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AUG 28 1989

SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS  
May 24, 1989 3:40 p.m.

Old Supreme Courtroom

Pursuant to public notice posted on May 23, 1989, the Senate Committee on Intergovernmental Relations met in a public hearing and was called to order out of recess by the Chair, Senator Hugh Parmer.

The following members were present: Armbrister, Parmer. The following members were absent: Leedom, Barrientos, Brown, Carriker, Haley, Ratliff, Tejeda, Washington, Whitmire. A quorum was not present.

The Chair recessed the Committee and then called them back to order at 4:00 p.m.

H.J.R. 36 by Cuellar

The Chair laid out H.J.R. 36 and recognized the Senate Sponsor, Senator Zaffirini, to present the bill. Senator Zaffirini presented a Committee Substitute for H.J.R. 36.

Senator Ratliff now present.

The Chair recognized the following witnesses who testified in support of the bill:

Mr. William Walls of Laredo, representing himself;

Judge Andres Ramos, Jr. of Laredo, representing Webb County; and

Senator Tejeda now present.

Mr. Raul Perales of Laredo, representing himself.

The Chair recognized the following witnesses to testify against the bill:

Mr. Mike Urdiales of Laredo, representing Webb County;

Ms. Elizabeth Sifuentes of Pearsall, representing the Frio County Treasurer's Office;

Commissioner Adolph Thomae of Austin, representing the Texas Association of Counties; and

Ms. Vesta Leonard of Gatesville, representing the County Treasurers Association of Texas.

The Chair recognized Mr. Nicolas Saucedo of Laredo, representing himself, who registered in support of the bill.

The Chair recognized Commissioner Carl Duncan of Portland, representing the South Texas County Judges & Commissioners Association, who presented written testimony in opposition to the bill.

The Chair recognized the following witnesses who registered against the bill:

Mr. Jimmy Patterson of Cotulla, representing La Salle County;

Mr. Felix Palacios of Laredo, representing himself;

Ms. Alicia Urdiales of Laredo, representing herself;

Ms. Linda Robinson of Beaumont, representing the County Treasurers Association of Texas;

Ms. Dolores Ortega Carter of Austin, representing the County Treasurers Association of Texas; and

Mr. Charles Jones of Belton, representing the County Treasurers Association of Texas.

The Chair laid H.J.R. 36 on the table subject to the call of the Chair.

Senator Armbrister assumed the Chair.

H.B. 2805 by Carter

The Chair laid out H.B. 2805 and recognized the Senate Sponsor, Senator Parmer, to present the bill.

No witnesses appeared to testify in favor of or against the bill.

Senator Parmer moved that H.B. 2805 be laid on the table subject to the call of the Chair. The motion prevailed without objection.

Senator Parmer resumed the Chair.

Senators Leedom, Carriker, Barrientos, and Haley, now present.

Senator Leedom moved that H.B. 2805 be withdrawn from the table. The motion prevailed without objection.

Senator Leedom moved that the Committee adopt and report H.B. 2805, without amendment, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Leedom, Armbrister, Barrientos, Carriker, Haley, Tejeda, Parmer (7).

Nays: (0).

Absent: Brown, Ratliff, Washington, Whitmire (4).

Senator Leedom moved that H.B. 2805 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.J.R. 36

Senator Tejeda moved that H.J.R. 36 be removed from the table. The motion prevailed without objection.

Senator Tejeda moved that the Committee adopt the Committee Substitute for H.J.R. 36 and report the bill, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Leedom, Armbrister, Barrientos, Carriker, Haley, Tejeda, Parmer (7).  
Nays: (0).  
Absent: Brown, Ratliff, Washington, Whitmire (4).

Senator Tejeda moved that C.S.H.J.R. 36 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 59 by Cavazos

The Chair laid out H.B. 59 and recognized the Senate Sponsor, Senator Truan, to present the bill.

No witnesses appeared to testify in favor of or against the bill.

