

1
00:00:00,030 --> 00:00:18,029
Carr weld explained section five mr.

2
00:00:10,410 --> 00:00:21,359
speaker members remember let us have

3
00:00:18,029 --> 00:00:25,920
let's have your attention as mr. Conwell

4
00:00:21,359 --> 00:00:28,080
explains the finance article I do invite

5
00:00:25,920 --> 00:00:32,239
your attention the financial article of

6
00:00:28,080 --> 00:00:35,160
course is it's very important I think is

7
00:00:32,239 --> 00:00:39,440
it's a good piece of work I'm proud to

8
00:00:35,160 --> 00:00:39,440
have been a member of that committee

9
00:00:39,469 --> 00:00:45,690
because I think it tightens the

10
00:00:42,860 --> 00:00:48,719
definition of state debt I think it

11
00:00:45,690 --> 00:00:51,780
pleases people who want to see that we

12
00:00:48,719 --> 00:00:53,850
do pay-as-you-go by the same token I

13
00:00:51,780 --> 00:00:56,520
think it provides some needed reform in

14

00:00:53,850 --> 00:00:58,980
the area of property tax real property

15
00:00:56,520 --> 00:01:00,750
tax valuation and it's not going to do a

16
00:00:58,980 --> 00:01:03,470
darn thing for the firing and see that

17
00:01:00,750 --> 00:01:06,420
I'll tell you that much

18
00:01:03,470 --> 00:01:08,340
it requires that state taxes be levied

19
00:01:06,420 --> 00:01:11,340
and collected as in the present

20
00:01:08,340 --> 00:01:12,840
Constitution retain retains the

21
00:01:11,340 --> 00:01:15,299
prohibition against the state ad valorem

22
00:01:12,840 --> 00:01:18,659
taxes except for the two cent tax for

23
00:01:15,299 --> 00:01:20,810
State Building Fund and also the ten

24
00:01:18,659 --> 00:01:25,200
cent tax for higher education purposes

25
00:01:20,810 --> 00:01:30,170
in article 7 of course those can be

26
00:01:25,200 --> 00:01:34,500
lower then it continues the existing

27
00:01:30,170 --> 00:01:36,869
exemptions from ad valorem taxation in

28
00:01:34,500 --> 00:01:39,450
several instances in Section four

29
00:01:36,869 --> 00:01:41,610
it requires that form taxes on real and

30
00:01:39,450 --> 00:01:43,229
tangible personal property to be equal

31
00:01:41,610 --> 00:01:44,640
in uniform now this is a change the

32
00:01:43,229 --> 00:01:47,009
present Constitution is you know

33
00:01:44,640 --> 00:01:50,009
requires all taxation ad valorem

34
00:01:47,009 --> 00:01:53,040
taxation to be equal in uniform which is

35
00:01:50,009 --> 00:01:56,640
impossible to enforce we recognize the

36
00:01:53,040 --> 00:01:58,979
impossibility and require that ad

37
00:01:56,640 --> 00:02:00,130
valorem taxes be equal in uniform as to

38
00:01:58,979 --> 00:02:01,869
real and tangent

39
00:02:00,130 --> 00:02:03,490
personal property so if the legislation

40
00:02:01,869 --> 00:02:05,799
the future wants to deal differently

41

00:02:03,490 --> 00:02:09,269
with intangible personal property they

42
00:02:05,799 --> 00:02:11,980
have the constitutional freedom to do so

43
00:02:09,269 --> 00:02:14,500
it retains the dedication of the motor

44
00:02:11,980 --> 00:02:17,800
fuel tax for hiring purposes the pays

45
00:02:14,500 --> 00:02:20,260
you principle in Section eight

46
00:02:17,800 --> 00:02:22,000
it requires uniform standards and

47
00:02:20,260 --> 00:02:24,040
procedures for the appraisal of property

48
00:02:22,000 --> 00:02:28,900
for ad valorem tax purposes this is new

49
00:02:24,040 --> 00:02:30,849
it further requires each county to

50
00:02:28,900 --> 00:02:32,769
provide for a single appraisal of all

51
00:02:30,849 --> 00:02:35,170
property within its boundaries that this

52
00:02:32,769 --> 00:02:36,819
alone will reduce the number of taxing

53
00:02:35,170 --> 00:02:39,099
authorities from some twenty four

54
00:02:36,819 --> 00:02:42,280
hundred to no more than two hundred and

55

00:02:39,099 --> 00:02:44,680

fifty four it requires the legislature

56

00:02:42,280 --> 00:02:46,750

to step establish separate formulas for

57

00:02:44,680 --> 00:02:49,739

the appraisal form in Frank's at Rice

58

00:02:46,750 --> 00:02:52,060

land and it authorizes it permits

59

00:02:49,739 --> 00:02:54,340

separate formulas for land devoted to

60

00:02:52,060 --> 00:02:55,810

timber production mandates a three

61

00:02:54,340 --> 00:02:57,519

thousand dollar exemption from ad

62

00:02:55,810 --> 00:03:02,049

valorem taxation by political

63

00:02:57,519 --> 00:03:04,480

subdivisions for persons 65 years of age

64

00:03:02,049 --> 00:03:06,220

or older the legislature or political

65

00:03:04,480 --> 00:03:11,230

subdivision may increase the amount of

66

00:03:06,220 --> 00:03:13,150

the exemption if they're but it can't be

67

00:03:11,230 --> 00:03:15,579

done if this impairs any outstanding

68

00:03:13,150 --> 00:03:17,799
obligation on bonded indebtedness that

69
00:03:15,579 --> 00:03:19,900
provides the taxpayers a new method to

70
00:03:17,799 --> 00:03:22,900
correct inequitable tax assessments

71
00:03:19,900 --> 00:03:25,450
through court action thank to mr. Nugent

72
00:03:22,900 --> 00:03:28,660
this is in Section six it authorizes

73
00:03:25,450 --> 00:03:31,359
state debt only by the approval of

74
00:03:28,660 --> 00:03:33,690
two-thirds of the members of the

75
00:03:31,359 --> 00:03:36,910
legislature and a vote of the people

76
00:03:33,690 --> 00:03:39,790
it requires that public funds be used

77
00:03:36,910 --> 00:03:42,090
only for public purposes and it

78
00:03:39,790 --> 00:03:44,230
prohibits a retail sales tax on

79
00:03:42,090 --> 00:03:49,030
agricultural machinery or parts

80
00:03:44,230 --> 00:03:53,680
fertilizer feed and seeds prescription

81
00:03:49,030 --> 00:03:57,849
drugs or medicine our food or and food

82
00:03:53,680 --> 00:04:02,639
except that's sold in restaurants this

83
00:03:57,849 --> 00:04:02,639
speaker that concludes my explanation

84
00:04:04,750 --> 00:04:08,730
mr. many members we have a few

85
00:04:06,310 --> 00:04:08,730
amendments

86
00:04:15,640 --> 00:04:19,750
let's leave it though following

87
00:04:18,850 --> 00:04:28,230
amendment a clerk will read the

88
00:04:19,750 --> 00:04:28,230
amendment amendment by P Berto

89
00:04:30,210 --> 00:04:35,290
the speaker remember this is a minute

90
00:04:33,010 --> 00:04:40,150
that we passed out yesterday everybody's

91
00:04:35,290 --> 00:04:46,480
got a copy of it on their desk what the

92
00:04:40,150 --> 00:04:49,060
amendment does on page 86 line 9

93
00:04:46,480 --> 00:04:51,960
it adds after the word boundaries it

94
00:04:49,060 --> 00:04:54,280
adds in the manner prescribed by law

95

00:04:51,960 --> 00:04:56,560
this amendment has been cleared through

96
00:04:54,280 --> 00:04:59,140
the lieutenant governor's office mr.

97
00:04:56,560 --> 00:05:01,930
Karle well mr. Nugent mr. agnus mr. bird

98
00:04:59,140 --> 00:05:05,110
Jones Lanny months in Salem temple true

99
00:05:01,930 --> 00:05:07,480
on Hutchison Geiger Sullivan hosting

100
00:05:05,110 --> 00:05:12,040
back and Eddie's these gentlemen were on

101
00:05:07,480 --> 00:05:14,980
the you know all the Finance Committee

102
00:05:12,040 --> 00:05:17,710
during the convention or around the

103
00:05:14,980 --> 00:05:19,600
constitutional revision committee and

104
00:05:17,710 --> 00:05:22,419
have studied this they've all agreed to

105
00:05:19,600 --> 00:05:25,030
it mr. speaker will the gentleman yield

106
00:05:22,419 --> 00:05:29,410
yes sir gentleman yield mr. Davis mr.

107
00:05:25,030 --> 00:05:31,120
Peavey tow in order to make a record so

108
00:05:29,410 --> 00:05:34,510
that we can establish the intent of this

109
00:05:31,120 --> 00:05:37,990
amendment the language you insert would

110
00:05:34,510 --> 00:05:40,260
go after the word boundaries right and

111
00:05:37,990 --> 00:05:44,200
would say in the manner provided by law

112
00:05:40,260 --> 00:05:47,110
now you intend that to apply not only to

113
00:05:44,200 --> 00:05:50,680
the word appraisal which is that the

114
00:05:47,110 --> 00:05:53,910
legislature can by law provide for the

115
00:05:50,680 --> 00:05:56,530
appraisal mechanism but also to the

116
00:05:53,910 --> 00:05:59,169
section of the sentence that says each

117
00:05:56,530 --> 00:06:02,290
county that the legislature can provide

118
00:05:59,169 --> 00:06:04,650
a mechanism for the creation of the

119
00:06:02,290 --> 00:06:08,880
appraisal unit is that correct right

120
00:06:04,650 --> 00:06:12,790
County I think I was the intent was

121
00:06:08,880 --> 00:06:15,910
geographic area and it's not a

122

00:06:12,790 --> 00:06:18,370
delegation of authority to the County

123
00:06:15,910 --> 00:06:24,070
Commissioners Court that's correct

124
00:06:18,370 --> 00:06:25,720
thank you those ended up an amendment

125
00:06:24,070 --> 00:06:27,930
the amendment is acceptable to the

126
00:06:25,720 --> 00:06:30,750
sponsors of the section is

127
00:06:27,930 --> 00:06:35,789
objection to its adoption chair hears

128
00:06:30,750 --> 00:06:36,990
none the amendment is adopted following

129
00:06:35,789 --> 00:06:37,500
amendment the clerk will read the

130
00:06:36,990 --> 00:06:42,750
amendment

131
00:06:37,500 --> 00:06:45,090
a minimum Bob Maddox amend SJ our 11

132
00:06:42,750 --> 00:06:48,000
first house printing articles 8 section

133
00:06:45,090 --> 00:06:53,509
1 subsection B contained in section 5

134
00:06:48,000 --> 00:06:53,509
subsection a of the resolution page 85

135
00:06:54,199 --> 00:07:00,539
to read as follows B no state at valorem

136
00:06:58,080 --> 00:07:02,280
tax on real property our tangible

137
00:07:00,539 --> 00:07:05,250
personal property may be levied for

138
00:07:02,280 --> 00:07:12,630
state purposes except the tax of 10

139
00:07:05,250 --> 00:07:14,910
cents on the hundred dollars assessed

140
00:07:12,630 --> 00:07:17,460
valuation levied under article 7 of this

141
00:07:14,910 --> 00:07:19,490
constitution mr. Maddox to explain his

142
00:07:17,460 --> 00:07:19,490
amendment

143
00:07:26,770 --> 00:07:32,980
mr. speaker and members this is

144
00:07:30,820 --> 00:07:34,810
amendment that's gonna take it's not a

145
00:07:32,980 --> 00:07:36,570
committee amendment anyway I was on the

146
00:07:34,810 --> 00:07:38,440
Constitution revision committee as

147
00:07:36,570 --> 00:07:41,560
amendment that was presented in

148
00:07:38,440 --> 00:07:44,950
committee and in nervous farm and what

149

00:07:41,560 --> 00:07:48,000
it does is it for the ones of you there

150
00:07:44,950 --> 00:07:52,810
will recall the the voters of the state

151
00:07:48,000 --> 00:07:55,390
voted to phase out all state property

152
00:07:52,810 --> 00:07:58,090
taxes have the law of Texas that the

153
00:07:55,390 --> 00:08:03,310
state has with the exception of the ten

154
00:07:58,090 --> 00:08:05,710
percent tax on for colleges so there was

155
00:08:03,310 --> 00:08:08,440
a two percent tax that was for the

156
00:08:05,710 --> 00:08:13,240
Confederate Veterans and and also that

157
00:08:08,440 --> 00:08:15,310
had been used for for the building fund

158
00:08:13,240 --> 00:08:17,800
here in the state but the voters had

159
00:08:15,310 --> 00:08:24,030
attempted to phase out any state ad

160
00:08:17,800 --> 00:08:28,870
valorem tax in in resolution 32 an

161
00:08:24,030 --> 00:08:33,010
attempt was made to put that 2% 2 cent

162
00:08:28,870 --> 00:08:35,440
tax back in two cents per hundred one

163
00:08:33,010 --> 00:08:37,740
hundred dollars evaluation attempt was

164
00:08:35,440 --> 00:08:40,420
made to put this two cent tax back in

165
00:08:37,740 --> 00:08:43,510
and the purpose of putting it back in

166
00:08:40,420 --> 00:08:47,500
was to use it as a building fund for the

167
00:08:43,510 --> 00:08:48,730
state complex here and to build in so we

168
00:08:47,500 --> 00:08:51,610
could build buildings here in the state

169
00:08:48,730 --> 00:08:52,900
complex now I have no objection to

170
00:08:51,610 --> 00:08:57,220
building buildings here in the state

171
00:08:52,900 --> 00:09:00,040
complex but I do have I do have some

172
00:08:57,220 --> 00:09:03,940
reservation about attempting to put a

173
00:09:00,040 --> 00:09:04,630
new tax back in I don't want to put a

174
00:09:03,940 --> 00:09:07,180
new tax

175
00:09:04,630 --> 00:09:08,980
I won't matter what happens is instead

176

00:09:07,180 --> 00:09:12,370
of phasing out this overt acts like the

177
00:09:08,980 --> 00:09:13,900
voters the voters required us to do what

178
00:09:12,370 --> 00:09:15,580
we have done is that we have attempted

179
00:09:13,900 --> 00:09:19,090
to put we have attempted to reinstitute

180
00:09:15,580 --> 00:09:21,130
that tax a 2 cent tax that would apply

181
00:09:19,090 --> 00:09:22,960
from now on the legislature could reduce

182
00:09:21,130 --> 00:09:25,690
it but we've attempted to put it back in

183
00:09:22,960 --> 00:09:27,250
and what I'm attempting to do is take

184
00:09:25,690 --> 00:09:28,840
that back out now that was something

185
00:09:27,250 --> 00:09:31,090
that's put in on the highest document it

186
00:09:28,840 --> 00:09:34,630
was never accepted and I'm attempting to

187
00:09:31,090 --> 00:09:37,690
take it out now because I think some of

188
00:09:34,630 --> 00:09:39,250
you may recall that a lot of publicity

189
00:09:37,690 --> 00:09:41,710
was generated after

190
00:09:39,250 --> 00:09:43,870
convention talking about the that not

191
00:09:41,710 --> 00:09:45,310
only had we've been hung up on right to

192
00:09:43,870 --> 00:09:49,090
work and some other things but we were

193
00:09:45,310 --> 00:09:51,970
also hung up on this tax issue that is

194
00:09:49,090 --> 00:09:54,460
of reinstating attacks and what I'm

195
00:09:51,970 --> 00:09:57,220
attempting to do is take out a provision

196
00:09:54,460 --> 00:09:59,710
that would be a lightning rod to a lot

197
00:09:57,220 --> 00:10:00,970
of people in this state that is a lot of

198
00:09:59,710 --> 00:10:02,590
elderly people a lot of those people

199
00:10:00,970 --> 00:10:04,210
that just don't want us to institute any

200
00:10:02,590 --> 00:10:07,450
kind of tax and when I'm attempting to

201
00:10:04,210 --> 00:10:09,580
do is to go in and take that tax out the

202
00:10:07,450 --> 00:10:11,800
best way possible and that's what I'm

203

00:10:09,580 --> 00:10:14,070
attempting to do I'm all for the state

204
00:10:11,800 --> 00:10:16,330
building fund but I don't want to

205
00:10:14,070 --> 00:10:21,880
continue this tax and so what I have

206
00:10:16,330 --> 00:10:26,140
done if you look on page 85 you will see

207
00:10:21,880 --> 00:10:28,390
that that what I've attempted to do was

208
00:10:26,140 --> 00:10:31,300
but I want to I'm trying to strike out

209
00:10:28,390 --> 00:10:34,210
and two cents a and there's two

210
00:10:31,300 --> 00:10:36,040
inferences a tax of two cents on the

211
00:10:34,210 --> 00:10:38,650
hundred dollars assessed valuation that

212
00:10:36,040 --> 00:10:41,770
is hereby levy to provide funds for the

213
00:10:38,650 --> 00:10:44,260
state building fund this two cents may

214
00:10:41,770 --> 00:10:46,630
be reduced by law so I'm attempting to

215
00:10:44,260 --> 00:10:48,310
take out this tax and I think it's to

216
00:10:46,630 --> 00:10:51,100
our advantage to do this because I'm

217
00:10:48,310 --> 00:10:54,010
very much in favor of this this finance

218
00:10:51,100 --> 00:10:56,260
article passing and and I think that we

219
00:10:54,010 --> 00:10:58,089
shouldn't have any kind of thing they

220
00:10:56,260 --> 00:10:59,830
can point to us and say look these

221
00:10:58,089 --> 00:11:01,120
fellas are down here taxing us and

222
00:10:59,830 --> 00:11:03,370
they're doing trying to tax us in this

223
00:11:01,120 --> 00:11:06,300
constitution and I just don't think it's

224
00:11:03,370 --> 00:11:09,210
a proper way to do mr. speaker

225
00:11:06,300 --> 00:11:11,170
but Salem will the gentleman yield

226
00:11:09,210 --> 00:11:13,930
yeoman yields miss Salem

227
00:11:11,170 --> 00:11:16,800
mr. Maddox I agree with what you want to

228
00:11:13,930 --> 00:11:19,930
do here in removing this two cents on

229
00:11:16,800 --> 00:11:21,880
hundred all assessed valuation is this

230

00:11:19,930 --> 00:11:24,310
the tax that the that the people of

231
00:11:21,880 --> 00:11:26,950
Texas spoke to when they mandated the

232
00:11:24,310 --> 00:11:28,930
legislature to phase out they stayed out

233
00:11:26,950 --> 00:11:31,839
valorem tax absolutely we have it we

234
00:11:28,930 --> 00:11:32,950
have a statewide vote statewide vote it

235
00:11:31,839 --> 00:11:35,290
and I don't recover

236
00:11:32,950 --> 00:11:38,280
I don't recall the the exact vote Myrick

237
00:11:35,290 --> 00:11:41,890
if I recall right it was a it was a

238
00:11:38,280 --> 00:11:44,530
major mandate to do away with with this

239
00:11:41,890 --> 00:11:47,290
in effect the people themselves voted to

240
00:11:44,530 --> 00:11:50,080
do away with all these ad valorem taxes

241
00:11:47,290 --> 00:11:52,470
with the exception of the tax that deals

242
00:11:50,080 --> 00:11:53,820
with colleges we've kept that one

243
00:11:52,470 --> 00:11:56,340
and that's what we've done in the

244
00:11:53,820 --> 00:11:57,900
education article and but what they have

245
00:11:56,340 --> 00:12:00,390
done is voted to take off all these

246
00:11:57,900 --> 00:12:03,960
other taxes and what we have done is is

247
00:12:00,390 --> 00:12:05,550
come back in document 32 at the last

248
00:12:03,960 --> 00:12:08,490
part of the session was to put this back

249
00:12:05,550 --> 00:12:10,860
in and so the committee our committee

250
00:12:08,490 --> 00:12:12,540
Constitution revision committee carried

251
00:12:10,860 --> 00:12:14,130
doctrine 30 to most of the way through

252
00:12:12,540 --> 00:12:16,440
because that's what we were attempting

253
00:12:14,130 --> 00:12:18,180
to stay with but we did not take out

254
00:12:16,440 --> 00:12:20,160
this particular provision although there

255
00:12:18,180 --> 00:12:22,860
was a good bit of sentiment on the

256
00:12:20,160 --> 00:12:24,360
committee to do it so what we so what we

257

00:12:22,860 --> 00:12:26,670
did what I'm doing is presenting the

258
00:12:24,360 --> 00:12:29,000
membership here with the opportunity to

259
00:12:26,670 --> 00:12:32,340
decide whether we want to reinstitute

260
00:12:29,000 --> 00:12:35,310
there's two cent tax or whether we want

261
00:12:32,340 --> 00:12:36,690
to take this two cent tax out well I

262
00:12:35,310 --> 00:12:39,000
think it's better to take it out if you

263
00:12:36,690 --> 00:12:41,010
want my opinion about well I agree with

264
00:12:39,000 --> 00:12:42,750
you it seems that we're trying to send

265
00:12:41,010 --> 00:12:44,940
out a new constitution of the people of

266
00:12:42,750 --> 00:12:46,800
Texas that's going to delete a lot of

267
00:12:44,940 --> 00:12:48,300
extra verbage and a lot of wording in

268
00:12:46,800 --> 00:12:50,370
there that's not necessary that's in the

269
00:12:48,300 --> 00:12:52,620
old Constitution now if the people of

270
00:12:50,370 --> 00:12:54,780
Texas has mandated the legislature to

271
00:12:52,620 --> 00:12:56,880
phase out there's two cents they died

272
00:12:54,780 --> 00:12:58,620
valorem tax I don't see any purpose in

273
00:12:56,880 --> 00:12:59,970
putting it in a new constitution where

274
00:12:58,620 --> 00:13:02,430
it's going to be locked in there forever

275
00:12:59,970 --> 00:13:05,850
more although it does say that it could

276
00:13:02,430 --> 00:13:07,260
be reduced as provided by law it's still

277
00:13:05,850 --> 00:13:08,580
extra forbids that's going to be in

278
00:13:07,260 --> 00:13:10,860
there that ought not be in there at all

279
00:13:08,580 --> 00:13:12,350
do you agree with that that's right and

280
00:13:10,860 --> 00:13:17,220
I think this would phase it out

281
00:13:12,350 --> 00:13:19,950
completely and entirely by 1978 in

282
00:13:17,220 --> 00:13:21,720
effect giving us time if we need to make

283
00:13:19,950 --> 00:13:24,630
some other adjustments we could make the

284

00:13:21,720 --> 00:13:27,080
adjustments now I also understand and I

285
00:13:24,630 --> 00:13:29,610
think that would you agree with me that

286
00:13:27,080 --> 00:13:31,380
we're going to need in the future new

287
00:13:29,610 --> 00:13:33,240
buildings in the state and new buildings

288
00:13:31,380 --> 00:13:34,620
are going to have to be built and it'll

289
00:13:33,240 --> 00:13:36,750
be much cheaper than having to pay

290
00:13:34,620 --> 00:13:39,450
exorbitant high prices for leases and

291
00:13:36,750 --> 00:13:40,950
rents there are other means for for

292
00:13:39,450 --> 00:13:43,320
appropriating money for building

293
00:13:40,950 --> 00:13:45,120
buildings is there not yes there are and

294
00:13:43,320 --> 00:13:46,500
we should and when we pass this

295
00:13:45,120 --> 00:13:48,450
Constitution we're going to be in a

296
00:13:46,500 --> 00:13:51,630
position to do that or we're going to be

297
00:13:48,450 --> 00:13:53,700
in a position to take on this this issue

298
00:13:51,630 --> 00:13:54,480
of building state buildings at some

299
00:13:53,700 --> 00:13:56,190
other time

300
00:13:54,480 --> 00:13:58,710
what I'm trying to say is I want this

301
00:13:56,190 --> 00:14:01,450
constitution to pass I want it to pass

302
00:13:58,710 --> 00:14:03,790
and in hoping it'll pass I do know

303
00:14:01,450 --> 00:14:07,120
want to give the the people of this

304
00:14:03,790 --> 00:14:09,610
thing a another major reason to vote

305
00:14:07,120 --> 00:14:12,340
against if that is a tax I cannot think

306
00:14:09,610 --> 00:14:14,650
of a single thing that is more of a

307
00:14:12,340 --> 00:14:15,910
lightning rod but talking with people

308
00:14:14,650 --> 00:14:18,040
been talking about we're going to

309
00:14:15,910 --> 00:14:20,560
reinstitute a tax and that's in effect

310
00:14:18,040 --> 00:14:21,970
what we're doing and I know lockup and

311

00:14:20,560 --> 00:14:23,980

Dallas you know we had this trend you

312

00:14:21,970 --> 00:14:25,240

River canal going through there and

313

00:14:23,980 --> 00:14:27,490

everybody talked about all of the

314

00:14:25,240 --> 00:14:29,290

environment talk talked about all these

315

00:14:27,490 --> 00:14:31,180

environmental things and everything and

316

00:14:29,290 --> 00:14:33,340

in there and environmental groups could

317

00:14:31,180 --> 00:14:36,010

never quite get a handle on it until

318

00:14:33,340 --> 00:14:38,590

they sense the hollow Harris goes point

319

00:14:36,010 --> 00:14:40,180

of argument I'm inspired part of water

320

00:14:38,590 --> 00:14:42,190

and we'll take it let's move each time

321

00:14:40,180 --> 00:14:44,530

be extended I need a second question mr.

322

00:14:42,190 --> 00:14:46,630

speaker let's have moves that the

323

00:14:44,530 --> 00:14:50,050

gentleman time be extended no is there

324

00:14:46,630 --> 00:14:52,410

objection to extension the time all

325
00:14:50,050 --> 00:14:56,710
those in favor of the extension say aye

326
00:14:52,410 --> 00:15:01,560
all opposed extension say no the almas

327
00:14:56,710 --> 00:15:04,510
time is not extended mister doorkeeper

328
00:15:01,560 --> 00:15:09,460
we have a message from the Senate mr.

329
00:15:04,510 --> 00:15:11,380
speaker at net the messenger mr. speaker

330
00:15:09,460 --> 00:15:12,580
I'm directed by the Senate to inform the

331
00:15:11,380 --> 00:15:16,030
house that the Senate has passed

332
00:15:12,580 --> 00:15:19,690
following that's B 595 by Jones amending

333
00:15:16,030 --> 00:15:21,880
the Texas seed law SB 561 by Schwartz

334
00:15:19,690 --> 00:15:28,060
relating to sales tax exemptions on

335
00:15:21,880 --> 00:15:35,890
certain property that's car well speak

336
00:15:28,060 --> 00:15:37,260
against the amendment mr. Cole well mr.

