
SUPREME COURT HEARING ROOM

The Committee on the Judiciary met at 8:00 p.m. and was called to order by the Chairman, Mr. Hale.

The Chairman directed the clerk to call the roll and the following results were obtained:

Present: Hale, Grant, Baker, Bales, Coleman, Cooke, Denson, Evans, Garcia, Heatly, Henderson, Jones of Harris, Maloney, Peveto, Powers, Sullivant. (16)

Absent: Donaldson, Hudson, Nowlin, Rosson, Vecchio, Washington. (6)

The Chairman announced that a quorum was present and stated that the Public Hearing Notice for tonight's agenda had been posted at 10:30 a.m. on April 12, 1973, as required by Section 13 of Rule VIII of the House Rules.

Later in the meeting Mr. Hudson, Mr. Rosson, and Mr. Vecchio entered the Committee Room and were announced present.

The Chairman announced the appointment of the following Standing Sub-Committee on Judicial Districts:

Heatly, Chairman
Nowlin, Vice-Chairman
Coleman
Cooke
Evans
Jones of Harris
Maloney

The Chairman announced the appointment of the following Standing Sub-Committee on Workmen's Compensation:

Sullivant, Chairman
Baker, Vice-Chairman
Garcia
Peveto
Powers
Vecchio
Washington

The Chairman announced the appointment of the following Standing Sub-Committee on Resolutions to Sue the State:

Denson, Chairman
Rosson, Vice-Chairman
Bales
Donaldson
Henderson
Hudson
Vick

PSH

The Chairman referred the following measures to the Standing Sub-Committee on Judicial Districts:

H.B. 164	H.B. 906	H.B. 945
H.B. 243	H.B. 1410	H.B. 1178
H.B. 295	H.B. 1454	H.B. 1489
H.B. 296	H.B. 1559	H.B. 1563
H.B. 412	H.B. 1592	H.B. 1564
H.B. 476	H.B. 1618	S.B. 159
H.B. 635	H.B. 1624	H.B. 269
H.B. 810	H.B. 138	H.B. 847
H.B. 832	H.B. 666	H.B. 1490
H.B. 835	H.B. 806	

The Chairman referred the following measures to the Standing Sub-Committee on Workmen's Compensation:

H.B. 663	H.B. 983	H.B. 1007
H.B. 820	H.B. 984	H.B. 1008
H.B. 840	H.B. 985	H.B. 1009
H.B. 868	H.B. 986	H.B. 1010
H.B. 869	H.B. 987	H.B. 1011
H.B. 870	H.B. 988	H.B. 1012
H.B. 871	H.B. 989	H.B. 1013
H.B. 875	H.B. 1000	H.B. 1014
H.B. 882	H.B. 1001	H.B. 1015
H.B. 883	H.B. 1002	H.B. 1016
H.B. 885	H.B. 1003	H.B. 1036
H.B. 886	H.B. 1004	H.B. 1110
H.B. 908	H.B. 1005	H.B. 1210
H.B. 981	H.B. 1006	H.B. 1214
H.B. 982		

The Chairman referred the following measures to the Standing Sub-Committee on Resolutions to Sue the State:

H.C.R. 36
H.C.R. 69
H.C.R. 75
S.C.R. 11
S.C.R. 23
S.C.R. 24
S.C.R. 25
S.C.R. 26

H.B. 1259 by Hernandez

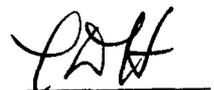
The Chairman laid H.B. 1259 before the Committee for consideration.

The Chairman recognized Mr. Garcia to speak in favor of the Bill.

H.B. 830 by Denson

The Chairman laid H.B. 830 before the Committee for consideration.

The Chairman recognized Mr. Denson, the sponsor, to speak in favor of the Bill.



Mr. Denson offered Committee Amendment Number 1 and moved its adoption.

The motion prevailed.

Mr. Denson moved that H.B. 830 be reported to the House with the recommendation that it do pass as amended.

The motion prevailed by the following vote (Record Vote 69):

Yeas : 14
Nays : 0
Absent: 8

H.B. 235 by Denson

The Chairman laid H.B. 235 before the Committee for consideration.

The Chairman recognized Mr. Denson, the sponsor, to speak in favor of the Bill.

Mr. Jones of Harris moved that H.B. 235 be reported to the House with the recommendation that it do pass.

