

House

Committee on Criminal Jurisprudence
Old Supreme Court Room

March 11, 1981
2:45 p.m.

Public Notice having been posted on March 5, 1981 at 6:15 p.m., the Committee on Criminal Jurisprudence met in Public Hearing in the Old Supreme Court Room on March 11, 1981 at 2:45 p.m. and was called to order by the Chair, Mr. Nabers.

The roll was answered as follows:

Present: Nabers, Burnett, Jones, Smith, Browder, Waldrop (6)

Absent: Cofer, Hernandez, Hudson, Maloney, Uher (5)

A quorum was present.

H.B. 1164, 1165, 1166, 1167 and S.B. 294

The Chair laid out H.B. 1164 by Jones and recognized him to explain his bill.

Ms. Cofer now present.

The Chair recognized VaLinda Hathcox, Director of Programs, State Bar of Texas, Austin, representing the State Bar, to speak as a Resource Witness regarding H.B. 1164.

The Chair recognized Richard E. Gray, III, Executive Assistant Attorney General, Austin, representing the Attorney General's Office, to speak as a Resource Witness regarding H.B. 1164.

Mr. Maloney now present.

The Chair recognized Mr. Jones to close on H.B. 1164.

H.B. 1165 by Jones and S.B. 293 by Ogg

The Chair laid out H.B. 1165 and its companion S.B. 293 by Ogg and recognized Mr. Jones to explain them.

The Chair again recognized VaLinda Hathcox, representing the State Bar to speak as a Resource Witness regarding H.B. 1165 and S.B. 293.

The Chair again recognized Richard Gray, representing the Attorney General's Office, to speak as a Resource Witness regarding H.B. 1165 and S.B. 293.

H.B. 1166 by Jones

The Chair laid out H.B. 1166 and recognized Mr. Jones to explain it.

The Chair recognized VaLinda Hathcox, representing the State Bar, to speak as a Resource Witness regarding H.B. 1166.

Mr. Hernandez now present.



HOUSE

The Chair recognized Richard Gray, representing the Attorney General's Office, to speak as a Resource Witness regarding H.B. 1166 again.

The Chair recognized Mr. Jones to close.

H.B. 1167 by Jones

The Chair laid out H.B. 1167 and recognized Mr. Jones to explain it.

Mr. Hudson now present.

The Chair recognized VaLinda Hathcox, representing the State Bar, to speak as a Resource Witness regarding H.B. 1167.

The Chair recognized Richard Gray, representing the Attorney General's Office, to speak as a Resource Witness regarding H.B. 1167.

The Chair recognized Mr. Jones to close.

Mr. Browder moved H.B. 1164, 1165, S.B. 293, H.B. 1166 and 1167 be referred to a subcommittee to be named by the Chair.

There being no objection, it was so ordered.

H.B. 729 by Schlueter and H.B. 730 by Laney

The Chair laid out H.B. 729 and 730 and recognized Mr. Laney to explain them.

The Chair recognized Rick Salwen, Corporate Attorney, Dallas, representing Texans War on Drugs Committee, to speak for H.B. 729 and a suggested substitute.

The Chair recognized Neil Morris, Commander of the Drug Abuse Section, Dallas Police Department, Dallas, representing the Texans War on Drugs Committee, to speak for H.B. 729.

The Chair recognized James W. Penn, Police Officer, Dallas, representing the Texans War on Drugs, to speak for H.B. 729.

The Chair recognized John H. Driver, high school Principal, Killeen, representing himself, to speak for H.B. 729.

The Chair recognized Corbett Lawler, Principal, Killeen High School, Killeen, representing himself, to speak for H.B. 729.

The Chair recognized Phil C. Peoples, Detective, Harris County Sheriff's Department, Houston, representing the Texans War on Drugs, to speak for H.B. 729 and H.B. 730.

The Chair recognized Harold E. Massey, Executive Director, State Educational Association, representing Texas Association of Secondary School Principals, to speak for H.B. 729 and H.B. 730.

*Q+A
CONTINUE
FROM TAPE 1-A
ON TO TAPE 1-B*



The Chair recognized Frank H. Boggus, Ford Dealer, Harlingen, representing Harlingen Against Drugs, to speak for H.B. 729 and H.B. 730.

The Chair recognized Robert L. Peterson, high school Counselor, New Braunfels representing himself, to speak for H.B. 729.

The Chair recognized Wallace L. Van Wyk, Real Estate Broker, Harlingen, representing Harlingen Against Drugs, to speak for H.B. 729 and H.B. 730.

The Chair recognized Judith Ann Edens, Homemaker, Dallas, representing Mothers of Dallas and Richardson, to speak for H.B. 729 and 730.

Ms. Cofer now in Chair.

