

Thursday, July 20, 1989

Critics question parliamentarian's lodge ownership

AUSTIN (AP) — The House parliamentarian, who critics charge helped gut an insurance reform measure, co-owns a \$500,000 sports lodge with business lobbyists, including a key bill opponent, it was reported Wednesday.

But House Speaker Gib Lewis, D-Fort Worth, said Parliamentarian Robert Kelly did nothing wrong.

"There's nothing that would prohibit you, (or) me, to have business with anybody you want to have business with," Lewis said. "I don't see anything wrong with it."

Kelly, who denied any conflict of interest, is a partner in the Gulf Coast lodge with eight lobbyists, the *Austin American-Statesman* reported. One is Richard Brown, who represents the Texas Compensation

Insurers Association, a coalition of insurance companies.

"I don't see any problem," Kelly, parliamentarian since March 1980, said. He advises the House speaker on the rules of debate and other technical and procedural matters affecting legislation.

"We're all friends, and we've been friends for years and years," he said. Kelly said the friendship had no bearing on advice he gave the speaker on May 24, when several lawmakers were trying to amend an insurance bill to include antitrust and other provisions vigorously opposed by the insurance industry.

Acting on the advice, Lewis ruled the amendments were not germane

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Separate records filed with the secretary of state show that Brown is a lobbyist for the Texas Compensation Insurers Association. The association represents five insurance companies and 10 insurance lobbyists, such as Tom Bond.

Ingram is a lobbyist and partner of Bond's at an Austin law firm. Russell Kelley at one point represented Farmers Insurance Group, although he said Tuesday he did not lobby on the disputed insurance bill.

Although lawmakers said they were unaware of Kelly's partnership in the lodge, some have criticized his role in blocking the amendments to the insurance bill during the 1989 regular legislative session.

Rep. Eddie Cavazos, a leading critic of the insurance industry, said

Lewis told him at the time "that it was a parliamentary decision."

"Bob Kelly is the parliamentarian, so he had to be consulted," Cavazos, D-Corpus Christi, said. "It was quite evident that was not a normal ruling. How could those amendments be non-germane? They were a part of the original bill when it came over from the Senate."

"It was a pro-industry decision, no doubt about that," Cavazos said.

Kelly said Lewis makes rulings on parliamentary issues, and he only advises him. Kelly said his business ties with lobbyists played no role in such advice.

Lewis said he always has trusted Kelly.

People in San Antonio want better King statue

SAN ANTONIO (AP) — Artists have not been able to adequately capture the image of civil rights leader Martin Luther King Jr. in bronze for a local plaza, some residents say.

Complaints about a statue placed at Martin Luther King Plaza on the city's east side in 1981 compelled a redesign. But a wax model of the replacement was met with a cool reception when it was unveiled at a news conference Tuesday.

"I wouldn't buy that," George Clark Sr., a consultant on the project, said. "I understand they will make more improvements before they accept it."

Clark, a participant in the civil rights movement who has known the King family since the 1930s, has provided photos of the 1964 Nobel Peace Prize winner to the artists.

Jessie Mae Hicks, who also marched with King in the 1960s, said the face should be smaller.

"The mouth should be closed and his top lip is too large," Hicks said. "We can do better."

But the wax model did receive some praise.

The Rev. R.A. Callies Sr., founder of the Youth Leadership Conference for Community Progress, who has pressed for improvement of the original, said: "I see a 100 percent improvement."

"They are going to toy with it (a new headpiece) and make some improvements," said Callies, referring to the group of artists working on the \$6,000 project.

The new version of the statue is to be scheduled to be unveiled in September.

The original statue was cast by San Antonio artist Jose "Jacosta" Torres, who is among the group of artists working to produce the new one.

"I wouldn't buy that. I understand they will make more improvements before they accept it."

— George Clark Sr., project consultant

Proposed death penalty for child murderers fails

AUSTIN (AP) — The House by one vote Wednesday blocked a bill to allow the death penalty to be imposed for people convicted of murdering a young child or older person.

The Senate sponsor of the measure — J.E. "Buster" Brown, R-Lake Jackson — had hoped to re-start the measure after it ran into a procedural roadblock on the special session's last day. But that hope faded in the early evening.

"Right now, I'm announcing it dead," said Rep. Jim Tallas, R-Sugar Land, House sponsor.

The House tentatively approved the bill but failed to muster the necessary four-fifths vote to allow final passage on the same legislative day. The motion to suspend rules got a 99-25 vote.

"This is a terrible bill," said Rep. Harold Dutton in arguing against the measure, which would make it a capital offense to murder someone age 6 or younger, or age 65 or older.

"Not having a perfect system means that somebody's going to be executed who's simply not guilty," he said.

Dutton, D-Houston, opposed the bill even though he added an amendment to it to include the elderly. As passed by the Senate, the bill heightened punishment only for

the murder of young children.

Arguing for passage, Tallas held up a newspaper story about the funeral of a 19-month-old boy in Austin who was buried wearing "a Little League cap, a brand-new one."

"He obviously was too young to play Little League baseball," Tallas said. He also was too young to die. The cap was put on his head to hide the scar of where his murderer bashed his skull in."

"Because of the conditions of the prison system and the good conduct laws, he may get off in five years," he said. Under current law, the crime is punishable by a prison term of five years to life and a fine of up to \$10,000.

Rep. Paul Moreno, D-El Paso, argued against the bill, which was taken up after members voted to suspend procedural rules that generally prevent a measure from being

voted on for the first time by the House on the session's last day. The House voted 92-29 to suspend those rules, an action which requires a two-thirds vote.