Senator Tejeda moved that the Committee adopt and report H.B. 59, without amendment, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Leedom, Armbrister, Barrientos, Carriker, Haley, Tejeda, Parmer (7).  
Nays: (0).  
Absent: Brown, Ratliff, Washington, Whitmire (4).

Senator Haley moved that H.B. 59 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

Senator Leedom assumed the Chair.

H.B. 3012 by Campbell

The Chair laid out H.B. 3012 and recognized the Senate Sponsor, Senator Edwards, to present the bill. Senator Edwards presented a Committee Substitute for H.B. 3012.

The Committee Substitute for H.B. 3012 was adopted without objection.

The Chair recognized Mr. Robert Lemens of Austin, representing the Texas Association of Counties, who registered as a resource witness on the bill.

The Chair recognized Ms. JoLayne Boies of Houston, representing the Harris County Attorney's Office, who testified in opposition to the original bill, not the Committee Substitute.

Senator Haley moved that the Committee report H.B. 3012, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Leedom, Armbrister, Barrientos, Carriker, Haley, Ratliff (6).  
Nays: (0).  
Absent: Brown, Tejeda, Washington, Whitmire, Parmer (5).

Senator Haley moved that C.S.H.B. 3012 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 1423 by Hilderbran

The Chair laid out H.B. 1423 and recognized Senator Haley to present the bill for the Senate Sponsor, Senator Sims.

The Chair recognized Judge Bill Lofland of Rockwall, representing Rockwall County, who registered in support of the bill.

Senator Haley moved that the Committee adopt and report H.B. 1423, without amendment, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Leedom, Armbrister, Barrientos, Carriker, Haley, Ratliff (6).  
Nays: (0).  
Absent: Brown, Tejeda, Washington, Whitmire, Parmer (5).

Senator Haley moved that H.B. 1423 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 2060 by Russell

The chair laid out H.B. 2060 and recognized the Senate Sponsor, Senator Armbrister, to present the bill. Senator Armbrister sent up Committee Amendment No. 1 to H.B. 2060 and moved its adoption. The motion prevailed without objection.

The Chair requested unanimous consent to have committee staff incorporate Committee Amendment No. 1 into H.B. 2060 to make a Committee Substitute. There being no objection, it was so ordered.

No witnesses appeared to testify in favor of or against the bill.

Senator Armbrister moved that the Committee adopt the Committee Substitute for H.B. 2060, and report the bill, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Leedom, Armbrister, Barrientos, Carriker, Haley, Ratliff (6).  
Nays: (0).  
Absent: Brown, Tejeda, Washington, Whitmire, Parmer (5).

Senator Armbrister moved that C.S.H.B. 2060 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 316 by T. Smith

The Chair laid out H.B. 316 and recognized the Senate Sponsor, Senator Armbrister, to present the bill. Senator Armbrister sent up a Committee Substitute for H.B. 316.

The Chair recognized the following witnesses to testify in favor of the bill:

Mr. James Koehn of Austin, representing the City of Rollingwood; and

Mayor Tom Taylor of West Lake Hills, representing the City of West Lake Hills.

The Chair recognized the following witnesses to testify against the bill:

Ms. Lanetta Cooper of Austin, representing the Gray Panthers of Austin;

Senator Haley assumed the Chair.

Ms. Kathryn S. Clark of Austin, representing herself;

Ms. Shudde Fath of Austin, representing herself; and

Mr. William Oakey of Austin, representing himself.

Senator Barrientos sent up an alternative Committee Substitute to H.B. 316 and moved its adoption. The motion prevailed without objection.

The Chair laid C.S.H.B. 316 on the table subject to the call of the Chair.

H.B. 1801 by Colbert

The Chair laid out H.B. 1801 and recognized Senator Armbrister to present the bill for the Senate Sponsor, Senator Whitmire.

The Chair recognized the following witnesses who registered in support of the bill:

Mr. Robert Collins of Houston, representing the City of Houston; and

Mr. A. R. Schwartz of Austin, representing the City of Houston.

The Chair laid H.B. 1801 on the table subject to the call of the Chair.