337
00:15:35,890 --> 00:15:40,570
speaker and members

338

00:15:37,260 --> 00:15:44,010

I really wish you'd pay attention for a

339

00:15:40,570 --> 00:15:46,570

minute this is awfully important I

340

00:15:44,010 --> 00:15:47,890

whatever the house wills is fine with me

341

00:15:46,570 --> 00:15:53,760

but I sure hope you understand what

342

00:15:47,890 --> 00:15:53,760

you're doing now as mastiha

343

00:15:56,200 --> 00:16:01,220

and the way the article came out of

344

00:15:59,270 --> 00:16:03,740

Finance Committee and the way it came

345

00:16:01,220 --> 00:16:06,670

out of the convention before submission

346

00:16:03,740 --> 00:16:09,470

in transition there was no mention of

347

00:16:06,670 --> 00:16:12,680

state ad valorem tax so it would have

348

00:16:09,470 --> 00:16:19,210

been prohibited now the state ad valorem

349

00:16:12,680 --> 00:16:23,650

tax was revised when heft was created

350

00:16:19,210 --> 00:16:29,450

the ten cent tax for higher education

351

00:16:23,650 --> 00:16:30,950

now as you know the two cent tax that

352

00:16:29,450 --> 00:16:35,020

used to be called for Confederate

353

00:16:30,950 --> 00:16:37,670

pensioners and Texas Ranger survivors

354

00:16:35,020 --> 00:16:40,340

was to be phased out I think in two

355

00:16:37,670 --> 00:16:45,620

years or maybe at the end of sitting out

356

00:16:40,340 --> 00:16:49,250

76 but since we went back with heft to

357

00:16:45,620 --> 00:16:53,720

the small tax state tax on ad valorem

358

00:16:49,250 --> 00:16:57,560

property the submission in transition

359

00:16:53,720 --> 00:17:02,660

revised the two cent tax for state

360

00:16:57,560 --> 00:17:06,170

buildings now philosophically I agree

361

00:17:02,660 --> 00:17:07,910

with mr. Maddox pragmatically I don't

362

00:17:06,170 --> 00:17:09,199

I'm going to vote against it I certainly

363

00:17:07,910 --> 00:17:13,280

will leave it to the will of the house

364

00:17:09,199 --> 00:17:16,370

but this tax now raises about four to

365

00:17:13,280 --> 00:17:19,130
five million dollars and that builds

366
00:17:16,370 --> 00:17:21,020
some buildings now it either comes out

367
00:17:19,130 --> 00:17:23,860
of there or it comes out of general

368
00:17:21,020 --> 00:17:27,470
revenue and as a practical matter

369
00:17:23,860 --> 00:17:30,710
general revenue is strapped every by

370
00:17:27,470 --> 00:17:32,360
annum we don't have enough money to do

371
00:17:30,710 --> 00:17:34,520
the things that some of them I hope

372
00:17:32,360 --> 00:17:36,020
should be done at any rate we don't have

373
00:17:34,520 --> 00:17:39,290
enough money so you're just going to put

374
00:17:36,020 --> 00:17:42,910
a further burden on general revenue and

375
00:17:39,290 --> 00:17:45,080
it's a very small tax and it raises a

376
00:17:42,910 --> 00:17:48,170
relatively small amount of money but

377
00:17:45,080 --> 00:17:51,020
what the state building program is not

378
00:17:48,170 --> 00:17:53,180
all that extensive and this will take

379

00:17:51,020 --> 00:17:55,850

care of a good deal of it and so for

380

00:17:53,180 --> 00:17:57,860

that reason I intend to vote against it

381

00:17:55,850 --> 00:18:00,880

but I'll be glad to you for a question

382

00:17:57,860 --> 00:18:00,880

mr. picker

383

00:18:01,570 --> 00:18:05,000

well the gentleman you yell let's go

384

00:18:04,070 --> 00:18:06,889

well yes sir

385

00:18:05,000 --> 00:18:12,629

yo-yos Matteo

386

00:18:06,889 --> 00:18:14,999

mr. Karl Albi the earmarking years ago

387

00:18:12,629 --> 00:18:17,070

we earmarked a part of this Confederate

388

00:18:14,999 --> 00:18:20,720

pension fund for the state building

389

00:18:17,070 --> 00:18:23,639

program and I'll ask you this question

390

00:18:20,720 --> 00:18:25,859

without that tax would we ever have

391

00:18:23,639 --> 00:18:27,059

built this beautiful complex here to the

392

00:18:25,859 --> 00:18:30,239
north of the Capitol building

393
00:18:27,059 --> 00:18:32,369
no sir we wouldn't have and because if

394
00:18:30,239 --> 00:18:34,289
we were dependent on general revenue

395
00:18:32,369 --> 00:18:36,359
over time we always run short and

396
00:18:34,289 --> 00:18:38,999
general revenue and capital improvements

397
00:18:36,359 --> 00:18:40,320
are the first thing to get scratched

398
00:18:38,999 --> 00:18:42,179
when we're running short on general

399
00:18:40,320 --> 00:18:44,099
that's right because it's you know it's

400
00:18:42,179 --> 00:18:45,809
several million dollars it would be we

401
00:18:44,099 --> 00:18:46,289
can spend it here and spend it there and

402
00:18:45,809 --> 00:18:47,849
there it goes

403
00:18:46,289 --> 00:18:50,759
if I hadn't served on the Appropriations

404
00:18:47,849 --> 00:18:53,070
Committee I would be up here arguing for

405
00:18:50,759 --> 00:18:54,869
mr. Maddox amendment but having served

406
00:18:53,070 --> 00:18:56,580
on that committee I really think it

407
00:18:54,869 --> 00:18:58,799
would be a bad thing because it would

408
00:18:56,580 --> 00:19:00,840
retard the State Building program not

409
00:18:58,799 --> 00:19:03,779
finishing and the building of all these

410
00:19:00,840 --> 00:19:06,119
buildings has resulted in taking many of

411
00:19:03,779 --> 00:19:08,279
our state offices out of rental

412
00:19:06,119 --> 00:19:10,529
properties where we were playing large

413
00:19:08,279 --> 00:19:11,909
rent sums of rent every year and putting

414
00:19:10,529 --> 00:19:14,220
them in state-owned buildings and

415
00:19:11,909 --> 00:19:16,200
thereby saving considerable money for of

416
00:19:14,220 --> 00:19:18,450
tax money is that not correct right and

417
00:19:16,200 --> 00:19:21,809
if it weren't for this tax mr. Hale we

418
00:19:18,450 --> 00:19:24,330
would still be serving in this room as

419

00:19:21,809 --> 00:19:26,399
we were when I first came here with

420
00:19:24,330 --> 00:19:28,679
about 3,000 people on the floor

421
00:19:26,399 --> 00:19:30,389
including all our secretaries we

422
00:19:28,679 --> 00:19:32,220
wouldn't have any offices we wouldn't

423
00:19:30,389 --> 00:19:34,559
that you know it it would be back to

424
00:19:32,220 --> 00:19:36,720
chaos I think we've made advancement

425
00:19:34,559 --> 00:19:38,700
since then and I think this is this tax

426
00:19:36,720 --> 00:19:40,499
has made a small contribution because I

427
00:19:38,700 --> 00:19:42,779
think it's important you know that we'd

428
00:19:40,499 --> 00:19:45,269
be able to work and and there was no way

429
00:19:42,779 --> 00:19:47,970
that you could work before because of

430
00:19:45,269 --> 00:19:49,349
the literally hundreds of people that

431
00:19:47,970 --> 00:19:51,299
were on the floor at all times

432
00:19:49,349 --> 00:19:52,909
you know if they think that decorum is

433
00:19:51,299 --> 00:19:56,039
bad now they should have been here in

434
00:19:52,909 --> 00:19:58,080
1961 when I came and if we bill over

435
00:19:56,039 --> 00:20:00,179
this tax entirely then what we're gonna

436
00:19:58,080 --> 00:20:02,039
really do what we're actually doing is

437
00:20:00,179 --> 00:20:03,869
crippling the state building program for

438
00:20:02,039 --> 00:20:05,789
the future are we not yes we are

439
00:20:03,869 --> 00:20:08,029
remarkable effect David yes sir thank

440
00:20:05,789 --> 00:20:08,029
you

441
00:20:10,390 --> 00:20:14,360
mr. speaker will the gentleman yield

442
00:20:12,830 --> 00:20:16,400
yeah let's go yes sir

443
00:20:14,360 --> 00:20:18,560
gentleman yield mr. Gaston mr. Caldwell

444
00:20:16,400 --> 00:20:21,740
do you have any idea what the state is

445
00:20:18,560 --> 00:20:25,160
paying in rent for office space in

446

00:20:21,740 --> 00:20:27,800
Austin well they're paying a lot less

447
00:20:25,160 --> 00:20:28,970
now than they they were ten years ago I

448
00:20:27,800 --> 00:20:31,460
don't know I don't have those figures

449
00:20:28,970 --> 00:20:33,380
you know that they pay more than four

450
00:20:31,460 --> 00:20:37,040
million dollars a year just to rent

451
00:20:33,380 --> 00:20:39,560
office space in Austin well if you say

452
00:20:37,040 --> 00:20:42,200
so I pay more than a million dollars a

453
00:20:39,560 --> 00:20:44,690
year in Houston and ninety nine oh nine

454
00:20:42,200 --> 00:20:48,020
hundred and ninety some odd thousand

455
00:20:44,690 --> 00:20:50,510
dollars in Dallas I have a bill at the

456
00:20:48,020 --> 00:20:52,490
present time to set up a situation of

457
00:20:50,510 --> 00:20:55,400
lease purchase to save the states and

458
00:20:52,490 --> 00:20:57,620
money this kind of a fund could be a

459
00:20:55,400 --> 00:21:01,070
salvation of a great deal of tax dollars

460
00:20:57,620 --> 00:21:04,280
plus a centralization of services such

461
00:21:01,070 --> 00:21:05,720
as computers janitorial services and

462
00:21:04,280 --> 00:21:09,730
other things and I think it's a good

463
00:21:05,720 --> 00:21:09,730
approach yes sir thank you very much

464
00:21:24,230 --> 00:21:37,350
mr. Maddux temporarily withdraw the

465
00:21:27,390 --> 00:21:41,909
amendment the following amendment the

466
00:21:37,350 --> 00:21:44,250
clerk will read the amendment amendment

467
00:21:41,909 --> 00:21:47,100
by Maddox amend article 8 section 4

468
00:21:44,250 --> 00:21:47,570
subsection C of sjr 11 to read as

469
00:21:47,100 --> 00:21:51,630
follows

470
00:21:47,570 --> 00:21:54,750
section C 1 the residential homestead of

471
00:21:51,630 --> 00:21:58,919
persons at least 65 years Maddox to

472
00:21:54,750 --> 00:22:03,389
explain his amendment mr. speaker

473

00:21:58,919 --> 00:22:05,760
members if if you'll recall back during

474
00:22:03,389 --> 00:22:08,130
the Constitution convention we

475
00:22:05,760 --> 00:22:09,809
instituted in most of the consideration

476
00:22:08,130 --> 00:22:13,049
all the way through most of the document

477
00:22:09,809 --> 00:22:17,549
a mandatory tax exemption for the

478
00:22:13,049 --> 00:22:19,289
elderly over 65 years of age and since

479
00:22:17,549 --> 00:22:22,220
we have done that and there have been

480
00:22:19,289 --> 00:22:26,580
many people that have contacted me and

481
00:22:22,220 --> 00:22:29,340
have wanted to allow the cities to have

482
00:22:26,580 --> 00:22:31,919
the discretion and I just emphasize the

483
00:22:29,340 --> 00:22:35,460
discretion it's not mandatory to allow

484
00:22:31,919 --> 00:22:39,750
the cities to give a tax exemption for

485
00:22:35,460 --> 00:22:41,519
people that are disabled also so there

486
00:22:39,750 --> 00:22:43,740
is a provision in here that allows the

487
00:22:41,519 --> 00:22:47,039
state to do it and allows the state to

488
00:22:43,740 --> 00:22:48,419
tell the cities they can do it but the

489
00:22:47,039 --> 00:22:50,100
state would have to pay for the whole

490
00:22:48,419 --> 00:22:54,149
matter their thing what I want to do is

491
00:22:50,100 --> 00:22:56,370
provide a provision that allows the

492
00:22:54,149 --> 00:22:58,950
cities to give this tax exemption for

493
00:22:56,370 --> 00:23:00,899
disabled people should they decide to do

494
00:22:58,950 --> 00:23:05,299
to him what I'm attempting to do is and

495
00:23:00,899 --> 00:23:08,760
a political subdivision may also exempt

496
00:23:05,299 --> 00:23:11,399
persons from ad valorem taxation amount

497
00:23:08,760 --> 00:23:14,370
to be established by an act of its

498
00:23:11,399 --> 00:23:15,929
governing body in other words I'm trying

499
00:23:14,370 --> 00:23:18,330
to say political subdivisions where they

500

00:23:15,929 --> 00:23:20,760
pay the city the county school boards or

501
00:23:18,330 --> 00:23:22,880
anything else can make a decision on

502
00:23:20,760 --> 00:23:25,139
their own about whether they should

503
00:23:22,880 --> 00:23:28,460
exempt people that are disabled their

504
00:23:25,139 --> 00:23:31,220
honor their heart of blind people

505
00:23:28,460 --> 00:23:32,240
that our elderly have been credible

506
00:23:31,220 --> 00:23:33,799
there a lot of young people have been

507
00:23:32,240 --> 00:23:36,710
crippled that have certain disabilities

508
00:23:33,799 --> 00:23:38,450
and and we have certain standards right

509
00:23:36,710 --> 00:23:40,850
now for accepting those in determining

510
00:23:38,450 --> 00:23:42,679
those and what I'm attempting to do is

511
00:23:40,850 --> 00:23:45,379
put in this prevention that allows and

512
00:23:42,679 --> 00:23:46,490
the municipalities to make a decision

513
00:23:45,379 --> 00:23:48,499
whether they should do this now I

514
00:23:46,490 --> 00:23:50,029
suspect most y'all to understand exactly

515
00:23:48,499 --> 00:23:51,980
what I'm talking about but I don't read

516
00:23:50,029 --> 00:23:56,330
it once again I want to add the language

517
00:23:51,980 --> 00:23:58,369
a political subdivision may also exempt

518
00:23:56,330 --> 00:24:01,190
disabled persons from ad valorem

519
00:23:58,369 --> 00:24:05,659
taxation in an amount to be established

520
00:24:01,190 --> 00:24:07,549
by an act of its governing body and this

521
00:24:05,659 --> 00:24:09,019
should be I've already heard this

522
00:24:07,549 --> 00:24:11,240
because the heart of a couple of our

523
00:24:09,019 --> 00:24:13,129
members here and I this is also good of

524
00:24:11,240 --> 00:24:15,289
a good amendment and I'm just trying to

525
00:24:13,129 --> 00:24:17,749
get it adopted and I think it's totally

526
00:24:15,289 --> 00:24:19,369
discretionary and it should it should be

527

00:24:17,749 --> 00:24:22,309
acceptable to authors I don't think it

528
00:24:19,369 --> 00:24:23,600
is but it should be and I'll be glad to

529
00:24:22,309 --> 00:24:28,369
give any further explanation if it's

530
00:24:23,600 --> 00:24:31,429
necessary and I'm moving stuff that's so

531
00:24:28,369 --> 00:24:35,090
low and speak against the amendment the

532
00:24:31,429 --> 00:24:38,659
speaker members of course disabled

533
00:24:35,090 --> 00:24:40,129
people I I think that they deserve all

534
00:24:38,659 --> 00:24:42,980
the help we could give them there are

535
00:24:40,129 --> 00:24:45,740
other ways to help them however if if

536
00:24:42,980 --> 00:24:47,330
we're going to try to assist them I

537
00:24:45,740 --> 00:24:50,299
think we should do it through assistance

538
00:24:47,330 --> 00:24:52,700
programs rather than through this tax

539
00:24:50,299 --> 00:24:54,649
relief put more burden on our cities I

540
00:24:52,700 --> 00:24:57,080
think that it should be a state matter

541
00:24:54,649 --> 00:24:59,570
rather than a city city or county or

542
00:24:57,080 --> 00:25:02,169
local government matter and I would like

543
00:24:59,570 --> 00:25:05,740
to refer you to section 5 which

544
00:25:02,169 --> 00:25:08,840
specifically speaks to this problem

545
00:25:05,740 --> 00:25:12,049
under ad valorem tax relief the

546
00:25:08,840 --> 00:25:14,899
legislature by law may grant relief for

547
00:25:12,049 --> 00:25:17,059
presidential ad valorem taxes payable by

548
00:25:14,899 --> 00:25:20,029
persons determined to be in need of

549
00:25:17,059 --> 00:25:23,600
relief because of economic circumstance

550
00:25:20,029 --> 00:25:26,149
and either age or disability so if

551
00:25:23,600 --> 00:25:28,669
they're disabled and need no assistance

552
00:25:26,149 --> 00:25:31,669
then there's no reason for us to give it

553
00:25:28,669 --> 00:25:35,330
to them but if because of economic

554

00:25:31,669 --> 00:25:39,299
circumstances and disability or age they

555
00:25:35,330 --> 00:25:43,049
needed the the constitutional

556
00:25:39,299 --> 00:25:45,240
provision is there in section 5 for this

557
00:25:43,049 --> 00:25:46,620
legislature to grant it and that's the

558
00:25:45,240 --> 00:25:48,960
way I think it ought to be left I just

559
00:25:46,620 --> 00:25:53,370
don't think we ought to be adding more

560
00:25:48,960 --> 00:25:55,980
of these our relief measures back up in

561
00:25:53,370 --> 00:25:57,630
section or it's much bigger held with

562
00:25:55,980 --> 00:26:00,029
them now that's Larry well gentleman

563
00:25:57,630 --> 00:26:04,559
yield yeah let's go well yes I mean mr.

564
00:26:00,029 --> 00:26:06,360
Sullivan excuse me just sir pledge it

565
00:26:04,559 --> 00:26:08,730
needed it all and it just sort of

566
00:26:06,360 --> 00:26:11,010
redundant really isn't it well it like

567
00:26:08,730 --> 00:26:12,870
say we can get around at the same point

568
00:26:11,010 --> 00:26:15,210
if the legislature wants to through

569
00:26:12,870 --> 00:26:17,279
section 5 and I didn't I see no use in a

570
00:26:15,210 --> 00:26:20,010
much better fashion I think it's just

571
00:26:17,279 --> 00:26:21,779
another thing that we Senate might kick

572
00:26:20,010 --> 00:26:22,970
her whole article out over mr. speaker

573
00:26:21,779 --> 00:26:25,740
will the gentleman yield

574
00:26:22,970 --> 00:26:28,260
yes gentleman yield mr. president mr.

575
00:26:25,740 --> 00:26:32,029
Sullivan to what point disability was

576
00:26:28,260 --> 00:26:35,340
the person be to qualify for this

577
00:26:32,029 --> 00:26:38,460
exemption the one that mr. Maddox is

578
00:26:35,340 --> 00:26:41,370
putting is I have no idea he says a

579
00:26:38,460 --> 00:26:43,500
disabled person from ad valorem tax with

580
00:26:41,370 --> 00:26:45,779
a person with 10% disability on the

581

00:26:43,500 --> 00:26:48,149
Veterans Administration qualify for it I

582
00:26:45,779 --> 00:26:51,029
don't know what a person 90 percent or

583
00:26:48,149 --> 00:26:52,770
was well I have no idea okay that's a

584
00:26:51,029 --> 00:26:55,860
another good reason why it should be

585
00:26:52,770 --> 00:26:57,779
left in section five like it now is and

586
00:26:55,860 --> 00:27:00,480
leave it up to the legislature to grant

587
00:26:57,779 --> 00:27:02,309
this relief and in their granting of the

588
00:27:00,480 --> 00:27:05,360
relief they can set out the guidelines

589
00:27:02,309 --> 00:27:07,919
so I I would respectfully ask that the

590
00:27:05,360 --> 00:27:12,750
house vote against mr. Maddox's

591
00:27:07,919 --> 00:27:16,080
amendment that's Maddox close on his

592
00:27:12,750 --> 00:27:18,240
amendment general I like to answer one

593
00:27:16,080 --> 00:27:19,980
question that was asked by mr. Bryson

594
00:27:18,240 --> 00:27:22,080
about the amount of disability to be

595
00:27:19,980 --> 00:27:25,020
required it would be that degree of

596
00:27:22,080 --> 00:27:27,630
disability that the S would be

597
00:27:25,020 --> 00:27:29,070
legislated in by the by the governing

598
00:27:27,630 --> 00:27:30,630
body just like we do in state

599
00:27:29,070 --> 00:27:33,510
legislation they could have a sliding

600
00:27:30,630 --> 00:27:35,250
scale a person could be totally disabled

601
00:27:33,510 --> 00:27:37,049
or they can institute a sliding scale to

602
00:27:35,250 --> 00:27:39,270
determine what the great disability

603
00:27:37,049 --> 00:27:42,659
would be necessary this is not an

604
00:27:39,270 --> 00:27:45,990
uncommon type provision that takes place

605
00:27:42,659 --> 00:27:47,669
in most state legislation and what it

606
00:27:45,990 --> 00:27:49,110
does it gives a break to the to the

607
00:27:47,669 --> 00:27:49,700
disabled because there are other people

608

00:27:49,110 --> 00:27:52,610
that

609
00:27:49,700 --> 00:27:55,370
that have to retire about 60 I have to

610
00:27:52,610 --> 00:27:56,930
retire at about 62 that are disabled and

611
00:27:55,370 --> 00:27:59,180
even though that you know a lot of

612
00:27:56,930 --> 00:28:01,070
people you know that you know between 50

613
00:27:59,180 --> 00:28:03,680
and 60 sometimes the old body just wears

614
00:28:01,070 --> 00:28:05,540
out when it wears out through and they

615
00:28:03,680 --> 00:28:07,640
get disabled they have to retire some

616
00:28:05,540 --> 00:28:09,680
way another and sometimes through injury

617
00:28:07,640 --> 00:28:11,600
and sometimes through normal

618
00:28:09,680 --> 00:28:13,550
disabilities and we're going to do this

619
00:28:11,600 --> 00:28:15,200
would allow the the Miss policies

620
00:28:13,550 --> 00:28:17,000
it doesn't say they've got to it just

621
00:28:15,200 --> 00:28:19,070
allows them if they want to the

622
00:28:17,000 --> 00:28:22,640
Institute this time top tax relief and I

623
00:28:19,070 --> 00:28:23,750
move its adoption mathematics end up

624
00:28:22,640 --> 00:28:26,300
amendment

625
00:28:23,750 --> 00:28:28,370
most of the question before the house is

626
00:28:26,300 --> 00:28:30,290
only adoption of the amendment all those

627
00:28:28,370 --> 00:28:31,850
in favor of the option nematic amendment

628
00:28:30,290 --> 00:28:33,530
for vote I all those opposed will vote

629
00:28:31,850 --> 00:28:35,800
no it's a record vote declare for ring

630
00:28:33,530 --> 00:28:35,800
the mail

631
00:28:52,220 --> 00:28:59,410
vallah members voted she let the waters

632
00:28:56,780 --> 00:29:05,450
voting I show mr. Parker voting no

633
00:28:59,410 --> 00:29:07,280
Parker of Jefferson she'll be at the

634
00:29:05,450 --> 00:29:12,200
Allen book no tomato red building knows

635

00:29:07,280 --> 00:29:14,770
you'll meant to hit voting no Allen

636
00:29:12,200 --> 00:29:14,770
O'Hara snow

637
00:29:18,840 --> 00:29:22,039
all members voted

638
00:29:45,200 --> 00:29:48,850
oh that's good yeah groaning no

639
00:30:04,610 --> 00:30:12,519
no magic very honest voting aye yeah

640
00:30:09,950 --> 00:30:12,519
yeah they're all

641
00:30:16,700 --> 00:30:24,260
they're being 53 eyes 88 nose the

642
00:30:20,100 --> 00:30:27,570
amendment fails of adoption this speaker

643
00:30:24,260 --> 00:30:28,050
yes mr. Edwards inquire that you in

644
00:30:27,570 --> 00:30:29,760
court

645
00:30:28,050 --> 00:30:31,320
Lee speaker I was wondering if you're

646
00:30:29,760 --> 00:30:33,030
aware the members aware that we've got a

647
00:30:31,320 --> 00:30:34,890
group of students from New Caney High

648
00:30:33,030 --> 00:30:37,050
School in Montgomery County sitting over

649
00:30:34,890 --> 00:30:40,910
here but on my right side oh we're

650
00:30:37,050 --> 00:30:43,080
pleased to have them mr. Edwards mr.

651
00:30:40,910 --> 00:30:44,010
speaker following amendment the clerk

652
00:30:43,080 --> 00:30:49,470
will read the amendment

653
00:30:44,010 --> 00:30:51,360
Brown garments Brown I wonder if the

654
00:30:49,470 --> 00:30:53,730
speaker would mind if we violate the

655
00:30:51,360 --> 00:30:56,130
rules to introduce mrs. Linda Claire and

656
00:30:53,730 --> 00:30:57,680
mr. Joe Shelton from Rough Rider country

657
00:30:56,130 --> 00:31:00,690
with the Roosevelt High School class

658
00:30:57,680 --> 00:31:05,220
we're pleased to have them here Dave a

659
00:31:00,690 --> 00:31:07,320
trivet in Brown amendment by Maddox

660
00:31:05,220 --> 00:31:09,570
amend sjr 11 first house printing

661
00:31:07,320 --> 00:31:12,030
article 8 section 1 subsection B

662

00:31:09,570 --> 00:31:15,600
contained in section 5 subsection a of

663
00:31:12,030 --> 00:31:18,720
the resolution be no state ad valorem

664
00:31:15,600 --> 00:31:20,060
tax on real property or tender mr.

665
00:31:18,720 --> 00:31:22,440
Maddox to explain his amendment

666
00:31:20,060 --> 00:31:23,820
gentleman I don't know whether I do do

667
00:31:22,440 --> 00:31:25,770
this after y'all vote against the

668
00:31:23,820 --> 00:31:28,290
cripples and the disables I'm not sure

669
00:31:25,770 --> 00:31:30,720
that our standings but this is the

670
00:31:28,290 --> 00:31:33,030
amendment this is the mesh makeup that I

671
00:31:30,720 --> 00:31:36,960
that I pull down we're going I have put

672
00:31:33,030 --> 00:31:39,120
in here what a gentleman yields no

673
00:31:36,960 --> 00:31:42,450
question yes Magister just a minute if I

674
00:31:39,120 --> 00:31:45,000
may not at this time at that the what I

675
00:31:42,450 --> 00:31:47,490
have done is that the ad valorem tax it

676
00:31:45,000 --> 00:31:51,390
was voted out by the people was voted

677
00:31:47,490 --> 00:31:54,960
out in 19 about it out to stop at 1976

678
00:31:51,390 --> 00:31:57,630
and my amendment had it was allowing it

679
00:31:54,960 --> 00:32:01,740
to be it was was it was letting it go

680
00:31:57,630 --> 00:32:04,680
until 1978 because of what I thought to

681
00:32:01,740 --> 00:32:06,240
be your conflict in a provision but what

682
00:32:04,680 --> 00:32:08,490
I'm what I'm attempting to doing this

683
00:32:06,240 --> 00:32:11,280
amendment it puts in the exact same

684
00:32:08,490 --> 00:32:14,070
language that says but in the end it

685
00:32:11,280 --> 00:32:18,810
says it'll be levied untell December the

686
00:32:14,070 --> 00:32:20,430
31st 1976 so that's when the voter said

687
00:32:18,810 --> 00:32:22,290
voted out and that's what I think we

688
00:32:20,430 --> 00:32:24,120
ought to vote it out and it's nice to

689

00:32:22,290 --> 00:32:25,950
have pretty buildings but now if you if

690
00:32:24,120 --> 00:32:26,530
this constitution fails it's not going

691
00:32:25,950 --> 00:32:28,540
to help us

692
00:32:26,530 --> 00:32:31,450
do harder not that we won't I'll yell to

693
00:32:28,540 --> 00:32:32,680
mr. head gentleman yields miss head mr.

694
00:32:31,450 --> 00:32:35,920
Mannix

695
00:32:32,680 --> 00:32:38,830
this amendment is only to restore the

696
00:32:35,920 --> 00:32:41,320
law to the present condition that it is

697
00:32:38,830 --> 00:32:44,760
right now is that correct that's right

698
00:32:41,320 --> 00:32:48,550
and those of us that are concerned about

699
00:32:44,760 --> 00:32:50,940
tax increases and that do not want to

700
00:32:48,550 --> 00:32:53,530
increase taxes at any point right now

701
00:32:50,940 --> 00:32:56,020
should vote for this amendment is that

702
00:32:53,530 --> 00:32:58,510
right that's right absolutely if this

703
00:32:56,020 --> 00:33:00,880
amendment does not go on that will be in

704
00:32:58,510 --> 00:33:05,260
effect the tax increase on people this

705
00:33:00,880 --> 00:33:06,730
state is that we will be living if this

706
00:33:05,260 --> 00:33:09,970
amendment doesn't go on wind effect

707
00:33:06,730 --> 00:33:11,050
we'll be living a 2 cent mistake on tax

708
00:33:09,970 --> 00:33:12,880
per hundred when you have a little

709
00:33:11,050 --> 00:33:16,030
better order I'd like to all the members

710
00:33:12,880 --> 00:33:19,450
know what they're voting them members

711
00:33:16,030 --> 00:33:22,570
must have attention to the debate before

712
00:33:19,450 --> 00:33:26,050
the house will not proceed until we have

713
00:33:22,570 --> 00:33:28,350
better order them definitely had just a

714
00:33:26,050 --> 00:33:28,350
minute between

715
00:33:36,100 --> 00:33:40,600
now proceed with your questioning my

716

00:33:37,990 --> 00:33:43,360
said for those members on the floor

717
00:33:40,600 --> 00:33:46,060
today who do not want to vote for a tax

718
00:33:43,360 --> 00:33:47,500
increase they want to be sure and listen

719
00:33:46,060 --> 00:33:49,600
to this don't they mr. Maddock

720
00:33:47,500 --> 00:33:52,510
absolutely and they'll want to vote with

721
00:33:49,600 --> 00:33:54,670
your amendment absolutely make sure that

722
00:33:52,510 --> 00:33:59,440
the next time they come before the

723
00:33:54,670 --> 00:34:01,000
people in the 1976 elections that their

724
00:33:59,440 --> 00:34:02,560
opponents won't be going around saying

725
00:34:01,000 --> 00:34:04,840
you voted for a tax increase

726
00:34:02,560 --> 00:34:06,220
sorry that's exactly what I'm attempting

727
00:34:04,840 --> 00:34:07,840
to stop I think you've got a good

728
00:34:06,220 --> 00:34:09,700
amendment and I hope you have plenty of

729
00:34:07,840 --> 00:34:11,980
votes put it on I think that it will

730
00:34:09,700 --> 00:34:13,540
help us pass the Constitution those of

731
00:34:11,980 --> 00:34:15,640
us that do not want to vote for a tax

732
00:34:13,540 --> 00:34:19,360
increase may have to vote against it if

733
00:34:15,640 --> 00:34:21,250
this doesn't go home miss members it's

734
00:34:19,360 --> 00:34:23,830
gonna take a two-thirds vote to put this

735
00:34:21,250 --> 00:34:25,660
amendment on but what it does is it I'm

736
00:34:23,830 --> 00:34:28,060
attempting to put the law right back

737
00:34:25,660 --> 00:34:31,030
like the voters put it that is not a

738
00:34:28,060 --> 00:34:34,510
well and a continuation of the two

739
00:34:31,030 --> 00:34:36,220
simple tax on that own property and and

740
00:34:34,510 --> 00:34:37,870
if we don't do this well then we're

741
00:34:36,220 --> 00:34:39,790
going to have that right and rod hit an

742
00:34:37,870 --> 00:34:41,260
all around said and if you go and

743

00:34:39,790 --> 00:34:42,790
fight if you know if you go to get this

744
00:34:41,260 --> 00:34:44,950
amendment you're going to be voted

745
00:34:42,790 --> 00:34:47,230
exactly to in effect to putting a tax

746
00:34:44,950 --> 00:34:54,670
increase in this state and I'm not and

747
00:34:47,230 --> 00:34:56,410
you know a lot of people will get a lot

748
00:34:54,670 --> 00:34:58,180
of people you know a lot of people get

749
00:34:56,410 --> 00:35:00,130
up here on the on the microphone and do

750
00:34:58,180 --> 00:35:01,750
a lot of a lot of demagogue and a lot of

751
00:35:00,130 --> 00:35:03,670
talking and a lot of things you know

752
00:35:01,750 --> 00:35:05,500
that did sell a lot of scary things to

753
00:35:03,670 --> 00:35:07,030
try to make you listen to them I'm not

754
00:35:05,500 --> 00:35:09,340
attempting to do that what I was simply

755
00:35:07,030 --> 00:35:12,280
attempting to do is tell you you better

756
00:35:09,340 --> 00:35:14,380
put the law back like the voters put it

757
00:35:12,280 --> 00:35:15,910
and if you don't put it back up they put

758
00:35:14,380 --> 00:35:18,460
it then you're going to be voting for a

759
00:35:15,910 --> 00:35:20,560
tax increase and by voting for a tax

760
00:35:18,460 --> 00:35:23,440
increase you're going to doom this

761
00:35:20,560 --> 00:35:27,640
article the Constitution and we don't

762
00:35:23,440 --> 00:35:28,030
need to I think it does the gentleman

763
00:35:27,640 --> 00:35:31,120
yield

764
00:35:28,030 --> 00:35:32,730
yo mathematics oh yes Germany Oatman mr.

765
00:35:31,120 --> 00:35:35,140
Maddux you talk about a tax increase

766
00:35:32,730 --> 00:35:37,600
aren't the people presently playing this

767
00:35:35,140 --> 00:35:40,360
two cents yeah but they voted to quit it

768
00:35:37,600 --> 00:35:41,500
in 76 that's right they voted on that

769
00:35:40,360 --> 00:35:42,880
when they were talking about a whole

770

00:35:41,500 --> 00:35:43,390
nother constitution and a whole

771
00:35:42,880 --> 00:35:44,829
different

772
00:35:43,390 --> 00:35:46,299
axÃ© concept warn't day and this

773
00:35:44,829 --> 00:35:49,059
Constitution in fact very greatly

774
00:35:46,299 --> 00:35:52,450
reduces the overall ad valorem tax

775
00:35:49,059 --> 00:35:54,490
advice tax is a tax and I'm tell you the

776
00:35:52,450 --> 00:35:56,440
people voted out this tax and you're

777
00:35:54,490 --> 00:35:57,819
proud to put the thing back in and I

778
00:35:56,440 --> 00:36:00,670
don't want to put tax here to build a

779
00:35:57,819 --> 00:36:02,740
better now mr. max you misrepresented

780
00:36:00,670 --> 00:36:04,960
you're talking about a new tax or a tax

781
00:36:02,740 --> 00:36:06,190
which doesn't presently exist this this

782
00:36:04,960 --> 00:36:07,720
tax you're talking about is in the

783
00:36:06,190 --> 00:36:09,480
present Constitution the people are

784
00:36:07,720 --> 00:36:11,440
paying it now and it's the

785
00:36:09,480 --> 00:36:13,869
misrepresentation to say we're increase

786
00:36:11,440 --> 00:36:16,869
anybody's taxes if the people have voted

787
00:36:13,869 --> 00:36:18,789
to end their taxes of 1976 and you put

788
00:36:16,869 --> 00:36:20,410
two cents back on them if that's not

789
00:36:18,789 --> 00:36:22,329
increasing their taxes I don't know what

790
00:36:20,410 --> 00:36:24,250
you call it mister bottom well mr.