Mr. Peveto moved as a substitute that H.B. 235 be referred for further study to a sub-committee to be named by the Chairman.

Mr. Bales moved to table the substitute motion.

The motion to table prevailed.

Mr. Powers offered Committee Amendment Number 1 and moved its adoption.

Mr. Grant moved to table Committee Amendment Number 1.

The motion to table prevailed.

Question then recurred on the original motion by Mr. Jones of Harris that H.B. 235 be reported to the House with the recommendation that it do pass.

The motion prevailed by the following vote (Record Vote 70):

Yeas : 9
Nays : 5
Absent: 8

H.B. 1259 by Hernandez

Mr. Garcia offered Committee Amendment Number 1 to H.B. 1259 and moved its adoption.

The motion prevailed.

Mr. Garcia moved that H.B. 1259 be reported to the House with the recommendation that it do pass as amended.

CAH

The motion prevailed by the following vote (Record Vote 71):

Yeas : 12
Nays : 1
Absent: 7

S.C.R. 49 by Mauzy (Nugent)

The Chairman laid S.C.R. 49 before the Committee for consideration.

The Chairman recognized Mr. Nugent, the sponsor, to speak in favor of the Resolution.

Mr. Heatly moved that S.C.R. 49 be reported to the House with the recommendation that it do pass.

The motion prevailed by the following vote (Record Vote 72):

Yeas : 15
Nays : 0
Absent: 7

Mr. Grant in the Chair.

H.S.R. 48 by Lombardino

The Chair laid H.S.R. 48 before the Committee for consideration.

The Chair recognized Mr. Hale to speak in favor of the Resolution.

Mr. Garcia moved that further consideration of H.S.R. 48 be postponed until the next scheduled meeting of the Committee.

The motion prevailed.

H.S.R. 96 by Hale

The Chair laid H.S.R. 96 before the Committee for consideration.

The Chair recognized Mr. Hale, the sponsor, to speak in favor of the Resolution.

Mr. Hale moved that H.S.R. 96 be reported to the House with the recommendation that it do pass.

The motion prevailed by the following vote (Record Vote 73):

Yeas : 14
Nays: 0
Absent: 9

H.C.R. 129 by Hale

The Chair laid H.C.R. 129 before the Committee for consideration.

The Chair recognized Mr. Hale, the sponsor, to speak in favor of the Resolution.

The Chair announced that consideration of H.C.R. 129 would be postponed until the next scheduled meeting of the Committee.

Mr. Hale in the Chair.

H.B. 1144 by Clayton

The Chairman laid H.B. 1144 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Evans, to present the Bill.
- (2) Mr. Sam Kimberlin, Jr., representing the Texas Bankers Association.

Mr. Powers moved that H.B. 1144 be reported to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by the following vote (Record Vote 74):

Yeas	:	12
Nays	:	0
Absent:		9
Present and not voting:		1

H.B. 671 by Vecchio

The Chairman laid H.B. 671 before the Committee for consideration.

The Chairman recognized Mr. Vecchio, the sponsor, to speak in favor of the Bill.

Mr. Peveto moved that H.B. 671 be referred for further study to a sub-committee to be named by the Chairman.

The motion was lost.

Mr. Vecchio offered Committee Amendment Number 1 and moved its adoption.

The motion prevailed.

Mr. Vecchio offered Committee Amendment Number 2 and moved its adoption.

The motion prevailed.

Mr. Vecchio moved that H.B. 671 be reported to the House with the recommendation that it do pass as amended.

The motion prevailed by the following vote (Record Vote 75):

Yeas	:	8
Nays	:	6
Absent:		8



H.B. 193 by Temple

The Chairman laid H.B. 193 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Temple, sponsor of the Bill.
- (2) Mr. Pitser H. Garrison, Mayor of Lufkin, representing himself.
- (3) Mr. Jack Hopper, Consulting Economist, representing himself.

The Chairman recognized the following, in the order named, to speak against the Bill:

- (1) Mr. Fred W. Hall, representing Southwestern Bell Telephone Company.
- (2) Mr. Bennett Smith, representing Community Public Service Company.

Mr. Baker moved that H.B. 193 be referred for further study to a sub-committee to be named by the Chairman with instructions to report back within one week.

Mr. Bales moved to table the motion.

The motion to table was lost.

