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Legislators: Tort reform is top priority

By Melanie Perkins
Staff Writer

Next to paying the state's bills, tort reform is the most important issue facing the 70th Texas Legislature, state Reps. Richard Smith, R-Bryan, and Mike McKinney, D-Centerville, said Monday.

In a press conference at Bryan City Hall, the two legislators said predictability needs to be restored to the Texas civil justice system.

The people of Texas want change, Smith said, and the mass of business and opinion-makers in Texas believe there is a need for change and are pressing for it.

Citing a recent University of Texas poll, Smith said 83 percent of Texans surveyed favored limiting attorneys' fees, 67 percent supported limits on damages for pain and suffering, and 72 percent favored punishment for those who file frivolous lawsuits.

"It is appropriate for the legislature — which is acting on behalf of the people of this state — to set limits on what can be recovered and on the punishment metered out for various activities," Smith said.

The representatives offered suggestions for reform, including: abolition of joint liability, statutory limitation on punitive damages, statutory limitations on all non-economic elements of damage, collateral sources of payments, structured awards for future damages exceeding \$100,000 and appropriate sanctions for filing of frivolous lawsuits.

The insurance industry and civil justice system need study, Smith said, because "the desire of some to make awards to compensate for the personal risk of everyday life has made a lottery of our civil justice system."

In a recent news release, McKinney said, "Tort law should be returned to credible and fault-based compensation that provides for a fair and reasonable level of recovery to deserving plaintiffs through a more predictable and affordable liability-allocating mechanism."

McKinney said during the press conference that tort reform probably will pass in the House, and even though it might be an uphill battle in the Senate, a reasonable tort reform will pass.

He said member associations supporting liability reform in Texas include physicians, engineers, insurance agents, architects and newspapers.

"Caring and responsibility must be shared in an equitable fashion," McKinney said in the news release, "so that harm is appropriately compensated, innocent parties are not unfairly blamed for the wrongdoings of others and the public is not saddled with costs they should not bear."

What's up

Tuesday

- DATA PROCESSING MANAGEMENT ASSOCIATION** will present speakers from Arthur Anderson & Co. p.m. in the Ramada Inn Penthouse. The speech will concern careers in data processing programs.
- AGGIE PARTNERS FOR SPECIAL OLYMPICS:** will meet at 8:30 p.m. in 274 Read. New members are welcome.
- ALPHA PHI OMEGA:** will hold a meeting for prospective members at 7 p.m. in 224 MSC.
- DELTA SIGMA PI:** will meet at 6 p.m. in 130 Blocker.
- MSC ALL-NIGHT FAIR:** will hold an informational meeting for interested organizations at 7 p.m. in 401 Rudder.
- MSC BIG EVENT COMMITTEE:** will meet at 6:30 p.m. Rudder Tower. (See monitor for room.)
- MSC DISCOVERY:** will hold a presentation of student organizations and committees in the MSC main hall from a.m. to 2 p.m. today and Wednesday.
- TAMU SAILING TEAM:** will meet at 7 p.m. in 109 Main Sciences.
- TAMU PALEONTOLOGY CLUB:** will meet at 8 p.m. in Halbouty.
- MSC CEPHEID VARIABLE:** will hold a meeting for members at 8:30 p.m. in 701 Rudder.
- TAMU FLYING CLUB:** will meet at 7 p.m. at the Terwood Airport clubhouse.
- AGGIE LEAGUE OF ENGINEERS:** will meet at 7:30 p.m. 104 B Zachry.
- COOKE COUNTY HOMETOWN CLUB:** will meet at 7 p.m. in 604 A-B Rudder.
- SOUTHERN BRAZORIA COUNTY HOMETOWN CLUB:** will meet at 8:30 p.m. in 504 Rudder.
- TAMU HORSEMEN'S ASSOCIATION:** will meet at 7 p.m. in 115 Kleberg.
- MICROBIOLOGY SOCIETY:** will meet at 7 p.m. in 109 Rudder.

Wednesday

- MSC GREAT ISSUES:** will meet at 7 p.m. in 212 MSC.
- MSC POLITICAL FORUM:** will meet at 7 p.m. in 206 MSC.
- MSC CAMAC:** will meet at 7 p.m. in 510 Rudder.
- TAMU RODEO CLUB:** will meet at 7 p.m. in the Dickman Rodeo Arena.
- GAY STUDENT SERVICES:** will meet at 8:30 p.m. in 307 B Rudder.
- ALPHA PHI OMEGA:** will hold a meeting for prospective members at 7 p.m. in 224 MSC.
- OFF-CAMPUS AGGIES:** will meet at 6 p.m. in 203 Zachry.
- AGGIE SPELEOLOGICAL SOCIETY:** will meet at 8 p.m. in 504 Rudder.
- EUROPE CLUB:** will meet at 9:30 p.m. on the second floor of the Flying Tomato.
- NAVARRO HOMETOWN CLUB:** will meet at 7 p.m. in 109 Rudder.
- INTERNATIONAL BUSINESS ASSOCIATION:** will meet at 7 p.m. (Check IBA billboard in the Blocker Building location).
- PRE-VET SOCIETY:** will meet at 7 p.m. in 230 Veterans Medicine Complex.
- TAMU SPORTS CAR CLUB:** will hold a car show from a.m. to 5 p.m. at Rudder Fountain, and will meet at 7 p.m. in 225 MSC.
- BUCK WEIRUS SPIRIT AWARD:** applications are available between Jan. 26 and Feb. 13 in the Memorial Student Center, Student Activities office, office of the Vice President, Student Affairs and Student Affairs office.
- MSC LITERARY ARTS:** is now accepting submissions to Litmus. Call 845-1515 for more information.

Items for What's Up should be submitted to The Battalion, 216 Reed McDonald, no less than three working days prior to desired publication date.

Group protests prison releases

AUSTIN (AP) — A statewide anti-crime organization demanded Monday that the Legislature stop early releases of violent prison inmates.

The top item in the eight-point crime package offered by Associated Texans Against Crime was repeal of the 95 percent occupancy limit for Texas prisons.

"We know the prison system is overcrowded, but with this revolving door at Huntsville we have a higher

crime rate than we should have," Rep. Sam Johnson, R-Plano, said, speaking for ATAC.

Johnson said the slaying last week of a Texas Ranger near Marble Falls by a paroled prisoner was an example.

"They (the prison system) knew he was violent and they should have kept him in there," Johnson said.

Sen. J.E. "Buster" Brown, R-Lake Jackson, ATAC chairman, said he and other legislators would push the

eight-part crime package that drawn up after a series of hearings across the state.


"There is no need to lay out crime measures just because prisons are crowded," Brown said. "Criminals don't take a vacation because of our budget problems."

Brown said repeal of the Management Act, which sets a percent cap, would force the legislature to solve the prison problem.

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For information
Call Bret Orr 696-2434

7:00 p.m.