

## SEVENTH DAY—THURSDAY, JANUARY 21, 1971

The House met at 10:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Doran	Jungmichel	Price
Adams	Doyle	Kaster	Reed
Agnich	Dramberger	Kilpatrick	Rodriguez
Allen, John	Earthman	Kost	Rosson
Allred	Finck	Kubiak	Salem
Angly	Finnell	Lee	Santiesteban
Atwell	Finney	Lemmon	Schulle
Baker	Floyd	Lewis	Semos
Bass, B.	Foreman	Lombardino	Shannon
Bass, T.	Gammage	Lovell	Sherman
Beckham	Garcia	McAlister	Short
Bigham	Grant	McKissack	Silber
Blanton	Graves	Mengden	Simmons
Blythe	Hale	Moncrief	Slider
Bowers	Hanna, Joe	Moore, A.	Solomon
Boyle	Harding	Moore, T.	Spurlock
Braecklein	Harris	Moreno	Stewart
Braun	Hawkins	Murray	Stroud
Burgess	Hawn	Nabers	Swanson
Bynum	Haynes	Nelms	Tarbox
Calhoun	Head	Neugent, D.	Traeger
Carrillo	Heatly	Newton	Truan
Cates	Hendricks	Nichols	Tupper
Cavness	Hilliard	Niland	Uher
Christian	Holmes, T.	Nugent, J.	Vale
Clayton	Holmes, Z.	Ogg	Von Dohlen
Coats	Howard	Orr	Ward
Cole	Hubenak	Parker, C.	Wayne
Craddick	Hull	Parker, W.	Wieting
Cruz	Ingram	Patterson	Williams
Daniel	Johnson	Pickens	Williamson
Davis, D.	Jones, D.	Poerner	Wolff
Davis, H.	Jones, E.	Poff	Wyatt
Denton	Jones, G.	Presnal	

**Absent**

Caldwell            Smith

**Absent-Excused**

Allen, Joe	Farenthold	Ligarde	Salter
Atwood	Golman	Longoria	Sanchez
Clark	Hannah, John	Moore, G.	Slack
Cobb			

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. John Hannah on motion of Mr. Bill Bass.

Mr. Salter on motion of Mr. Tom Moore.

Mr. Golman on motion of Mr. McKissack.

Mr. Sanchez on motion of Mr. McKissack.

Mr. Clark on motion of Mr. Nelms.

Mrs. Farenthold on motion of Mr. Harris.

Mr. Cobb on motion of Mr. Finck.

Mr. Longoria on motion of Mr. Allred.

Mr. Slack on motion of Mr. Heatly.

Mr. Joe Allen, temporarily for today, on motion of Mr. Cruz.

Mr. Ligarde, temporarily for today, on motion of Mr. Santiesteban.

Mr. Griffith Moore on motion of Mr. Braecklein.

The following Member was granted leave of absence for today on account of illness:

Mr. Atwood on motion of Mr. Grant Jones.

## MESSAGE FROM THE SENATE

Austin, Texas, January 20, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 9, By McKissack: In memory of J. Harlan Ray.

SB 14, By Aikin: Repealing the limitations contained in the appropriations to the Texas Department of Public Safety, etc., and declaring an emergency.

SB 26, By Aikin: Reappropriating unexpended balances and authorizing transfer of funds; and declaring an emergency.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

## CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 33, by Walt Parker: Congratulating Miss Phyllis George, Miss America of 1970.

On motion of Mr. Hale the names of all the Members of the House were added to the resolution as signers thereof.

## HSR 9—ORDERED PRINTED

Mr. Hale moved that HSR 9, as enrolled, be printed and distributed to the Members of the House.

The motion prevailed without objection.

## HSR 36—ADOPTED

(Congratulating the Honorable Bob Thomas)

Mr. Tom Moore offered the following resolution:

## HSR 36

Whereas, The Honorable Bob L. Thomas, County Judge of McLennan County and distinguished former Member of the the Texas House of Representatives, will be honored at a banquet to be held in Waco on Friday, January 22, 1971, by the Waco Junior Chamber of Commerce; and

Whereas, At the banquet held in his honor, this prominent and respected public servant will be presented the Distinguished Service Award, the highest honor which the Jaycees can bestow; and

Whereas, Judge Thomas is a native son of Waco and a graduate of Baylor University, receiving his BBA degree in 1958 and his law degree in 1960; and

Whereas, Widely esteemed for his legal knowledge and skill, Bob Thomas has been an active member of the Waco-McLennan County Bar Association, the Waco Junior Bar Association, the Texas Junior Bar Association, and the State Bar of Texas; and