Question then recurred on the original motion by Mr. Baker that H.B. 193 be referred for further study to a sub-committee to be named by the Chairman with instructions to report back within one week.

The motion prevailed.

The Chairman announced the appointment of the following sub-committee on H.B. 193:

Mr. Evans, Chairman
Mr. Bales
Mr. Garcia
Mr. Heatly
Mr. Maloney

H.B. 358 by Denson

The Chairman laid H.B. 358 before the Committee for consideration.

The Chairman recognized Mr. Denson, the sponsor, to speak in favor of the Bill:

Mr. Denson moved that H.B. 358 be laid on the table subject to call.

The motion prevailed.

LSH

H.B. 944 by Denson

The Chairman laid H.B. 944 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Denson, sponsor of the Bill.
- (2) Mr. Michael J. Hinton, representing the District Attorney's Office of Harris County.
- (3) Mr. Charles C. Orsburn, representing the Houston Bar Association.

H.B. 431 by Russell

The Chairman laid H.B. 431 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Russell, sponsor of the Bill.
- (2) Mr. Henry Wade, representing the District Attorney's Office of Dallas County.

H.B. 603 by Coleman

The Chairman laid H.B. 603 before the Committee for consideration.

The Chairman recognized Mr. Coleman, the sponsor, to speak in favor of the Bill.

H.B. 651 by Baker

The Chairman laid H.B. 651 before the Committee for consideration.

The Chairman recognized Mr. Baker, the sponsor, to speak in favor of the Bill.

H.B. 1643 by Clayton

The Chairman laid H.B. 1643 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Clayton, sponsor of the Bill.
- (2) Mr. Andy Shuval, representing the Hereford Bar Association.

Mr. Grant in the Chair.

- (3) Mr. Richard Brainerd, representing the Commissioners Court of Oldham County.
- (4) Mr. Mack Tubb, representing the Hereford Bar Association.

Mr. Hale in the Chair.

The Chairman recognized the following, in the order named, to speak against the Bill:

- (1) Mr. Thomas W. Kendrick, attorney, representing himself.
- (2) Mr. H.A. Cavness, representing the City Commissioner of Hereford.
- (3) Mr. Pat Malone, representing himself.

H.B. 1170 by Parker of Denton

The Chairman laid H.B. 1170 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Parker of Denton, sponsor of the Bill.
- (2) Judge J. Ray Martin, representing himself.
- (3) Mr. Michael J. Whitten, representing the Junior Bar Association of Denton County.
- (4) Judge Bob Scofield, representing himself.

H.B. 1270 by Bock and Poerner

The Chairman laid H.B. 1270 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Bock, sponsor of the Bill.
- (2) Mr. Poerner, co-sponsor of the Bill.

The Chairman recognized the following, in the order named, to speak against the Bill:

- (1) Mr. Ed Budduh, Jr., attorney, representing himself.
- (2) Mr. Marion J. Borcers, attorney, representing himself.

PAH

H.B. 1378 by Montoya

The Chairman laid H.B. 1378 before the Committee for consideration.

The Chairman recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Montoya, sponsor of the Bill.
- (2) Judge Magus F. Smith, representing himself.

Mr. Grant in the Chair.

H.B. 714 by Hale

The Chair laid H.B. 714 before the Committee for consideration.

The Chair recognized the following, in the order named, to speak in favor of the Bill:

- (1) Mr. Hale, sponsor of the Bill.
- (2) Representative Evans of Tarrant County.

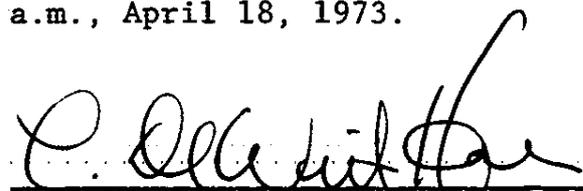
Mr. Hale in the Chair.

The Chairman announced that further consideration of H.B. 358, H.B. 431, H.B. 603, H.B. 651, H.B. 714, H.B. 944, H.B. 1170, H.B. 1378, H.B. 1270, and H.B. 1643 will be postponed until the next regularly scheduled meeting of the Committee.

Mr. Grant moved that the Committee stand adjourned subject to the call of the Chair.

The motion prevailed.

The meeting was adjourned at 2:05 a.m., April 18, 1973.



L. DeWitt Hale, Chairman



D. L. Burton, Clerk