791
00:36:22,329 --> 00:36:26,410
Maddox I would say that that I

792
00:36:24,250 --> 00:36:28,390
originally supported the Constitution

793
00:36:26,410 --> 00:36:30,910
and an idea that we would phase out all

794
00:36:28,390 --> 00:36:33,039
that valorem taxes but it became

795
00:36:30,910 --> 00:36:34,809
painfully evident that in order to

796
00:36:33,039 --> 00:36:37,000
support our house Institute of higher

797

00:36:34,809 --> 00:36:39,910
education we had to continue an ad

798
00:36:37,000 --> 00:36:41,650
valorem tax system so by continuing the

799
00:36:39,910 --> 00:36:43,539
present Constitution allowed valorem tax

800
00:36:41,650 --> 00:36:45,130
system we're simply continuing this tact

801
00:36:43,539 --> 00:36:46,960
which is already in the Constitution

802
00:36:45,130 --> 00:36:49,119
it's nothing unusual or nothing foreign

803
00:36:46,960 --> 00:36:51,220
and I just don't understand here's the

804
00:36:49,119 --> 00:36:53,200
voters are misrepresenting this man I'm

805
00:36:51,220 --> 00:36:54,789
not misrepresenting anything mr. Biden

806
00:36:53,200 --> 00:36:56,529
if anybody is you are what I'm telling

807
00:36:54,789 --> 00:36:58,720
you is look the voters said you can keep

808
00:36:56,529 --> 00:37:00,519
at college tax they says you can keep

809
00:36:58,720 --> 00:37:03,339
that but we want to do away with this

810
00:37:00,519 --> 00:37:05,470
other tax they voted in 1976 to do it by

811
00:37:03,339 --> 00:37:07,000
an overwhelming majority and it's time

812
00:37:05,470 --> 00:37:11,680
that would kill the thing so you don't

813
00:37:07,000 --> 00:37:14,529
have it mr. speaker that's all we're

814
00:37:11,680 --> 00:37:16,509
doing here Oh yells Matt Oh mr. Maddox

815
00:37:14,529 --> 00:37:17,680
I'm I'm inclined to go along with you

816
00:37:16,509 --> 00:37:19,329
and what you're trying to do but I've

817
00:37:17,680 --> 00:37:21,670
got something that I don't understand

818
00:37:19,329 --> 00:37:23,650
about this this tax goal is to build

819
00:37:21,670 --> 00:37:24,789
build buildings does it not just to

820
00:37:23,650 --> 00:37:28,599
sense tax that you're trying to

821
00:37:24,789 --> 00:37:30,460
eliminate in 76 in effect yes okay do

822
00:37:28,599 --> 00:37:32,140
you agree that there is a need to build

823
00:37:30,460 --> 00:37:33,400
some builders principle for the Building

824

00:37:32,140 --> 00:37:34,660

Commission right so there is a need to

825

00:37:33,400 --> 00:37:36,039

build some of these building I think you

826

00:37:34,660 --> 00:37:38,319

and I support some of these propositions

827

00:37:36,039 --> 00:37:41,440

that's right that's true okay if we take

828

00:37:38,319 --> 00:37:42,460

away this there's two cents tax well we

829

00:37:41,440 --> 00:37:44,140

have to get the money from the bill

830

00:37:42,460 --> 00:37:45,670

these buildings we get out we get out

831

00:37:44,140 --> 00:37:47,349

general revenue okay what is the

832

00:37:45,670 --> 00:37:51,009

principal source of general revenue

833

00:37:47,349 --> 00:37:52,869

monies were Asian what is the principal

834

00:37:51,009 --> 00:37:55,550

source of the revenue what

835

00:37:52,869 --> 00:37:57,230

well it comes from self sales tax okay

836

00:37:55,550 --> 00:37:58,940

which do you find more acceptable for

837

00:37:57,230 --> 00:38:00,710

the people you represent for the people

838
00:37:58,940 --> 00:38:05,240
because people didn't vote on sales tax

839
00:38:00,710 --> 00:38:07,310
either to syntax or whether I want to

840
00:38:05,240 --> 00:38:08,780
take out sales taxes I'd rather think it

841
00:38:07,310 --> 00:38:10,160
out with general revenues right now but

842
00:38:08,780 --> 00:38:11,840
you're right there they had a sales tax

843
00:38:10,160 --> 00:38:13,550
in this to since that's really different

844
00:38:11,840 --> 00:38:16,010
I'd rather take it out of the broad

845
00:38:13,550 --> 00:38:17,930
range of taxes that come out right okay

846
00:38:16,010 --> 00:38:19,400
let me let me ask you something else the

847
00:38:17,930 --> 00:38:21,349
people are going to get a chance if this

848
00:38:19,400 --> 00:38:22,790
stays in the vote on this to sense but

849
00:38:21,349 --> 00:38:24,619
if we come down and decide we're going

850
00:38:22,790 --> 00:38:26,240
to slap another pin on the sales tax do

851

00:38:24,619 --> 00:38:28,040
we have anything to say about it I'm not

852
00:38:26,240 --> 00:38:29,810
going to vote for any any encrypt this

853
00:38:28,040 --> 00:38:32,300
legislature could and very often you and

854
00:38:29,810 --> 00:38:37,700
I lose that's right

855
00:38:32,300 --> 00:38:39,710
Thank You members I think I think that

856
00:38:37,700 --> 00:38:42,020
the issue should be pretty clear if you

857
00:38:39,710 --> 00:38:44,480
want to put put this two cent tax back

858
00:38:42,020 --> 00:38:47,300
in if you want to put the two cent tax

859
00:38:44,480 --> 00:38:49,460
back in on the people I think we're

860
00:38:47,300 --> 00:38:50,510
presenting the issue to you it was not

861
00:38:49,460 --> 00:38:52,400
presented during the Constitutional

862
00:38:50,510 --> 00:38:54,530
Convention because this was this is

863
00:38:52,400 --> 00:38:56,839
pretty in the Michael document 32 that

864
00:38:54,530 --> 00:38:58,940
was never accepted and so I'm trying to

865
00:38:56,839 --> 00:39:01,130
crystallize the issue and either fire

866
00:38:58,940 --> 00:39:02,599
putting this two cent tax back in are

867
00:39:01,130 --> 00:39:04,099
you against it you just got to make a

868
00:39:02,599 --> 00:39:06,950
decision and I don't know any other way

869
00:39:04,099 --> 00:39:16,660
to make it any and curved and I moved

870
00:39:06,950 --> 00:39:16,660
the adoption of my amendment mr. Maddox

871
00:39:18,320 --> 00:39:26,060
that's carwell to oppose mr. speaking

872
00:39:23,240 --> 00:39:27,530
members I really want to I think it's

873
00:39:26,060 --> 00:39:31,760
important that you understand what

874
00:39:27,530 --> 00:39:35,060
you're voting on here it's not rich

875
00:39:31,760 --> 00:39:39,800
versus poor it's not conservative versus

876
00:39:35,060 --> 00:39:42,010
liberal it involves the source that the

877
00:39:39,800 --> 00:39:44,780
tax comes from for a particular purpose

878

00:39:42,010 --> 00:39:48,650
you have to consider all of the taxes

879
00:39:44,780 --> 00:39:51,110
that go into general revenue and if you

880
00:39:48,650 --> 00:39:54,970
think they're progressive regressive or

881
00:39:51,110 --> 00:39:57,950
median and then the ad valorem tax

882
00:39:54,970 --> 00:40:01,370
that's one consideration if you approach

883
00:39:57,950 --> 00:40:03,470
it philosophically but really I think

884
00:40:01,370 --> 00:40:07,700
there's a pragmatic consideration here

885
00:40:03,470 --> 00:40:09,800
we've been able to build some

886
00:40:07,700 --> 00:40:12,830
much-needed buildings to save the

887
00:40:09,800 --> 00:40:14,120
taxpayers a great deal of money and what

888
00:40:12,830 --> 00:40:17,810
they were paying for rent and

889
00:40:14,120 --> 00:40:20,630
inefficiency because of this tax the tax

890
00:40:17,810 --> 00:40:23,420
unlike what mr. had said is it's not

891
00:40:20,630 --> 00:40:26,510
voting for a tax increase the people are

892
00:40:23,420 --> 00:40:28,070
paying the tax today and the question is

893
00:40:26,510 --> 00:40:33,400
whether or not you want to keep the

894
00:40:28,070 --> 00:40:36,680
building fund extant or whether you have

895
00:40:33,400 --> 00:40:38,750
faith that future legislators will

896
00:40:36,680 --> 00:40:39,860
appropriate necessary monies out of

897
00:40:38,750 --> 00:40:42,350
general revenue

898
00:40:39,860 --> 00:40:43,970
I'm sorry I don't have that faith it's

899
00:40:42,350 --> 00:40:46,280
just awfully easy if you have a

900
00:40:43,970 --> 00:40:49,220
dedicated fund like this for our purpose

901
00:40:46,280 --> 00:40:53,270
and and buildings as needed will be

902
00:40:49,220 --> 00:40:55,280
built in if they're not they want but if

903
00:40:53,270 --> 00:40:58,160
you pass this amendment I assure you

904
00:40:55,280 --> 00:41:01,610
there are more than enough places to

905

00:40:58,160 --> 00:41:04,280
spend general revenue particularly when

906
00:41:01,610 --> 00:41:07,160
you consider the House and the Senate

907
00:41:04,280 --> 00:41:11,210
and all the special projects that the

908
00:41:07,160 --> 00:41:11,600
money just won't be there mr. bigger yep

909
00:41:11,210 --> 00:41:13,190
let's go

910
00:41:11,600 --> 00:41:17,090
well gentlemen you'll forget let's go

911
00:41:13,190 --> 00:41:19,040
well yes sir mr. Conwell I am originally

912
00:41:17,090 --> 00:41:21,890
Life thematics concept but I'm beginning

913
00:41:19,040 --> 00:41:24,530
to agree with you in one area but but

914
00:41:21,890 --> 00:41:26,450
I've got a question if we take it wasn't

915
00:41:24,530 --> 00:41:29,690
ten of the Appropriations Committee by

916
00:41:26,450 --> 00:41:31,220
the language may be reduced is that what

917
00:41:29,690 --> 00:41:33,890
we're on are we on are we on that

918
00:41:31,220 --> 00:41:37,310
language it says this two cent tax may

919
00:41:33,890 --> 00:41:40,070
be reduced by law yeah well yes sir the

920
00:41:37,310 --> 00:41:41,090
the the two cent tax could be done away

921
00:41:40,070 --> 00:41:43,130
with and all that

922
00:41:41,090 --> 00:41:44,780
that's my question it doesn't say

923
00:41:43,130 --> 00:41:47,240
eliminate and I you know and you know

924
00:41:44,780 --> 00:41:50,240
how the court sometimes get to those

925
00:41:47,240 --> 00:41:53,480
kinds of issues the court might might

926
00:41:50,240 --> 00:41:55,220
come back and say this two cent if it

927
00:41:53,480 --> 00:41:56,750
was eliminated they might say somebody

928
00:41:55,220 --> 00:41:58,700
might say well you can't do that because

929
00:41:56,750 --> 00:42:00,260
you could only reduce it if they meant

930
00:41:58,700 --> 00:42:02,450
eliminate they would have used eliminate

931
00:42:00,260 --> 00:42:04,280
and I'm just asking you for purposes of

932

00:42:02,450 --> 00:42:06,250
the record and legislative intent and

933
00:42:04,280 --> 00:42:08,330
perhaps from your recollection of

934
00:42:06,250 --> 00:42:10,280
chairman of that committee during the

935
00:42:08,330 --> 00:42:11,810
Constitutional Convention whether or not

936
00:42:10,280 --> 00:42:16,210
it was intended that you could eliminate

937
00:42:11,810 --> 00:42:21,140
that tax by law well the convention

938
00:42:16,210 --> 00:42:23,120
meant to eliminate it by not that is the

939
00:42:21,140 --> 00:42:24,980
Finance Committee by not speaking to it

940
00:42:23,120 --> 00:42:27,170
but then when the half thing came in

941
00:42:24,980 --> 00:42:30,860
when we got back into the ad valorem tax

942
00:42:27,170 --> 00:42:32,720
business since this building fund had

943
00:42:30,860 --> 00:42:36,920
served such a useful purpose and it's

944
00:42:32,720 --> 00:42:39,500
such a small tax that's why I'm sure the

945
00:42:36,920 --> 00:42:42,620
transition and committee that you know

946
00:42:39,500 --> 00:42:45,710
that committee went back to it because

947
00:42:42,620 --> 00:42:49,550
in concept it had been made available

948
00:42:45,710 --> 00:42:53,270
for health but if the Maddox amendment

949
00:42:49,550 --> 00:42:57,560
is adopted then I think we have a

950
00:42:53,270 --> 00:43:01,550
generally regressive tax system in the

951
00:42:57,560 --> 00:43:03,410
state and I think that with property

952
00:43:01,550 --> 00:43:05,750
real property tax reform which we're

953
00:43:03,410 --> 00:43:09,290
going to have I think this will be a

954
00:43:05,750 --> 00:43:11,690
much fairer tax and so I think from that

955
00:43:09,290 --> 00:43:13,940
standpoint you and good concept should

956
00:43:11,690 --> 00:43:16,460
vote against the Matic Maddox amendment

957
00:43:13,940 --> 00:43:23,360
all right thank you very much my

958
00:43:16,460 --> 00:43:27,140
furniture gentleman you mr. Carr well

959

00:43:23,360 --> 00:43:31,160
we're really not now adding back a tax

960
00:43:27,140 --> 00:43:32,900
or placing a tax even the issue going to

961
00:43:31,160 --> 00:43:34,430
be let the people decide where they want

962
00:43:32,900 --> 00:43:35,630
to continue this because if they don't

963
00:43:34,430 --> 00:43:37,490
they'll hold down the fine

964
00:43:35,630 --> 00:43:39,530
it's article where should they vote down

965
00:43:37,490 --> 00:43:41,690
the finance article and also if they

966
00:43:39,530 --> 00:43:44,450
want their legislatures in the future

967
00:43:41,690 --> 00:43:47,180
not to impose this tax they can abolish

968
00:43:44,450 --> 00:43:49,130
the tax it just it gives latitude to

969
00:43:47,180 --> 00:43:51,260
legislators in the future but it doesn't

970
00:43:49,130 --> 00:43:54,080
force anything on anybody just makes it

971
00:43:51,260 --> 00:43:57,280
permissible I hope you'll vote against

972
00:43:54,080 --> 00:43:57,280
the mathematics amendment

973
00:44:04,770 --> 00:44:07,670
it had

974
00:44:08,550 --> 00:44:13,060
Cherokee's head speak for the amendment

975
00:44:10,780 --> 00:44:16,300
mr. speaker members I want to speak in

976
00:44:13,060 --> 00:44:18,460
favor of this amendment the you look at

977
00:44:16,300 --> 00:44:25,870
the document that you work in from on

978
00:44:18,460 --> 00:44:31,240
page 85 the language says that the on

979
00:44:25,870 --> 00:44:34,330
line 28 acts of two cents on the 100

980
00:44:31,240 --> 00:44:36,610
dollar assessed valuation that is hereby

981
00:44:34,330 --> 00:44:39,040
levied to provide funds for the state

982
00:44:36,610 --> 00:44:42,420
building fund and then it goes on to say

983
00:44:39,040 --> 00:44:47,290
the two cent tax may be reduced by law

984
00:44:42,420 --> 00:44:50,080
right now this tax is in effect the

985
00:44:47,290 --> 00:44:53,530
people voted in 1968 to completely

986

00:44:50,080 --> 00:44:57,100
phase-out this tax and it has been in

987
00:44:53,530 --> 00:44:59,770
the process of being phased out and will

988
00:44:57,100 --> 00:45:06,070
be phased out unless this constitution

989
00:44:59,770 --> 00:45:08,740
is passed by 3731 of 1976 if the

990
00:45:06,070 --> 00:45:13,390
Constitution is passed as it appears on

991
00:45:08,740 --> 00:45:17,110
page 85 the two cent tax will be put

992
00:45:13,390 --> 00:45:20,860
back into effect forever unless the

993
00:45:17,110 --> 00:45:24,340
legislature comes back and changes it by

994
00:45:20,860 --> 00:45:27,520
a vote here to reduce it now if you want

995
00:45:24,340 --> 00:45:30,880
to vote for two cents more property tax

996
00:45:27,520 --> 00:45:34,600
but people you represent you go ahead

997
00:45:30,880 --> 00:45:36,280
and vote against the amendment if you do

998
00:45:34,600 --> 00:45:39,040
not want to vote for two cents for

999
00:45:36,280 --> 00:45:41,190
property tax and you want to stand by

1000
00:45:39,040 --> 00:45:43,960
the vote of the people that was had in

1001
00:45:41,190 --> 00:45:45,550
1968 then you need to vote for the

1002
00:45:43,960 --> 00:45:48,670
amendment it's that simple

1003
00:45:45,550 --> 00:45:51,250
I personally do not want to vote for any

1004
00:45:48,670 --> 00:45:54,010
more tax increases of any kind at the

1005
00:45:51,250 --> 00:45:55,720
present time and I would hope that we

1006
00:45:54,010 --> 00:45:58,930
would have enough votes for this

1007
00:45:55,720 --> 00:46:02,920
amendment to put it on thank you the

1008
00:45:58,930 --> 00:46:06,580
speaker will jump in here the gentleman

1009
00:46:02,920 --> 00:46:09,550
to you to deploy mr. Mathers to close on

1010
00:46:06,580 --> 00:46:12,010
the amendment gentleman I've been

1011
00:46:09,550 --> 00:46:14,170
talking to people out of Florida and I I

1012
00:46:12,010 --> 00:46:15,790
know it's really hard to you know to

1013

00:46:14,170 --> 00:46:17,710
concentrate on these things when y'all

1014
00:46:15,790 --> 00:46:20,590
talking about everything else and and

1015
00:46:17,710 --> 00:46:21,290
I'm just going to say one more time what

1016
00:46:20,590 --> 00:46:24,440
this mmm

1017
00:46:21,290 --> 00:46:30,250
does you make the voters voted to in

1018
00:46:24,440 --> 00:46:34,040
this 2% tax they voted to end it

1019
00:46:30,250 --> 00:46:37,970
this document puts that 2 cent tax back

1020
00:46:34,040 --> 00:46:40,070
in the voters voted to ended in 76 and

1021
00:46:37,970 --> 00:46:42,650
this document puts it back in what I'm

1022
00:46:40,070 --> 00:46:44,480
trying to do is do just like the voters

1023
00:46:42,650 --> 00:46:49,360
indicated they want us to us in the

1024
00:46:44,480 --> 00:46:52,190
thing in the thing by letting it end in

1025
00:46:49,360 --> 00:46:53,330
1976 and I think you still are advantage

1026
00:46:52,190 --> 00:46:55,820
to do that I think it's to this

1027
00:46:53,330 --> 00:46:58,540
documents advantage and I appreciate

1028
00:46:55,820 --> 00:47:04,090
your support now yield yield mr. Hall

1029
00:46:58,540 --> 00:47:06,590
mr. speaker the gentleman yield mr. Hall

1030
00:47:04,090 --> 00:47:09,620
mr. Maddox I don't mean to belabor this

1031
00:47:06,590 --> 00:47:11,120
but but you why don't you hit them yeah

1032
00:47:09,620 --> 00:47:13,250
but you keep saying that the people

1033
00:47:11,120 --> 00:47:15,260
voted to eliminate this tax that's right

1034
00:47:13,250 --> 00:47:17,390
you're dead and you're probably right

1035
00:47:15,260 --> 00:47:18,860
will they not get a chance to vote shift

1036
00:47:17,390 --> 00:47:20,210
this Constitution pass would it in there

1037
00:47:18,860 --> 00:47:22,010
to reinstitute it themselves

1038
00:47:20,210 --> 00:47:25,400
what is that would they not get a chance

1039
00:47:22,010 --> 00:47:26,960
to vote to reinstated themselves if it

1040

00:47:25,400 --> 00:47:31,070
stays in other people got devoted back

1041
00:47:26,960 --> 00:47:33,500
in to want it yeah people can vote on

1042
00:47:31,070 --> 00:47:34,790
that right yeah okay we've got a sales

1043
00:47:33,500 --> 00:47:36,200
tax in the state that you're really

1044
00:47:34,790 --> 00:47:37,520
saying what you're really saying is that

1045
00:47:36,200 --> 00:47:38,960
we ought to take this out of that sales

1046
00:47:37,520 --> 00:47:40,400
tax rather than taking out an ad valorem

1047
00:47:38,960 --> 00:47:43,730
tax that's really what you're saying if

1048
00:47:40,400 --> 00:47:45,920
we do it at all we have okay now but do

1049
00:47:43,730 --> 00:47:47,660
you think do you think the people would

1050
00:47:45,920 --> 00:47:49,220
have passed the sales tax if they had a

1051
00:47:47,660 --> 00:47:52,180
chance to vote on it I'm gonna tell you

1052
00:47:49,220 --> 00:47:54,830
a secret they passed it Houston didn't

1053
00:47:52,180 --> 00:47:56,570
do yes they were mr. Hawley they would

1054
00:47:54,830 --> 00:47:58,220
have had a vote they passed it in Dallas

1055
00:47:56,570 --> 00:47:59,210
County and passed in Harris County and

1056
00:47:58,220 --> 00:48:00,560
you were to go to court

1057
00:47:59,210 --> 00:48:02,390
huh and you would have voted for no I

1058
00:48:00,560 --> 00:48:04,010
voted against it but they did pass it

1059
00:48:02,390 --> 00:48:05,840
they did pass it that's the issue and

1060
00:48:04,010 --> 00:48:08,990
he's gonna take this one out

1061
00:48:05,840 --> 00:48:13,400
miss speaker will miss my heel I will

1062
00:48:08,990 --> 00:48:15,320
you mr. Maddox gentleman you isn't this

1063
00:48:13,400 --> 00:48:18,020
kind of a noble adage once you get a tax

1064
00:48:15,320 --> 00:48:21,050
started then it's just not politically

1065
00:48:18,020 --> 00:48:23,390
feasible to cut it off and it goes on on

1066
00:48:21,050 --> 00:48:25,770
and on and on as I understand this thing

1067

00:48:23,390 --> 00:48:27,450
start out as a pension for vet

1068
00:48:25,770 --> 00:48:30,270
for a Confederate veteran that's right

1069
00:48:27,450 --> 00:48:31,650
started out it started out as a pension

1070
00:48:30,270 --> 00:48:33,390
for Confederate Veterans and then he

1071
00:48:31,650 --> 00:48:35,520
went into a special group the Rangers

1072
00:48:33,390 --> 00:48:36,930
and then after that money went away then

1073
00:48:35,520 --> 00:48:39,300
they started building buildings out here

1074
00:48:36,930 --> 00:48:40,140
then the people said we want to stop

1075
00:48:39,300 --> 00:48:42,540
this tax

1076
00:48:40,140 --> 00:48:44,310
we don't want it anymore and now we're

1077
00:48:42,540 --> 00:48:46,500
starting to put it back in and it's just

1078
00:48:44,310 --> 00:48:49,230
a continuation of an old problem and we

1079
00:48:46,500 --> 00:48:51,300
don't need it we should stop it I think

1080
00:48:49,230 --> 00:48:53,100
you've got a good amendment here mr.

1081
00:48:51,300 --> 00:48:56,700
Maddox and it seems to me that if we're

1082
00:48:53,100 --> 00:48:58,680
going to go the way this the

1083
00:48:56,700 --> 00:49:00,960
Constitution the Constitution lays down

1084
00:48:58,680 --> 00:49:02,910
says reduce it by law if we want it we

1085
00:49:00,960 --> 00:49:05,610
could establish it by law - couldn't we

1086
00:49:02,910 --> 00:49:07,650
when I put notes in the condo we could

1087
00:49:05,610 --> 00:49:09,330
not wake in on ambushes we could not

1088
00:49:07,650 --> 00:49:11,280
establish it and that's what the voters

1089
00:49:09,330 --> 00:49:13,200
voted on I said we don't want you

1090
00:49:11,280 --> 00:49:14,970
establishment any more ad valorem taxes

1091
00:49:13,200 --> 00:49:16,980
in the state of Texas we don't want you

1092
00:49:14,970 --> 00:49:18,210
taxing property anymore and that's what

1093
00:49:16,980 --> 00:49:20,160
we're trying to do is take off the

1094

00:49:18,210 --> 00:49:21,780
property taxes if possible I think

1095
00:49:20,160 --> 00:49:25,670
you've got a good one mr. man thank you

1096
00:49:21,780 --> 00:49:28,770
I move its adoption mr. speaker

1097
00:49:25,670 --> 00:49:30,300
questions only adoption of the Maddox

1098
00:49:28,770 --> 00:49:32,250
amendment as many as are in favor vote

1099
00:49:30,300 --> 00:49:34,080
aye those opposed vote no this is a

1100
00:49:32,250 --> 00:49:40,560
division vote vote from your desk

1101
00:49:34,080 --> 00:49:42,300
remember record votes requested a record

1102
00:49:40,560 --> 00:49:43,920
votes granted let's vote from your desk

1103
00:49:42,300 --> 00:49:46,370
members this is a record vote the clerk

1104
00:49:43,920 --> 00:49:46,370
will ring the bell

1105
00:50:00,460 --> 00:50:03,569
have all voted

1106
00:50:07,860 --> 00:50:14,420
so mr. Montoya voting no mr. Pitney on

1107
00:50:15,590 --> 00:50:25,790
powers I show mr. Truong voting on

1108
00:50:30,510 --> 00:50:39,350
mr. Mankins she almost American voting

1109
00:50:33,300 --> 00:50:39,350
on mr. Edwards I'm

1110
00:50:49,910 --> 00:50:54,280
so Mr Craddock voting ID instead of No

1111
00:51:13,350 --> 00:51:17,750
so mr. Fox I instead of know

1112
00:51:26,550 --> 00:51:37,800
they're being 72 eyes and 67 nose the

1113
00:51:30,870 --> 00:51:38,850
motion fails of adoption following

1114
00:51:37,800 --> 00:51:45,180
amendment the clerk will read the

1115
00:51:38,850 --> 00:51:49,050
amendment amendment by rentals amend sjr

1116
00:51:45,180 --> 00:51:50,910
11 by striking section 4b of article 8

1117
00:51:49,050 --> 00:51:53,820
and substituting in lieu thereof the

1118
00:51:50,910 --> 00:51:56,430
following be the residential homestead

1119
00:51:53,820 --> 00:51:58,250
of persons at least 65 years old whose

1120
00:51:56,430 --> 00:52:00,750
annual personal income from all sources

1121

00:51:58,250 --> 00:52:02,490
does not exceed eight thousand four

1122
00:52:00,750 --> 00:52:08,910
hundred dollars chair recognize mr.

1123
00:52:02,490 --> 00:52:13,650
Rimmer's explain the amendment the

1124
00:52:08,910 --> 00:52:16,650
speaker members under the present

1125
00:52:13,650 --> 00:52:19,980
language of this section makes a blanket

1126
00:52:16,650 --> 00:52:21,480
exemption for everyone at 65 years of

1127
00:52:19,980 --> 00:52:24,810
age or older

1128
00:52:21,480 --> 00:52:27,990
this amendment brings in to play the

1129
00:52:24,810 --> 00:52:32,730
economics and I use my own district as

1130
00:52:27,990 --> 00:52:37,260
an example those individuals 65 years of

1131
00:52:32,730 --> 00:52:41,850
age and older in my district have the

1132
00:52:37,260 --> 00:52:46,200
ability to pay local school city and

1133
00:52:41,850 --> 00:52:48,930
county everyone tax and I do not believe

1134
00:52:46,200 --> 00:52:51,990
they should be exempted under the

1135
00:52:48,930 --> 00:52:55,950
language of Article II from paying a

1136
00:52:51,990 --> 00:53:00,180
blanket exemption on \$3,000 this

1137
00:52:55,950 --> 00:53:03,960
amendment provides that they sign at

1138
00:53:00,180 --> 00:53:06,750
time they request exemption that anyone

1139
00:53:03,960 --> 00:53:11,790
making eighty four hundred dollars or

1140
00:53:06,750 --> 00:53:15,150
more would not be exempt under this

1141
00:53:11,790 --> 00:53:17,430
section from paying that room tax it's

1142
00:53:15,150 --> 00:53:21,150
that simple I just bring an economic

1143
00:53:17,430 --> 00:53:23,550
factor into the section if they have the

1144
00:53:21,150 --> 00:53:26,100
ability to pay the local level on tax

1145
00:53:23,550 --> 00:53:29,540
then they should pay it not move

1146
00:53:26,100 --> 00:53:29,540
adoption of the amendment

1147
00:53:38,790 --> 00:53:48,090
mr. Solomon to speak against him in okay

1148

00:53:46,170 --> 00:53:50,010
we got a wrong he's amended wrong

1149
00:53:48,090 --> 00:53:51,540
section number one you think you need to

1150
00:53:50,010 --> 00:53:53,930
pull it down try to correct it or

1151
00:53:51,540 --> 00:53:53,930
something

1152
00:54:19,680 --> 00:54:24,510
the amendments withdrawn the following

1153
00:54:23,520 --> 00:54:26,660
amendment the clerk will read the

1154
00:54:24,510 --> 00:54:26,660
amendment

1155
00:54:28,370 --> 00:54:34,380
amendment by Finney amend SJ r11 biting

1156
00:54:31,680 --> 00:54:35,480
a new section to article 8 on page 93 to

1157
00:54:34,380 --> 00:54:39,960
read as follows

1158
00:54:35,480 --> 00:54:42,300
section 14 limitation on state taxes a

1159
00:54:39,960 --> 00:54:45,150
no law may be enacted that would

1160
00:54:42,300 --> 00:54:48,450
increase state taxes to more than 8% of

1161
00:54:45,150 --> 00:54:52,920
the total income of the state unless mr.

1162
00:54:48,450 --> 00:54:57,120
Finney to explain the amendment mr.

1163
00:54:52,920 --> 00:54:59,610
speaker and members this amendment for

1164
00:54:57,120 --> 00:55:02,430
those of you that did not participate in

1165
00:54:59,610 --> 00:55:05,910
the constitutional convention is the one

1166
00:55:02,430 --> 00:55:10,140
that I affectionately started calling

1167
00:55:05,910 --> 00:55:11,940
the mangy dog amendment time and time

1168
00:55:10,140 --> 00:55:14,100
and time again this amendment was

1169
00:55:11,940 --> 00:55:17,730
offered in time and time and time again

1170
00:55:14,100 --> 00:55:20,570
by a very narrow margin the convention

1171
00:55:17,730 --> 00:55:23,070
rejected it but it kept coming back

1172
00:55:20,570 --> 00:55:25,740
because there was no way they could ever

1173
00:55:23,070 --> 00:55:28,860
escape one very fundamental fact and

1174
00:55:25,740 --> 00:55:34,280
that is that the people are tired of

1175

00:55:28,860 --> 00:55:37,140
taxes now I know a lot of you have been

1176
00:55:34,280 --> 00:55:40,680
trying to keep track of what's going on

1177
00:55:37,140 --> 00:55:43,110
the Appropriations Committee and what's

1178
00:55:40,680 --> 00:55:49,320
going on with with the talk about need

1179
00:55:43,110 --> 00:55:52,050
for a tax bill now under the present

1180
00:55:49,320 --> 00:55:53,940
situation it appears very likely that we

1181
00:55:52,050 --> 00:55:55,380
either going to have to cut back a whole

1182
00:55:53,940 --> 00:55:58,380
lot on some programs or we're going to

1183
00:55:55,380 --> 00:56:00,060
have to increase some taxes but under

1184
00:55:58,380 --> 00:56:03,740
our present system there's no real

1185
00:56:00,060 --> 00:56:03,740
incentive to cut back on programs

1186
00:56:03,860 --> 00:56:10,190
because there's a constant trade-off

1187
00:56:05,910 --> 00:56:12,750
against your district in my district a

1188
00:56:10,190 --> 00:56:16,860
plan had been advanced called zero

1189
00:56:12,750 --> 00:56:19,970
budgeting but zero budgeting doesn't

1190
00:56:16,860 --> 00:56:23,720
work unless there's some limit applied

1191
00:56:19,970 --> 00:56:26,790
this proposal would apply such a limit

1192
00:56:23,720 --> 00:56:28,980
it's designed to place a constitutional

1193
00:56:26,790 --> 00:56:31,550
limitation on the amount of the public's

1194
00:56:28,980 --> 00:56:35,210
income that the state can take in the

1195
00:56:31,550 --> 00:56:38,570
taxes it is not a proposal for an income

1196
00:56:35,210 --> 00:56:41,540
tax or any other type of tax there is no

1197
00:56:38,570 --> 00:56:43,610
limitation on the type of taxes the plan

1198
00:56:41,540 --> 00:56:46,970
would simply limit the total amount of

1199
00:56:43,610 --> 00:56:49,730
all taxes to 8% of the total personal

1200
00:56:46,970 --> 00:56:51,410
income in the state in order to provide

1201
00:56:49,730 --> 00:56:53,570
the necessary flexibility to meet

1202

00:56:51,410 --> 00:56:55,310
emergencies a two-thirds vote of the

1203
00:56:53,570 --> 00:56:58,970
legislature could enact a tax bill

1204
00:56:55,310 --> 00:57:00,920
beyond this constitutional ceiling state

1205
00:56:58,970 --> 00:57:02,350
personal income is defined poorest by

1206
00:57:00,920 --> 00:57:05,180
the US Department of Commerce

1207
00:57:02,350 --> 00:57:07,820
professional economists agree that this

1208
00:57:05,180 --> 00:57:10,220
is the single best standard to

1209
00:57:07,820 --> 00:57:12,950
accurately reflect the income to

1210
00:57:10,220 --> 00:57:15,380
individuals we should remember it is the

1211
00:57:12,950 --> 00:57:18,920
individual who ultimately paid all the

1212
00:57:15,380 --> 00:57:20,810
taxes each year the State Controller in

1213
00:57:18,920 --> 00:57:22,640
Texas would compute an official estimate

1214
00:57:20,810 --> 00:57:23,840
of the total personal income in Texas

1215
00:57:22,640 --> 00:57:26,060
for the succeeding year

1216
00:57:23,840 --> 00:57:30,190
this estimate shall determine the state

1217
00:57:26,060 --> 00:57:30,190
revenue limitation for the state budget

1218
00:57:30,520 --> 00:57:37,730
mr. speaker mr. bond with Governor

1219
00:57:35,960 --> 00:57:39,860
Reagan yield excuse me would

1220
00:57:37,730 --> 00:57:45,250
representative Finney yield you to mr.

1221
00:57:39,860 --> 00:57:47,840
bono gentleman does not you now then

1222
00:57:45,250 --> 00:57:49,370
this proposal is decidedly different

1223
00:57:47,840 --> 00:57:51,110
from the one that was advocated for

1224
00:57:49,370 --> 00:57:53,510
Ronald Reagan I think our proposal is

1225
00:57:51,110 --> 00:57:56,090
better for several reasons it's more

1226
00:57:53,510 --> 00:57:57,680
flexible and less rigid the practical

1227
00:57:56,090 --> 00:57:59,390
effect of this proposal would be that

1228
00:57:57,680 --> 00:58:01,550
you would need a two-thirds majority in

1229

00:57:59,390 --> 00:58:05,600
order to vote and to enact a tax bill

1230
00:58:01,550 --> 00:58:07,760
above this 8% ceiling my approach would

1231
00:58:05,600 --> 00:58:09,470
not prohibit more taxes it would simply

1232
00:58:07,760 --> 00:58:12,980
discourage more taxes above a certain

1233
00:58:09,470 --> 00:58:15,080
level number two Texas already has a

1234
00:58:12,980 --> 00:58:17,240
constitutional limit on local government

1235
00:58:15,080 --> 00:58:18,710
taxing authority the voters recently

1236
00:58:17,240 --> 00:58:22,190
rejected an effort to remove these

1237
00:58:18,710 --> 00:58:25,280
limits the proposed ceiling is way above

1238
00:58:22,190 --> 00:58:27,560
what Texas now has at the present time

1239
00:58:25,280 --> 00:58:29,420
Texas tax yield is approximately six

1240
00:58:27,560 --> 00:58:31,070
point four percent of the total personal

1241
00:58:29,420 --> 00:58:32,930
income of the state Act the eight

1242
00:58:31,070 --> 00:58:36,510
percent ceiling would not jeopardize any

1243
00:58:32,930 --> 00:58:39,310
existing programs at this time

1244
00:58:36,510 --> 00:58:41,500
here in Texas we have the opportunity to

1245
00:58:39,310 --> 00:58:43,839
look ahead and level off our growth in

1246
00:58:41,500 --> 00:58:46,480
Texas government relative to the growth

1247
00:58:43,839 --> 00:58:48,130
of the Texas economy Texas should be

1248
00:58:46,480 --> 00:58:49,660
able to anticipate some of the problems

1249
00:58:48,130 --> 00:58:51,490
that have developed when the state's

1250
00:58:49,660 --> 00:58:53,560
government is allowed to grow faster

1251
00:58:51,490 --> 00:58:55,390
than the state's economy and all I can

1252
00:58:53,560 --> 00:58:58,030
tell you is it's what this proposal does

1253
00:58:55,390 --> 00:58:59,589
is limit the amount of growth of the

1254
00:58:58,030 --> 00:59:03,339
government to the amount of growth of

1255
00:58:59,589 --> 00:59:05,650
the economy that's all it does of course

1256

00:59:03,339 --> 00:59:07,450
you know for most of us the initial

1257
00:59:05,650 --> 00:59:09,760
reaction to a bloating of the budget is

1258
00:59:07,450 --> 00:59:10,390
to say that we need to stop or at least

1259
00:59:09,760 --> 00:59:13,690
reduce

1260
00:59:10,390 --> 00:59:15,070
quote unnecessary unquote spending and

1261
00:59:13,690 --> 00:59:18,700
the best way to do this it's cut out

1262
00:59:15,070 --> 00:59:19,810
special appropriation professor Milton

1263
00:59:18,700 --> 00:59:21,880
Friedman from the University of Chicago

1264
00:59:19,810 --> 00:59:23,950
tells us why this approach is virtually

1265
00:59:21,880 --> 00:59:27,369
impossible to use and I think I was

1266
00:59:23,950 --> 00:59:30,900
distributed if a brochure to you they

1267
00:59:27,369 --> 00:59:30,900
would indicate his reasoning behind it

1268
00:59:35,190 --> 00:59:41,380
as I stated earlier I'm advocating that

1269
00:59:39,609 --> 00:59:43,150
the new constitution limit the amount of

1270
00:59:41,380 --> 00:59:44,859
taxes the state can levy and collect in

1271
00:59:43,150 --> 00:59:46,660
any one year to an amount no greater

1272
00:59:44,859 --> 00:59:49,300
than 8% of the total personal income in

1273
00:59:46,660 --> 00:59:51,640
the state for that year any figure we

1274
00:59:49,300 --> 00:59:53,890
select proceeding of course is an

1275
00:59:51,640 --> 00:59:55,510
arbitrary amount it is a political

1276
00:59:53,890 --> 00:59:58,000
decision and that we are really saying

1277
00:59:55,510 --> 01:00:02,530
that this set percentage is all that the

1278
00:59:58,000 --> 01:00:04,210
public will allow in my opinion fiscal

1279
01:00:02,530 --> 01:00:05,800
year in 1978 will be the first

1280
01:00:04,210 --> 01:00:08,800
opportunity we will have to get control

1281
01:00:05,800 --> 01:00:11,290
of the state budget to say that this

1282
01:00:08,800 --> 01:00:13,690
idea will not work is didn't ignore the

1283

01:00:11,290 --> 01:00:15,310
efforts of the past legislatures faced

1284
01:00:13,690 --> 01:00:17,589
with the parameters of appropriating

1285
01:00:15,310 --> 01:00:19,150
only available revenue the legislature

1286
01:00:17,589 --> 01:00:21,220
established the priorities necessary to

1287
01:00:19,150 --> 01:00:23,260
stay within the constraints maybe we can

1288
01:00:21,220 --> 01:00:24,730
do this again but everyone have you is

1289
01:00:23,260 --> 01:00:30,220
beginning to feel the political pressure

1290
01:00:24,730 --> 01:00:32,920
and I know it's awful great this tax

1291
01:00:30,220 --> 01:00:34,359
limitation plan will not require a

1292
01:00:32,920 --> 01:00:36,970
reduction in the future level of

1293
01:00:34,359 --> 01:00:38,500
government services on the contrary it

1294
01:00:36,970 --> 01:00:41,440
will allow for an expansion of these

1295
01:00:38,500 --> 01:00:42,970
services over the longer term the total

1296
01:00:41,440 --> 01:00:45,820
amount of money spent by the government

1297
01:00:42,970 --> 01:00:47,880
will have to increase but this plan is

1298
01:00:45,820 --> 01:00:49,500
designed to limit the fraction of the

1299
01:00:47,880 --> 01:00:51,240
total personal income that can be used

1300
01:00:49,500 --> 01:00:53,039
by the state government if Texas

1301
01:00:51,240 --> 01:00:54,779
continues to develop economically in the

1302
01:00:53,039 --> 01:00:56,910
future as it has in the past 50 years

1303
01:00:54,779 --> 01:00:58,410
the same fraction of total personal

1304
01:00:56,910 --> 01:00:59,690
income will provide a larger total

1305
01:00:58,410 --> 01:01:01,710
amount of money for government use

1306
01:00:59,690 --> 01:01:04,019
therefore the government services will

1307
01:01:01,710 --> 01:01:07,079
be able to expand to meet our future

1308
01:01:04,019 --> 01:01:08,849
needs I want to urge your adoption of

1309
01:01:07,079 --> 01:01:12,210
this amendment I think it would put

1310

01:01:08,849 --> 01:01:14,549
Texas first and certainly give everyone

1311
01:01:12,210 --> 01:01:16,710
who would want to come to Texas to

1312
01:01:14,549 --> 01:01:18,420
establish a business or to live here

1313
01:01:16,710 --> 01:01:20,880
would give them some assurance as to

1314
01:01:18,420 --> 01:01:22,109
just about what sort of taxation policy

1315
01:01:20,880 --> 01:01:24,000
of this state is going to maintain in

1316
01:01:22,109 --> 01:01:25,349
the future and I think it's worthy of

1317
01:01:24,000 --> 01:01:27,680
your consideration I move its adoption

1318
01:01:25,349 --> 01:01:31,319
mr. Bigelow of German unification

1319
01:01:27,680 --> 01:01:33,799
gentlemen you mr. Finney you're urging

1320
01:01:31,319 --> 01:01:36,240
fiscal restraint I assume by this

1321
01:01:33,799 --> 01:01:39,509
amendment is that correct yes sir

1322
01:01:36,240 --> 01:01:41,099
when did you change your philosophy I've

1323
01:01:39,509 --> 01:01:42,839
been sitting on Appropriations with you

1324
01:01:41,099 --> 01:01:45,630
and you have voted for the highest level

1325
01:01:42,839 --> 01:01:46,859
of spending recommended in every case in

1326
01:01:45,630 --> 01:01:48,240
the Appropriations Committee I don't

1327
01:01:46,859 --> 01:01:51,509
remember you once voting for a lower

1328
01:01:48,240 --> 01:01:53,430
procreation mr. Kaster you know I

1329
01:01:51,509 --> 01:01:55,980
appreciate your joke from the back mic

1330
01:01:53,430 --> 01:01:57,240
I'm not going to are but they've been

1331
01:01:55,980 --> 01:01:59,190
voting for higher spending for the

1332
01:01:57,240 --> 01:02:01,019
University of Texas El Paso and for the

1333
01:01:59,190 --> 01:02:02,309
taganka onions or whatever it is out

1334
01:02:01,019 --> 01:02:04,140
there in your district the same way I've

1335
01:02:02,309 --> 01:02:05,430
been voting from my district so I mean

1336
01:02:04,140 --> 01:02:06,480
let's not you know let's look at each

1337

01:02:05,430 --> 01:02:07,980
other in two hi buddy

1338
01:02:06,480 --> 01:02:08,970
all right well that's what we're doing

1339
01:02:07,980 --> 01:02:11,700
and that's what this business would

1340
01:02:08,970 --> 01:02:14,309
eliminate right it would force us to be

1341
01:02:11,700 --> 01:02:15,809
fair to be to be restricting our

1342
01:02:14,309 --> 01:02:17,670
determination to stop all these trade

1343
01:02:15,809 --> 01:02:20,400
offs that's reading you can't stop this

1344
01:02:17,670 --> 01:02:23,819
type of of budgetary bloating without

1345
01:02:20,400 --> 01:02:26,640
without some amendment like this mr. mr.