Whereas, Bob Thomas was an energetic and effective Representative for McLennan County during his two terms between 1966 and 1970 as a State Legislator from District 35, Place 1; his sincerity, diligence, and cooperation earned him the warm admiration and affection of his fellow Legislators; and

Whereas, For many years Bob has taken great pride in his work with the Waco Junior Chamber of Commerce; his outstanding service to McLennan County and the Jaycees has won him recognition as a model of active citizenship, a champion of worthwhile causes, and an acknowledged community leader; and

Whereas, The Members of the House of Representatives wish to congratulate our former colleague on the honor and recognition which he will

receive in Waco on January 22, 1971, as he is presented the Jaycee's Distinguished Service Award; now, therefore, be it

Resolved, by the House of Representatives of the 62nd Legislature, That by this Resolution the House of Representatives extend its sincere congratulations to the Honorable Bob L. Thomas, on the occasion of the banquet to be held in his honor by the Waco Junior Chamber of Commerce; and, be it further

Resolved, That a copy of this Resolution be prepared for Judge Thomas as a token of the continued good wishes of the Texas House of Representatives.

The resolution was unanimously adopted.

On motion of Mr. Allred the names of all the Members of the House were added to the resolution as signers thereof.

#### HSR 37—ADOPTED

(Granting Texas Junior Chamber of Commerce permission to use the House Chamber)

Mr. Shannon offered the following resolution:

#### HSR 37

Whereas, It has been traditional for the Texas Junior Chamber of Commerce to provide leadership in the affairs of government and to inspire good citizenship in the residents of our State; and

Whereas, In fostering these goals, the Texas Junior Chamber of Commerce annually holds a moot session of the Legislature, with its own members filling offices of Members of the House of Representatives and the Senate; and

Whereas, This House heartily endorses the aims and ideals of the Texas Junior Chamber of Commerce and commends the achievements of this organization of young Texas business leaders; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, That, in accordance with Section 3, Rule 1, of the Rules of the House of Representatives, the Texas Junior Chamber of Commerce be and is hereby granted permission to use the Hall of the House in the State Capitol on Saturday and Sunday, January 23 and 24, 1971, in order that this organization may hold its annual mock session of the Texas Legislature; and, be it further

Resolved, That Members of this House are requested to clear their desks of all books, papers, and other articles before the Junior Chamber of Commerce convenes in moot session, so that this organization may have full use of the Chamber of the House of Representatives.

The resolution was adopted without objection.

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Representatives Joe Allen, Smith, and Ligarde entered the House and were announced present.

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HSR 35—ADOPTED

(Providing for salaries of House Members' secretarial and clerical personnel)

Mr. Shannon offered the following resolution:

HSR 35

Be It Resolved by the House of Representatives of the State of Texas, That the House Administration Committee be authorized to provide \$22.50 per day for each Member of the House of Representatives to employ such secretarial and clerical personnel as they choose, provided that no one employee will be paid more than \$15 per day.

The resolution was adopted.

Mr. Shannon moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

(Mr. Cavness in the Chair)

MEMORIAL RESOLUTIONS ADOPTED

The following Memorial Resolutions were adopted unanimously by a rising vote:

HCR 14, by Atwell, Semos, Hawn, Golman, Coats, Braecklein, McKis-sack, Reed, Stroud, Zan Holmes, Jr., Blanton, Boyle, Agnich, Griffith Moore, and Orr: In memory of James Eric (Bill) Decker.

On motion of Mr. McAlister the names of all the Members of the House were added to the resolution as signers thereof.

(The Chair laid out at this time HCR 13 which occupies full page with border.)

(Speaker in the Chair)

HOUSE AT EASE

At 11:04 a.m., the Speaker stated that the House would stand at ease.

(Mr. Ward in the Chair)

At 11:16 a.m., the Chair called the House to order.

## MESSAGE FROM THE GOVERNOR

January 21, 1971

To the Members of the 62nd Legislature, Regular Session:

Pursuant to the provisions of Section 5 of Article III of the Constitution of the State of Texas, I herewith submit as an emergency matter the following:

A bill creating the Higher Education Facilities Bond Program to finance construction of physical plant and facilities at the new institutions of higher education authorized by the 61st Legislature.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas

## HOUSE AT EASE

At 11:17 a.m., the Chair stated that the House would stand at ease.

(Speaker in the Chair)

At 11:25 a.m., the Speaker called the House to order.