"There's a lot of macho thinking in these halls. An eye for an eye — kill, kill, kill because they killed somebody else," Moreno said.

"I am one of those people that oppose capital punishment at all phases," he said.

Downs agrees drainage improvements are needed to prevent flooding in the 1940s-era residential neighborhood upstream from the trees, but discounted arguments by the council majority that a last-minute route change would delay the project enough to endanger its federal funding.

Council member Ruben "Rocky" Contreras said the council couldn't change the route this month because project builders have an Aug. 1 deadline to submit plans for funding this year.

the price the city must pay for the land at \$94,770.

"We're not happy with the judgment," Downs said. "They really didn't consider the value of the trees. And now they're just going to march on with the project."

Downs' mother, 75-year-old Retha Hoermann, owns the land and said she doesn't plan to appeal Wednesday's ruling, adding, "I guess you have to accept the things you can't change."

Seguin residents fight to save oak trees

SEGUIN (AP) — The City Council took no action after being presented a petition signed by 339 people who don't want a grove of oak trees destroyed for a city drainage project, a resident said Wednesday.

The 49 live oak trees may be destroyed because the route of a proposed flood control channel will cut through the grove.

"They made no statement at all, they didn't acknowledge us," Nell Downs, an heir to the 44-acre estate where the grove is located, said. "We've never tried to stop the project, we just asked them to move the location. We only want to save some of those trees."

Downs said the Texas Forest Service estimated the trees to be between 150 and 300 years old and worth \$165,000. She organized a campaign to move the project after learning June 7 the exact route it would take.

Condemnation proceedings by the city to take over a 7.8 acre tract containing the trees began July 6 on a 5-3 vote. A court-appointed panel met Wednesday and set

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Carat	Our Price	Compare at	Carat	Our Price	Compare at	Carat	Our Price	Compare at	Carat	Our Price	Compare at
4.01	\$42,750	\$65,000	.53	925	1,750	1.02	\$2,150	3,95	2.04	\$12,570	\$25,000
1.80	7,750	12,950	.52	1,095	2,195	.99	2,950	\$5,495	1.67	5,875	12,200
1.61	5,475	8,450	.52	895	1,750	.81	2,385	4,395	1.35	3,100	5,800
1.51	4,225	7,950	.51	1,095	2,195	.73	1,975	3,750	1.23	3,350	6,395
1.44	1,875	3,950	.51	795	1,450	.62	1,475	2,495	1.10	3,650	6,650
1.43	5,550	8,950	.50	795	1,450	.52	1,325	2,450	1.04	2,850	5,200
1.20	9,240	14,500	.49	550	995	.47	695	1,195	.98	2,475	4,395
1.18	2,675	4,550	.47	750	1,295	.33	395	750	.79	2,095	3,875
1.17	2,950	3,950	.46	695	1,150	OVAL			.72	2,325	3,895
1.11	2,650	3,850	.46	495	895	2.11	\$4,950	\$9,250	.71	2,195	4,095
1.09	3,075	5,500	.44	595	1,095	1.61	5,875	10,200	.70	2,050	3,995
1.06	2,450	3,995	.43	395	695	1.11	2,850	5,495	.70	2,390	4,250
1.03	3,850	6,950	.42	595	995	1.10	1,450	2,650	.70	1,995	3,450
1.03	2,550	4,995	.39	475	995	1.03	2,875	5,395	.68	1,890	3,650
1.03	2,325	4,495	.38	295	650	.99	2,450	4,350	.64	1,385	3,495
1.03	2,950	5,500	.32	350	695	.71	1,450	2,200	.62	695	1,195
1.01	2,375	4,295	.30	335	650	.62	1,475	2,350	.55	985	1,895
1.00	2,150	3,995	HEART			.58	1,095	1,995	.54	1,490	2,795
.95	1,875	3,650	Carat	Our Price	Compare at	.53	1,350	2,200	.52	1,050	2,295
.93	1,595	2,950	.75	\$1,785	\$3,395	.51	1,175	2,150	.50	1,275	2,295
.91	3,595	7,150	.51	1,395	2,495	.50	1,050	1,995	.48	1,225	2,250
.89	3,150	6,395	DIAMONDS FOR AGGIE RINGS			.48	1,160	2,150	.46	1,160	2,195
.85	1,795	3,195	.05	\$35		PEAR			.39	875	1,595
.84	1,975	3,750	.08	\$48		2.14	5,850	\$9,950	.35	595	995
.84	2,550	5,675	.10	\$63		1.82	5,095	9,350	14K Gold Charms		
.83	1,595	2,750	.15	\$111		1.75	5,775	9,925	small \$12 ⁹⁵		
.81	2,250	3,875	.21	\$165		1.43	3,780	7,250	large \$21 ⁹⁵		
.76	1,360	2,495	\$15 mounting \$25 with your diamond			1.24	3,925	7,400			
.73	1,675	2,850				1.21	3,750	7,100			
.72	1,595	2,795				1.01	2,675	4,995			
.72	1,375	2,450				.72	1,985	3,850			
.71	1,175	1,995				.71	1,965	3,800			
.70	1,390	2,495				.64	1,295	2,395			
.70	1,350	2,350				.64	875	1,495			
.69	995	1,150				.62	1,485	2,395			
.65	595	995				.60	1,250	2,295			
.64	1,450	2,495				.58	995	1,795			
.64	895	1,595				.52	665	1,195			
.58	575	995				.51	1,240	2,350			
.55	695	1,195				.48	1,160	2,150			

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