1346
01:02:23,819 --> 01:02:28,230
speaker let's calm

1347
01:02:26,640 --> 01:02:33,000
well representing Regan I mean Finney

1348
01:02:28,230 --> 01:02:34,680
yield gentlemen you mr. Finney this is

1349
01:02:33,000 --> 01:02:36,690
this the Regan rewrite that the voters

1350
01:02:34,680 --> 01:02:37,710
of California turned down I don't know

1351
01:02:36,690 --> 01:02:39,599
anything about the voters in California

1352
01:02:37,710 --> 01:02:42,299
mr. Coleman you're closer to him than I

1353
01:02:39,599 --> 01:02:46,650
am in 40 more affinity with him out

1354
01:02:42,299 --> 01:02:49,029
there huh I think the voters of

1355
01:02:46,650 --> 01:02:51,260
California wisely decided by

1356
01:02:49,029 --> 01:02:53,000
California is fine I think the voters of

1357
01:02:51,260 --> 01:02:54,770
Texas would pass it this may be enough

1358
01:02:53,000 --> 01:02:56,359
to pass the Constitution I don't think

1359
01:02:54,770 --> 01:03:02,329
this article pass without this being in

1360
01:02:56,359 --> 01:03:04,700
there that's the door human we have a

1361
01:03:02,329 --> 01:03:09,079
message from the Senate mr. speaker

1362
01:03:04,700 --> 01:03:10,789
admit the messenger mr. speaker I'm

1363
01:03:09,079 --> 01:03:12,260
directed by the Senate to inform the

1364

01:03:10,789 --> 01:03:14,599
house that the Senate has passed the

1365
01:03:12,260 --> 01:03:17,000
following house concurrent resolution v

1366
01:03:14,599 --> 01:03:20,779
9 by Bigham in memory of officer Holly

1367
01:03:17,000 --> 01:03:23,119
toe house concurrent resolution 1 1 4 by

1368
01:03:20,779 --> 01:03:30,950
caldwell requesting senate to return

1369
01:03:23,119 --> 01:03:33,559
House bill number 605 miss speaker mr.

1370
01:03:30,950 --> 01:03:37,069
didn't are you advised that at least

1371
01:03:33,559 --> 01:03:42,710
half of Waco is here at University High

1372
01:03:37,069 --> 01:03:43,069
School in Waco Thank You mr. Denton mr.

1373
01:03:42,710 --> 01:03:45,430
speaker

1374
01:03:43,069 --> 01:03:48,529
we're happy to have them exactly bigger

1375
01:03:45,430 --> 01:03:50,359
pitocin this bigger you advise that the

1376
01:03:48,529 --> 01:03:54,170
other half of Waco is here from Richmond

1377
01:03:50,359 --> 01:03:55,849
High School from this gallery we're

1378
01:03:54,170 --> 01:03:59,000
delighted to have the other half of Waco

1379
01:03:55,849 --> 01:04:02,170
welcome to your capital mr. Carl Rowe to

1380
01:03:59,000 --> 01:04:02,170
speak against the amendment

1381
01:04:05,710 --> 01:04:11,710
and mr. speaker members I want to tell

1382
01:04:08,200 --> 01:04:14,130
y'all about this evil spend golly that

1383
01:04:11,710 --> 01:04:20,620
is per God my good friend Dave Finney

1384
01:04:14,130 --> 01:04:22,840
Ronald Reagan somehow he crept into the

1385
01:04:20,620 --> 01:04:26,230
inner resources of that fertile brain

1386
01:04:22,840 --> 01:04:30,970
and planted this wicked seed now Ronald

1387
01:04:26,230 --> 01:04:33,750
Reagan does anybody know how much income

1388
01:04:30,970 --> 01:04:37,480
tax Ronald Reagan paid last year

1389
01:04:33,750 --> 01:04:41,280
zero do you know how much income tax

1390
01:04:37,480 --> 01:04:44,050
Ronald Reagan paid the year before zero

1391

01:04:41,280 --> 01:04:50,080
do you know how much this amendment is

1392
01:04:44,050 --> 01:04:52,750
worth be glad to answer any question mr.

1393
01:04:50,080 --> 01:04:56,020
mr. Carl well do you thank you we

1394
01:04:52,750 --> 01:04:58,060
adopted mr. Feeny's proposal that we

1395
01:04:56,020 --> 01:04:59,380
could stop the wild and extravagant

1396
01:04:58,060 --> 01:05:01,120
spending that he's doing in the

1397
01:04:59,380 --> 01:05:04,990
appropriation committee at the present

1398
01:05:01,120 --> 01:05:07,360
time well knowing that consistency is

1399
01:05:04,990 --> 01:05:12,280
the hobgoblin of a menial command I

1400
01:05:07,360 --> 01:05:13,360
doubt it mr. speaker it's laughs or

1401
01:05:12,280 --> 01:05:15,790
gentleman yield for a question

1402
01:05:13,360 --> 01:05:19,180
yes yeoman you do you have a name of mr.

1403
01:05:15,790 --> 01:05:23,080
Rankin CPA now I think he's under

1404
01:05:19,180 --> 01:05:24,820
investigation now seriously the reason I

1405
01:05:23,080 --> 01:05:27,880
think this ought to be defeated is it

1406
01:05:24,820 --> 01:05:32,110
you know no nobody knows mr. Feeny has

1407
01:05:27,880 --> 01:05:33,880
suggested anywhere from 6% to what David

1408
01:05:32,110 --> 01:05:37,360
fit with you did you ever get up to 15 I

1409
01:05:33,880 --> 01:05:41,560
don't know but I'm sure he'll offer that

1410
01:05:37,360 --> 01:05:44,170
given the opportunity and if they had

1411
01:05:41,560 --> 01:05:47,220
any real hard understanding of the

1412
01:05:44,170 --> 01:05:50,440
consequences the fiscal consequences

1413
01:05:47,220 --> 01:05:52,210
then we would have that kind of hard

1414
01:05:50,440 --> 01:05:54,130
data they just don't have it nobody

1415
01:05:52,210 --> 01:05:56,530
knows and what we're trying to do is

1416
01:05:54,130 --> 01:05:59,650
write a constitution that will permit

1417
01:05:56,530 --> 01:06:02,740
the people to be served and you don't

1418

01:05:59,650 --> 01:06:05,920
serve the people by imposing your wisdom

1419
01:06:02,740 --> 01:06:07,420
today on a speculative matter it's just

1420
01:06:05,920 --> 01:06:09,670
that simple that's why I'm opposed to

1421
01:06:07,420 --> 01:06:11,680
this I'm not for a lot of spending and

1422
01:06:09,670 --> 01:06:13,720
I'm not for a lot of taxes but I am for

1423
01:06:11,680 --> 01:06:15,790
a constitution that will open up the

1424
01:06:13,720 --> 01:06:16,490
process and give the legislators in the

1425
01:06:15,790 --> 01:06:18,050
future

1426
01:06:16,490 --> 01:06:19,849
an opportunity to do what the people

1427
01:06:18,050 --> 01:06:21,770
want to do it may not be what I agree

1428
01:06:19,849 --> 01:06:23,930
with it may not be what you agree with

1429
01:06:21,770 --> 01:06:26,119
but we're not going to be here let's

1430
01:06:23,930 --> 01:06:27,320
don't put shackles on this Constitution

1431
01:06:26,119 --> 01:06:29,540
that's what's wrong with the president

1432
01:06:27,320 --> 01:06:30,859
cause mr. speaker that's prologue well

1433
01:06:29,540 --> 01:06:33,050
gentlemen you yes sir

1434
01:06:30,859 --> 01:06:35,740
gentlemen you miss Cole all I've heard

1435
01:06:33,050 --> 01:06:38,150
you say is jokes and attempted jokes I

1436
01:06:35,740 --> 01:06:41,510
learn here you say something serious

1437
01:06:38,150 --> 01:06:43,550
about why a limitation such as this on

1438
01:06:41,510 --> 01:06:46,220
the amount of spending or the rate at

1439
01:06:43,550 --> 01:06:49,040
which the legislature may spend is

1440
01:06:46,220 --> 01:06:53,150
really an evil you said it was now back

1441
01:06:49,040 --> 01:06:55,099
it up get serious I want to make a no

1442
01:06:53,150 --> 01:06:56,750
feature you asking a question I asking a

1443
01:06:55,099 --> 01:06:59,300
question thank you for making the speech

1444
01:06:56,750 --> 01:07:01,400
I just said something sir I don't I can

1445

01:06:59,300 --> 01:07:03,710
say it to you say that I can't make you

1446
01:07:01,400 --> 01:07:05,869
understand if you won't open your heart

1447
01:07:03,710 --> 01:07:07,490
and your ears there's not much I can do

1448
01:07:05,869 --> 01:07:09,920
let's go you're a perfect example of

1449
01:07:07,490 --> 01:07:11,900
what we're talking about I'd like to

1450
01:07:09,920 --> 01:07:13,580
know exactly why I should not vote for

1451
01:07:11,900 --> 01:07:15,050
it your help they're saying I shouldn't

1452
01:07:13,580 --> 01:07:17,150
you're trying to give me a reason

1453
01:07:15,050 --> 01:07:19,700
there's your voice crack now somebody

1454
01:07:17,150 --> 01:07:25,010
have a photo mr. Cole well go ahead tell

1455
01:07:19,700 --> 01:07:26,990
me something because they stay well no

1456
01:07:25,010 --> 01:07:30,400
how can you keep interrupting me

1457
01:07:26,990 --> 01:07:33,320
I'm sorry I didn't be nice go ahead

1458
01:07:30,400 --> 01:07:35,270
we're not on radio anymore just be nice

1459
01:07:33,320 --> 01:07:37,450
I understand that I tried to keep us off

1460
01:07:35,270 --> 01:07:40,400
and tell me why not mr. Carr well

1461
01:07:37,450 --> 01:07:42,710
because mr. Finney doesn't know any more

1462
01:07:40,400 --> 01:07:45,380
than you do anymore that Ronald Reagan

1463
01:07:42,710 --> 01:07:47,960
did and Ronald Reagan of course is the

1464
01:07:45,380 --> 01:07:50,060
ultimate brain behind all this what the

1465
01:07:47,960 --> 01:07:50,359
effect of this might be 50 years from

1466
01:07:50,060 --> 01:07:56,000
now

1467
01:07:50,359 --> 01:07:58,849
he says 6% he said 7% he now says 8%

1468
01:07:56,000 --> 01:08:04,220
he's got another one up for 10% if there

1469
01:07:58,849 --> 01:08:06,170
was a wisdom in this kind of approach he

1470
01:08:04,220 --> 01:08:09,410
would be able to give an argument in

1471
01:08:06,170 --> 01:08:10,760
support of it well in here this car will

1472

01:08:09,410 --> 01:08:12,650
this my question what is your argument

1473
01:08:10,760 --> 01:08:15,349
against putting a limit on state

1474
01:08:12,650 --> 01:08:17,390
spending what is it well because I think

1475
01:08:15,349 --> 01:08:19,009
the people ought to decide what sort of

1476
01:08:17,390 --> 01:08:19,759
limitation this will know to let the

1477
01:08:19,009 --> 01:08:21,630
people decide

1478
01:08:19,759 --> 01:08:23,820
don't you think monopolies yes

1479
01:08:21,630 --> 01:08:26,100
no I think the people would decide

1480
01:08:23,820 --> 01:08:27,840
ultimately as they did in California

1481
01:08:26,100 --> 01:08:29,880
that a guy that won't even pay any

1482
01:08:27,840 --> 01:08:31,560
income taxes when he has an income of

1483
01:08:29,880 --> 01:08:35,550
over a million dollars a years a little

1484
01:08:31,560 --> 01:08:37,470
bit you know there's something wrong

1485
01:08:35,550 --> 01:08:41,820
with this amendment and for that reason

1486
01:08:37,470 --> 01:08:43,830
I urgently request that you vote against

1487
01:08:41,820 --> 01:08:44,670
it because mr. Regan didn't pay taxes I

1488
01:08:43,830 --> 01:08:46,500
should vote against this amendment

1489
01:08:44,670 --> 01:08:50,000
actually that's one reason they're

1490
01:08:46,500 --> 01:08:50,000
better thank you miss Coe will

1491
01:08:56,040 --> 01:09:00,640
mr. Henderson speaking favor of the

1492
01:08:58,359 --> 01:09:02,080
amendment mr. speaker and members I

1493
01:09:00,640 --> 01:09:03,730
don't get up here very often and I won't

1494
01:09:02,080 --> 01:09:05,230
take very much of your time now but this

1495
01:09:03,730 --> 01:09:06,040
is something that's very near and dear

1496
01:09:05,230 --> 01:09:08,440
to my heart

1497
01:09:06,040 --> 01:09:11,350
I think mr. Finney as a well thought out

1498
01:09:08,440 --> 01:09:13,630
and very well constructed amendment here

1499

01:09:11,350 --> 01:09:16,140
that we would do well to the dock I

1500
01:09:13,630 --> 01:09:18,220
think it's a real opportunity for us to

1501
01:09:16,140 --> 01:09:20,650
guarantee the people of the state of

1502
01:09:18,220 --> 01:09:23,530
Texas protection from an undue tax

1503
01:09:20,650 --> 01:09:25,810
burden what we're doing is placing an 8%

1504
01:09:23,530 --> 01:09:29,770
limitation on the total taxes that the

1505
01:09:25,810 --> 01:09:31,450
state can collect of the gross personal

1506
01:09:29,770 --> 01:09:34,060
income of the people of the state of

1507
01:09:31,450 --> 01:09:37,210
Texas the greatest cost of living

1508
01:09:34,060 --> 01:09:40,900
increases in the last 10 years have been

1509
01:09:37,210 --> 01:09:43,420
in taxes not in inflation in goods and

1510
01:09:40,900 --> 01:09:45,180
services but in taxes people of the

1511
01:09:43,420 --> 01:09:51,600
United States are paying something like

1512
01:09:45,180 --> 01:09:51,600
45 cents out of every dollar in taxes

1513
01:09:51,900 --> 01:09:56,440
this kind of amendment would encourage

1514
01:09:54,760 --> 01:09:58,420
the legislature to do something that

1515
01:09:56,440 --> 01:10:01,860
Congress has never done itself and

1516
01:09:58,420 --> 01:10:03,970
that's established some priorities and

1517
01:10:01,860 --> 01:10:07,000
proceed with them in an orderly fashion

1518
01:10:03,970 --> 01:10:09,190
for a change it dampens a special

1519
01:10:07,000 --> 01:10:11,440
interests pork barrel legislative

1520
01:10:09,190 --> 01:10:14,140
approach that we never can't seem to

1521
01:10:11,440 --> 01:10:18,100
cope with here especially in in our

1522
01:10:14,140 --> 01:10:20,320
appropriations bill the proposed ceiling

1523
01:10:18,100 --> 01:10:21,760
and mr. Finney has leaves considerable

1524
01:10:20,320 --> 01:10:25,680
room for growth I think we're spending

1525
01:10:21,760 --> 01:10:25,680
something like six point four percent

1526

01:10:25,860 --> 01:10:29,590
percentage of the people's income in

1527
01:10:28,000 --> 01:10:31,990
taxes right now and mr. penny wants to

1528
01:10:29,590 --> 01:10:35,230
put an 8% limitation on it but what it

1529
01:10:31,990 --> 01:10:37,690
would do is it would force us to review

1530
01:10:35,230 --> 01:10:39,910
the programs every year and see if the

1531
01:10:37,690 --> 01:10:42,160
need still exists for which they were

1532
01:10:39,910 --> 01:10:44,160
originally created and it's also

1533
01:10:42,160 --> 01:10:47,320
flexible and that it provides in

1534
01:10:44,160 --> 01:10:49,870
emergency situations for the legislature

1535
01:10:47,320 --> 01:10:52,420
to be able to override this limitation

1536
01:10:49,870 --> 01:10:55,270
and increase the amount of taxes it can

1537
01:10:52,420 --> 01:10:58,390
be levy but I think the greatest benefit

1538
01:10:55,270 --> 01:11:00,160
of all is that the businessmen in the

1539
01:10:58,390 --> 01:11:02,500
state of Texas and everywhere else in

1540
01:11:00,160 --> 01:11:04,240
the United States would have a kind of

1541
01:11:02,500 --> 01:11:08,620
constant confidence in this state that

1542
01:11:04,240 --> 01:11:09,580
they couldn't have anywhere else it

1543
01:11:08,620 --> 01:11:11,860
would encourage the

1544
01:11:09,580 --> 01:11:14,530
to come here and invest and create jobs

1545
01:11:11,860 --> 01:11:16,750
and in the long run this would be

1546
01:11:14,530 --> 01:11:18,790
reinforced by the fact that the people

1547
01:11:16,750 --> 01:11:21,280
would have more of their own money to

1548
01:11:18,790 --> 01:11:24,100
spend on themselves for a change and

1549
01:11:21,280 --> 01:11:26,140
less on government services which they

1550
01:11:24,100 --> 01:11:30,370
may or may not value for what it costs

1551
01:11:26,140 --> 01:11:31,230
them mr. speaker mr. Vic the gentleman

1552
01:11:30,370 --> 01:11:34,180
yield

1553

01:11:31,230 --> 01:11:36,160
gentlemen you mr. Henderson have you

1554
01:11:34,180 --> 01:11:39,490
ever seen the chart that is in the chief

1555
01:11:36,160 --> 01:11:44,620
clerk's office that is a chart showing

1556
01:11:39,490 --> 01:11:47,110
how since 1924 the cost of government

1557
01:11:44,620 --> 01:11:48,850
services and government taxes and the

1558
01:11:47,110 --> 01:11:51,580
way we spend the people's money has gone

1559
01:11:48,850 --> 01:11:53,050
almost straight up since 1924 have you

1560
01:11:51,580 --> 01:11:54,730
ever seen that chart I haven't seen

1561
01:11:53,050 --> 01:11:56,620
about big laughs you explain to me

1562
01:11:54,730 --> 01:11:58,810
you know mr. Henderson I wish that all

1563
01:11:56,620 --> 01:12:00,670
of them especially the new members and

1564
01:11:58,810 --> 01:12:02,290
those that have not seen that chart will

1565
01:12:00,670 --> 01:12:04,150
just walk in there before they make this

1566
01:12:02,290 --> 01:12:07,150
vote and see what that looks like

1567
01:12:04,150 --> 01:12:11,350
because it goes almost straight up now

1568
01:12:07,150 --> 01:12:13,990
since 1961 it's been going and an angle

1569
01:12:11,350 --> 01:12:16,510
even greater than it did between 1924

1570
01:12:13,990 --> 01:12:20,190
and 1961 and mr. Caldwell gets up there

1571
01:12:16,510 --> 01:12:23,080
and he says he tries to ridicule this by

1572
01:12:20,190 --> 01:12:25,690
putting up a straw man Ronald Reagan

1573
01:12:23,080 --> 01:12:27,610
doesn't he I won't ask I don't think the

1574
01:12:25,690 --> 01:12:29,470
mr. what a miss Reagan paid any income

1575
01:12:27,610 --> 01:12:32,860
taxes or not as a thing to do with this

1576
01:12:29,470 --> 01:12:35,220
amendment do you know when well do you

1577
01:12:32,860 --> 01:12:38,200
know what year mr. Carl Bell came here

1578
01:12:35,220 --> 01:12:40,390
miss Jefferson I have this lifetime 61

1579
01:12:38,200 --> 01:12:41,970
you go in there and look since mr. Carl

1580

01:12:40,390 --> 01:12:46,660
Wells been here in his philosophy

1581
01:12:41,970 --> 01:12:48,910
evidently could be displayed as well on

1582
01:12:46,660 --> 01:12:51,250
that chart as he just made it from that

1583
01:12:48,910 --> 01:12:53,140
front mic and that is spin-spin-spin

1584
01:12:51,250 --> 01:12:55,300
know under ease against this kind of

1585
01:12:53,140 --> 01:12:57,550
amendment because evidently the

1586
01:12:55,300 --> 01:12:59,410
philosophy has been to spend every

1587
01:12:57,550 --> 01:13:00,910
dollar that we can possibly squeeze out

1588
01:12:59,410 --> 01:13:03,850
of the people of the state do you agree

1589
01:13:00,910 --> 01:13:05,530
with that mr. Anderson I proved most

1590
01:13:03,850 --> 01:13:07,390
everything you said mr. dick one thing

1591
01:13:05,530 --> 01:13:10,210
that I think we failed to the speaker

1592
01:13:07,390 --> 01:13:12,040
mention is that this amendment was in

1593
01:13:10,210 --> 01:13:13,270
the package that was to be offered to

1594
01:13:12,040 --> 01:13:16,590
the people to people during the

1595
01:13:13,270 --> 01:13:19,710
Constitutional Convention mr. speaker

1596
01:13:16,590 --> 01:13:19,710
mr. speaker

1597
01:13:21,660 --> 01:13:28,450
achieving our this gentleman yield

1598
01:13:24,420 --> 01:13:30,310
are you German you mr. Anderson what

1599
01:13:28,450 --> 01:13:32,170
would been the effect that the founding

1600
01:13:30,310 --> 01:13:41,770
fathers had to put this amendment on the

1601
01:13:32,170 --> 01:13:43,600
federal constitution I think we had a

1602
01:13:41,770 --> 01:13:45,250
had a more orderly government in the

1603
01:13:43,600 --> 01:13:46,780
capital of the United States what would

1604
01:13:45,250 --> 01:13:49,960
you have done when the automobile was

1605
01:13:46,780 --> 01:13:54,610
invented how would you provide it for

1606
01:13:49,960 --> 01:13:56,230
for highways well if we considered that

1607

01:13:54,610 --> 01:13:58,180
to be the highest priority that's what

1608
01:13:56,230 --> 01:14:00,250
went into our tax money on well if we

1609
01:13:58,180 --> 01:14:03,190
had put the I believe that the

1610
01:14:00,250 --> 01:14:05,260
government in in 1789 when the

1611
01:14:03,190 --> 01:14:06,610
Constitution was adopted that the only

1612
01:14:05,260 --> 01:14:08,560
source of revenue to the federal

1613
01:14:06,610 --> 01:14:12,610
government was the tariff is that not

1614
01:14:08,560 --> 01:14:14,740
correct I think you're correct and what

1615
01:14:12,610 --> 01:14:16,510
do you know what percentage that was of

1616
01:14:14,740 --> 01:14:18,610
the of the gross national product at

1617
01:14:16,510 --> 01:14:20,140
that time I don't know what the

1618
01:14:18,610 --> 01:14:21,520
percentage of it was an impersonal

1619
01:14:20,140 --> 01:14:23,800
income of the people it was an

1620
01:14:21,520 --> 01:14:25,450
infinitesimal well they had plenty of

1621
01:14:23,800 --> 01:14:27,610
room to raise on a night in it was

1622
01:14:25,450 --> 01:14:29,590
something like point two percent of the

1623
01:14:27,610 --> 01:14:31,660
gross national product of the country at

1624
01:14:29,590 --> 01:14:32,890
that time if the founding fathers had

1625
01:14:31,660 --> 01:14:34,990
put this on there

1626
01:14:32,890 --> 01:14:37,210
there have been no way to provide for

1627
01:14:34,990 --> 01:14:38,370
roads when the automobile was invented

1628
01:14:37,210 --> 01:14:41,710
there have been no way to provide for

1629
01:14:38,370 --> 01:14:43,660
airports when the airplane was invented

1630
01:14:41,710 --> 01:14:46,030
and most importantly there have been no

1631
01:14:43,660 --> 01:14:48,430
fun no way to fight any Wars would there

1632
01:14:46,030 --> 01:14:50,500
I don't agree with that I think if they

1633
01:14:48,430 --> 01:14:52,330
have had how would you avoid a citation

1634

01:14:50,500 --> 01:14:55,300
how would you finance World War two

1635
01:14:52,330 --> 01:14:57,760
mr. Henderson and we provided we provide

1636
01:14:55,300 --> 01:14:59,230
for it in emergency situations that the

1637
01:14:57,760 --> 01:15:01,540
legislature can override it

1638
01:14:59,230 --> 01:15:03,940
well what about Social Security what

1639
01:15:01,540 --> 01:15:06,880
about it this is a legislature how would

1640
01:15:03,940 --> 01:15:08,530
we how would we have gotten the in into

1641
01:15:06,880 --> 01:15:10,720
the Social Security program under under

1642
01:15:08,530 --> 01:15:12,550
this proposal if we do pass you that a

1643
01:15:10,720 --> 01:15:16,990
little Constitution if we to put in

1644
01:15:12,550 --> 01:15:18,850
point two percent are give make a

1645
01:15:16,990 --> 01:15:21,040
liberal interpretation it would have

1646
01:15:18,850 --> 01:15:22,390
been a point five percent one half of

1647
01:15:21,040 --> 01:15:24,220
one percent of the gross national

1648
01:15:22,390 --> 01:15:26,500
product or the gross of

1649
01:15:24,220 --> 01:15:28,000
personal income however we have done all

1650
01:15:26,500 --> 01:15:29,170
that mr. Henderson I think in their

1651
01:15:28,000 --> 01:15:31,210
wisdom if they'd have placed a

1652
01:15:29,170 --> 01:15:32,440
reasonable limitation on their and what

1653
01:15:31,210 --> 01:15:34,210
you say their tariff was an

1654
01:15:32,440 --> 01:15:35,920
infinitesimal amount of the gross

1655
01:15:34,210 --> 01:15:37,540
personal income of the people at that

1656
01:15:35,920 --> 01:15:39,880
time they'd have had plenty of room to

1657
01:15:37,540 --> 01:15:41,980
raise taxes and place their priorities

1658
01:15:39,880 --> 01:15:45,880
how how do you provide for Social

1659
01:15:41,980 --> 01:15:47,710
Security if they if they die if they

1660
01:15:45,880 --> 01:15:49,000
didn't consider that or not either I

1661

01:15:47,710 --> 01:15:51,100
mean this is what do you want to raise

1662
01:15:49,000 --> 01:15:53,740
right this is a violent situation and

1663
01:15:51,100 --> 01:15:56,050
I'm not a big spender I don't like to

1664
01:15:53,740 --> 01:15:59,500
spend the people's money but the fact of

1665
01:15:56,050 --> 01:16:01,150
the matter is that 20 years 30 years 40

1666
01:15:59,500 --> 01:16:03,160
years from now we can't look down the

1667
01:16:01,150 --> 01:16:05,620
road to see what kind of technology is

1668
01:16:03,160 --> 01:16:07,150
going to be developed to know what kind

1669
01:16:05,620 --> 01:16:08,470
of government service is going to be

1670
01:16:07,150 --> 01:16:10,750
demanded this isn't an absolute

1671
01:16:08,470 --> 01:16:12,930
limitation this is a proportionate

1672
01:16:10,750 --> 01:16:14,890
limitation but how do you amend it

1673
01:16:12,930 --> 01:16:16,930
wouldn't you have to go back to the

1674
01:16:14,890 --> 01:16:18,670
people area the same way we in the

1675
01:16:16,930 --> 01:16:20,830
Constitution every time you have a major

1676
01:16:18,670 --> 01:16:22,510
breakthrough in technology wouldn't you

1677
01:16:20,830 --> 01:16:23,770
have to go back to amend it in other

1678
01:16:22,510 --> 01:16:25,450
words if we have something that's

1679
01:16:23,770 --> 01:16:28,540
analogous to the automobile that's

1680
01:16:25,450 --> 01:16:30,850
invented and that we have to provide new

1681
01:16:28,540 --> 01:16:33,160
roads for I mean think of the economy of

1682
01:16:30,850 --> 01:16:35,200
this country is all related to the

1683
01:16:33,160 --> 01:16:36,490
automobile and the and the automobile

1684
01:16:35,200 --> 01:16:38,590
would have done nothing if you couldn't

1685
01:16:36,490 --> 01:16:40,330
have had a road together those relate to

1686
01:16:38,590 --> 01:16:42,280
be the highest priority and they would

1687
01:16:40,330 --> 01:16:44,980
have been provided for not not a

1688

01:16:42,280 --> 01:16:46,630
sacrifice maybe of something else it was

1689
01:16:44,980 --> 01:16:48,190
less needed in well not as well as well

1690
01:16:46,630 --> 01:16:49,900
what did he agree there's private things

1691
01:16:48,190 --> 01:16:52,360
that aren't needed what would you

1692
01:16:49,900 --> 01:16:54,280
sacrifice that would have been up the

1693
01:16:52,360 --> 01:16:56,320
decision of the elected representatives

1694
01:16:54,280 --> 01:16:58,870
of the people well if you have roads and

1695
01:16:56,320 --> 01:17:00,640
Social Security and and all the programs

1696
01:16:58,870 --> 01:17:02,800
that we have in aid to public education

1697
01:17:00,640 --> 01:17:04,570
right now what would you sacrifice right

1698
01:17:02,800 --> 01:17:06,340
now don't you think what would you

1699
01:17:04,570 --> 01:17:08,410
sacrifice right now is do you don't you

1700
01:17:06,340 --> 01:17:10,510
recognize some waste in the government

1701
01:17:08,410 --> 01:17:13,360
right now I certainly do well you would

1702
01:17:10,510 --> 01:17:15,520
say later is the place to take those I

1703
01:17:13,360 --> 01:17:18,880
don't think that an arbitrary limitation

1704
01:17:15,520 --> 01:17:20,590
of five or six or seven percent is ever

1705
01:17:18,880 --> 01:17:23,650
going to solve the problem of waste in

1706
01:17:20,590 --> 01:17:26,220
government we just have to disagree on

1707
01:17:23,650 --> 01:17:26,220
that mystery

1708
01:17:36,950 --> 01:17:40,830
all right mr. penny sends up an

1709
01:17:39,270 --> 01:17:42,690
amendment the questions only adopt an

1710
01:17:40,830 --> 01:17:44,160
amendment all those in favor that option

1711
01:17:42,690 --> 01:17:45,630
if any amendment of bowtie all those

1712
01:17:44,160 --> 01:17:48,740
opposed to vote no it's a record vote

1713
01:17:45,630 --> 01:17:48,740
the clerk or ring the bell

1714
01:18:07,250 --> 01:18:14,630
well members voted gomez vanity voting

1715

01:18:12,540 --> 01:18:14,630

aye

1716

01:18:15,530 --> 01:18:27,170

she'll miss short voting are so much

1717

01:18:18,869 --> 01:18:27,170

agnes voting on all members voted

1718

01:18:32,190 --> 01:18:35,880

all members voted

1719

01:19:05,219 --> 01:19:10,860

they're being 59 eyes 81 nose the

1720

01:19:08,160 --> 01:19:11,730

amendment fails of adoption following

1721

01:19:10,860 --> 01:19:16,320

amendment the clerk will read the

1722

01:19:11,730 --> 01:19:18,570

amendment amendment by Fenny amend sjr

1723

01:19:16,320 --> 01:19:20,550

11 biting a new section of article 8 on

1724

01:19:18,570 --> 01:19:24,080

page 93 to read as follows

1725

01:19:20,550 --> 01:19:26,460

section 14 limitation on state taxes a

1726

01:19:24,080 --> 01:19:29,070

no law may be enacted that would

1727

01:19:26,460 --> 01:19:30,780

increase state taxes to more than 10% of

1728

01:19:29,070 --> 01:19:33,960

the total personal income of the state

1729
01:19:30,780 --> 01:19:37,320
unless one of fruit that's offending to

1730
01:19:33,960 --> 01:19:38,820
explain his amendment okay members maybe

1731
01:19:37,320 --> 01:19:40,680
I should have started at five but heard

1732
01:19:38,820 --> 01:19:45,710
people say I went too high a lot of

1733
01:19:40,680 --> 01:19:47,940
people cut it back 10% would be more

1734
01:19:45,710 --> 01:19:49,880
would be a ceiling that I don't think

1735
01:19:47,940 --> 01:19:54,480
any one of us can foreseeably

1736
01:19:49,880 --> 01:19:57,000
see and in the future 10% doesn't look

1737
01:19:54,480 --> 01:19:59,070
like very much today but come on to the

1738
01:19:57,000 --> 01:20:00,750
Appropriations Committee with me and mr.

