  
and that sort of thing even Congress

3976  
03:10:30,450 --> 03:10:35,820  
requires that we try it out and then

3977  
03:10:34,170 --> 03:10:37,920  
take affirmative action after we've

3978  
03:10:35,820 --> 03:10:40,110  
tried it before we buy didn't that

3979  
03:10:37,920 --> 03:10:44,150  
correct that's exactly correct mr. I

3980  
03:10:40,110 --> 03:10:44,150  
think it's a bad good example I agree

3981  
03:10:46,379 --> 03:10:54,879  
cherry recognized mr. Allred for the

3982  
03:10:48,609 --> 03:10:57,850  
bill misspeaking members I can only

3983

03:10:54,879 --> 03:10:59,800  
regret that mr. Vick did not get his

3984  
03:10:57,850 --> 03:11:02,589  
information correct before he started

3985  
03:10:59,800 --> 03:11:06,430  
speaking on the bill let me point out

3986  
03:11:02,589 --> 03:11:11,439  
something about this bill we do a great

3987  
03:11:06,430 --> 03:11:14,560  
deal for young people who have various

3988  
03:11:11,439 --> 03:11:16,629  
learning problems and we are discovering

3989  
03:11:14,560 --> 03:11:19,029  
that one of the learning problems of

3990  
03:11:16,629 --> 03:11:23,350  
young people even in the ghettos and the

3991  
03:11:19,029 --> 03:11:26,529  
body else and so forth is finding the

3992  
03:11:23,350 --> 03:11:30,489  
gifted child and giving him something

3993  
03:11:26,529 --> 03:11:34,629  
that will challenge him now what mr.

3994  
03:11:30,489 --> 03:11:37,839  
Vick shows to deride here is actually

3995  
03:11:34,629 --> 03:11:39,310  
based on a very successful model that

3996  
03:11:37,839 --> 03:11:42,850  
was set up in the state of North

3997  
03:11:39,310 --> 03:11:44,589  
Carolina under the office of the

3998  
03:11:42,850 --> 03:11:47,789  
governor there and has become known in

3999  
03:11:44,589 --> 03:11:52,319  
North Carolina as the governor school

4000  
03:11:47,789 --> 03:11:56,319  
and in this gifted young people are

4001  
03:11:52,319 --> 03:12:00,789  
brought to the state capitol where they

4002  
03:11:56,319 --> 03:12:05,560  
study and work with leaders of industry

4003  
03:12:00,789 --> 03:12:08,319  
and commerce and education and they are

4004  
03:12:05,560 --> 03:12:11,859  
challenged in this they are given an

4005  
03:12:08,319 --> 03:12:15,430  
opportunity to see how our free

4006  
03:12:11,859 --> 03:12:18,879  
enterprise system works at firsthand in

4007  
03:12:15,430 --> 03:12:23,739  
addition this provides the businesses of

4008  
03:12:18,879 --> 03:12:25,839  
North Carolina with a ready list of the

4009  
03:12:23,739 --> 03:12:28,899  
people who are going to be the leaders

4010

03:12:25,839 --> 03:12:33,430  
in the future generation so that when

4011  
03:12:28,899 --> 03:12:36,879  
they get ready to recruit they know who

4012  
03:12:33,430 --> 03:12:38,619  
these leaders are going to be because

4013  
03:12:36,879 --> 03:12:40,869  
they participated in the Governor's

4014  
03:12:38,619 --> 03:12:43,569  
School and special attention is given to

4015  
03:12:40,869 --> 03:12:47,229  
screening and recognizing gifted young

4016  
03:12:43,569 --> 03:12:51,520  
people in the ghetto in the barrio and

4017  
03:12:47,229 --> 03:12:55,510  
in other places this is not simply a

4018  
03:12:51,520 --> 03:12:59,050  
plan to help the

4019  
03:12:55,510 --> 03:13:02,430  
more lucrative back to high schools this

4020  
03:12:59,050 --> 03:13:07,330  
model has worked in North Carolina and

4021  
03:13:02,430 --> 03:13:09,160  
it can work in Texas but we need to set

4022  
03:13:07,330 --> 03:13:13,240  
up the machinery under which it can

4023  
03:13:09,160 --> 03:13:16,720  
operate and you will be helping the

4024  
03:13:13,240 --> 03:13:22,779  
gifted students by voting for this bill

4025  
03:13:16,720 --> 03:13:25,720  
I can only ask that you consider that an

4026  
03:13:22,779 --> 03:13:28,029  
entire committee spent the interim

4027  
03:13:25,720 --> 03:13:31,600  
looking into this this bill is the

4028  
03:13:28,029 --> 03:13:33,040  
fruits of a complete study made by that

4029  
03:13:31,600 --> 03:13:36,670  
committee it is not something that

4030  
03:13:33,040 --> 03:13:42,300  
somebody sat down and dreamed up and it

4031  
03:13:36,670 --> 03:13:42,300  
is based on actual hard practice

4032  
03:14:04,820 --> 03:14:06,880  
you