

MAY 02 1983

SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

MINUTES - April 28, 1983

The Senate Committee on Intergovernmental Relations met in the Lieutenant Governor's Committee Room at 9:00 A. M. on Thursday, April 28, 1983 to consider the following legislation:

Senate Bill 549 by Truan  
House Bill 218 by Uribe  
House Bill 373 by Uribe  
House Bill 333 by Whaley (Farabee)  
Senate Bill 1192 by Farabee  
Senate Bill 1194 by Farabee  
Senate Bill 1252 by Farabee  
Senate Bill 1358 by Brooks  
Senate Bill 223 by Caperton  
Senate Bill 1071 by Edwards  
Senate Bill 1074 by Edwards  
Senate Bill 1171 by Edwards  
Senate Bill 862 by Traeger  
Senate Bill 929 by Lyon

Chairman John A. Traeger called the meeting to order and called for the first Roll Call, which resulted as follows:

Present - Kothmann, Leedom, Parmer, Sharp, Sims  
Whitmire, Williams and Traeger.  
Absent - Lyon.

With a quorum present the Chairman laid out Senate Bill 549 and recognized its sponsor, Senator Truan, who explained that the bill lowered the population figure to enable Corpus Christi to create its rapid transit authority. Witnesses in support of the bill were as follows:

1. Luther Jones  
Mayor, City of Corpus Christi  
Corpus Christi, Texas
2. Thomas A. Niskala  
City of Corpus Christi  
Corpus Christi, Texas

There being no other person desiring to testify either in behalf of or in opposition to the bill, Senator Sims moved to report SB 549 back to the Senate with the recommendation that it do pass and be printed. Roll Call #2 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Sims, Williams and Traeger. There being 5 ayes - 0 nays, the motion prevailed. On a motion by Senator Sims SB 549 was unanimously recommended for placement on the Local and Uncontested Calendar.

Chairman Traeger next laid out House Bill 218 and recognized Senator Uribe, Senate sponsor, who explained the bill. The only witness present in behalf of the bill was:

1. Melchor Chavez  
(former member of the House)  
Harlingen, Texas

There being no one desiring to testify in opposition to the bill, Senator Kothmann moved to report HB 218 back to the Senate with the recommendation that it do pass and be printed. Roll Call #3 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Sims, Williams and Traeger. There being 5 ayes - 0 nays, the motion prevailed. On a motion by Senator Sims HB 218 was unanimously recommended for placement on the Local and Uncontested Calendar.

The Chair then laid out House Bill 373 and again recognized Senator Uribe, Senate sponsor, who explained the bill. There being no one present desiring to testify either in behalf of or in opposition to the bill, Senator Leedom moved to report HB 373 back to the Senate with the recommendation that it do pass and be printed. Roll Call #4 on the motion resulted in the following motion: Ayes - Kothmann, Leedom, Sims, Williams and Traeger. There being 5 ayes - 0 nays, the motion prevailed. On a motion by Senator Leedom, HB 373 was unanimously recommended for placement on the Local and Uncontested Calendar.

Chairman Traeger next laid out House Bill 333 and recognized its Senate sponsor, Senator Farabee, who explained the bill. There being no one present desiring to testify either in behalf of or in opposition to the bill, Senator Sims moved to report HB 333 back to the Senate with the recommendation that it do pass and be printed. Roll Call #5 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Sims, Williams and Traeger. There being 5 ayes - 0 nays, the motion prevailed. On a motion by Senator Sims HB 333 was unanimously recommended for placement on the Local and Uncontested Calendar.

The Chair then laid out Senate Bill 1192 and recognized Senator Farabee, sponsor, who explained the bill and answered questions from Senator Leedom. Senator Leedom sent up a Committee Substitute for SB 1192 and moved its adoption. There was no objection to the motion. There being no one present desiring to testify either in behalf of or in opposition to the bill, Senator Leedom moved to report SB 1192 back to the Senate with the recommendation that it do not pass, but the Committee Substitute adopted in lieu thereof do pass and be printed. Roll Call #6 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Sims, Williams and Traeger. There being 5 ayes - 0 nays, the motion prevailed. On a motion by Senator Sims CSSB 1192 was unanimously recommended for placement on the Local and Uncontested Calendar.

Senate Bill 1194 was laid out next, and the Chair recognized its sponsor, Senator Farabee, who explained that this was another juvenile

board bill and then Senator Leedom sent up a Committee Substitute for SB 1194 and moved its adoption. There was no objection to the motion. There being no witnesses desiring to testify either in behalf of or in opposition to the bill, Senator Leedom moved to report SB 1194 back to the Senate with the recommendation that it do not pass, but the Committee Substitute adopted in lieu thereof do pass and be printed. Roll Call #7 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Sims, Williams and Traeger. There being 5 ayes - 0 nays, the motion prevailed. On a motion by Senator Williams, CSSB 1194 was unanimously recommended for placement on the Local and Uncontested Calendar.