H.B. 2588 by Willy

The Chair laid out H.B. 2588 and recognized Senator Armbrister to present the bill for the Senate Sponsor, Senator Brown.

The Chair recognized Mr. A. R. Schwartz of Austin, representing the Brazoria County Pilots, who registered in support of the bill.

The Chair laid H.B. 2588 on the table subject to the call of the Chair.

H.B. 3187 by T. Smith

The Chair laid out H.B. 3187 and recognized the Senate Sponsor, Senator Barrientos, to present the bill. Senator Barrientos sent up a Committee Substitute for H.B. 3187.

Senator Armbrister sent up Committee Amendment No. 1 to C.S.H.B. 3187 and moved its adoption. The motion prevailed without objection.

Senator Armbrister sent up Committee Amendment No. 2 to C.S.H.B. 3187 and moved its adoption. The motion prevailed without objection.

The Chair requested unanimous consent to have committee staff incorporate Committee Amendment Nos. 1 and 2 into C.S.H.B. 3187. There being no objection, it was so ordered.

The Chair recognized Mr. Richard Suttle of Austin, representing Armbrust & Brown, to testify in support of the bill.

The Chair recognized the following witnesses to testify in opposition to the bill:

Mr. L. W. Parker of Pflugerville, representing himself;

Mr. John Reynolds of Round Rock, representing himself; and

Mr. Charles Eversole of Austin, representing himself.

The Chair recognized Ms. Dede Armentrout of Austin, representing the National Audubon Society, who presented written testimony in opposition to the bill.

The Chair recognized Ms. G. K. Sprinkle of Austin, representing Travis Audubon, who registered in opposition to the bill.

Senator Barrientos moved that H.B. 3187 be laid on the table subject to the call of the Chair. The motion prevailed without objection.

#### H.B. 911 by T. Smith

The Chair laid out H.B. 911 and recognized Senator Barrientos to present the bill for the Senate Sponsor, Senator Montford. Senator Barrientos sent up a Committee Substitute for H.B. 911.

The Chair recognized the following witnesses to testify in favor of the bill:

Mr. Robert Mossman of Austin, representing the Federation of Austin Industrial Ratepayers; and

Mr. James Koehn of Rollingwood, representing the City of Rollingwood.

The Chair recognized the following witnesses to testify against the bill:

Ms. Lanetta Cooper of Austin, representing the Gray Panthers of Austin;

Ms. Kathryn Clark of Austin, representing herself;

Ms. Shudde Fath of Austin, representing herself; and

Mr. William Oakey of Austin, representing himself.

The Chair recognized Mayor Tom Taylor of West Lake Hills, representing the City of West Lake Hills, who registered in support of the bill.

Senator Barrientos moved that H.B. 911 be laid on the table subject to the call of the Chair. The motion prevailed without objection.

H.B. 3135 by Lucio

The Chair laid out H.B. 3135 and recognized Senator Carriker to present the bill for the Senator Sponsor, Senator Uribe.

The Chair recognized Commissioner Adolph Thomae of San Benito, representing the Cameron County Commissioners Court, who registered as a resource witness on the bill.

Senator Carriker sent up a Committee Substitute for H.B. 3135 and moved its adoption. The motion prevailed without objection.

The Chair laid C.S.H.B. 3135 on the table subject to the call of the Chair.

Senator Parmer resumed the Chair.

H.B. 3144 by Watkins

Senator Haley moved that the Committee vote on May 23, 1989, by which H.B. 3144 was reported favorably, as substituted, to the Senate, be reconsidered. The motion prevailed without objection.

Senator Haley moved to suspend all necessary rules in order to consider an Amendment to C.S.H.B. 3144. The motion prevailed without objection.

Senator Haley sent up Committee Amendment No. 1 to C.S.H.B. 3144 and moved its adoption. The motion prevailed without objection. The Chair requested unanimous consent to allow committee staff to incorporate Committee Amendment No. 1 into C.S.H.B. 3144. There being no objection, it was so ordered.

