

Old Supreme Courtroom

Pursuant to a public notice posted on April 20, 1977, at 5:00 p.m., the Judiciary Committee convened in a public hearing and was called to order by the Chair, Rep. Ben Z. Grant.

The roll was answered as follows:

Present: Grant, Cain, Jackson, Ribak (4).

Absent: Rudd, Hale, *Maloney, Ezzell, Garcia, Moreno, *Hill of Potter (7).

*Rep. Bob Maloney and Rep. Danny Hill were excused to attend other Committee meetings.

A quorum was not present and the Chair moved that the Committee stand at ease pending the arrival of other members. The motion prevailed without objection.

Hill of Potter and Rudd now present.

H.B. 1759 by Hernandez:

The Chair laid out H.B. 1759 and recognized Rep. Joe Hernandez to explain the bill.

Mr. Abe Ribak moved that H.B. 1759 be referred to the Standing Subcommittee on Workers' Compensation. The motion prevailed without objection.

H.B. 2011 by Weddington:

The Chair laid out H.B. 2011 and recognized Rep. Sarah Weddington to explain the bill.

The Chair recognized the following witnesses to speak AGAINST H.B. 2011:

Mrs. Nancy Schriber of Austin, Texas, housewife, representing herself;

Mrs. Dorothy Taft of Austin, Texas, homemaker, representing herself and Mrs. Mary Goeth.

Mr. Mike Ezzell moved that H.B. 2011 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

The Chair named the following subcommittee to consider H.B. 2011:
Ezzell, Chairman; Ribak; Jackson.

S.B. 406 by Creighton:

The Chair laid out S.B. 406 and recognized Rep. Ed Mayes to explain the bill.

Mr. Ezzell moved that S.B. 406 be reported favorably to the House Floor with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Ezzell moved that S.B. 406 be recommended to be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).

Nays: (0).



Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

H.B. 1763 by Close/Simpson:

The Chair laid out H.B. 1763 and recognized Rep. Bob Simpson to explain the bill. The Chair recognized Rep. Bob Close to further explain the bill.

The Chair laid out Committee Amendment No. 1 to H.B. 1763. Mr. Ezzell moved that Committee Amendment N. 1 be adopted. The motion prevailed without objection.

Mr. Ribak moved that H.B. 1763, as amended, be reported favorably to the House Floor with the recommendation that it do pass.

Mr. David Cain made the substitute motion that H.B. 1763 be referred to a subcommittee to be named by the Chair. The substitute motion failed by a show of hands.

Mr. Ribak's motion that H.B. 1763, as amended, be reported favorably to the House Floor with the recommendation that it do pass, prevailed by a roll call vote, reflecting:

Ayes: Ezzell, Cain, Jackson, Ribak, Grant, Rudd, *Hill of Potter (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

*Mr. Hill of Potter moved that the Committee show him voting aye on H.B. 1763 instead of absent with the Committee's unanimous consent.

S.B. 889 by Sherman:

The Chair laid out S.B. 889 and recognized Rep. Simpson to explain the bill.

The Chair recognized Mr. W. W. Gibson of Austin, Texas, teacher, representing himself, to speak in FAVOR of S.B. 889.

Mr. Cain moved that S.B. 889 be reported favorably to the House Floor with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Cain moved that S.B. 889 be recommended to be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

S.B. 858 by Mauzy:

The Chair laid out S.B. 858 and recognized Rep. Cain to explain the bill.

Mr. Ezzell moved that S.B. 858 be referred to the Standing Subcommittee on Workers' Compensation. The motion prevailed without objection.

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S.B. 43 by Mauzy:

The Chair laid out S.B. 43 and recognized himself to explain the bill.

Mr. Ribak took the Chair.

Mr. Hill of Potter moved that S.B. 43 be reported favorably to the House Floor with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Grant, Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Ezzell moved that S.B. 43 be recommended to be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Grant, Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

S.B. 453 by Schwartz:

The Chair laid out S.B. 453 and recognized Rep. Grant to explain the bill.