1739
01:19:59,070 --> 01:20:04,500
Halliwell mr. Kaster and all the other

1740
01:20:00,750 --> 01:20:06,960
big spenders and I'll be happy to show

1741
01:20:04,500 --> 01:20:12,660
you that long about 1980 we're going to

1742

01:20:06,960 --> 01:20:14,640
hit 10% and that'll put the total amount

1743
01:20:12,660 --> 01:20:17,100
of taxes as a percentage that the state

1744
01:20:14,640 --> 01:20:19,199
takes or the total taxes bite on your

1745
01:20:17,100 --> 01:20:21,719
consumer dollar on the total personal

1746
01:20:19,199 --> 01:20:24,000
income of the state we add up the

1747
01:20:21,719 --> 01:20:25,640
federal taxes the state taxes and and

1748
01:20:24,000 --> 01:20:27,930
the rest it's going to be over 50%

1749
01:20:25,640 --> 01:20:31,830
you're gonna have to work over a half a

1750
01:20:27,930 --> 01:20:33,930
year to break even now then all this

1751
01:20:31,830 --> 01:20:35,969
bill does as I said before it just give

1752
01:20:33,930 --> 01:20:37,410
you a benchmark by which you can try to

1753
01:20:35,969 --> 01:20:40,650
regulate the growth of the state's

1754
01:20:37,410 --> 01:20:43,230
economy and the state government the

1755
01:20:40,650 --> 01:20:45,570
bill is not ronald reagan's bill it was

1756
01:20:43,230 --> 01:20:47,850
designed by Praveen law professors and

1757
01:20:45,570 --> 01:20:49,770
economists dr. Milton Friedman the

1758
01:20:47,850 --> 01:20:52,440
university chicago is the main architect

1759
01:20:49,770 --> 01:20:55,699
of this bill and and i would urge you to

1760
01:20:52,440 --> 01:20:59,400
consider that it is it's very simple

1761
01:20:55,699 --> 01:21:03,270
it's very plain either for more

1762
01:20:59,400 --> 01:21:05,940
government or not and 10% I know to you

1763
01:21:03,270 --> 01:21:08,430
seems like a whole lot but in 10 years

1764
01:21:05,940 --> 01:21:11,640
it's going to look awful good move its

1765
01:21:08,430 --> 01:21:15,150
adoption that's gone well speak against

1766
01:21:11,640 --> 01:21:16,410
the amendment mr. speaker members this

1767
01:21:15,150 --> 01:21:18,000
is even worse than

1768
01:21:16,410 --> 01:21:20,940
before because when you get up to 10%

1769

01:21:18,000 --> 01:21:24,780
you're sort of inviting legislators to

1770
01:21:20,940 --> 01:21:26,700
spend all that money now I think it's

1771
01:21:24,780 --> 01:21:29,580
just fiscally irresponsible if you're a

1772
01:21:26,700 --> 01:21:31,230
fiscal conservative like I am your vote

1773
01:21:29,580 --> 01:21:32,340
against this for no other reason than

1774
01:21:31,230 --> 01:21:34,350
that it's going to encourage spending

1775
01:21:32,340 --> 01:21:37,320
that really is this sort of a mandate to

1776
01:21:34,350 --> 01:21:39,530
spend all that money and I think that we

1777
01:21:37,320 --> 01:21:42,900
ought to spend every taxpayer dollar

1778
01:21:39,530 --> 01:21:44,520
wisely and spend only no more than we

1779
01:21:42,900 --> 01:21:48,660
need to to deliver the services that

1780
01:21:44,520 --> 01:21:50,160
they require also you know in 1876 the

1781
01:21:48,660 --> 01:21:53,130
reason we got in the trouble that we're

1782
01:21:50,160 --> 01:21:55,740
in now is that they wanted to put

1783
01:21:53,130 --> 01:21:57,270
shackles on state government that's why

1784
01:21:55,740 --> 01:22:01,260
we've had this tremendous proliferation

1785
01:21:57,270 --> 01:22:03,530
of political subdivisions we have all

1786
01:22:01,260 --> 01:22:05,850
sorts of taxing districts local

1787
01:22:03,530 --> 01:22:07,650
districts to perform different

1788
01:22:05,850 --> 01:22:10,110
governmental services because of

1789
01:22:07,650 --> 01:22:12,840
limitations placed on state government

1790
01:22:10,110 --> 01:22:15,990
now the same thing will probably happen

1791
01:22:12,840 --> 01:22:17,550
50 years from now if you put shackles on

1792
01:22:15,990 --> 01:22:19,740
state government they're going to turn

1793
01:22:17,550 --> 01:22:21,720
to the local government to solve the

1794
01:22:19,740 --> 01:22:23,520
problems the local governments are

1795
01:22:21,720 --> 01:22:25,320
bankrupt now at least they're stretched

1796

01:22:23,520 --> 01:22:28,800
to the limit of their endurance because

1797
01:22:25,320 --> 01:22:32,010
their ability to impose taxes is limited

1798
01:22:28,800 --> 01:22:34,020
to the largely to the ad valorem tax so

1799
01:22:32,010 --> 01:22:38,700
if you want to strap it on your land

1800
01:22:34,020 --> 01:22:40,350
owners homeowners mr. speaker that's

1801
01:22:38,700 --> 01:22:43,890
penny will the gentleman yield or at

1802
01:22:40,350 --> 01:22:45,660
least get back to the truth well I'll

1803
01:22:43,890 --> 01:22:48,690
stay on the truth but it won't yield mr.

1804
01:22:45,660 --> 01:22:52,250
penny whenever you know that question

1805
01:22:48,690 --> 01:22:54,240
mr. Finney and really that's that's

1806
01:22:52,250 --> 01:22:57,870
philosophically I think the issue that

1807
01:22:54,240 --> 01:22:59,430
you let you face and I believe it's been

1808
01:22:57,870 --> 01:23:01,080
debated enough mr. Finney there

1809
01:22:59,430 --> 01:23:02,850
obviously I'm not gonna agree and eat

1810
01:23:01,080 --> 01:23:04,350
and ask questions and I can answer but

1811
01:23:02,850 --> 01:23:07,200
it probably won't share the great deal

1812
01:23:04,350 --> 01:23:09,720
of light and I just hope you'll stick

1813
01:23:07,200 --> 01:23:12,000
with us because I believe that for the

1814
01:23:09,720 --> 01:23:12,339
sake of your children and children not

1815
01:23:12,000 --> 01:23:14,669
yet

1816
01:23:12,339 --> 01:23:17,199
or and this is a very important issue

1817
01:23:14,669 --> 01:23:19,329
and it ought to be voted against I think

1818
01:23:17,199 --> 01:23:23,499
you ought to have that much faith in the

1819
01:23:19,329 --> 01:23:26,709
democratic system thank you that's guys

1820
01:23:23,499 --> 01:23:28,959
to speak against mr. speaker members

1821
01:23:26,709 --> 01:23:30,579
it's alleged this is going to put

1822
01:23:28,959 --> 01:23:33,399
restraints on the legislature and their

1823

01:23:30,579 --> 01:23:35,199
fiscal spending I contend we have the

1824
01:23:33,399 --> 01:23:37,539
greatest limitation in the world and

1825
01:23:35,199 --> 01:23:39,429
it's called a pay-as-you-go system any

1826
01:23:37,539 --> 01:23:42,039
time we come up with a spending scheme

1827
01:23:39,429 --> 01:23:44,679
we have to immediately pass a tax bill

1828
01:23:42,039 --> 01:23:47,829
which cuts out a lot of unnecessary

1829
01:23:44,679 --> 01:23:50,169
spending the facts are the last report

1830
01:23:47,829 --> 01:23:54,939
that I saw that the per capita tax

1831
01:23:50,169 --> 01:23:57,039
burden borne by Texans places us 42nd

1832
01:23:54,939 --> 01:23:58,780
out of 50 states in a per capita tax

1833
01:23:57,039 --> 01:24:00,849
Bergin that means there's only about

1834
01:23:58,780 --> 01:24:04,239
eight states that have a less tax burden

1835
01:24:00,849 --> 01:24:05,859
tax state tax burden than we do it was

1836
01:24:04,239 --> 01:24:08,139
alleged by mr. Henderson that this is

1837
01:24:05,859 --> 01:24:10,599
going to attract businesses to Texas

1838
01:24:08,139 --> 01:24:13,929
under our present system the last year

1839
01:24:10,599 --> 01:24:15,789
Texas attracted more new businesses to

1840
01:24:13,929 --> 01:24:17,949
Texas than any other state in the Union

1841
01:24:15,789 --> 01:24:19,989
I think we are responsible in our

1842
01:24:17,949 --> 01:24:22,659
spending it is an attractive business

1843
01:24:19,989 --> 01:24:26,649
climate and I urge you to defeat this

1844
01:24:22,659 --> 01:24:29,349
amendment depending to close owners

1845
01:24:26,649 --> 01:24:31,510
amendment mr. speaker and members

1846
01:24:29,349 --> 01:24:33,129
well we've had a lot of people up here

1847
01:24:31,510 --> 01:24:34,959
talking and now you can see why they

1848
01:24:33,129 --> 01:24:37,179
never could get this one to go away and

1849
01:24:34,959 --> 01:24:38,919
stay away because we've had a lot of

1850

01:24:37,179 --> 01:24:40,869
jokes told and a whole lot of other

1851
01:24:38,919 --> 01:24:43,119
things you know talk up here little

1852
01:24:40,869 --> 01:24:44,319
scare tactics about local taxes and all

1853
01:24:43,119 --> 01:24:45,999
this other business which is totally

1854
01:24:44,319 --> 01:24:49,269
irrelevant and doesn't have anything to

1855
01:24:45,999 --> 01:24:51,909
do with this bill at all I am somewhat

1856
01:24:49,269 --> 01:24:53,439
reminded of the old story about the

1857
01:24:51,909 --> 01:24:55,119
lawyer that you know when he's got the

1858
01:24:53,439 --> 01:24:56,559
facts in his favor he likes to pound on

1859
01:24:55,119 --> 01:24:58,749
the facts when he's got the law in his

1860
01:24:56,559 --> 01:24:59,800
favor he likes to pound on the law when

1861
01:24:58,749 --> 01:25:01,179
he doesn't have either one of his

1862
01:24:59,800 --> 01:25:03,729
favorite likes just pound on the table

1863
01:25:01,179 --> 01:25:05,709
and and I realized we've had a little

1864
01:25:03,729 --> 01:25:07,510
comedy here and a little bit of joking

1865
01:25:05,709 --> 01:25:10,449
and and and everything else but no one

1866
01:25:07,510 --> 01:25:12,729
has told you yet one reason why we

1867
01:25:10,449 --> 01:25:15,579
shouldn't put a tax limitation in the

1868
01:25:12,729 --> 01:25:17,919
Constitution and I can't say why because

1869
01:25:15,579 --> 01:25:20,289
there is no excuse why not so I urge you

1870
01:25:17,919 --> 01:25:21,849
to vote for this rather high ceiling but

1871
01:25:20,289 --> 01:25:24,619
nevertheless a ceiling

1872
01:25:21,849 --> 01:25:26,030
thank you bow tie question is

1873
01:25:24,619 --> 01:25:27,619
occurred before the houses on the

1874
01:25:26,030 --> 01:25:28,909
adoption if any amendment all those in

1875
01:25:27,619 --> 01:25:30,739
favor the adoption amendment will vote

1876
01:25:28,909 --> 01:25:34,059
aye all those opposed no it's a record

1877

01:25:30,739 --> 01:25:34,059
vote the clerk will ring the Bayeux

1878
01:25:51,199 --> 01:26:03,139
she already knew you'd voting I'm Jimmy

1879
01:25:55,699 --> 01:26:10,610
Johnson voting no all members voted she

1880
01:26:03,139 --> 01:26:11,989
omits and Olivares voting no co-mentor

1881
01:26:10,610 --> 01:26:14,320
van bellen voting you have all members

1882
01:26:11,989 --> 01:26:14,320
voting

1883
01:26:47,600 --> 01:26:54,620
they're being 58,000 79 knows the

1884
01:26:51,110 --> 01:26:57,830
amendment fails of adoption mr. speaker

1885
01:26:54,620 --> 01:26:59,510
mr. Berman mr. speakers is still against

1886
01:26:57,830 --> 01:27:01,820
the rules to recognize group from

1887
01:26:59,510 --> 01:27:03,110
hardin-simmons University in Abilene it

1888
01:27:01,820 --> 01:27:08,390
is but we're pleased to have with us

1889
01:27:03,110 --> 01:27:22,250
thank you Sara signs the presence the

1890
01:27:08,390 --> 01:27:27,250
house following Senate bill 387 House

1891
01:27:22,250 --> 01:27:27,250
bill 53 HCR number 112

1892
01:27:35,199 --> 01:27:42,070
following amendment the clerk will read

1893
01:27:36,820 --> 01:27:44,920
the amendment amendment by Craddick

1894
01:27:42,070 --> 01:27:47,110
amend SJ r 11 house first printing by

1895
01:27:44,920 --> 01:27:50,469
adding the following as a new section 14

1896
01:27:47,110 --> 01:27:53,340
to article 8 page 93 section 14

1897
01:27:50,469 --> 01:27:57,690
industrial and rural development bonds

1898
01:27:53,340 --> 01:27:57,690
that's kradic to explain his amendment

1899
01:28:05,620 --> 01:28:11,620
mr. speaker members there's been a real

1900
01:28:08,050 --> 01:28:14,440
question with the current Constitution

1901
01:28:11,620 --> 01:28:16,750
as to whether or not industrial and

1902
01:28:14,440 --> 01:28:18,760
ruin'd Development bonds are permissible

1903
01:28:16,750 --> 01:28:20,640
under the Constitution and therefore

1904

01:28:18,760 --> 01:28:22,510
we've had to run it several

1905
01:28:20,640 --> 01:28:25,780
constitutional amendments on whether or

1906
01:28:22,510 --> 01:28:27,430
not this is a public purpose and they're

1907
01:28:25,780 --> 01:28:29,770
the reason for this amendment is to add

1908
01:28:27,430 --> 01:28:32,410
a section of the clearly state and lay

1909
01:28:29,770 --> 01:28:35,500
out that this is a public purpose I move

1910
01:28:32,410 --> 01:28:39,610
its adoption all right mr. Hutchinson's

1911
01:28:35,500 --> 01:28:43,420
big on amendment against the amendment

1912
01:28:39,610 --> 01:28:45,880
but speaking members as Mr Craddock said

1913
01:28:43,420 --> 01:28:48,700
this is a it's an important subject it's

1914
01:28:45,880 --> 01:28:51,790
an important amendment however I rise to

1915
01:28:48,700 --> 01:28:54,490
speak in opposition to it because it's

1916
01:28:51,790 --> 01:28:56,830
my opinion that it is covered under the

1917
01:28:54,490 --> 01:28:58,600
existing Constitution if the legislature

1918
01:28:56,830 --> 01:29:03,130
under the revised Constitution if the

1919
01:28:58,600 --> 01:29:06,790
legislature so decides the during the

1920
01:29:03,130 --> 01:29:08,380
convention in discussions with about the

1921
01:29:06,790 --> 01:29:11,460
question of what constitutes a public

1922
01:29:08,380 --> 01:29:14,920
purpose the record was made very clear

1923
01:29:11,460 --> 01:29:18,600
that with respect to rural redevelopment

1924
01:29:14,920 --> 01:29:22,630
that would constitute a public purpose

1925
01:29:18,600 --> 01:29:25,360
additionally in all states work their

1926
01:29:22,630 --> 01:29:27,670
constitutions do not have prohibitions

1927
01:29:25,360 --> 01:29:31,180
against lending of credit this type of

1928
01:29:27,670 --> 01:29:33,490
financing is permissible under if the

1929
01:29:31,180 --> 01:29:36,190
legislature declares it to be a public

1930
01:29:33,490 --> 01:29:39,090
purpose under the revised Constitution

1931

01:29:36,190 --> 01:29:41,230
if we have we have eliminated the

1932
01:29:39,090 --> 01:29:44,500
prohibition against lending of credit

1933
01:29:41,230 --> 01:29:46,360
and have installed the concept of public

1934
01:29:44,500 --> 01:29:49,090
purpose therefore this would be

1935
01:29:46,360 --> 01:29:51,640
unnecessary now specifically with

1936
01:29:49,090 --> 01:29:54,970
respect to the amendment if we in this

1937
01:29:51,640 --> 01:29:57,690
constitution begin declaring what is a

1938
01:29:54,970 --> 01:30:00,580
public purpose then we tend

1939
01:29:57,690 --> 01:30:03,340
constitutionally and legally to limit

1940
01:30:00,580 --> 01:30:05,590
what constitutes a public purpose by its

1941
01:30:03,340 --> 01:30:08,050
very inclusion therefore I would

1942
01:30:05,590 --> 01:30:10,080
respectfully suggest that this type of

1943
01:30:08,050 --> 01:30:15,250
financing is permissible under the

1944
01:30:10,080 --> 01:30:17,560
revised article if it passes and if the

1945
01:30:15,250 --> 01:30:18,460
legislature so declares rural

1946
01:30:17,560 --> 01:30:20,680
redevelopment

1947
01:30:18,460 --> 01:30:23,410
be a public purpose I would therefore

1948
01:30:20,680 --> 01:30:26,380
respectfully ask you to vote against

1949
01:30:23,410 --> 01:30:28,210
this amendment miss Peter mr. Casten

1950
01:30:26,380 --> 01:30:30,730
what you mean you gentleman yield mr.

1951
01:30:28,210 --> 01:30:31,960
Cass I yield mr. Hutz thank you brought

1952
01:30:30,730 --> 01:30:33,910
out a very important point that we

1953
01:30:31,960 --> 01:30:36,130
discussed quite at length in the

1954
01:30:33,910 --> 01:30:37,870
Constitution when you start naming

1955
01:30:36,130 --> 01:30:40,210
things that are public purposes by

1956
01:30:37,870 --> 01:30:42,070
remaining silent on the other you have

1957
01:30:40,210 --> 01:30:43,930
been given credence that the legislature

1958

01:30:42,070 --> 01:30:46,150
did not intend for those other items to

1959
01:30:43,930 --> 01:30:47,739
be public this is this is exactly right

1960
01:30:46,150 --> 01:30:49,750
and the constitutional revision

1961
01:30:47,739 --> 01:30:52,090
Commission as a matter of fact in one of

1962
01:30:49,750 --> 01:30:53,890
its provisions attempted to make some

1963
01:30:52,090 --> 01:30:56,170
definitions of what it constituted and

1964
01:30:53,890 --> 01:30:59,410
the Finance Committee of a convention

1965
01:30:56,170 --> 01:31:01,960
very wisely eliminated that listing and

1966
01:30:59,410 --> 01:31:05,400
I think this is in the same category and

1967
01:31:01,960 --> 01:31:05,400
should be defeated

1968
01:31:12,600 --> 01:31:18,420
chair recognize mr. credit mr. speaker

1969
01:31:16,170 --> 01:31:21,890
members since it is the feeling that

1970
01:31:18,420 --> 01:31:24,720
this will be covered under the proposed

1971
01:31:21,890 --> 01:31:26,850
Constitution that has been done in other

1972
01:31:24,720 --> 01:31:31,040
states I respectfully withdraw the

1973
01:31:26,850 --> 01:31:32,880
amendment the amendment is withdrawn

1974
01:31:31,040 --> 01:31:37,800
following amendment the clerk will read

1975
01:31:32,880 --> 01:31:40,320
the amendment mr. Reynolds amendment by

1976
01:31:37,800 --> 01:31:43,650
Reynolds amend sjr 11 by striking

1977
01:31:40,320 --> 01:31:46,140
section 4c to article 8 and substituting

1978
01:31:43,650 --> 01:31:47,850
in lieu thereof the following see the

1979
01:31:46,140 --> 01:31:50,250
residential homestead of persons at

1980
01:31:47,850 --> 01:31:53,370
least 65 years old and annual personal

1981
01:31:50,250 --> 01:31:56,540
income mr. Reynolds explain him in the

1982
01:31:53,370 --> 01:31:58,890
speaker members this amendment simply

1983
01:31:56,540 --> 01:32:01,520
states that anyone with an income of

1984
01:31:58,890 --> 01:32:07,620
eighty four hundred dollars or more is

1985

01:32:01,520 --> 01:32:09,180
not exempt from local municipal school

1986
01:32:07,620 --> 01:32:13,050
district and county

1987
01:32:09,180 --> 01:32:17,310
Avram tax if they're 65 years of age or

1988
01:32:13,050 --> 01:32:21,690
older and this means you're not exempt

1989
01:32:17,310 --> 01:32:25,920
mr. magnet if it's adopted mr. speaker

1990
01:32:21,690 --> 01:32:28,140
the Degnan mr. Reynolds sought wouldn't

1991
01:32:25,920 --> 01:32:37,980
be exempt in any event for several more

1992
01:32:28,140 --> 01:32:40,470
years that's right three no I I do have

1993
01:32:37,980 --> 01:32:42,810
a serious question I think the intent of

1994
01:32:40,470 --> 01:32:46,080
your amendment is fine but I'm concerned

1995
01:32:42,810 --> 01:32:48,660
about the mechanics of it how will you

1996
01:32:46,080 --> 01:32:51,540
require people to demonstrate that they

1997
01:32:48,660 --> 01:32:53,580
have an income less than eighty four

1998
01:32:51,540 --> 01:32:55,410
hundred dollars you're going to make the

1999
01:32:53,580 --> 01:32:57,450
Hollywood income tax state but I'm

2000
01:32:55,410 --> 01:33:00,000
concerned about the paperwork involved

2001
01:32:57,450 --> 01:33:02,510
no they would do this by a sworn

2002
01:33:00,000 --> 01:33:08,580
affidavit of time to make application

2003
01:33:02,510 --> 01:33:12,750
for the exemption and I think you know

2004
01:33:08,580 --> 01:33:14,239
most people would be honest on a sworn

2005
01:33:12,750 --> 01:33:19,099
affidavit of time to make

2006
01:33:14,239 --> 01:33:22,130
application you sure that the people in

2007
01:33:19,099 --> 01:33:23,900
my district would be well I know the

2008
01:33:22,130 --> 01:33:25,789
people in my district would too but we

2009
01:33:23,900 --> 01:33:34,039
have two very unusual districts mr.

2010
01:33:25,789 --> 01:33:36,920
analyst oh excuse me miss Johnson mr.

2011
01:33:34,039 --> 01:33:39,829
Reynolds I agree with you an intent but

2012

01:33:36,920 --> 01:33:41,929

I'm not that sold on putting up money

2013

01:33:39,829 --> 01:33:44,719

figure in a constitution we're dealing

2014

01:33:41,929 --> 01:33:50,570

with that now is legislators but I

2015

01:33:44,719 --> 01:33:53,420

wonder but I was wondering if there's a

2016

01:33:50,570 --> 01:33:55,219

way I understand that then just reminded

2017

01:33:53,420 --> 01:33:56,269

that I'm not 65 even though I look at

2018

01:33:55,219 --> 01:33:59,269

and I'm saying I'm getting that pretty

2019

01:33:56,269 --> 01:34:01,190

fast but I'm wondering whether not there

2020

01:33:59,269 --> 01:34:04,429

might be some kind of percentage formula

2021

01:34:01,190 --> 01:34:08,030

or some other method we could use to

2022

01:34:04,429 --> 01:34:10,039

arrive at a figure that would be related

2023

01:34:08,030 --> 01:34:12,829

to the cost of living or something

2024

01:34:10,039 --> 01:34:14,929

rather than a money figure of eighty

2025

01:34:12,829 --> 01:34:18,590

four hundred dollars that's possible I

2026
01:34:14,929 --> 01:34:23,150
just had to pick on some player I

2027
01:34:18,590 --> 01:34:26,420
thought was reasonable and there may be

2028
01:34:23,150 --> 01:34:28,940
other ways to amend this section to get

2029
01:34:26,420 --> 01:34:31,489
at it I the intent here is those people

2030
01:34:28,940 --> 01:34:34,159
that have the ability to pay even though

2031
01:34:31,489 --> 01:34:37,400
they're 65 should not be exempt from

2032
01:34:34,159 --> 01:34:39,219
local ad valorem taxes and there may be

2033
01:34:37,400 --> 01:34:42,469
other ways I would agree with you that

2034
01:34:39,219 --> 01:34:46,489
could be accomplished I thought I recall

2035
01:34:42,469 --> 01:34:50,030
that you had a formula fixed out during

2036
01:34:46,489 --> 01:34:52,130
the convention that would arrive at some

2037
01:34:50,030 --> 01:34:53,719
level of funding for a legislative pay

2038
01:34:52,130 --> 01:34:57,710
and I want to do we could use a similar

2039

01:34:53,719 --> 01:35:00,260
type formula to arrive at a at a

2040
01:34:57,710 --> 01:35:01,730
flexible figure depending on the cost of

2041
01:35:00,260 --> 01:35:03,650
living and what-have-you at the time

2042
01:35:01,730 --> 01:35:06,710
that we would have to determine where

2043
01:35:03,650 --> 01:35:10,219
the exemptions would start I don't

2044
01:35:06,710 --> 01:35:16,070
recall that may have one legislator pay

2045
01:35:10,219 --> 01:35:18,699
or someone did thank you let's figure

2046
01:35:16,070 --> 01:35:21,559
gentleman yield he'll miss rennolds

2047
01:35:18,699 --> 01:35:24,079
gentleman yields mr. I guess dr.

2048
01:35:21,559 --> 01:35:24,570
Reynolds I heard on a radio is born from

2049
01:35:24,079 --> 01:35:28,350
doubt

2050
01:35:24,570 --> 01:35:29,760
Vala station at last year the federal

2051
01:35:28,350 --> 01:35:31,980
agency that determines what is the

2052
01:35:29,760 --> 01:35:35,130
poverty level in Dallas it's set to

2053
01:35:31,980 --> 01:35:38,790
figure \$12,500 and yesterday they raised

2054
01:35:35,130 --> 01:35:41,820
it to 14,000 were you aware that would

2055
01:35:38,790 --> 01:35:44,340
you restate that please in Dallas this

2056
01:35:41,820 --> 01:35:46,350
last year federal agency sent the

2057
01:35:44,340 --> 01:35:50,250
poverty level that is those people who

2058
01:35:46,350 --> 01:35:53,340
don't make above 12,000 are like \$12,500

2059
01:35:50,250 --> 01:35:55,530
that he took every penny of their money

2060
01:35:53,340 --> 01:35:58,380
to live and they were living within what

2061
01:35:55,530 --> 01:36:00,800
the federal guidelines called a poverty

2062
01:35:58,380 --> 01:36:04,140
level in yesterday it was raised to

2063
01:36:00,800 --> 01:36:07,470
14,000 were you aware of it I'm now well

2064
01:36:04,140 --> 01:36:11,220
it Norwood can I be responsible for some

2065
01:36:07,470 --> 01:36:14,400
nuts in Washington setting \$14,000 of

2066

01:36:11,220 --> 01:36:19,110
the power level this was in Dallas in

2067
01:36:14,400 --> 01:36:21,210
Dallas miss Speaker I thank the

2068
01:36:19,110 --> 01:36:23,280
gentleman yield I yield Yemen you've

2069
01:36:21,210 --> 01:36:24,530
attacked me mr. Reynolds just to clarify

2070
01:36:23,280 --> 01:36:27,000
things

2071
01:36:24,530 --> 01:36:28,860
miss Johnson and I aren't concerned

2072
01:36:27,000 --> 01:36:31,170
about HL hunt anymore it's Stanley

2073
01:36:28,860 --> 01:36:35,450
markets are worried about now neither

2074
01:36:31,170 --> 01:36:35,450
one live in my district my fragments I

2075
01:36:40,160 --> 01:36:46,860
move adoption of miss Sullivan against

2076
01:36:43,710 --> 01:36:49,740
the amendment the speaker members

2077
01:36:46,860 --> 01:36:51,810
I think mr. agnese brought out one of

2078
01:36:49,740 --> 01:36:54,300
the main problems of this is how are you

2079
01:36:51,810 --> 01:36:56,760
going to find out what the income is

2080
01:36:54,300 --> 01:36:59,520
either make the old folks bring their

2081
01:36:56,760 --> 01:37:02,730
income tax return down to the courthouse

2082
01:36:59,520 --> 01:37:03,840
and show you or swear out an affidavit

2083
01:37:02,730 --> 01:37:06,690
or something like that

2084
01:37:03,840 --> 01:37:10,530
how are you going to enforce it if they

2085
01:37:06,690 --> 01:37:12,180
if they do it by affidavit and and don't

2086
01:37:10,530 --> 01:37:13,680
tell the truth you're gonna have to hire

2087
01:37:12,180 --> 01:37:15,630
a bunch of folks go out and order them

2088
01:37:13,680 --> 01:37:18,540
or something it's just it's an

2089
01:37:15,630 --> 01:37:21,920
unworkable idea I think I'm not against

2090
01:37:18,540 --> 01:37:26,610
the concept of giving the giving the

2091
01:37:21,920 --> 01:37:29,010
relief only to those who need it but I'm

2092
01:37:26,610 --> 01:37:30,750
afraid the cost of setting up the

2093

01:37:29,010 --> 01:37:33,210
procedure and hiring the personnel to

2094
01:37:30,750 --> 01:37:37,820
enforce this thing will be worse than

2095
01:37:33,210 --> 01:37:39,710
the amount of tax the cities would save

2096
01:37:37,820 --> 01:37:42,350
another thing that I think has been made

2097
01:37:39,710 --> 01:37:44,600
very clear and that is that the elderly

2098
01:37:42,350 --> 01:37:49,310
people will in all probability vote a

2099
01:37:44,600 --> 01:37:53,450
block for this this article if we leave

2100
01:37:49,310 --> 01:37:55,910
this like we've got it I doubt very

2101
01:37:53,450 --> 01:37:58,490
seriously if the cities and the counties

2102
01:37:55,910 --> 01:38:00,500
the local districts would want this

2103
01:37:58,490 --> 01:38:03,770
headache that this would cause number

2104
01:38:00,500 --> 01:38:05,000
one but if they do I'd like to remind

2105
01:38:03,770 --> 01:38:07,100
you that there's a whole lot more

2106
01:38:05,000 --> 01:38:09,260
elderly folks and our mayor's around

2107
01:38:07,100 --> 01:38:11,090
Texas and we need their vote on the

2108
01:38:09,260 --> 01:38:13,550
article and I would ask you to vote

2109
01:38:11,090 --> 01:38:17,450
against speaker magnet

2110
01:38:13,550 --> 01:38:20,210
well gentlemen you know mr. Sullivan is

2111
01:38:17,450 --> 01:38:23,210
isn't it also true that many of the

2112
01:38:20,210 --> 01:38:25,520
people who would be eligible under mr.