The Chair recognized Knox Jones, Attorney, McAllen, representing himself, to speak against H.B. 729 and H.B. 730.

Mr. Nabers back in Chair.

The Chair recognized C. W. Robin Percy, Attorney and College Teacher, San Marcos, representing himself and Texas Criminal Defense Lawyers Association, to speak against H.B. 729 and H.B. 730.

BEGINS NEAR
END OF TAPE 1-B
CONTINUES
ONTO TAPE
2-A

The Chair recognized John Duncan, Executive Director, Texas Civil Liberties Union, Austin, to speak against H.B. 729 and H.B. 730.

The Chair recognized Rick Salwen, representing Texans War on Drugs Committee, to explain H.B. 730.

The Chair recognized Richard Gray, representing the Attorney General's Office, to speak as a Resource Witness regarding H.B. 730.

The Chair recognized Jacques I. Kiere, Drug Enforcement Administration, Dallas, representing himself, to speak for H.B. 730.

The Chair recognized John R. Coston, Analyst, Drug Enforcement Administration, Dallas, representing D.E.A., to speak for H.B. 730.

BEGINNING OF
TAPE 3-A

The Chair recognized Jack Heard, Sheriff, Harris County, Houston, representing the Harris County Sheriff's Office, to speak for H.B. 730.

The Chair recognized Phip Peoples, Detective, Harris County Sheriff's Office, to speak for H.B. 730.

The Chair recognized William M. Pruitt, Assistant Commander, D.P.S., Austin, to speak as a Resource Witness regarding H.B. 730.

The Chair recognized Mrs. Larry Waldrip, School Trustee, New Braunfels, representing herself, to speak for H.B. 730.

The Chair recognized Mr. Laney to close on H.B. 729 and H.B. 730.

DISCUSSION
CONTINUES FROM
TAPE 3-A TO TAPE 3-B



Mr. Browder moved H.B. 729 and H.B. 730 be referred to a subcommittee to be named by the Chair.

There being no objection, it was so ordered.

H.B. 106 by Florence

The Chair laid out H.B. 106 and recognized Mr. Florence to explain it.

The Chair recognized Mr. William M. Pruitt, Assistant Commander, D.P.S., Austin, representing D.P.S., to speak as a Resource Witness regarding H.B. 106.

Mr. Jones moved H.B. 106 be referred to a subcommittee to be named by the Chair.

There being no objection, it was so ordered.

H.B. 767 by Bush

The Chair laid out H.B. 767.

Mr. Jones moved H.B. 767 be referred to a subcommittee to be named by the Chair.

There being no objection, it was so ordered.

Subcommittee Reports

H.B. 230 by McLeod, H.B. 476 by Glossbrenner, H.B. 364 by Schlueter

The Chair laid out H.B. 230, 476 and 364 and recognized Mr. Maloney to explain the subcommittee report.

Mr. Maloney sent up subcommittee amendments to H.B. 230, 476 and 364 and moved their adoption.

There being no objection, the subcommittee amendments were adopted.

Mr. Jones moved H.B. 364, as substituted, be reported back to the full House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #1) reflected as follows:

Ayes: Nabers, Jones, Smith, Browder, Maloney, Waldrop (6)
Nays: None (0)
Present, not Voting: Cofer (1)

H.B. 366 by Semos

The Chair laid out H.B. 366 and recognized Mr. Maloney for a subcommittee report.



Mr. Maloney sent up a substitute for H.B. 366 and moved its adoption.
There being no objection, the substitute was adopted.

Mr. Maloney moved H.B. 366, as substituted, be reported back to the full House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #2) reflected as follows:

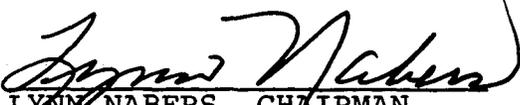
Ayes: Nabers, Cofer, Jones, Smith, Browder, Maloney, Waldrop (7)

Nays: None (0)

H.B. 230 and H.B. 476 were laid on the table.

Mr. Browder moved the Committee stand recessed subject to the call of the Chair.

There being no objection, the Committee recessed at 7:15 p.m.


LYNN NABERS, CHAIRMAN


Missy Jackson, Clerk

ROLL SHEET FOR CRIMINAL JURISPRUDENCE

PAGE 6 3-11-81

MEMBERS	Roll	<u>as</u>	<u>as</u>
		<u>sub.</u>	<u>sub.</u>
		H.B.	H.B.
		364	366
Nabers - Chr.	✓	A	A
Cofer - V.C.	.	P	A
Hernandez - CBO			
Burnett	✓		
Jones	✓	A	A
Smith	✓	A	A
Browder	✓	A	A
Hudson			
Maloney		A	A
Uher			
Waldrop	✓	A	A