Senator Haley moved that the Committee adopt the Committee Substitute for H.B. 3144, and report the bill, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Barrientos, Carriker, Haley, Ratliff, Tejada, Parmer (6).

Nays: (0).

Absent: Leedom, Armbrister, Brown, Washington, Whitmire (5).

Senator Haley moved that C.S.H.B. 3144 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 3135

Senator Carriker moved that C.S.H.B. 3135 be withdrawn from the table. The motion prevailed without objection.

Senator Carriker moved that the Committee report H.B. 3135, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Barrientos, Carriker, Haley, Ratliff, Tejada, Parmer (6).

Nays: (0).

Absent: Leedom, Armbrister, Brown, Washington, Whitmire (5).

Senator Carriker moved that C.S.H.B. 3135 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 2588

Senator Haley moved that H.B. 2588 be withdrawn from the table. The motion prevailed without objection.

Senator Haley moved that the Committee adopt and report H.B. 2588, without amendment, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Barrientos, Carriker, Haley, Ratliff, Tejeda, Parmer (6).  
Nays: (0).  
Absent: Leedom, Armbrister, Brown, Washington, Whitmire (5).

Senator Carriker moved that H.B. 2588 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 1801

Senator Haley moved that H.B. 1801 be withdrawn from the table. The motion prevailed without objection.

Senator Haley moved that the Committee adopt and report H.B. 1801, without amendment, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Barrientos, Carriker, Haley, Ratliff, Tejeda, Parmer (6).  
Nays: (0).  
Absent: Leedom, Armbrister, Brown, Washington, Whitmire (5).

Senator Haley moved that H.B. 1801 be certified for the Local and Uncontested Calendar. The motion prevailed without objection.

H.B. 3187

Senator Barrientos moved that H.B. 3187 be withdrawn from the table. The motion prevailed without objection.

Senator Barrientos moved that the Committee adopt the Committee Substitute for H.B. 3187, and report the bill, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Barrientos, Carriker, Haley, Ratliff, Tejeda, Parmer (6).  
Nays: (0).  
Absent: Leedom, Armbrister, Brown, Washington, Whitmire (5).

H.B. 911

Senator Barrientos moved that H.B. 911 be withdrawn from the table. The motion prevailed without objection.

Senator Barrientos moved that the Committee adopt the Committee Substitute for H.B. 911, and report the bill, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Armbrister, Barrientos, Carriker, Haley, Ratliff, Tejada (6).  
Nays: (0).  
Present Not Voting: Parmer (1).  
Absent: Leedom, Brown, Washington, Whitmire (4).

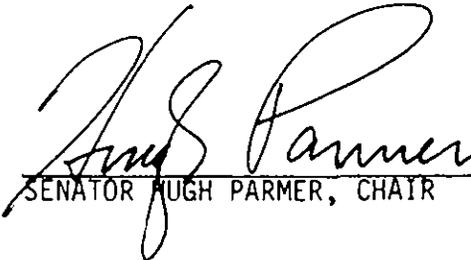
H.B. 316

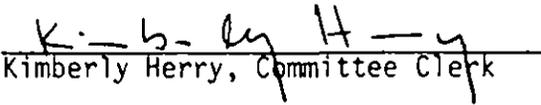
Senator Armbrister moved that C.S.H.B. 316 be withdrawn from the table. The motion prevailed without objection.

Senator Armbrister moved that the Committee report H.B. 316, as substituted, favorably to the Senate with the recommendation that it do pass. The motion prevailed by a roll call vote, reflecting:

Ayes: Armbrister, Barrientos, Carriker, Haley, Ratliff, Tejada (6).  
Nays: (0).  
Present Not Voting: Parmer (1).  
Absent: Leedom, Brown, Washington, Whitmire (4).

There being no further business, the Chair, hearing no objections, recessed the Committee at 6:00 p.m.

  
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SENATOR HUGH PARMER, CHAIR

  
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Kimberly Herry, Committee Clerk