Chairman Traeger next laid out Senate Bill 1252 and again recognized Senator Farabee, sponsor, who explained the bill and then Senator Leedom sent up a Committee Substitute for 1252 and moved its adoption. There was no objection to the motion. The only witness to appear in support of the bill was:

1. Tom Bacus, Judge  
Wichita County  
Wichita Falls, Texas

There being no one desiring to testify in opposition to the bill, Senator Leedom moved to report SB 1252 back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed. Roll Call #8 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Parmer, Whitmire and Traeger. There being 5 ayes - 0 nays, the motion prevailed. On a motion by Senator Leedom, CSSB 1252 was unanimously recommended for placement on the Local and Uncontested Calendar.

The Chair next laid out Senate Bill 1358 and recognized Senator Brooks, who explained that this was a new bill addressed to the Clear Lake Water Authority dispute. He then told the Committee what the bill proposed and that there was a Substitute for the bill that the Legislative Council had prepared which basically changed the caption. Senator Whitmire sent up the Committee Substitute for SB 1358 and moved its adoption. There was no objection to the motion. There were four witnesses present in support of the bill, but were not recognized for testimony. There being no witnesses in opposition to the bill, Senator Williams moved to report SB 1358 back to the Senate with the recommendation that it do not pass, but the Committee Substitute adopted in lieu thereof do pass and be printed. Roll Call #9 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Parmer, Whitmire, Williams, and Traeger. There being 6 ayes - 0 nays, the motion prevailed. On a motion by Senator Whitmire, CSSB 1358 was unanimously recommended for placement on the Local and Uncontested Calendar.

Senate Bill 223 was laid out next, and the Chairman recognized its sponsor, Senator Caperton, who explained that the bill created a County Court at Law in Waller County. Witnesses in support of the bill were:

1. George B. Kimbro  
Self - private citizen  
Hockley, Texas
2. A. M. Caig  
County Judge, Waller County  
Hempstead, Texas

Senator Caperton explained a substitute that had been prepared for the bill. Senator Kothmann sent up Committee Substitute for SB 223 and moved its adoption. There was no objection. There being no other person desiring to testify either in behalf of or in opposition to the bill, Senator Parmer moved to report SB 223 back to the Senate with the recommendation that it do not pass, but the Committee Substitute adopted in lieu thereof do pass and be printed. Roll Call #10 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Parmer, Sharp, Whitmire, Williams and Traeger. There being 7 ayes - 0 nays, the motion prevailed. On a motion by Senator Williams, CSSB 223 was unanimously recommended for placement on the Local and Uncontested Calendar.

Chairman Traeger next laid out Senate Bill 1071 and in the absence of the author, Senator Edwards, the bill was handled by Senator Leedom. Following his explanation that the bill was another juvenile board bill, Senator Leedom moved to report SB 1071 back to the Senate with the recommendation that it do pass and be printed. The Chair first asked for witnesses. There being no one desiring to testify either in behalf of or in opposition to the bill, Roll Call #11 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Parmer, Sharp, Sims, Whitmire, Williams and Traeger. There being 8 ayes - 0 nays, the motion prevailed. On a motion by Senator Leedom, SB 1071 was unanimously recommended for placement on the Local and Uncontested Calendar.

The Chair next laid out Senate Bill 1074, again recognized Senator Leedom to handle the bill in the absence of its sponsor, Senator Edwards. After explanation of the bill by Senator Leedom, the Chair asked for witnesses. There being no one desiring to testify either in behalf of or in opposition to the bill, Senator Leedom moved to report SB 1074 back to the Senate with the recommendation that it do pass and be printed. Roll Call #12 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Parmer, Sharp, Sims, Whitmire, Williams and Traeger. There being 8 ayes - 0 nays, the motion prevailed. On a motion by Senator Leedom, SB 1074 was unanimously recommended for placement on the Local and Uncontested Calendar.

Next bill laid out was Senate Bill 1171, and Chairman Traeger then recognized Senator Leedom, who explained the bill in the absence of its sponsor, Senator Edwards. The following witnesses were recognized in support of the bill:

1. P. K. Reiter, County Judge  
Freestone & Limestone counties ( protested certain provisions  
Mexia, Texas in the bill).
2. Howard Smith  
County Judge, Limestone County  
Groesbeck Texas
3. Dick Black  
Freestone County Commisioners' Court  
Teague, Texas

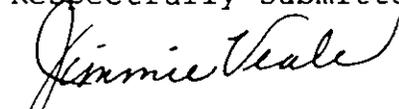
In view of the objection to certain provisions in the bill by Judge Rieter, the Chair ruled that the bill would be held over until the next meeting, Tuesday, May 5.

Senator Leedom, Vice-Chairman, then took the Chair, laid out Senate Bill 862 and recognized its sponsor, Senator Traeger, who explained that the bill had been held over from the previous meeting and then moved to report SB 862 back to the Senate with the recommendation that it do pass and be printed. Roll Call #13 on the motion resulted in the following vote: Ayes - Kothmann, Leedom, Parmer, Sharp, Sims and Traeger; Nays - Whitmire and Williams. There being 6 ayes - 2 nays, the motion prevailed.

Witnesses were present in behalf of SB 929 by Senator Lyon, but were not recognized due to the absence of Senator Lyon, its sponsor. Senator Whitmire moved to delay hearing on the bill for one week. There was no objection to the motion.

On a motion by Senator Sims, the Committee stood recessed subject to call of the Chair.

Respectfully submitted,



Jimmie Veale  
Clerk