2113
01:38:23,210 --> 01:38:27,950
Reynolds amendment are people that are

2114
01:38:25,520 --> 01:38:30,260
not educated they're not going to be

2115
01:38:27,950 --> 01:38:32,060
aware of the law and and they're just

2116
01:38:30,260 --> 01:38:33,860
not going to go down and fill out the

2117
01:38:32,060 --> 01:38:36,770
affidavit and therefore they will not

2118
01:38:33,860 --> 01:38:39,410
get the exemption that this section

2119
01:38:36,770 --> 01:38:41,810
intends to convey to them I think that's

2120

01:38:39,410 --> 01:38:44,060
right I think I think that as a

2121
01:38:41,810 --> 01:38:46,190
practical matter it's going to help very

2122
01:38:44,060 --> 01:38:47,690
very few people because I simply won't

2123
01:38:46,190 --> 01:38:48,740
take advantage of it they're not going

2124
01:38:47,690 --> 01:38:51,380
to go down there and swear out that

2125
01:38:48,740 --> 01:38:53,780
affidavit or whatever you have to do and

2126
01:38:51,380 --> 01:38:56,210
it's just a slap at the older folks and

2127
01:38:53,780 --> 01:39:05,240
I don't think we need to take and I hope

2128
01:38:56,210 --> 01:39:07,420
that you were to smoke this down mr.

2129
01:39:05,240 --> 01:39:11,960
Maddox I don't oppose the amendment

2130
01:39:07,420 --> 01:39:14,270
members uh I mr. Sullivan told you we

2131
01:39:11,960 --> 01:39:16,490
agree somewhat in the concept of what

2132
01:39:14,270 --> 01:39:19,270
mr. Reynolds is doing but what he is

2133
01:39:16,490 --> 01:39:22,370
doing is really and truly putting in an

2134
01:39:19,270 --> 01:39:23,930
administrative nightmare when you know

2135
01:39:22,370 --> 01:39:25,940
it's pretty easy to tell when a person

2136
01:39:23,930 --> 01:39:27,380
gets 65 years of age and once you get

2137
01:39:25,940 --> 01:39:29,540
them at that age it's pretty easy to

2138
01:39:27,380 --> 01:39:34,370
keep up that age but putting in this

2139
01:39:29,540 --> 01:39:36,500
this this economic level of \$8,400 well

2140
01:39:34,370 --> 01:39:38,300
that can vary from year to year and and

2141
01:39:36,500 --> 01:39:40,010
you can really get into a privacy

2142
01:39:38,300 --> 01:39:42,200
problem of them having to bring it down

2143
01:39:40,010 --> 01:39:43,610
having to change it every year and it

2144
01:39:42,200 --> 01:39:45,140
really gets into a nightmare type

2145
01:39:43,610 --> 01:39:45,880
problem there's just no reason for it

2146
01:39:45,140 --> 01:39:47,710
and they're in the

2147

01:39:45,880 --> 01:39:50,590
thing about this is when you put in

2148
01:39:47,710 --> 01:39:52,600
\$8,400 level anyway you're talking about

2149
01:39:50,590 --> 01:39:53,949
94 you talking about better than 90

2150
01:39:52,600 --> 01:39:55,960
percent of the elderly people in the

2151
01:39:53,949 --> 01:40:01,300
state anyway so I would ask that you not

2152
01:39:55,960 --> 01:40:03,820
vote in favor of the amendment mr.

2153
01:40:01,300 --> 01:40:06,360
Reynolds to close on his amendment mr.

2154
01:40:03,820 --> 01:40:08,650
speaker and members

2155
01:40:06,360 --> 01:40:12,030
mr. Sullivan said we shouldn't pass

2156
01:40:08,650 --> 01:40:15,750
another headache gone to the local

2157
01:40:12,030 --> 01:40:18,820
municipalities it's my contention

2158
01:40:15,750 --> 01:40:21,400
because of state and federal

2159
01:40:18,820 --> 01:40:24,130
interference our cities are in a

2160
01:40:21,400 --> 01:40:26,889
constant and quicks state of migraine

2161
01:40:24,130 --> 01:40:32,320
right now so once more little headache

2162
01:40:26,889 --> 01:40:35,350
wouldn't bother now you take a look at

2163
01:40:32,320 --> 01:40:38,710
what the amendment states it says \$8,400

2164
01:40:35,350 --> 01:40:44,770
or such larger sum as may be established

2165
01:40:38,710 --> 01:40:46,270
by law it doesn't fix it at \$8,400 it

2166
01:40:44,770 --> 01:40:49,239
allows the legislature to take

2167
01:40:46,270 --> 01:40:50,350
subsequent action and also in the

2168
01:40:49,239 --> 01:40:53,440
wording of the moment allows

2169
01:40:50,350 --> 01:40:55,900
legislatures set and establish how it

2170
01:40:53,440 --> 01:41:01,330
would be administered I'd move adoption

2171
01:40:55,900 --> 01:41:02,980
of the amendment question now occurs on

2172
01:41:01,330 --> 01:41:04,300
the adoption of the Reynolds amendment

2173
01:41:02,980 --> 01:41:05,679
all those in favor the adoption

2174

01:41:04,300 --> 01:41:07,659
amendment will say yeah vote aye all

2175
01:41:05,679 --> 01:41:10,710
those opposed will vote no it's a record

2176
01:41:07,659 --> 01:41:10,710
vote the clerk will ring the bell

2177
01:41:37,239 --> 01:41:42,340
vote no on the motion to table members

2178
01:41:43,360 --> 01:41:49,060
so mr. Mays voting no all members voted

2179
01:42:21,020 --> 01:42:30,530
they're being show mr. Edwards voting

2180
01:42:23,570 --> 01:42:31,970
guy there being 10 eyes 130 show show

2181
01:42:30,530 --> 01:42:37,130
men to Edward voting no right quick

2182
01:42:31,970 --> 01:42:39,500
before I call it there being nine eyes

2183
01:42:37,130 --> 01:42:43,340
136 knows they've never failed of

2184
01:42:39,500 --> 01:42:50,810
adoption the following amendment the

2185
01:42:43,340 --> 01:42:53,030
clerk will read the amendment amendment

2186
01:42:50,810 --> 01:42:55,880
by call well um in subsection it's gone

2187
01:42:53,030 --> 01:42:57,590
well explain the amendment mr. speaker

2188
01:42:55,880 --> 01:42:59,540
members this makes no certainty of

2189
01:42:57,590 --> 01:43:01,550
change it just changes a couple of

2190
01:42:59,540 --> 01:43:03,080
propositions in the transition schedule

2191
01:43:01,550 --> 01:43:05,090
where mistakes were made in the use of

2192
01:43:03,080 --> 01:43:08,060
words it has no change at all in the

2193
01:43:05,090 --> 01:43:12,860
substantively move its adoption glad to

2194
01:43:08,060 --> 01:43:14,840
read it if anybody wants anything man mo

2195
01:43:12,860 --> 01:43:16,750
the questions on the adoption of the

2196
01:43:14,840 --> 01:43:18,650
amendment it's acceptable to the

2197
01:43:16,750 --> 01:43:21,140
sponsors of the section is there

2198
01:43:18,650 --> 01:43:26,210
objection to its adoption chair here

2199
01:43:21,140 --> 01:43:29,570
none the amendment is adopted anybody

2200
01:43:26,210 --> 01:43:34,700
speak for against section 5 mr. Karle

2201

01:43:29,570 --> 01:43:36,410
well to speak for the speaker members

2202
01:43:34,700 --> 01:43:38,060
I'll be very brief but this is a

2203
01:43:36,410 --> 01:43:41,060
significant article and it's going to

2204
01:43:38,060 --> 01:43:43,700
help the people in this state it retains

2205
01:43:41,060 --> 01:43:45,290
the pay-as-you-go which is very

2206
01:43:43,700 --> 01:43:48,640
important that's what the people in this

2207
01:43:45,290 --> 01:43:52,190
state want it outlaws tuition bonds

2208
01:43:48,640 --> 01:43:55,430
issued by these schools and it's going

2209
01:43:52,190 --> 01:43:58,010
to make the building more economical and

2210
01:43:55,430 --> 01:43:59,690
it's going to save the kids money it's

2211
01:43:58,010 --> 01:44:01,640
also going to save the state money in

2212
01:43:59,690 --> 01:44:06,350
that respect because it makes state debt

2213
01:44:01,640 --> 01:44:08,750
much more tightly defined it is truly

2214
01:44:06,350 --> 01:44:10,850
fiscally conservative in that respect

2215
01:44:08,750 --> 01:44:13,310
and I'm not making jokes it defines

2216
01:44:10,850 --> 01:44:16,100
state debt much better than the present

2217
01:44:13,310 --> 01:44:19,040
Constitution does most important I think

2218
01:44:16,100 --> 01:44:21,740
there's a property tax reform that's

2219
01:44:19,040 --> 01:44:23,360
genuine and contained in this you will

2220
01:44:21,740 --> 01:44:25,600
reduce the number of tax assessor

2221
01:44:23,360 --> 01:44:28,390
collectors you will

2222
01:44:25,600 --> 01:44:31,410
standards and procedures and we will

2223
01:44:28,390 --> 01:44:36,040
have reform of the property tax law and

2224
01:44:31,410 --> 01:44:38,920
also it makes mandatory the formula for

2225
01:44:36,040 --> 01:44:41,370
the appraisal of farm and ranch land now

2226
01:44:38,920 --> 01:44:44,320
you people that represent rural areas

2227
01:44:41,370 --> 01:44:46,510
you have in many cases been abused

2228

01:44:44,320 --> 01:44:49,150
because it's discretionary this will

2229
01:44:46,510 --> 01:44:53,050
require that a different kind of formula

2230
01:44:49,150 --> 01:44:57,310
other than value market value be used

2231
01:44:53,050 --> 01:45:00,460
for ad valorem tax purposes it out lost

2232
01:44:57,310 --> 01:45:02,260
the tax sales tax on food and

2233
01:45:00,460 --> 01:45:05,320
prescription drugs that means the

2234
01:45:02,260 --> 01:45:07,510
legislature can never pass a tax that's

2235
01:45:05,320 --> 01:45:10,180
going to be disproportionately borne by

2236
01:45:07,510 --> 01:45:12,160
the poor people in this state that ought

2237
01:45:10,180 --> 01:45:14,650
to be the constitutional law if this

2238
01:45:12,160 --> 01:45:16,510
article is adopted the legislature won't

2239
01:45:14,650 --> 01:45:18,760
have the discretion a couple of years

2240
01:45:16,510 --> 01:45:21,940
from now or a hundred years from now to

2241
01:45:18,760 --> 01:45:22,510
put a sales tax on food and prescription

2242
01:45:21,940 --> 01:45:26,260
drugs

2243
01:45:22,510 --> 01:45:29,710
it also will forever outlaw a sales tax

2244
01:45:26,260 --> 01:45:34,300
on farm machinery and parts it will

2245
01:45:29,710 --> 01:45:36,640
outlaw a tax sales tax on seed feed and

2246
01:45:34,300 --> 01:45:38,830
fertilizer I think it's a very

2247
01:45:36,640 --> 01:45:40,630
progressive article and I believe the

2248
01:45:38,830 --> 01:45:43,300
people will appreciate what we've done

2249
01:45:40,630 --> 01:45:45,250
today if we'll have over 100 votes on

2250
01:45:43,300 --> 01:45:47,730
that board and I urge you to join me in

2251
01:45:45,250 --> 01:45:50,920
voting for this article thank you

2252
01:45:47,730 --> 01:45:52,480
questions on the adoption of section 5

2253
01:45:50,920 --> 01:45:54,670
all those in favor of adoption of

2254
01:45:52,480 --> 01:45:56,530
section 5 about our Lowe's oppose a vote

2255

01:45:54,670 --> 01:45:58,890
no it's a record vote the clerk will

2256
01:45:56,530 --> 01:45:58,890
ring the bell

2257
01:46:07,699 --> 01:46:13,660
yeah we better get back here at 1:45

2258
01:46:20,110 --> 01:46:31,200
well members voted all members voted

2259
01:46:35,400 --> 01:46:39,750
show mr. Montag your voting aye

2260
01:47:05,170 --> 01:47:12,430
a being 124 eyes 20 nose one president

2261
01:47:09,220 --> 01:47:15,850
not voting section 5 is adopted

2262
01:47:12,430 --> 01:47:19,990
finally this big earnest mr. Sullivan

2263
01:47:15,850 --> 01:47:22,870
met Washington mr. Sullivan moves at the

2264
01:47:19,990 --> 01:47:23,620
house stand recess until 1:45 is there

2265
01:47:22,870 --> 01:47:25,420
objection

2266
01:47:23,620 --> 01:47:31,210
chair here none in the house is so

2267
01:47:25,420 --> 01:47:33,420
recessed until 1:45 the house will come

2268
01:47:31,210 --> 01:47:33,420
to order

2269
01:47:34,230 --> 01:47:38,640
that's Kubiak how many buttons can you

2270
01:47:36,400 --> 01:47:38,640
punch

2271
01:48:29,250 --> 01:48:32,359
[Music]

2272
01:50:41,660 --> 01:50:47,030
members of his no ejection juror lays

2273
01:50:44,810 --> 01:50:48,890
out two following bills and resolutions

2274
01:50:47,030 --> 01:50:52,340
on first reading reference committee to

2275
01:50:48,890 --> 01:50:56,210
clerk will read the bills Senate bill

2276
01:50:52,340 --> 01:50:58,490
561 by Swartz to provide a definition of

2277
01:50:56,210 --> 01:51:00,320
newspaper and declaring an emergency

2278
01:50:58,490 --> 01:51:06,820
referred to the Committee on revenue and

2279
01:51:00,320 --> 01:51:11,000
Taxation Senate bill 595 by Jones

2280
01:51:06,820 --> 01:51:13,310
amending the Texas seed law relating to

2281
01:51:11,000 --> 01:51:14,630
definitions of terms used in the act and

2282

01:51:13,310 --> 01:51:16,220
declaring an emergency

2283
01:51:14,630 --> 01:51:28,820
refer to the Committee on agriculture

2284
01:51:16,220 --> 01:51:30,560
and livestock HSR 127 by szÃ©ll directing

2285
01:51:28,820 --> 01:51:32,060
a subcommittee of the House Committee on

2286
01:51:30,560 --> 01:51:34,220
health and welfare to study the

2287
01:51:32,060 --> 01:51:36,560
operations of Nursing and convalescent

2288
01:51:34,220 --> 01:51:41,420
homes in Texas referred to the Committee

2289
01:51:36,560 --> 01:51:43,550
on health and welfare HSR 128 by Matlock

2290
01:51:41,420 --> 01:51:45,050
relating to the creation of a special

2291
01:51:43,550 --> 01:51:47,720
interim Study Committee to study

2292
01:51:45,050 --> 01:51:52,070
consumer protection referred to the

2293
01:51:47,720 --> 01:51:56,270
Committee on business and industry House

2294
01:51:52,070 --> 01:51:58,610
bill 2171 by head it's relating to the

2295
01:51:56,270 --> 01:52:01,100
creation administration powers duties

2296
01:51:58,610 --> 01:52:03,170
functions and financing of the West

2297
01:52:01,100 --> 01:52:06,620
Cedar Creek Municipal Utility District

2298
01:52:03,170 --> 01:52:08,600
under article 16 section 59 of the Texas

2299
01:52:06,620 --> 01:52:10,100
Constitution and declaring an emergency

2300
01:52:08,600 --> 01:52:16,490
referred to the Committee on Natural

2301
01:52:10,100 --> 01:52:18,890
Resources House bill number 21 72 by

2302
01:52:16,490 --> 01:52:21,140
Tanner relating to the title of a

2303
01:52:18,890 --> 01:52:24,980
certain subject chapter in the water

2304
01:52:21,140 --> 01:52:27,500
code amending chapter 21 the water code

2305
01:52:24,980 --> 01:52:30,350
as amended by heading section 21 point

2306
01:52:27,500 --> 01:52:31,520
701 1 and declaring an emergency

2307
01:52:30,350 --> 01:52:33,940
referred to the Committee on Natural

2308
01:52:31,520 --> 01:52:33,940
Resources

2309

01:59:43,630 --> 01:59:48,700
mr. Washington are you about ready I

2310
01:59:46,080 --> 01:59:53,380
have a part of me to inquire mr. Nate

2311
01:59:48,700 --> 01:59:55,750
you inquire my Washington at the end of

2312
01:59:53,380 --> 01:59:57,970
business before lunch did I understand

2313
01:59:55,750 --> 02:00:00,520
the speaker to say to announce when he

2314
01:59:57,970 --> 02:00:04,590
announced to vote that the section was

2315
02:00:00,520 --> 02:00:04,590
finally passed that's correct

2316
02:00:05,070 --> 02:00:13,030
my inquiry is by what authority under

2317
02:00:10,330 --> 02:00:16,780
the rule does the speaker declare that a

2318
02:00:13,030 --> 02:00:19,180
section of one joint resolution is fine

2319
02:00:16,780 --> 02:00:20,950
that pass was speaker by the suspension

2320
02:00:19,180 --> 02:00:22,720
of the rules when we begin the debate on

2321
02:00:20,950 --> 02:00:25,420
the Constitution that the section shall

2322
02:00:22,720 --> 02:00:28,420
be just divided and voted on separately

2323
02:00:25,420 --> 02:00:30,820
at that time parliamentary inquiry mr.

2324
02:00:28,420 --> 02:00:32,890
speaker stay tuned quirements pension of

2325
02:00:30,820 --> 02:00:34,930
the rules only affect the rules of the

2326
02:00:32,890 --> 02:00:40,810
house and not the Constitution is that

2327
02:00:34,930 --> 02:00:42,430
correct that is correct mentorship the

2328
02:00:40,810 --> 02:00:47,460
Speaker I was did raise a point of order

2329
02:00:42,430 --> 02:00:51,340
that the series of rulings and the

2330
02:00:47,460 --> 02:00:53,710
interpretation thereof that the document

2331
02:00:51,340 --> 02:00:57,730
may be finally considered by this house

2332
02:00:53,710 --> 02:01:00,040
section by section violates in the

2333
02:00:57,730 --> 02:01:03,430
interpretation thereof that allows for

2334
02:01:00,040 --> 02:01:07,600
the rules to allow that result violates

2335
02:01:03,430 --> 02:01:12,730
the Texas Constitution with respect to

2336

02:01:07,600 --> 02:01:14,440
the language that indicates that a joint

2337
02:01:12,730 --> 02:01:17,170
rent I mean that a constitutional

2338
02:01:14,440 --> 02:01:19,390
amendment may only be submitted and

2339
02:01:17,170 --> 02:01:21,880
provide and proposed by Joint Resolution

2340
02:01:19,390 --> 02:01:23,980
and there's only one joint resolution

2341
02:01:21,880 --> 02:01:25,600
pending and further the constitutional

2342
02:01:23,980 --> 02:01:28,300
requirement that the chief clerk of the

2343
02:01:25,600 --> 02:01:30,250
house certifiers having been passed by

2344
02:01:28,300 --> 02:01:32,710
the A's and nays recorded in the journal

2345
02:01:30,250 --> 02:01:35,980
at least two-thirds of the members of

2346
02:01:32,710 --> 02:01:38,860
the house of the proposal by joint

2347
02:01:35,980 --> 02:01:40,390
resolution and further that the speaker

2348
02:01:38,860 --> 02:01:43,450
signed the speaker of the presiding

2349
02:01:40,390 --> 02:01:45,880
officers of each house sandi proposal

2350
02:01:43,450 --> 02:01:48,460
and mr. speaker my point of order is

2351
02:01:45,880 --> 02:01:51,430
that you can't sign a section of one

2352
02:01:48,460 --> 02:01:54,480
joint resolution bring you part of water

2353
02:01:51,430 --> 02:01:54,480
forward mr. Washington

2354
02:03:40,630 --> 02:03:44,490
remember the remember we had the

2355
02:03:42,190 --> 02:03:44,490
committee

2356
02:05:51,690 --> 02:05:58,170
master speak up mr. doorkeeper we have a

2357
02:05:56,760 --> 02:06:02,460
message from the Senate

2358
02:05:58,170 --> 02:06:04,020
at net the messenger mr. speaker I'm

2359
02:06:02,460 --> 02:06:05,219
directed by the Senate to inform the

2360
02:06:04,020 --> 02:06:08,460
house that the Senate has passed

2361
02:06:05,219 --> 02:06:10,199
following HB 564 by Vaughn Dolan

2362
02:06:08,460 --> 02:06:13,020
relating to the collection of fees under

2363

02:06:10,199 --> 02:06:15,210
the Texas Controlled Substances Act has

2364
02:06:13,020 --> 02:06:17,159
to be 241 by Adams were right into the

2365
02:06:15,210 --> 02:06:18,659
exemption of certain evidences of

2366
02:06:17,159 --> 02:06:21,750
interest in Savings and Loan

2367
02:06:18,659 --> 02:06:23,429
associations that's be 242 by Adams

2368
02:06:21,750 --> 02:06:25,230
relating to the investment of credit

2369
02:06:23,429 --> 02:06:28,489
union funds and certain savings and

2370
02:06:25,230 --> 02:06:28,489
certificates and accounts

2371
02:13:00,489 --> 02:13:04,350
because there's that part where a

2372
02:15:43,659 --> 02:15:47,260
what do you want for a wake

2373
02:15:57,300 --> 02:16:00,300
Coleman

2374
02:16:49,720 --> 02:16:52,950
mr. speaker

2375
02:17:06,019 --> 02:17:10,429
my Parker

2376
02:17:07,769 --> 02:17:10,429
my name's Park

2377
02:17:20,779 --> 02:17:25,519
mr. speaker all I wanted to ask is if

2378
02:17:23,120 --> 02:17:26,989
when mr. Washington files that lawsuit

2379
02:17:25,519 --> 02:17:28,910
if he's going to have mr. Heatley be

2380
02:17:26,989 --> 02:17:31,819
co-counsel with him before the Supreme

2381
02:17:28,910 --> 02:17:36,069
Court oh I'm not I'm not aware I mean

2382
02:17:31,819 --> 02:17:36,069
I'm not advised mr. Parker thank you sir

2383
02:20:48,910 --> 02:20:55,570
members mr. Washington raises a point of

2384
02:20:51,521 --> 02:20:59,051
order against further consideration of s

2385
02:20:55,570 --> 02:21:03,040
jr. 11 in that the speaker and

2386
02:20:59,051 --> 02:21:06,670
announcing the vote on section 5 of SJ

2387
02:21:03,040 --> 02:21:11,551
are 11 announced that that section was

2388
02:21:06,670 --> 02:21:14,490
finally adopted that point of order is

2389
02:21:11,551 --> 02:21:17,500
overruled because we suspended the rules

2390

02:21:14,490 --> 02:21:20,471
at the beginning of discussion on this

2391
02:21:17,500 --> 02:21:24,551
article that each section might be

2392
02:21:20,471 --> 02:21:26,230
debated and adopted that's Washington

2393
02:21:24,551 --> 02:21:28,630
further raised as a point of order that

2394
02:21:26,230 --> 02:21:32,280
this is in violation of article 3

2395
02:21:28,630 --> 02:21:36,011
section 38 of the Constitution regarding

2396
02:21:32,280 --> 02:21:38,950
signing in the bills and resolutions in

2397
02:21:36,011 --> 02:21:42,540
the presence of the house and that each

2398
02:21:38,950 --> 02:21:45,490
bill or resolution must be signed and

2399
02:21:42,540 --> 02:21:49,210
the chair will respectfully overrule

2400
02:21:45,490 --> 02:21:53,230
this point of order in that in signing

2401
02:21:49,210 --> 02:21:56,110
SJ or 11 the speaker will be signing and

2402
02:21:53,230 --> 02:21:59,351
attesting to the fact that each of the

2403
02:21:56,110 --> 02:22:03,190
sections did pass by the various votes

2404
02:21:59,351 --> 02:22:04,721
that will be recorded on them investor

2405
02:22:03,190 --> 02:22:07,120
Washington further raises a point of

2406
02:22:04,721 --> 02:22:10,690
order that this is in violation of

2407
02:22:07,120 --> 02:22:13,690
article 17 section 1 modes of amending

2408
02:22:10,690 --> 02:22:16,360
the Constitution in that the proposal

2409
02:22:13,690 --> 02:22:18,370
for submission must be approved a vote

2410
02:22:16,360 --> 02:22:21,880
of two-thirds of the members elected to

2411
02:22:18,370 --> 02:22:23,710
each house and the speaker will over

2412
02:22:21,880 --> 02:22:26,351
respectfully overrule this point of

2413
02:22:23,710 --> 02:22:30,280
order in that as the question was

2414
02:22:26,351 --> 02:22:32,471
divided each proposal will be recorded

2415
02:22:30,280 --> 02:22:35,490
as having a vote of two-thirds before it

2416
02:22:32,471 --> 02:22:35,490
would be sent to the voters

2417

02:22:45,040 --> 02:22:48,040

yeah

2418

02:22:48,899 --> 02:22:55,689

the speaker Natali wheel a parliamentary

2419

02:22:53,080 --> 02:22:57,580

inquiry states inquire Montano well in

2420

02:22:55,689 --> 02:22:59,710

reference to your ruling there a moment

2421

02:22:57,580 --> 02:23:02,410

ago wouldn't it also be accurate to say

2422

02:22:59,710 --> 02:23:03,910

that this is not the final boat that

2423

02:23:02,410 --> 02:23:05,470

would require the two-thirds because

2424

02:23:03,910 --> 02:23:07,950

that boat will have to be the

2425

02:23:05,470 --> 02:23:11,380

concurrence or non concurrence on the

2426

02:23:07,950 --> 02:23:12,550

when the Senate if they send it back

2427

02:23:11,380 --> 02:23:14,290

listen a wreck

2428

02:23:12,550 --> 02:23:16,770

this is correct all right it's correct

2429

02:23:14,290 --> 02:23:16,770

miss Halliwell

2430

02:23:29,900 --> 02:23:34,880

okay Jared's going to recognize mr.

2431
02:23:32,930 --> 02:23:37,880
Washington for an explanation of section

2432
02:23:34,880 --> 02:23:41,660
6 Thank You mr. speaker and fellow

2433
02:23:37,880 --> 02:23:45,460
members article 9 of proposed new

2434
02:23:41,660 --> 02:23:47,570
constitution that is section 6 of STR 11

2435
02:23:45,460 --> 02:23:50,860
essentially is the local government

2436
02:23:47,570 --> 02:23:53,150
article that was debated and voted upon

2437
02:23:50,860 --> 02:23:55,720
when most of us were here during the

2438
02:23:53,150 --> 02:24:01,040
Constitutional Convention you've had

2439
02:23:55,720 --> 02:24:02,900
ample debate and discussion on on SDR 11

2440
02:24:01,040 --> 02:24:05,360
saw briefly with the information run

2441
02:24:02,900 --> 02:24:07,851
through the local government article

2442
02:24:05,360 --> 02:24:11,690
such an one as you know deals with

2443
02:24:07,851 --> 02:24:16,010
countess and it Rico defies the present

2444

02:24:11,690 --> 02:24:17,890
language regarding the count is being

2445
02:24:16,010 --> 02:24:22,700
though that in existence at this time

2446
02:24:17,890 --> 02:24:26,530
254 counties it changes and simplifies

2447
02:24:22,700 --> 02:24:29,811
the means by which persons in counties

2448
02:24:26,530 --> 02:24:33,110
may merge the counties or change the

2449
02:24:29,811 --> 02:24:36,290
county seats it doesn't break in a new

2450
02:24:33,110 --> 02:24:38,330
ground but it covers in much simpler

2451
02:24:36,290 --> 02:24:40,601
terms and fewer words the present

2452
02:24:38,330 --> 02:24:43,610
provisions in the present Constitution

2453
02:24:40,601 --> 02:24:45,410
section 2 deals with the founders the

2454
02:24:43,610 --> 02:24:48,050
powers of county government and just

2455
02:24:45,410 --> 02:24:49,370
establishes that the powers of the

2456
02:24:48,050 --> 02:24:51,470
counties of those granted by this

2457
02:24:49,370 --> 02:24:54,620
constitution of granted by general law

2458
02:24:51,470 --> 02:24:56,690
by the legislature section 3 deals with

2459
02:24:54,620 --> 02:24:59,900
the county offices and renamed the

2460
02:24:56,690 --> 02:25:03,680
county commissioners code as a County

2461
02:24:59,900 --> 02:25:08,601
Commission and insisted it be composed

2462
02:25:03,680 --> 02:25:10,280
of a county judge and who was elected by

2463
02:25:08,601 --> 02:25:14,980
the cannot qualified voters of the

2464
02:25:10,280 --> 02:25:18,140
county and County Commissioners the

2465
02:25:14,980 --> 02:25:22,521
county judges made the presiding officer

2466
02:25:18,140 --> 02:25:26,660
of the County Commission it section 3

2467
02:25:22,521 --> 02:25:29,030
also goes into the creates the position

2468
02:25:26,660 --> 02:25:33,050
of tax assessor collector and County

2469
02:25:29,030 --> 02:25:35,030
Sheriff and County Clerk he provides for

2470
02:25:33,050 --> 02:25:40,061
the election of one or more constables

2471

02:25:35,030 --> 02:25:44,080
in the county and then Section D

2472
02:25:40,061 --> 02:25:47,210
indicates that notwithstanding

2473
02:25:44,080 --> 02:25:49,100
the constitutional officers set out to

2474
02:25:47,210 --> 02:25:51,380
qualified electors of voters in the

2475
02:25:49,100 --> 02:25:55,220
county make a mind the functions of

2476
02:25:51,380 --> 02:25:56,870
duties of officers so as to in some of

2477
02:25:55,220 --> 02:25:58,940
the smaller counties to cut down on the

2478
02:25:56,870 --> 02:26:00,440
number of elected county officials so

2479
02:25:58,940 --> 02:26:04,240
long as the duties of functions

2480
02:26:00,440 --> 02:26:07,400
incorporated in the new combined office

2481
02:26:04,240 --> 02:26:09,860
section 4 deals with county artists

2482
02:26:07,400 --> 02:26:12,440
making power it's a limited form of Home

2483
02:26:09,860 --> 02:26:14,390
Rule for the counties the grant to the

2484
02:26:12,440 --> 02:26:16,220
county commissioners general ordinance

2485
02:26:14,390 --> 02:26:22,130
making powers consistent with general

2486
02:26:16,220 --> 02:26:25,010
law the section 5 deals with general law

2487
02:26:22,130 --> 02:26:27,860
cities that takes the bottom-line

2488
02:26:25,010 --> 02:26:31,040
limitation on general law cities down to

2489
02:26:27,860 --> 02:26:33,590
1500 and coincidental was that raises

2490
02:26:31,040 --> 02:26:35,420
the the Home Rule cities

2491
02:26:33,590 --> 02:26:37,550
I mean lower the limit the home rule set

2492
02:26:35,420 --> 02:26:41,450
is a 1500 raised general general law

2493
02:26:37,550 --> 02:26:45,140
cities to 1500 section 6 deals with City

2494
02:26:41,450 --> 02:26:47,530
charters which indicates to the inner

2495
02:26:45,140 --> 02:26:50,990
city having population of 1500 or more

2496
02:26:47,530 --> 02:26:53,030
may by a majority of voting on the

2497
02:26:50,990 --> 02:26:54,560
question adopt the men overfilled our

2498

02:26:53,030 --> 02:26:57,710
charters of manners consistent with

2499
02:26:54,560 --> 02:26:59,270
general law of course no charter

2500
02:26:57,710 --> 02:27:01,430
ordinance of a city may be inconsistent

2501
02:26:59,270 --> 02:27:03,620
with the general law of the state of

2502
02:27:01,430 --> 02:27:05,750
Texas which gives the legislature

2503
02:27:03,620 --> 02:27:08,240
general law control subject to setting

2504
02:27:05,750 --> 02:27:10,190
the broad parameters and guidelines and

2505
02:27:08,240 --> 02:27:12,290
leaves the flexibilities in each of the

2506
02:27:10,190 --> 02:27:14,690
general law cities at home the Home Rule

2507
02:27:12,290 --> 02:27:16,520
cities to fashion the kind of government

2508
02:27:14,690 --> 02:27:19,100
that they won't consistent with the

2509
02:27:16,520 --> 02:27:21,440
mandate of the legislature section

2510
02:27:19,100 --> 02:27:23,750
session 7 deals with special districts

2511
02:27:21,440 --> 02:27:26,090
and authorities and provides a uniform

2512
02:27:23,750 --> 02:27:28,040
system for the creation and abolition of

2513
02:27:26,090 --> 02:27:30,100
special districts and authorities

2514
02:27:28,040 --> 02:27:32,330
including water districts and so forth

2515
02:27:30,100 --> 02:27:34,130
section 8 deals with the terms of

2516
02:27:32,330 --> 02:27:36,290
officers of all these County elected

2517
02:27:34,130 --> 02:27:39,740
officials and such determined at four

2518
02:27:36,290 --> 02:27:41,690
years such in five deals with section 9

2519
02:27:39,740 --> 02:27:44,630
deals with compensation of the officers

2520
02:27:41,690 --> 02:27:49,310
section 10 deals with tax rate debt

2521
02:27:44,630 --> 02:27:50,979
limitations now this does not raise the

2522
02:27:49,310 --> 02:27:54,830
limitation that are set but it

2523
02:27:50,979 --> 02:27:56,570
consistent with section 6 which is the

2524
02:27:54,830 --> 02:28:00,890
finance article

2525

02:27:56,570 --> 02:28:03,560
to make uniform the debt limitations for

2526
02:28:00,890 --> 02:28:07,370
kit for counties and cities throughout

2527
02:28:03,560 --> 02:28:09,710
the state of Texas and also includes

2528
02:28:07,370 --> 02:28:18,800
school districts and authorities and any

2529
02:28:09,710 --> 02:28:20,150
other political subdivisions section 11

2530
02:28:18,800 --> 02:28:23,690
deals with intergovernmental cooperation

2531
02:28:20,150 --> 02:28:26,000
in his self-explanatory just it's the

2532
02:28:23,690 --> 02:28:27,710
provision by which local units of

2533
02:28:26,000 --> 02:28:29,870
government they cooperate with each

2534
02:28:27,710 --> 02:28:31,670
other on functions and duties so they

2535
02:28:29,870 --> 02:28:33,440
don't have to duplicate each other in

2536
02:28:31,670 --> 02:28:35,810
areas where there is overlapping and

2537
02:28:33,440 --> 02:28:38,000
function they may save tax dollars by

2538
02:28:35,810 --> 02:28:39,740
allowing for say one tax assessor

2539
02:28:38,000 --> 02:28:42,470
collector to collect the taxes for all

2540
02:28:39,740 --> 02:28:44,510
the units of government or one unit of

2541
02:28:42,470 --> 02:28:46,870
government has a computer they want to

2542
02:28:44,510 --> 02:28:50,150
buy time in the computer they may do so

2543
02:28:46,870 --> 02:28:51,680
just provide JUnit for them allows them

2544
02:28:50,150 --> 02:28:53,810
to cooperate with each other there's

2545
02:28:51,680 --> 02:28:55,340
some caution on the constitutionality of

2546
02:28:53,810 --> 02:28:58,130
that being done in the present

2547
02:28:55,340 --> 02:28:59,990
Constitution although it is done in many

2548
02:28:58,130 --> 02:29:02,271
areas section 12

2549
02:28:59,990 --> 02:29:04,190
deals with consolidation of offices and

2550
02:29:02,271 --> 02:29:05,990
transfer of functions which is just

2551
02:29:04,190 --> 02:29:07,820
consistent with section 3 that provides

2552

02:29:05,990 --> 02:29:09,590
it when there is a consolidation of a

2553
02:29:07,820 --> 02:29:11,170
transfer of function that all the

2554
02:29:09,590 --> 02:29:13,521
constitutional duties and functions

2555
02:29:11,170 --> 02:29:14,870
continue to be carried out and that the

2556
02:29:13,521 --> 02:29:18,021
County Commission is charged with the

2557
02:29:14,870 --> 02:29:19,580
responsibility of assuring that the

2558
02:29:18,021 --> 02:29:24,260
functions are carried out when they are

2559
02:29:19,580 --> 02:29:27,771
the consolidation of emergency the

2560
02:29:24,260 --> 02:29:30,980
transition schedule just carries forward

2561
02:29:27,771 --> 02:29:33,980
certain statutes certain constitutional

2562
02:29:30,980 --> 02:29:36,021
provisions now in statutory form until

2563
02:29:33,980 --> 02:29:38,750
the legislature can again meet and

2564
02:29:36,021 --> 02:29:44,150
address itself to the the primary

2565
02:29:38,750 --> 02:29:46,370
questions expressed there with respect

2566
02:29:44,150 --> 02:29:48,380
to the transition schedule we want to be

2567
02:29:46,370 --> 02:29:50,330
sure that the validity of our bonds that

2568
02:29:48,380 --> 02:29:52,160
are presently outstanding or that would

2569
02:29:50,330 --> 02:29:54,500
be issued prior to the effective date of

2570
02:29:52,160 --> 02:29:57,230
the Constitution would be valid so as

2571
02:29:54,500 --> 02:29:59,570
not to affect their marketability such

2572
02:29:57,230 --> 02:30:02,930
an - just ensures that that is the case

2573
02:29:59,570 --> 02:30:06,850
in the transition schedule section 3

2574
02:30:02,930 --> 02:30:06,850
deals with the delayed effective date

2575
02:30:07,180 --> 02:30:12,221
this article of the Constitution

2576
02:30:09,900 --> 02:30:14,681
section four deals with the provisions

2577
02:30:12,221 --> 02:30:17,351
of 1876 Constitution being carried

2578
02:30:14,681 --> 02:30:19,660
forward and enacted it's sort of itself

2579

02:30:17,351 --> 02:30:22,811
enacting Clause enacting the general law

2580
02:30:19,660 --> 02:30:25,751
into the legislature either meets and

2581
02:30:22,811 --> 02:30:28,001
and abolishing them by general law

2582
02:30:25,751 --> 02:30:30,730
otherwise treats odds of Maori fines of

2583
02:30:28,001 --> 02:30:32,620
momentum section 5 deals with the

2584
02:30:30,730 --> 02:30:35,110
transition the term of office in the

2585
02:30:32,620 --> 02:30:37,421
transition schedule section 6 with the

2586
02:30:35,110 --> 02:30:38,740
anticipatory legislation section 7 with

2587
02:30:37,421 --> 02:30:41,400
the power of the Secretary of State

2588
02:30:38,740 --> 02:30:45,761
under amendments adopted November 4th

2589
02:30:41,400 --> 02:30:47,650
1975 I'll be happy to attempt to answer

2590
02:30:45,761 --> 02:30:52,690
any questions regarding local government

2591
02:30:47,650 --> 02:30:57,280
article following amendment the clerk

2592
02:30:52,690 --> 02:31:02,820
will read the amendment amendment by

2593
02:30:57,280 --> 02:31:02,820
Maloney come in miss Maloney

2594
02:31:07,680 --> 02:31:11,430
mr. Malone into an estimate mr. Maloney

2595
02:31:09,990 --> 02:31:12,750
before you start this minute miss

2596
02:31:11,430 --> 02:31:15,300
Maloney that's baloney

2597
02:31:12,750 --> 02:31:17,610
wait yet miss Maloney wait a second mr.