Mr. Jim Rudd moved that S.B. 453 be reported favorably to the House Floor with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Grant, Cain, Jackson, Hill of Potter, Ribak, Rudd, Ezzell (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Ezzell moved that S.B. 453 be recommended to be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Grant, Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

H.B. 1275 by Green of Navarro:

The Chair laid out H.B. 1275 and recognized Rep. Forrest Green to explain the bill.

The Chair recognized Mr. Walter Woodman of Waxahachie, Texas, attorney, representing himself, to speak in FAVOR of H.B. 1275.

Mr. Ezzell moved that H.B. 1275 be reported favorably to the House Floor with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).

Nays: (0).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).



H.B. 209 by Hudson:

The Chair laid out H.B. 209 and recognized Rep. Sam Hudson to explain the bill.

Mr. Hill of Potter moved that H.B. 209 be referred to a subcommittee to be named by the Chair.

Mr. Ribak made the substitute motion that further consideration of H.B. 209 be postponed one week.

The substitute motion by Mr. Ribak prevailed without objection.

H.B. 192 by Ribak:

The Chair laid out the Subcommittee Report of H.B. 192 and recognized Rep. Lee Jackson to explain the Report.

The Chair laid out Committee Amendment No. 1 to H.B. 192. Mr. Ribak moved that Committee Amendment No. 1 be adopted. The motion prevailed without objection.

Mr. Jackson moved that H.B. 192, as amended, be reported favorably to the House Floor with the recommendation that it do pass.

The motion failed by a roll call vote, reflecting:

Ayes: Hill of Potter, Jackson, Rudd, Grant, Ribak (5).

Nays: Cain (1).

Present, not voting: Ezzell (1).

Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Rudd moved that H.B. 192 be tabled subject to the call of the Chair. The motion prevailed without objection.

H.B. 1348 by Ribak:

The Chair laid out the Subcommittee Report on H.B. 1348 and recognized Rep. Jackson to explain the Report.

Mr. Jackson moved that H.B. 1348 be reported favorably to the House Floor with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).

Nays: (0).

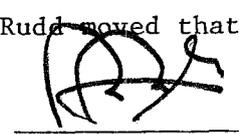
Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

H.B. 1366 by Rudd:

The Chair laid out the Subcommittee Report on H.B. 1366 and recognized Rep. Rudd to explain the Report.

The Chair laid out Committee Amendment No. 1 to H.B. 1366. Mr. Rudd moved that Committee Amendment No. 1 be adopted. The motion prevailed without objection.

The Chair laid out Committee Amendment No. 2 to H.B. 1366. Mr. Rudd moved that



Committee Amendment No. 2 be adopted. The motion prevailed without objection.

The Chair laid out Committee Amendment No. 3 to H.B. 1366. Mr. Rudd moved that Committee Amendment No. 3 be adopted. The motion prevailed without objection.

The Chair laid out Committee Amendment No. 4 to H.B. 1366. Mr. Rudd moved that Committee Amendment No. 4 be adopted. The motion prevailed without objection.

Mr. Rudd moved that H.B. 1366, as amended, be reported favorably to the House Floor with the recommendation that it do pass.

The motion failed by a roll call vote, reflecting:
Ayes: Ribak, Rudd, Grant, Hill of Potter, Cain (5).
Nays: Ezzell, Jackson (2).
Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Rudd moved that H.B. 1366 be tabled subject to the call of the Chair. The motion prevailed without objection.

H.B. 1861 by Simpson:

The Chair laid out the Subcommittee Report on H.B. 1861 and recognized Rep. Hill of Potter, Chairman, to explain the Report.

The Chair laid out Committee Amendment No. 1 to H.B. 1861. Mr. Hill of Potter moved that Committee Amendment No. 1 be adopted. The motion prevailed without objection.