2598
02:31:15,300 --> 02:31:18,960
Kaber message from the Senate mr.

2599
02:31:17,610 --> 02:31:22,200
speaker it meant to messenger mr.

2600
02:31:18,960 --> 02:31:23,580
doorkeeper mr. speaker I'm directed by

2601
02:31:22,200 --> 02:31:26,550
the Senate to inform the house that the

2602
02:31:23,580 --> 02:31:28,290
Senate has passed following SB 470 by

2603
02:31:26,550 --> 02:31:32,790
Schwartz relating to the importance of

2604
02:31:28,290 --> 02:31:34,710
the Gulf Intracoastal Waterway chair

2605
02:31:32,790 --> 02:31:41,790
recognizes mr. Maloney explain his

2606

02:31:34,710 --> 02:31:44,430
amendment mr. speaker members this is an

2607
02:31:41,790 --> 02:31:49,680
addition to the transition schedule of

2608
02:31:44,430 --> 02:31:52,740
article 9 it is the same thing that we

2609
02:31:49,680 --> 02:31:56,700
had that we put in article 5 but in the

2610
02:31:52,740 --> 02:32:00,150
event that article 5 does not pass the

2611
02:31:56,700 --> 02:32:02,640
people this is simply style and drafting

2612
02:32:00,150 --> 02:32:05,490
of our present Constitution to make it

2613
02:32:02,640 --> 02:32:08,880
say what it does in in conformity with

2614
02:32:05,490 --> 02:32:10,950
it this it involves the district and

2615
02:32:08,880 --> 02:32:12,990
county attorneys representing the state

2616
02:32:10,950 --> 02:32:16,050
in criminal cases and that's all that it

2617
02:32:12,990 --> 02:32:18,271
does it's just in as a styling drafting

2618
02:32:16,050 --> 02:32:22,530
change and in the event that article 5

2619
02:32:18,271 --> 02:32:24,271
does not pass the people move its adopt

2620
02:32:22,530 --> 02:32:25,771
questions on the adoption of the

2621
02:32:24,271 --> 02:32:28,170
amendment it is acceptable to the

2622
02:32:25,771 --> 02:32:29,940
authors of this section it is acceptable

2623
02:32:28,170 --> 02:32:32,760
to the office is there objection to its

2624
02:32:29,940 --> 02:32:39,690
adoption chair hears on the amendment is

2625
02:32:32,760 --> 02:32:42,360
adopted members the question now occurs

2626
02:32:39,690 --> 02:32:44,940
on the adoption of section 6 all those

2627
02:32:42,360 --> 02:32:46,710
in favor of the adoption of section 6

2628
02:32:44,940 --> 02:32:48,780
will vote all those opposed will vote no

2629
02:32:46,710 --> 02:32:49,790
to record vote the clerk or ring the

2630
02:32:48,780 --> 02:32:53,780
bell

2631
02:32:49,790 --> 02:32:53,780
Jill mr. Washington voting aye

2632
02:33:27,170 --> 02:33:32,240
all members voted show mr. Walters

2633

02:33:29,850 --> 02:33:32,240
voting aye

2634
02:33:42,200 --> 02:33:52,540
lower members loaded so much true on

2635
02:33:45,440 --> 02:33:52,540
voting aye all members voted

2636
02:34:05,470 --> 02:34:09,000
she'll mr. white voting aye

2637
02:34:19,080 --> 02:34:31,890
a being 127 eyes 17 nose section 6 is

2638
02:34:24,390 --> 02:34:35,280
finally adopted members we haven't in

2639
02:34:31,890 --> 02:34:37,950
the gallery today a distinguished state

2640
02:34:35,280 --> 02:34:39,840
senator from Mississippi senator Stephen

2641
02:34:37,950 --> 02:34:40,510
Beach senator we're pleased to have you

2642
02:34:39,840 --> 02:34:47,009
with us

2643
02:34:40,510 --> 02:34:47,009
[Applause]

2644
02:34:50,960 --> 02:35:00,120
chair recognizes representative Reynolds

2645
02:34:54,270 --> 02:35:07,460
for an explanation on section 7 the

2646
02:35:00,120 --> 02:35:14,130
speaker members one third of page 128 of

2647
02:35:07,460 --> 02:35:17,300
SDR number 11 this section includes

2648
02:35:14,130 --> 02:35:21,270
article 10 which is made up of 24

2649
02:35:17,300 --> 02:35:29,040
individual sections I'll take them in

2650
02:35:21,270 --> 02:35:33,569
order the first deals with the official

2651
02:35:29,040 --> 02:35:37,310
oath it's a similar provision and the

2652
02:35:33,569 --> 02:35:43,080
existing to the existing Constitution

2653
02:35:37,310 --> 02:35:46,170
section 2 has to do with the residence

2654
02:35:43,080 --> 02:35:51,920
of civil officers similar provision in

2655
02:35:46,170 --> 02:35:51,920
the existing Constitution section 3

2656
02:35:56,840 --> 02:36:04,760
covers the forfeiture of residence by

2657
02:36:00,330 --> 02:36:07,620
absence of public on public business

2658
02:36:04,760 --> 02:36:11,760
there's a similar provision in existing

2659
02:36:07,620 --> 02:36:15,569
Constitution section 4 lives with

2660

02:36:11,760 --> 02:36:19,229
continuation in office there's a similar

2661
02:36:15,569 --> 02:36:22,500
provision but there is no limitation on

2662
02:36:19,229 --> 02:36:25,800
the holdover period in Section 4 is

2663
02:36:22,500 --> 02:36:28,050
being proposed merely allows an officer

2664
02:36:25,800 --> 02:36:31,859
to continue serving beyond the end of a

2665
02:36:28,050 --> 02:36:33,660
term until a successor has qualified but

2666
02:36:31,859 --> 02:36:35,430
a limitation is placed on the period of

2667
02:36:33,660 --> 02:36:38,040
time that an employment officer may stay

2668
02:36:35,430 --> 02:36:42,890
in office after the expiration of the

2669
02:36:38,040 --> 02:36:46,170
term section 5 vacancies filled for

2670
02:36:42,890 --> 02:36:48,800
unexpired term there's a similar

2671
02:36:46,170 --> 02:36:51,960
provision in existing Constitution

2672
02:36:48,800 --> 02:36:53,850
section 6 is disqualification and

2673
02:36:51,960 --> 02:36:57,479
suspension and removal from

2674
02:36:53,850 --> 02:36:59,550
constitutional office this section

2675
02:36:57,479 --> 02:37:01,970
permits the legislature to provide

2676
02:36:59,550 --> 02:37:04,080
grounds and procedures for suspension

2677
02:37:01,970 --> 02:37:06,689
disqualification remove our office for

2678
02:37:04,080 --> 02:37:10,020
constitutional officers if the removal

2679
02:37:06,689 --> 02:37:11,970
is not provided in the Constitution this

2680
02:37:10,020 --> 02:37:14,760
contains several provisions relating to

2681
02:37:11,970 --> 02:37:17,189
exclusion from office or forfeiture of

2682
02:37:14,760 --> 02:37:19,830
office for bribery withholding of salary

2683
02:37:17,189 --> 02:37:21,989
or suspension from office for failure to

2684
02:37:19,830 --> 02:37:27,830
perform duties that's what's in the

2685
02:37:21,989 --> 02:37:30,479
present Constitution section 7

2686
02:37:27,830 --> 02:37:32,850
protection of the environment there's no

2687

02:37:30,479 --> 02:37:35,640
similar provision this is just merely

2688
02:37:32,850 --> 02:37:38,670
States a policy by the state and

2689
02:37:35,640 --> 02:37:42,540
provides for the legislature to handle

2690
02:37:38,670 --> 02:37:45,120
it by law section 8 conservation

2691
02:37:42,540 --> 02:37:46,979
development of Natural Resources there's

2692
02:37:45,120 --> 02:37:51,630
similar provision in the existing

2693
02:37:46,979 --> 02:37:54,899
Constitution section 9 deals with

2694
02:37:51,630 --> 02:37:57,180
coastal Natural Resources there's no

2695
02:37:54,899 --> 02:38:01,310
similar provision in the existing

2696
02:37:57,180 --> 02:38:04,260
Constitution this is new section 10

2697
02:38:01,310 --> 02:38:06,670
provides for protection of Wildlife and

2698
02:38:04,260 --> 02:38:10,260
resources there's a similar from a

2699
02:38:06,670 --> 02:38:12,550
existing Constitution section 11

2700
02:38:10,260 --> 02:38:15,670
separate and community property of

2701
02:38:12,550 --> 02:38:19,780
spouses this defines separate community

2702
02:38:15,670 --> 02:38:22,060
property there is an existing provision

2703
02:38:19,780 --> 02:38:28,780
in the Constitution now this is a

2704
02:38:22,060 --> 02:38:32,530
rewording number 12 deals with homestead

2705
02:38:28,780 --> 02:38:37,950
it's a rewarding of the existing

2706
02:38:32,530 --> 02:38:37,950
provision in the Constitution section 13

2707
02:38:38,250 --> 02:38:43,810
provides for protection of personal

2708
02:38:40,930 --> 02:38:46,740
property from for sale the similar

2709
02:38:43,810 --> 02:38:51,250
provision and existing Constitution

2710
02:38:46,740 --> 02:38:55,810
section 14 for hits the garnishment of

2711
02:38:51,250 --> 02:39:03,070
current wages existing provision in the

2712
02:38:55,810 --> 02:39:05,650
Constitution now section 15 deals with

2713
02:39:03,070 --> 02:39:09,760
private corporations it's rewording of

2714

02:39:05,650 --> 02:39:13,750
the provision that exists now section 16

2715
02:39:09,760 --> 02:39:16,990
deals with banking and it's similar to

2716
02:39:13,750 --> 02:39:21,160
the existing provision and constitution

2717
02:39:16,990 --> 02:39:24,610
and it adds section B and C with respect

2718
02:39:21,160 --> 02:39:31,900
to regulation of bank holding companies

2719
02:39:24,610 --> 02:39:35,410
and foreign corporations section 17

2720
02:39:31,900 --> 02:39:37,510
deals with alcoholic beverages it's a

2721
02:39:35,410 --> 02:39:43,990
since there is a similar provision this is

2722
02:39:37,510 --> 02:39:49,360
a rewording no substantive change 17 or

2723
02:39:43,990 --> 02:39:53,200
18 is it deals with practitioners of

2724
02:39:49,360 --> 02:39:56,470
medicine there's a similar provision in

2725
02:39:53,200 --> 02:39:58,630
an existing Constitution section 19

2726
02:39:56,470 --> 02:40:01,600
deals with lotteries and gift

2727
02:39:58,630 --> 02:40:08,330
enterprises there's a similar provision

2728
02:40:01,600 --> 02:40:13,490
in the existing Constitution

2729
02:40:08,330 --> 02:40:13,490
still refers to bingo and lotteries

2730
02:40:14,360 --> 02:40:20,930
section 20 deals with lian's of

2731
02:40:17,790 --> 02:40:23,189
mechanics artisans and material men

2732
02:40:20,930 --> 02:40:26,939
similar provision in the existing

2733
02:40:23,189 --> 02:40:30,560
Constitution section 21 deals with

2734
02:40:26,939 --> 02:40:33,750
retirement benefits for public employees

2735
02:40:30,560 --> 02:40:36,840
this was a combination of a number of

2736
02:40:33,750 --> 02:40:43,760
different existing provisions in the

2737
02:40:36,840 --> 02:40:43,760
Constitution and a rewording section 22

2738
02:40:47,479 --> 02:40:54,950
is with regulation of interest and

2739
02:40:50,430 --> 02:41:01,950
lending there is a similar provision in

2740
02:40:54,950 --> 02:41:04,229
existing Constitution section 23 deals

2741

02:41:01,950 --> 02:41:09,750
with equal treatment of the handicapped

2742
02:41:04,229 --> 02:41:13,439
this is a new provision section 24 deals

2743
02:41:09,750 --> 02:41:15,870
with access to health care this also is

2744
02:41:13,439 --> 02:41:19,040
a new provision I'd be glad to answer

2745
02:41:15,870 --> 02:41:23,160
any questions on any one of these 24

2746
02:41:19,040 --> 02:41:26,189
sections of article 10 of section 7

2747
02:41:23,160 --> 02:41:30,210
there are no questions mr. speaker I'd

2748
02:41:26,189 --> 02:41:31,290
move adoption of section 7 following

2749
02:41:30,210 --> 02:41:37,170
amendment the clerk will read the

2750
02:41:31,290 --> 02:41:39,120
amendment mr. waters amendment by waters

2751
02:41:37,170 --> 02:41:42,930
I'm in article 10 contained in

2752
02:41:39,120 --> 02:41:45,900
subsection a of section 7 of sjr 11 by

2753
02:41:42,930 --> 02:41:49,670
adding a section 25 to read it mr.

2754
02:41:45,900 --> 02:41:49,670
waters explain his amendment

2755
02:41:52,500 --> 02:41:59,520
members Mr Speaker I might have your

2756
02:41:56,010 --> 02:42:03,479
attention this is a new section that I'm

2757
02:41:59,520 --> 02:42:08,390
trying to add to general provisions and

2758
02:42:03,479 --> 02:42:08,390
from the outset let me say that that

2759
02:42:09,140 --> 02:42:13,410
technically speaking from your point of

2760
02:42:12,149 --> 02:42:15,750
view it ought to be in the Bill of

2761
02:42:13,410 --> 02:42:17,399
Rights but as you know we cannot deal

2762
02:42:15,750 --> 02:42:20,130
with the Bill of Rights what this

2763
02:42:17,399 --> 02:42:22,050
section deals with is something that I

2764
02:42:20,130 --> 02:42:25,080
consider in which I know that most of

2765
02:42:22,050 --> 02:42:29,430
you consider a basic fundamental right

2766
02:42:25,080 --> 02:42:32,340
and that's the right of privacy let me

2767
02:42:29,430 --> 02:42:34,439
read it in its entirety what it says the

2768

02:42:32,340 --> 02:42:37,140
section 25 would be a protection from

2769
02:42:34,439 --> 02:42:38,819
invasions of privacy the people shall

2770
02:42:37,140 --> 02:42:41,130
have the right to be secure from

2771
02:42:38,819 --> 02:42:43,350
invasions of privacy including but not

2772
02:42:41,130 --> 02:42:45,390
limited to interception of

2773
02:42:43,350 --> 02:42:47,880
communications by eavesdropping devices

2774
02:42:45,390 --> 02:42:50,130
or other means and the unjustified

2775
02:42:47,880 --> 02:42:53,210
collection maintenance and dissemination

2776
02:42:50,130 --> 02:42:57,620
of personally identifiable information

2777
02:42:53,210 --> 02:43:00,479
in very point-blank Lane language

2778
02:42:57,620 --> 02:43:03,420
members what this attempts to do is to

2779
02:43:00,479 --> 02:43:04,739
say that situations which have occurred

2780
02:43:03,420 --> 02:43:08,330
which we have read about in the

2781
02:43:04,739 --> 02:43:12,390
newspapers where public officials and

2782
02:43:08,330 --> 02:43:15,660
and substantial private citizens had

2783
02:43:12,390 --> 02:43:19,560
political dossiers on their sex lives on

2784
02:43:15,660 --> 02:43:22,950
their private lives compiled by by

2785
02:43:19,560 --> 02:43:25,200
unauthorized agencies and were

2786
02:43:22,950 --> 02:43:27,620
disseminated through eavesdropping

2787
02:43:25,200 --> 02:43:30,510
methods things of this nature would be

2788
02:43:27,620 --> 02:43:33,029
strictly forbidden by our Constitution

2789
02:43:30,510 --> 02:43:35,520
it is my sincere hope that you would

2790
02:43:33,029 --> 02:43:37,470
agree with me that this language should

2791
02:43:35,520 --> 02:43:39,810
be inserted in the Constitution I know

2792
02:43:37,470 --> 02:43:42,960
Speaker that the Bill of Rights speaks

2793
02:43:39,810 --> 02:43:44,729
to this but it does not speak then just

2794
02:43:42,960 --> 02:43:47,550
to spying and I think that this language

2795

02:43:44,729 --> 02:43:49,080
would clarify it would make it very very

2796
02:43:47,550 --> 02:43:52,200
clear mr. speaker

2797
02:43:49,080 --> 02:43:55,560
so gentlemen you which waters you yield

2798
02:43:52,200 --> 02:43:59,040
this Sullivan yeah gentleman yields miss

2799
02:43:55,560 --> 02:44:01,229
Sullivan mr. waters I have as you said I

2800
02:43:59,040 --> 02:44:03,920
think most of this is covered in the

2801
02:44:01,229 --> 02:44:03,920
Bill of Rights but

2802
02:44:05,350 --> 02:44:11,390
members we've got a lot of noise down

2803
02:44:08,090 --> 02:44:14,390
front the members can't hear their the

2804
02:44:11,390 --> 02:44:17,290
debate we don't have too much longer and

2805
02:44:14,390 --> 02:44:25,010
then we'll get this thing out of here

2806
02:44:17,290 --> 02:44:28,720
hold all the innovative mr. waters all

2807
02:44:25,010 --> 02:44:31,609
right miss waters for some mr. waters

2808
02:44:28,720 --> 02:44:34,670
the interception of communication by

2809
02:44:31,609 --> 02:44:36,979
eavesdropping devices that seems a

2810
02:44:34,670 --> 02:44:39,260
little broad to me would that would that

2811
02:44:36,979 --> 02:44:41,239
include an intercom system in your home

2812
02:44:39,260 --> 02:44:43,310
or something like that where you might

2813
02:44:41,239 --> 02:44:46,580
eavesdrop on a child at the other room

2814
02:44:43,310 --> 02:44:49,880
or no I don't think so mr. Sullivan well

2815
02:44:46,580 --> 02:44:52,399
you don't think so but why is it limited

2816
02:44:49,880 --> 02:44:54,770
to where it would not include that did

2817
02:44:52,399 --> 02:44:57,050
you just say eavesdropping devices or

2818
02:44:54,770 --> 02:45:00,680
other means of intercepting a

2819
02:44:57,050 --> 02:45:04,520
communication I'm not really concerned

2820
02:45:00,680 --> 02:45:06,109
about the about a in-house communication

2821
02:45:04,520 --> 02:45:09,319
system but you might have in your house

2822

02:45:06,109 --> 02:45:11,720

I don't think that's going to be but the

2823

02:45:09,319 --> 02:45:14,300

problem is as I see it mr. waters I'm

2824

02:45:11,720 --> 02:45:16,390

serious about this you do not you do not

2825

02:45:14,300 --> 02:45:19,220

say that the government has no right to

2826

02:45:16,390 --> 02:45:20,470

intercept communications you just say

2827

02:45:19,220 --> 02:45:24,020

that the interception of communications

2828

02:45:20,470 --> 02:45:26,930

C is unconstitutional this is that's

2829

02:45:24,020 --> 02:45:29,300

pretty broad another thing worries me

2830

02:45:26,930 --> 02:45:34,550

the unjustified collection and

2831

02:45:29,300 --> 02:45:37,210

maintenance of of information that's so

2832

02:45:34,550 --> 02:45:40,010

broad I don't see how it can be defined

2833

02:45:37,210 --> 02:45:44,090

mr. Sullivan I think the language is is

2834

02:45:40,010 --> 02:45:45,890

is very very clear it would it's

2835

02:45:44,090 --> 02:45:48,620

designed to prohibit people like

2836
02:45:45,890 --> 02:45:51,649
Southwestern Bell and some others some

2837
02:45:48,620 --> 02:45:53,689
private entities from from spying on

2838
02:45:51,649 --> 02:45:55,970
public officials and private citizens

2839
02:45:53,689 --> 02:45:59,569
without legitimate cause and I think

2840
02:45:55,970 --> 02:46:02,239
that that this you're right the state

2841
02:45:59,569 --> 02:46:04,699
would have to show that that it's

2842
02:46:02,239 --> 02:46:06,729
justified under the law that there's

2843
02:46:04,699 --> 02:46:09,560
some kind of danger of criminal activity

2844
02:46:06,729 --> 02:46:11,239
but if the state can't show that then

2845
02:46:09,560 --> 02:46:14,600
then I don't think they have any

2846
02:46:11,239 --> 02:46:15,561
business spying in that area in that

2847
02:46:14,600 --> 02:46:18,200
play in that

2848
02:46:15,561 --> 02:46:21,801
instance I think that's I think that

2849

02:46:18,200 --> 02:46:24,440
justifiable is pretty simple we have it

2850
02:46:21,801 --> 02:46:25,940
the situation set up now where if they

2851
02:46:24,440 --> 02:46:28,341
want a search warrant all I've got to do

2852
02:46:25,940 --> 02:46:31,070
is justify and they usually do and the

2853
02:46:28,341 --> 02:46:33,530
judge signs it up this would require the

2854
02:46:31,070 --> 02:46:35,240
same thing with regard to information

2855
02:46:33,530 --> 02:46:36,740
they would have to justify if they

2856
02:46:35,240 --> 02:46:38,961
couldn't justify it in front of a judge

2857
02:46:36,740 --> 02:46:40,820
and they don't have any business spying

2858
02:46:38,961 --> 02:46:42,921
in that area in the first place all

2859
02:46:40,820 --> 02:46:46,391
right one other thing that the

2860
02:46:42,921 --> 02:46:49,900
maintenance of personally identifiable

2861
02:46:46,391 --> 02:46:53,601
information I assume that would include

2862
02:46:49,900 --> 02:46:57,620
psychiatric files in a psychiatrist

2863
02:46:53,601 --> 02:47:00,501
office or medical files that my doctor

2864
02:46:57,620 --> 02:47:03,921
might have would he be unjustified in

2865
02:47:00,501 --> 02:47:05,751
keeping that after my death I know what

2866
02:47:03,921 --> 02:47:11,990
this section what those that Clause

2867
02:47:05,751 --> 02:47:14,811
speaks to is is material which could be

2868
02:47:11,990 --> 02:47:18,051
used to just to discredit a member of

2869
02:47:14,811 --> 02:47:20,841
the community photograph stuff of this

2870
02:47:18,051 --> 02:47:22,851
nature well I know what you're directing

2871
02:47:20,841 --> 02:47:26,150
it at but I'm just simply saying it's

2872
02:47:22,851 --> 02:47:27,921
too broad mr. waters because this this

2873
02:47:26,150 --> 02:47:30,200
language mr. Sullivan is drawn as

2874
02:47:27,921 --> 02:47:32,511
tightly as it can be it's in fact much

2875
02:47:30,200 --> 02:47:35,391
much tighter than in many many sections

2876

02:47:32,511 --> 02:47:38,360
within this general provisions section

2877
02:47:35,391 --> 02:47:40,671
and I and I think that this language is

2878
02:47:38,360 --> 02:47:42,711
is so clear that it would be very plain

2879
02:47:40,671 --> 02:47:45,200
to people that we're not going to

2880
02:47:42,711 --> 02:47:48,440
tolerate private corporations and

2881
02:47:45,200 --> 02:47:50,150
unauthorized individuals from spying on

2882
02:47:48,440 --> 02:47:51,891
citizens of this state when they don't

2883
02:47:50,150 --> 02:47:53,511
have any business to it is not saying

2884
02:47:51,891 --> 02:47:55,120
that they should we should stop spying

2885
02:47:53,511 --> 02:47:57,771
or trying to find out information about

2886
02:47:55,120 --> 02:48:01,160
criminals but it is saying that we don't

2887
02:47:57,771 --> 02:48:03,261
have any reason to be looking at the

2888
02:48:01,160 --> 02:48:05,780
private lives of congresswoman Barton

2889
02:48:03,261 --> 02:48:07,490
Bob Jordan or Bob Casey or people like

2890
02:48:05,780 --> 02:48:10,431
this and as you know that has been going

2891
02:48:07,490 --> 02:48:12,291
on and I and I think that it should the

2892
02:48:10,431 --> 02:48:13,580
Texas Legislature has an opportunity

2893
02:48:12,291 --> 02:48:15,801
here to say that ain't going to happen

2894
02:48:13,580 --> 02:48:17,061
it's against the Constitution and once

2895
02:48:15,801 --> 02:48:18,980
and for all we ought to do that and

2896
02:48:17,061 --> 02:48:21,410
that's all this language is I know that

2897
02:48:18,980 --> 02:48:23,150
you would support it but it just seems

2898
02:48:21,410 --> 02:48:26,960
to me though that that this is broad

2899
02:48:23,150 --> 02:48:30,210
enough mr. water so that that if

2900
02:48:26,960 --> 02:48:31,860
if it's if it means what it looks to me

2901
02:48:30,210 --> 02:48:34,920
like it means a doctor couldn't keep

2902
02:48:31,860 --> 02:48:37,110
your medical files after a reasonable

2903

02:48:34,920 --> 02:48:39,720
length of time and you're gonna require

2904
02:48:37,110 --> 02:48:42,811
everlaw your doctor anyone else to throw

2905
02:48:39,720 --> 02:48:46,320
away all of his own files go back over

2906
02:48:42,811 --> 02:48:47,820
things periodically and get rid of this

2907
02:48:46,320 --> 02:48:49,851
information because you say it's

2908
02:48:47,820 --> 02:48:52,040
unconstitutional for the maintain

2909
02:48:49,851 --> 02:48:55,620
personally identifiable information

2910
02:48:52,040 --> 02:48:58,110
without it though in that and that's and

2911
02:48:55,620 --> 02:49:01,590
that's the the point is it's justifiable

2912
02:48:58,110 --> 02:49:04,230
if it's legitimate information then it's

2913
02:49:01,590 --> 02:49:06,660
fine all this this section speaks to is

2914
02:49:04,230 --> 02:49:08,340
unjustified illegal information that's

2915
02:49:06,660 --> 02:49:17,040
been gathered on public and private

2916
02:49:08,340 --> 02:49:19,590
citizens gentlemen you gentlemen miss

2917
02:49:17,040 --> 02:49:22,641
grant mr. waters does your amendment

2918
02:49:19,590 --> 02:49:26,220
speak directly to electronic

2919
02:49:22,641 --> 02:49:28,050
communications yes sir okay when our

2920
02:49:26,220 --> 02:49:30,090
president Bill of Rights was written

2921
02:49:28,050 --> 02:49:32,460
there wasn't any problem with Eve

2922
02:49:30,090 --> 02:49:34,860
dropping by electronic devices was there

2923
02:49:32,460 --> 02:49:36,840
no there wasn't mr. grant so this is an

2924
02:49:34,860 --> 02:49:39,450
invasion of privacy that has come with

2925
02:49:36,840 --> 02:49:41,580
modern times it's a new invention in

2926
02:49:39,450 --> 02:49:43,440
something that the bet that part of the

2927
02:49:41,580 --> 02:49:45,300
bill of rights cannot speak to and

2928
02:49:43,440 --> 02:49:47,820
that's why we have to do it through this

2929
02:49:45,300 --> 02:49:49,680
general provisions section so you want

2930

02:49:47,820 --> 02:49:52,530
to build in a protection for the privacy

2931
02:49:49,680 --> 02:49:54,660
of the citizens from electronic devices

2932
02:49:52,530 --> 02:49:56,820
that's exactly right and I might add mr.

2933
02:49:54,660 --> 02:49:58,410
grant that the governor motive the

2934
02:49:56,820 --> 02:50:00,811
lieutenant governor most of the state

2935
02:49:58,410 --> 02:50:05,370
officials have endorsed in the print

2936
02:50:00,811 --> 02:50:08,101
media something of this nature members I

2937
02:50:05,370 --> 02:50:09,900
would ask your support on this on this

2938
02:50:08,101 --> 02:50:11,430
amendment I realize that the rules are

2939
02:50:09,900 --> 02:50:14,130
kind of stacked against us we do need

2940
02:50:11,430 --> 02:50:16,410
2/3 and please I asked everyone to

2941
02:50:14,130 --> 02:50:18,811
protect the rights of the individuals I

2942
02:50:16,410 --> 02:50:21,300
think this is of fundamental importance

2943
02:50:18,811 --> 02:50:23,190
and something basic to the Constitution

2944
02:50:21,300 --> 02:50:26,220
I ask for an aye vote unless there's a

2945
02:50:23,190 --> 02:50:27,900
motion to table chair recognize mr.

2946
02:50:26,220 --> 02:50:31,980
Geiger to speak against the amendment

2947
02:50:27,900 --> 02:50:34,800
the speaker members regardless of mr.

2948
02:50:31,980 --> 02:50:37,021
waters laudable goals and I think they

2949
02:50:34,800 --> 02:50:39,800
are laudable I think the language of

2950
02:50:37,021 --> 02:50:41,840
this amendment is dangerous

2951
02:50:39,800 --> 02:50:43,521
all kinds of problems have been

2952
02:50:41,840 --> 02:50:46,780
indicated by the questions from the back

2953
02:50:43,521 --> 02:50:49,851
mic as an example what about newspapers

2954
02:50:46,780 --> 02:50:51,771
some of us think that sometimes they're

2955
02:50:49,851 --> 02:50:52,311
unjustified in the comments that they

2956
02:50:51,771 --> 02:50:54,440
make

2957

02:50:52,311 --> 02:50:56,181
what is personally identifiable

2958
02:50:54,440 --> 02:50:58,670
information

2959
02:50:56,181 --> 02:51:01,190
what about employment records is that

2960
02:50:58,670 --> 02:51:04,460
justified or unjustified some of us may

2961
02:51:01,190 --> 02:51:07,971
think unjustified school records mr.