Mr. Hill of Potter moved that H.B. 1861, as amended, be reported favorably to the House Floor with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:
Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).
Nays: (0).
Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Hill of Potter moved that H.B. 1861 be recommended to be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:
Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).
Nays: (0).
Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

H.B. 1862 by Simpson:

The Chair laid out the Subcommittee Report on H.B. 1862 and recognized Rep. Hill of Potter to explain the Report.

The Chair laid out Committee Amendment No. 1 to H.B. 1862. Mr. Hill of Potter moved that Committee Amendment No. 1 be adopted. The motion prevailed without objection.

Mr. Hill of Potter moved that H.B. 1862, as amended, be reported favorably to the House Floor with the recommendation that it do pass.



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The motion prevailed by a roll call vote, reflecting:
Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).
Nays: (0).
Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Hill moved that H.B. 1862 be recommended to be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:
Ayes: Cain, Ezzell, Hill of Potter, Jackson, Ribak, Rudd, Grant (7).
Nays: (0).
Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

H.B. 1578 by Green of Navarro:

The Chair laid out H.B. 1578 and recognized Rep. Gene Green to explain the bill.

The Chair recognized the following witnesses to speak in FAVOR of H.B. 1578:

Mr. Helmut Wolff of Dallas, Texas, regional director of the American Arbitration Association, representing the American Arbitration Association;
Mr. Emmanuel Rohan of Dallas, Texas, attorney, representing himself; and
Mr. J. Chrys Dougherty of Austin, Texas, attorney, representing himself.

The Chair laid out Committee Amendment No. 1 to H.B. 1578. Mr. Jackson moved that Committee Amendment No. 1 be adopted. The motion prevailed by a show of hands.

Mr. Jackson moved that H.B. 1578, as amended, be reported favorably to the House Floor with the recommendation that it do pass.

The motion failed by a roll call vote, reflecting:
Ayes: Cain, Ezzell, Jackson, Ribak, Rudd (5).
Nays: (0).
Present, not voting: Grant, Hill of Potter (2).
Absent: Maloney, Hale, Moreno, Garcia of Bexar (4).

Mr. Jackson moved that H.B. 1578 be tabled subject to the call of the Chair. The motion prevailed without objection.

H.B. 1156 by Benedict:

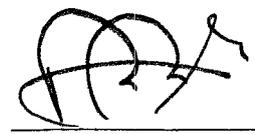
The Chair laid out H.B. 1156, which had been postponed for further action on April 20, 1977, for discussion.

Mr. Ezzell moved that further consideration of H.B. 1156 be postponed. The motion prevailed without objection.

H.B. 1450 by Grant:

The Chair laid out H.B. 1450, which had been postponed for further action on April 20, 1977, for discussion.

Mr. Ezzell moved that H.B. 1450 be tabled pending the call of the Chair. The motion prevailed without objection.

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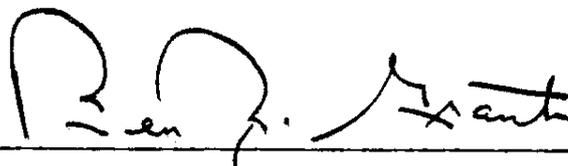
H.B. 1863 by Vaughan:

The Chair laid out H.B. 1863, which had been postponed for further action on April 19, 1977, for discussion.

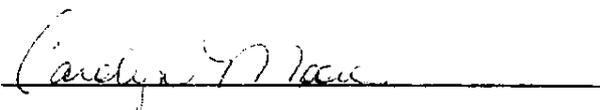
Mr. Ezzell moved that H.B. 1863 be tabled pending the call of the Chair. The motion prevailed without objection.

Mr. Ribak moved that the Committee adjourn pending the call of the Chair.

The motion prevailed without objection and the Committee adjourned at 10:25 p.m.

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HONORABLE BEN Z. GRANT, CHAIRMAN

A handwritten signature in cursive script, reading "Carolyn Moore", written above a horizontal line.

Carolyn Moore, Committee Secretary