2962
02:51:04,460 --> 02:51:10,490
Sullivan alluded to a problem those of

2963
02:51:07,971 --> 02:51:13,490
us who are lawyers have we maintained

2964
02:51:10,490 --> 02:51:19,240
information relative to our clients that

2965
02:51:13,490 --> 02:51:22,070
justified or unjustified mr. waters I

2966
02:51:19,240 --> 02:51:23,931
would direct his attention to section 9

2967
02:51:22,070 --> 02:51:25,880
of the Bill of Rights which reads the

2968
02:51:23,931 --> 02:51:29,420
people shall be secure in their persons

2969
02:51:25,880 --> 02:51:32,240
houses papers and possessions from all

2970
02:51:29,420 --> 02:51:34,101
unreasonable seizures or searches and no

2971
02:51:32,240 --> 02:51:36,500
warrant to search any place or disease

2972
02:51:34,101 --> 02:51:38,570
any person or thing shall issue without

2973
02:51:36,500 --> 02:51:40,880
describing them as near as may be nor

2974
02:51:38,570 --> 02:51:45,590
without probable cause supported by oath

2975
02:51:40,880 --> 02:51:48,771
or affirmation now my thinking is that

2976
02:51:45,590 --> 02:51:52,931
this gives us the fundamental protection

2977
02:51:48,771 --> 02:51:55,580
that we need without opening a lot of

2978
02:51:52,931 --> 02:51:57,500
problems that may arise over the

2979
02:51:55,580 --> 02:52:04,400
interpretation of this nebulous language

2980
02:51:57,500 --> 02:52:07,190
mr. wood amendment are you mr. Doyle mr.

2981
02:52:04,400 --> 02:52:09,260
Gardner wouldn't mr. waters amendment

2982
02:52:07,190 --> 02:52:11,450
make it impossible for us to pass a bill

2983
02:52:09,260 --> 02:52:14,391
like the governor proposed don't you

2984

02:52:11,450 --> 02:52:17,690
digitally authorize wiretapping as many

2985
02:52:14,391 --> 02:52:20,061
states hell and wouldn't this be an

2986
02:52:17,690 --> 02:52:23,860
impediment to criminal prosecution of

2987
02:52:20,061 --> 02:52:26,811
organized crime in some respects

2988
02:52:23,860 --> 02:52:32,891
certainly this would prohibit it clearly

2989
02:52:26,811 --> 02:52:35,240
totally and absolutely I would think if

2990
02:52:32,891 --> 02:52:37,040
interception of communications by

2991
02:52:35,240 --> 02:52:40,010
eavesdropping devices whatever that

2992
02:52:37,040 --> 02:52:41,021
means it probably would prevent it yes

2993
02:52:40,010 --> 02:52:43,101
sir

2994
02:52:41,021 --> 02:52:45,530
gentlemen I hope that you will vote no

2995
02:52:43,101 --> 02:52:47,181
on this amendment Thank You chair act

2996
02:52:45,530 --> 02:52:49,220
now mr. Reynolds speak against the

2997
02:52:47,181 --> 02:52:53,479
amendment

2998
02:52:49,220 --> 02:52:56,869
the speaker and members

2999
02:52:53,479 --> 02:52:59,479
these types of amendments were offered

3000
02:52:56,869 --> 02:53:00,399
in general provisions committee during

3001
02:52:59,479 --> 02:53:02,630
the convention

3002
02:53:00,399 --> 02:53:05,239
and this type of wording was

3003
02:53:02,630 --> 02:53:08,090
overwhelmingly rejected by the committee

3004
02:53:05,239 --> 02:53:15,100
that heard much testimony with respect

3005
02:53:08,090 --> 02:53:17,930
to this subject it is not included also

3006
02:53:15,100 --> 02:53:20,920
there are a number of bills that this

3007
02:53:17,930 --> 02:53:25,039
can be handled by by statute currently

3008
02:53:20,920 --> 02:53:27,709
and I think the ferry boat helmsman from

3009
02:53:25,039 --> 02:53:29,709
the Senate has a number of bills in

3010
02:53:27,709 --> 02:53:33,560
right now dealing with this very subject

3011

02:53:29,709 --> 02:53:38,209
and I would urge you to vote no to

3012
02:53:33,560 --> 02:53:41,180
including this subject in section 7 this

3013
02:53:38,209 --> 02:53:44,239
time chair recognize mr. waters to close

3014
02:53:41,180 --> 02:53:47,229
in favor of the amendment members if I

3015
02:53:44,239 --> 02:53:49,899
could have your attention again this

3016
02:53:47,229 --> 02:53:52,699
amendment will do nothing to impede

3017
02:53:49,899 --> 02:53:54,439
lawful investigation of crime as a

3018
02:53:52,699 --> 02:53:56,869
matter of fact the police chief in the

3019
02:53:54,439 --> 02:53:58,640
city of Houston has had more problems

3020
02:53:56,869 --> 02:54:00,140
without this amendment than he would

3021
02:53:58,640 --> 02:54:01,909
have with it and he hold heartedly

3022
02:54:00,140 --> 02:54:03,350
endorses this amendment because the

3023
02:54:01,909 --> 02:54:06,409
police chief in Houston has had his

3024
02:54:03,350 --> 02:54:08,270
hands full from previous administration

3025
02:54:06,409 --> 02:54:10,359
who spent most of their time spying on

3026
02:54:08,270 --> 02:54:13,249
Barbara Jordan and Bob Casey and

3027
02:54:10,359 --> 02:54:17,090
prominent citizens in the community he

3028
02:54:13,249 --> 02:54:19,159
wants his time free to to spend on the

3029
02:54:17,090 --> 02:54:22,550
real criminals in the community in the

3030
02:54:19,159 --> 02:54:24,350
city of Houston there were over 3,000

3031
02:54:22,550 --> 02:54:26,359
files and in those files were

3032
02:54:24,350 --> 02:54:28,729
congressmen and women and prominent

3033
02:54:26,359 --> 02:54:30,619
citizens and not any of the top ten

3034
02:54:28,729 --> 02:54:32,300
criminals in the city of Houston were in

3035
02:54:30,619 --> 02:54:35,300
those files because the police officers

3036
02:54:32,300 --> 02:54:39,109
were too busy following politicians

3037
02:54:35,300 --> 02:54:40,760
around I asked you in the name of mr.

3038

02:54:39,109 --> 02:54:42,770
speaker obviously indecency I won't

3039
02:54:40,760 --> 02:54:46,909
yield to them till I'm through Elmo does

3040
02:54:42,770 --> 02:54:51,289
not yield mr. Bynum this amendment will

3041
02:54:46,909 --> 02:54:54,739
not exclude any justified police work at

3042
02:54:51,289 --> 02:54:57,590
all what this amendment will do and I

3043
02:54:54,739 --> 02:54:58,789
might add previous speakers said mr.

3044
02:54:57,590 --> 02:55:00,590
Geiger said that this was already

3045
02:54:58,789 --> 02:55:02,500
covered it is not already

3046
02:55:00,590 --> 02:55:05,899
covered eavesdropping was not

3047
02:55:02,500 --> 02:55:07,490
wiretapping was not invented and section

3048
02:55:05,899 --> 02:55:09,310
9 of the Bill of Rights provides only

3049
02:55:07,490 --> 02:55:12,439
for protection from search and seizure

3050
02:55:09,310 --> 02:55:15,500
spying is not search

3051
02:55:12,439 --> 02:55:18,050
nor seizure and this is a new section to

3052
02:55:15,500 --> 02:55:19,729
take care of this new invention that Ma

3053
02:55:18,050 --> 02:55:23,210
Bell and some others have come up with

3054
02:55:19,729 --> 02:55:25,370
and to stop it once and for all I asked

3055
02:55:23,210 --> 02:55:27,380
you to vote for it it will not clog the

3056
02:55:25,370 --> 02:55:29,780
courts it will not hamper criminal

3057
02:55:27,380 --> 02:55:32,750
investigation it will on the other hand

3058
02:55:29,780 --> 02:55:35,149
in fact help it and I asked you in the

3059
02:55:32,750 --> 02:55:36,740
name of the citizens of Texas to tell

3060
02:55:35,149 --> 02:55:40,370
them once and for all that they are

3061
02:55:36,740 --> 02:55:42,729
secure from spying corporations and

3062
02:55:40,370 --> 02:55:46,040
entities who want to know and if

3063
02:55:42,729 --> 02:55:47,720
employers are building dossiers on their

3064
02:55:46,040 --> 02:55:51,109
employees fine

3065

02:55:47,720 --> 02:55:53,689
but if they use it or if some agency

3066
02:55:51,109 --> 02:55:55,880
uses it illegally unjustifiably they

3067
02:55:53,689 --> 02:55:57,979
have no business doing that and all this

3068
02:55:55,880 --> 02:56:00,290
amendment says is that when that a

3069
02:55:57,979 --> 02:56:01,820
citizen has some recourse to stop

3070
02:56:00,290 --> 02:56:04,280
somebody from doing that kind of thing

3071
02:56:01,820 --> 02:56:06,590
if it can show that it's unjustified if

3072
02:56:04,280 --> 02:56:09,050
they can show it's justified it's fine

3073
02:56:06,590 --> 02:56:11,420
if they if it isn't justified before a

3074
02:56:09,050 --> 02:56:13,340
judge and I would I would show you know

3075
02:56:11,420 --> 02:56:15,740
most of you who are attorneys know that

3076
02:56:13,340 --> 02:56:17,240
it's fairly easy to justify this kind of

3077
02:56:15,740 --> 02:56:20,720
stuff before a grand jury or a judge

3078
02:56:17,240 --> 02:56:23,180
then it's all right please give us some

3079
02:56:20,720 --> 02:56:26,330
protection from privacy we needed in

3080
02:56:23,180 --> 02:56:28,460
Houston in San Antonio and Dallas and

3081
02:56:26,330 --> 02:56:31,220
around this state I would ask you to

3082
02:56:28,460 --> 02:56:32,840
vote for this amendment but the water

3083
02:56:31,220 --> 02:56:34,580
sends up the amendment the question is

3084
02:56:32,840 --> 02:56:35,780
directly on the amendment all those in

3085
02:56:34,580 --> 02:56:37,729
favor of the amendment vote aye all

3086
02:56:35,780 --> 02:56:41,120
opposed vote no record votes been

3087
02:56:37,729 --> 02:56:43,450
requested to record votes granted clerk

3088
02:56:41,120 --> 02:56:47,410
ring a bell

3089
02:56:43,450 --> 02:56:47,410
show mr. waters vote a guy

3090
02:56:55,540 --> 02:57:03,040
show mr. overloading I miss Montoya

3091
02:57:00,851 --> 02:57:11,320
loading I miss partner mr. Carl Park the

3092

02:57:03,040 --> 02:57:15,311
loading I show miss Miller voting ID so

3093
02:57:11,320 --> 02:57:31,211
mrs. Johnson voting aye mr. Matt Garcia

3094
02:57:15,311 --> 02:57:34,110
voting aye all members voted show meant

3095
02:57:31,211 --> 02:57:34,110
to true I'm voting aye

3096
02:57:48,600 --> 02:57:52,280
Thank You members for the support

3097
02:58:00,810 --> 02:58:08,220
they're being 68 eyes and 77 nose the

3098
02:58:04,699 --> 02:58:11,479
amendment fails of adoption mr. speaker

3099
02:58:08,220 --> 02:58:15,029
mr. keyper message from the Senate

3100
02:58:11,479 --> 02:58:16,680
set up the best news Sydney mr. speaker

3101
02:58:15,029 --> 02:58:17,850
I'm directed by the Senate to inform the

3102
02:58:16,680 --> 02:58:20,369
house that the Senate has passed

3103
02:58:17,850 --> 02:58:22,199
following has to be 490 by Jones

3104
02:58:20,369 --> 02:58:24,299
relating to coverage of mutual insurance

3105
02:58:22,199 --> 02:58:27,109
companies under the Texas nonprofit

3106
02:58:24,299 --> 02:58:27,109
cooperation Act

3107
02:58:35,631 --> 02:58:42,301
following amendments were to read the

3108
02:58:37,771 --> 02:58:44,610
amendment amendment by Denson

3109
02:58:42,301 --> 02:58:49,561
I'm industry r11 section 7 by the

3110
02:58:44,610 --> 02:58:52,851
leading section 19 chair recognize mr.

3111
02:58:49,561 --> 02:58:52,851
detsen to explain the amendment

3112
02:59:03,000 --> 02:59:09,040
mr. speaker members I believe this

3113
02:59:06,550 --> 02:59:10,990
amendment is acceptable to mr. Reynolds

3114
02:59:09,040 --> 02:59:14,650
are disgusted with him and it's a

3115
02:59:10,990 --> 02:59:18,521
corrective amendment we have somehow put

3116
02:59:14,650 --> 02:59:22,271
the word bingo in a constitution and I

3117
02:59:18,521 --> 02:59:24,730
think this is a properly setting a new

3118
02:59:22,271 --> 02:59:26,620
precedent I doubt if you'll find the

3119

02:59:24,730 --> 02:59:30,160
word bingo in any Constitution whether

3120
02:59:26,620 --> 02:59:33,190
it's a US state constitution charter

3121
02:59:30,160 --> 02:59:37,990
amendment city charter municipal charter

3122
02:59:33,190 --> 02:59:40,061
whatever no my I am seriously

3123
02:59:37,990 --> 02:59:41,440
considering withdrawing this I don't

3124
02:59:40,061 --> 02:59:43,540
think it's will the house to bring it

3125
02:59:41,440 --> 02:59:47,230
down but let me bring it to your

3126
02:59:43,540 --> 02:59:51,431
attention nineteen provides outlawing

3127
02:59:47,230 --> 02:59:53,110
lotteries gift enterprises except as the

3128
02:59:51,431 --> 02:59:55,990
legislature by law in the authorized

3129
02:59:53,110 --> 02:59:57,780
bingo and ratifies the conduct for the

3130
02:59:55,990 --> 02:59:59,460
benefit of nonprofit charitable

3131
02:59:57,780 --> 03:00:03,700
organizations

3132
02:59:59,460 --> 03:00:05,620
I'm not opposed because I think that

3133
03:00:03,700 --> 03:00:07,660
it's something which doing yield mr.

3134
03:00:05,620 --> 03:00:10,300
Sullivan and in one minute if I could

3135
03:00:07,660 --> 03:00:12,400
gentleman in a few minutes but somehow I

3136
03:00:10,300 --> 03:00:15,790
just feel that this is an area for the

3137
03:00:12,400 --> 03:00:17,200
legislature to write our law as far as

3138
03:00:15,790 --> 03:00:19,290
been going if we want to make these

3139
03:00:17,200 --> 03:00:21,521
exceptions I think the legislature can

3140
03:00:19,290 --> 03:00:27,641
but I don't think there's a place in the

3141
03:00:21,521 --> 03:00:31,000
state constitution for bingo I'll yield

3142
03:00:27,641 --> 03:00:33,521
to mr. Jim O'Neill miss Sullivan I think

3143
03:00:31,000 --> 03:00:35,260
you inadvertently may have misled the

3144
03:00:33,521 --> 03:00:37,510
house just a little there is another

3145
03:00:35,260 --> 03:00:40,450
state constitution that has this same

3146

03:00:37,510 --> 03:00:43,630
provision that's state of New York they

3147
03:00:40,450 --> 03:00:45,550
do have the word bingo and and it's a as

3148
03:00:43,630 --> 03:00:48,221
I understand put in their constitution

3149
03:00:45,550 --> 03:00:50,920
with the same type of under the same

3150
03:00:48,221 --> 03:00:54,070
type of necessity that that it had to go

3151
03:00:50,920 --> 03:00:56,040
into our Constitution it's it's a word

3152
03:00:54,070 --> 03:00:58,630
of art that I think we better maintain

3153
03:00:56,040 --> 03:01:00,971
well thank you for that information mr.

3154
03:00:58,630 --> 03:01:02,681
sovel where's you mean New York in Texas

3155
03:01:00,971 --> 03:01:04,181
is unique in their respect then we are

3156
03:01:02,681 --> 03:01:07,290
the only ones that have the word bingo

3157
03:01:04,181 --> 03:01:09,271
on our state constitution mr. speaker

3158
03:01:07,290 --> 03:01:11,740
the gentleman yield

3159
03:01:09,271 --> 03:01:13,220
yes I'll yield gentleman yield with them

3160
03:01:11,740 --> 03:01:15,260
mr. Danson

3161
03:01:13,220 --> 03:01:18,590
under your amendment the legislature by

3162
03:01:15,260 --> 03:01:19,189
statute could legalize bingo yes that's

3163
03:01:18,590 --> 03:01:20,989
correct

3164
03:01:19,189 --> 03:01:23,270
and we wouldn't have to have the trade

3165
03:01:20,989 --> 03:01:26,029
name of a game in our state constitution

3166
03:01:23,270 --> 03:01:27,649
if we adopt your amendment that is

3167
03:01:26,029 --> 03:01:30,200
absolutely correct and I think if we're

3168
03:01:27,649 --> 03:01:32,600
going to be fair we should put Bacharach

3169
03:01:30,200 --> 03:01:34,850
we should put monopoly and the other

3170
03:01:32,600 --> 03:01:36,800
games that have brand names or trade

3171
03:01:34,850 --> 03:01:38,359
names and it's being unfair and it's

3172
03:01:36,800 --> 03:01:41,210
discriminatory against these other

3173

03:01:38,359 --> 03:01:43,520
particular areas that compete with bingo

3174
03:01:41,210 --> 03:01:46,430
and and your amendment would preserve

3175
03:01:43,520 --> 03:01:49,729
the status quo in Texas exactly like it

3176
03:01:46,430 --> 03:01:51,649
is in our present Constitution well no

3177
03:01:49,729 --> 03:01:53,899
it wouldn't it would allow us to

3178
03:01:51,649 --> 03:01:55,790
legislate yes that's correct we could

3179
03:01:53,899 --> 03:01:58,819
legislate in this area and we could

3180
03:01:55,790 --> 03:02:00,380
provide the exceptions and I think

3181
03:01:58,819 --> 03:02:02,120
that's a way it should be I just don't

3182
03:02:00,380 --> 03:02:03,410
think we should set it up in the

3183
03:02:02,120 --> 03:02:06,080
Constitution itself

3184
03:02:03,410 --> 03:02:07,520
now now mr. Danson just for the for

3185
03:02:06,080 --> 03:02:10,100
those members that didn't go through

3186
03:02:07,520 --> 03:02:12,800
this debate we had an alternative

3187
03:02:10,100 --> 03:02:14,750
proposal proposed for the Constitution

3188
03:02:12,800 --> 03:02:17,450
in the convention that was an

3189
03:02:14,750 --> 03:02:20,660
alternative to the gambling provision in

3190
03:02:17,450 --> 03:02:22,399
the main body didn't we yes if I we

3191
03:02:20,660 --> 03:02:23,060
don't have that today doing that's

3192
03:02:22,399 --> 03:02:25,580
correct

3193
03:02:23,060 --> 03:02:28,580
we had an alternative submission that

3194
03:02:25,580 --> 03:02:32,540
would allow the voters to reject or

3195
03:02:28,580 --> 03:02:34,609
adopt a provision on bingo however we

3196
03:02:32,540 --> 03:02:37,220
did not put it in the document itself

3197
03:02:34,609 --> 03:02:39,229
and if they rejected it or accepted it

3198
03:02:37,220 --> 03:02:40,790
it was an alternative separate

3199
03:02:39,229 --> 03:02:42,770
submission and that's probably the way

3200

03:02:40,790 --> 03:02:44,149
it should be handled but I don't think

3201
03:02:42,770 --> 03:02:47,090
we should put it in the basic document

3202
03:02:44,149 --> 03:02:48,649
and use the trade name bingo and and the

3203
03:02:47,090 --> 03:02:50,750
general provisions committee the

3204
03:02:48,649 --> 03:02:52,550
Constitutional Convention came out with

3205
03:02:50,750 --> 03:02:54,920
wording very similar to that that you're

3206
03:02:52,550 --> 03:02:57,680
proposing today for the basic document

3207
03:02:54,920 --> 03:02:58,100
did they not as I recall I think you're

3208
03:02:57,680 --> 03:03:01,310
right

3209
03:02:58,100 --> 03:03:03,410
I think they did thank you let's figure

3210
03:03:01,310 --> 03:03:06,290
with the gentleman yes Carl I missed a

3211
03:03:03,410 --> 03:03:08,630
CEO mr. Correll well I'll yield to mr.

3212
03:03:06,290 --> 03:03:12,580
Cole well laminator reluctantly mr.

3213
03:03:08,630 --> 03:03:18,080
Denson miss Denson are you home page 135

3214
03:03:12,580 --> 03:03:18,290
yes I am that under the s 19 yes thank

3215
03:03:18,080 --> 03:03:23,810
you

3216
03:03:18,290 --> 03:03:26,461
yep Danson if the membership does not

3217
03:03:23,810 --> 03:03:28,381
miss your yield a mystery back I'm sorry

3218
03:03:26,461 --> 03:03:30,780
I'll yield a mystery bag gentleman yield

3219
03:03:28,381 --> 03:03:32,161
mr. 'back mr. Denson you think of the

3220
03:03:30,780 --> 03:03:34,261
membership does not accept your

3221
03:03:32,161 --> 03:03:36,990
Amendment do you think they would accept

3222
03:03:34,261 --> 03:03:39,711
an amendment to the proposal that after

3223
03:03:36,990 --> 03:03:41,251
the word bingo we put comma checkers ,

3224
03:03:39,711 --> 03:03:43,771
cetera et cetera

3225
03:03:41,251 --> 03:03:47,221
mr. reback I think that only be fair

3226
03:03:43,771 --> 03:03:49,230
because you know we have given special

3227

03:03:47,221 --> 03:03:51,301
constitutional status putting it in

3228
03:03:49,230 --> 03:03:54,331
concrete the word bingo and we're given

3229
03:03:51,301 --> 03:03:56,101
this special status to bingo we're not

3230
03:03:54,331 --> 03:03:57,541
doing it to any other game and I just

3231
03:03:56,101 --> 03:04:00,511
think it's discriminatory against

3232
03:03:57,541 --> 03:04:02,730
bacharach pink checkers and monopoly

3233
03:04:00,511 --> 03:04:05,011
let's speak it miss Sutton was gentleman

3234
03:04:02,730 --> 03:04:06,961
yield yield miss atmost I saw all you

3235
03:04:05,011 --> 03:04:11,721
guarantee of myself mr. Jensen let me

3236
03:04:06,961 --> 03:04:17,730
ask you under this article does a state

3237
03:04:11,721 --> 03:04:18,690
get revenue from this gambling under the

3238
03:04:17,730 --> 03:04:20,641
provision the way it is

3239
03:04:18,690 --> 03:04:25,681
yes no I believe it goes to the

3240
03:04:20,641 --> 03:04:28,530
organization now under this can anybody

3241
03:04:25,681 --> 03:04:32,811
in the state gamble or is a respect

3242
03:04:28,530 --> 03:04:36,900
restricted to certain groups no

3243
03:04:32,811 --> 03:04:40,621
charitable organizations so what we're

3244
03:04:36,900 --> 03:04:42,900
really saying is that you against only

3245
03:04:40,621 --> 03:04:48,541
the church people being able to gamble

3246
03:04:42,900 --> 03:04:52,110
and the rest of us can't gamble and that

3247
03:04:48,541 --> 03:04:56,161
the state of course receives no revenue

3248
03:04:52,110 --> 03:04:58,381
from the church people gambling if I'm

3249
03:04:56,161 --> 03:05:00,450
following your question mr. Sutton

3250
03:04:58,381 --> 03:05:02,820
you're right the church people can

3251
03:05:00,450 --> 03:05:04,891
gamble and they don't pay any taxes and

3252
03:05:02,820 --> 03:05:07,891
they use it for their benefit but the

3253
03:05:04,891 --> 03:05:09,751
rest of us well assuming that you're not

3254

03:05:07,891 --> 03:05:11,671
a member the charitable organization you

3255
03:05:09,751 --> 03:05:14,990
can't play bingo and you can't gamble

3256
03:05:11,671 --> 03:05:17,490
and we can't do it under state law and I

3257
03:05:14,990 --> 03:05:19,110
think it's it's somewhat discriminatory

3258
03:05:17,490 --> 03:05:20,791
its discriminatory if it just to church

3259
03:05:19,110 --> 03:05:21,859
people to be able to gamble and the rest

3260
03:05:20,791 --> 03:05:26,209
of that night

3261
03:05:21,859 --> 03:05:27,140
correct thank you Thank You mr. figures

3262
03:05:26,209 --> 03:05:29,689
the gentleman yield

3263
03:05:27,140 --> 03:05:32,539
yes I'll yield mr. that's Neela miss

3264
03:05:29,689 --> 03:05:33,859
green mister Denson let me try and

3265
03:05:32,539 --> 03:05:35,419
understand your amendment what you're

3266
03:05:33,859 --> 03:05:38,180
doing you're striking out the total

3267
03:05:35,419 --> 03:05:40,669
section that's great prohibits lotteries

3268
03:05:38,180 --> 03:05:42,890
and allows bingo you're just striking

3269
03:05:40,669 --> 03:05:45,050
the section that allows that prohibits

3270
03:05:42,890 --> 03:05:46,879
lotteries and you are aware that in our

3271
03:05:45,050 --> 03:05:48,859
present constitution we have such a

3272
03:05:46,879 --> 03:05:50,479
section for hitting lotteries aren't you

3273
03:05:48,859 --> 03:05:53,479
yes that's correct

3274
03:05:50,479 --> 03:05:56,449
so so there is a change from what you're

3275
03:05:53,479 --> 03:05:59,959
doing to from our present Constitution

3276
03:05:56,449 --> 03:06:01,520
well I never tried to misrepresent to

3277
03:05:59,959 --> 03:06:04,939
the house I'm just saying we're setting

3278
03:06:01,520 --> 03:06:07,039
up special status to some organizations

3279
03:06:04,939 --> 03:06:09,590
that can that can't play bingo under

3280
03:06:07,039 --> 03:06:11,989
this particular new section the general

3281

03:06:09,590 --> 03:06:14,989
provisions and I think that's wrong but

3282
03:06:11,989 --> 03:06:16,999
but you are just the leading need the

3283
03:06:14,989 --> 03:06:19,310
exclusion or the prohibition against

3284
03:06:16,999 --> 03:06:24,020
lotteries that's correct

3285
03:06:19,310 --> 03:06:25,850
okay that's bigger mr. Kaster well join

3286
03:06:24,020 --> 03:06:27,979
you I will use everything this gentleman

3287
03:06:25,850 --> 03:06:30,079
yield mr. Kaster mr. Danson are we

3288
03:06:27,979 --> 03:06:34,069
banning horse racing in the Constitution

3289
03:06:30,079 --> 03:06:35,829
no how come we're allowing horse racing

3290
03:06:34,069 --> 03:06:38,859
in the Constitution but banning bingo

3291
03:06:35,829 --> 03:06:41,359
mr. Kaster I can't understand the

3292
03:06:38,859 --> 03:06:43,489
rationale of doing it this way and

3293
03:06:41,359 --> 03:06:45,319
that's why I thought that we should just

3294
03:06:43,489 --> 03:06:48,319
do a clean sweep and take out the entire

3295
03:06:45,319 --> 03:06:50,749
section and and be fair and and across

3296
03:06:48,319 --> 03:06:53,449
the board with everybody and let's do it

3297
03:06:50,749 --> 03:06:55,520
through the legislature where it belongs

3298
03:06:53,449 --> 03:06:57,529
you know this is what we should write

3299
03:06:55,520 --> 03:07:00,020
the laws of the state governor in

3300
03:06:57,529 --> 03:07:01,520
gambling lottery and and etc and it

3301
03:07:00,020 --> 03:07:03,649
shouldn't be a constitutional issue it

3302
03:07:01,520 --> 03:07:06,169
shouldn't be embedded and implanted in

3303
03:07:03,649 --> 03:07:08,390
concrete future generations the next

3304
03:07:06,169 --> 03:07:09,829
hundred years work bingo shouldn't be in

3305
03:07:08,390 --> 03:07:12,470
the Constitution even though New York

3306
03:07:09,829 --> 03:07:14,180
has it so if I'm a Catholic I can go

3307
03:07:12,470 --> 03:07:17,510
down to a Catholic Church or they're now

3308

03:07:14,180 --> 03:07:19,249
playing bingo and play bingo legally but

3309
03:07:17,510 --> 03:07:21,109
if I not a member of a nonprofit

3310
03:07:19,249 --> 03:07:22,879
organization or our church that has

3311
03:07:21,109 --> 03:07:24,800
bingo I'm out of luck right well you

3312
03:07:22,879 --> 03:07:26,419
know I can't understand the opposition

3313
03:07:24,800 --> 03:07:28,369
from people who are saying the churches

3314
03:07:26,419 --> 03:07:32,749
were doing something for the churches if

3315
03:07:28,369 --> 03:07:34,621
we strike the section they can do it mr.

3316
03:07:32,749 --> 03:07:37,321
speaker with the gentleman yield

3317
03:07:34,621 --> 03:07:38,101
mr. fu yield miss Thompson yes I owe you

3318
03:07:37,321 --> 03:07:40,081
mr. speaker

3319
03:07:38,101 --> 03:07:41,521
lady you different what you are trying

3320
03:07:40,081 --> 03:07:43,171
to do is to stop the Catholic Church

3321
03:07:41,521 --> 03:07:46,110
from getting that Baptists money is that

3322
03:07:43,171 --> 03:07:49,011
what you try to do I was hoping it

3323
03:07:46,110 --> 03:07:53,281
wouldn't be a Baptist Catholic issue

3324
03:07:49,011 --> 03:07:56,631
this bigger Mr Speaker I yield the floor

3325
03:07:53,281 --> 03:08:01,161
and Jim McGee Laura miss Colvin not

3326
03:07:56,631 --> 03:08:06,751
Cherokees to speak against the amendment

3327
03:08:01,161 --> 03:08:08,671
briefly mr. speaker I was so impressed

3328
03:08:06,751 --> 03:08:12,931
with all of the remarks about key known

3329
03:08:08,671 --> 03:08:14,701
be no and etc that I'm convinced this is

3330
03:08:12,931 --> 03:08:17,041
a good amendment and I accept it in

3331
03:08:14,701 --> 03:08:21,241
behalf of the authors let's lay out the

3332
03:08:17,041 --> 03:08:21,921
next amendment mr. Denton sends up an

3333
03:08:21,241 --> 03:08:24,511
amendment

3334
03:08:21,921 --> 03:08:29,761
excuse me mr. Denton excuse me you're

3335

03:08:24,511 --> 03:08:33,391
right to close oh you pulled it down mr.

3336
03:08:29,761 --> 03:08:37,351
speaker he does not want to close mr.

3337
03:08:33,391 --> 03:08:39,480
Denton sends up an amendment mr.

3338
03:08:37,351 --> 03:08:43,921
Reynolds let me complete my closing

3339
03:08:39,480 --> 03:08:47,900
remarks please do you for excise only

3340
03:08:43,921 --> 03:08:50,341
briefly but proceed mr. Reynolds briefly

3341
03:08:47,900 --> 03:08:54,241
we do have another amendment up

3342
03:08:50,341 --> 03:08:56,581
following this one that does change and

3343
03:08:54,241 --> 03:09:03,451
strikes the word bingo that should not

3344
03:08:56,581 --> 03:09:05,601
be there and substitute work games all

3345
03:09:03,451 --> 03:09:08,101
right mr. Denton sends up an amendment

3346
03:09:05,601 --> 03:09:10,081
the question is directly on the

3347
03:09:08,101 --> 03:09:13,440
amendment all those in favor vote aye

3348
03:09:10,081 --> 03:09:16,821
all those opposed vote no record vote

3349
03:09:13,440 --> 03:09:16,821
Burke ring the bell

3350
03:09:22,311 --> 03:09:28,910
show mr. Dennison voting aye mr. Coleman

3351
03:09:25,831 --> 03:09:28,910
voting aye me

3352
03:09:30,381 --> 03:09:33,831
Coleman voting aye

3353
03:09:38,521 --> 03:09:45,530
mr. Willis voting no-show miss Willis

3354
03:09:40,740 --> 03:09:45,530
rolling oh hello everybody

3355
03:09:59,390 --> 03:10:02,830
have all members voted

3356
03:10:15,580 --> 03:10:23,160
I think you need to leave it to have

3357
03:10:18,301 --> 03:10:23,160
change mr. Healy from no - I

3358
03:10:28,949 --> 03:10:39,479
James mr. Healy from I had to know mr.

3359
03:10:33,029 --> 03:10:48,149
meddler from know - I mystery back from

3360
03:10:39,479 --> 03:10:56,270
know - I mr. Ragsdale from know - I show

3361
03:10:48,149 --> 03:10:56,270
mr. Washington voting I know sure

3362

03:10:56,930 --> 03:11:02,689
so mr. change mr. Brown from know - I

3363
03:11:13,590 --> 03:11:20,340
mr. dram burger no - aye mr. speaker

3364
03:11:18,721 --> 03:11:22,320
parliamentary inquiry

3365
03:11:20,340 --> 03:11:26,250
we're in the process taking a vote mr.

3366
03:11:22,320 --> 03:11:34,710
waters show mr. mr. Gilly from node 2

3367
03:11:26,250 --> 03:11:37,700
aye mr. Kelly from no - aye mr. Vale

3368
03:11:34,710 --> 03:11:37,700
from no - aye

3369
03:11:40,221 --> 03:11:44,750
mr. Marino from no - aye

3370
03:11:51,979 --> 03:11:57,250
show me change miss Thompson from no - I

3371
03:12:13,539 --> 03:12:17,939
change mr. Montoya from no - aye

3372
03:12:53,729 --> 03:13:01,449
there being 100 I beg your pardon 141

3373
03:12:57,819 --> 03:13:07,529
eyes 104 days the amendment fails of

3374
03:13:01,449 --> 03:13:07,529
adoption calling amendment Clerk

3375
03:14:15,910 --> 03:14:17,970
you