## STANDING COMMITTEES APPOINTED

Speaker Mutscher announced appointment of the following Standing Committees of the House:

## AERONAUTICS

Braecklein, Chairman; Finnell, Vice-Chairman; Bigham, Blythe, Bowers, Cobb, Kaster, Moncrief, Nelms, Rodriguez, and Tarbox.

## AGRICULTURE

Longoria, Chairman; Schulle, Vice-Chairman; Adams, Bass of Van Zandt, Burgess, Carrillo, Craddick, Daniel, Dramberger, Finnell, Head, Hendricks, Hubenak, Ingram, Jones of Harris, Jones of Lubbock, Kubiak, Moore of Hill, Newton, Presnal, and Von Dohlen.

## APPROPRIATIONS

Heatly, Chairman; Slack, Vice-Chairman; Allen of Gregg, Braecklein, Carrillo, Cobb, Davis of Travis, Doran, Haynes, Hull, Johnson, Longoria, Parker of Denton, Presnal, Salter, Santiesteban, Slider, Swanson, Tarbox, Ward, and Wolff.

## BANKS AND BANKING

Solomon, Chairman; Clayton, Vice-Chairman; Bass of Van Zandt, Davis of Travis, Doyle, Finney, Holmes of Hood, Jones of Harris, Kost, Lemmon, Lovell, Moore of Dallas, Moreno, Neugent of Galveston, Orr, Patterson, Stewart, Von Dohlen, Wayne, Williams, and Wyatt.

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**BUSINESS AND MARKETING AFFAIRS**

Finney, Chairman; Hubenak, Vice-Chairman; Agnich, Atwood, Christian, Finck, Hawn, Howard, Short, Stroud, and Vale.

**CLAIMS**

Semos, Chairman; Garcia, Vice-Chairman; Angly, Kost, and Von Dohlen.

**COMMERCE AND MANUFACTURING**

Stewart, Chairman; Parker of Denton, Vice-Chairman; Allen of Gregg, Atwell, Blythe, Davis of Howard, Earthman, Finck, Grant, Lewis, Ligarde, Ogg, Price, Swanson, and Tupper.

**COMMON CARRIERS**

Hull, Chairman; Floyd, Vice-Chairman; Agnich, Beckham, Bigham, Bynum, Cole, Harding, Harris, Kaster, Ligarde, Moore of Hill, Parker of Denton, Sanchez, Semos, Simmons, Solomon, Stroud, Wayne, Wieting, and Wyatt.

**CONGRESSIONAL AND LEGISLATIVE DISTRICTS**

Jones of Lubbock, Chairman; Haynes, Vice-Chairman; Bass of Harris, Blythe, Braecklein, Burgess, Carrillo, Cavness, Doran, Finnell, Holmes of Dallas, Jungmichel, Lemmon, Lombardino, Murray, Neugent of Galveston, Salter, Shannon, Slack, Traeger, and Wieting.

**CONSERVATION AND RECLAMATION**

Allen of Gregg, Chairman; Allen of Harris, Vice-Chairman; Baker, Beckham, Cates, Clayton, Daniel, Finck, Finney, Foreman, Haynes, Kaster, McAlister, Murray, Nabers, Nelms, Poerner, Rosson, Silber, Solomon, and Williams.

**CONSTITUTIONAL AMENDMENTS**

Traeger, Chairman; Caldwell, Vice-Chairman; Atwood, Blanton, Bynum, Calhoun, Clark, Farenthold, Finnell, Hubenak, Jones of Taylor, Lee, Moncrief, Niland, Ogg, Price, Reed, Schulle, Semos, Simmons, and Wieting.

**COUNTIES**

Clayton, Chairman; Cruz, Vice-Chairman; Adams, Allen of Harris, Blanton, Dramberger, Floyd, Gammage, Hanna of Stephens, Harris, Hawn, Head, Howard, Hubenak, Kaster, Kilpatrick, Lewis, Rodriguez, Salem, Sanchez, and Short.

**CRIMINAL JURISPRUDENCE**

Calhoun, Chairman; Adams, Vice-Chairman; Boyle, Caldwell, Coats, Cobb, Doyle, Gammage, Grant, Hannah of Angelina, Hendricks, Moore of McLennan, Moreno, Nabers, Nugent of Kerr, Rosson, Santiesteban, Simmons, Uher, Vale, and Williamson.

## DATA PROCESSING AND PRINTING

Carrillo, Chairman; Hawn, Vice-Chairman; Mengden, Nelms, and Tarbox.

## ELECTIONS

Stroud, Chairman; Lemmon, Vice-Chairman; Atwood, Bynum, Christian, Cole, Doran, Foreman, Garcia, Graves, Hawkins, Heatly, Hull, Jones of Lubbock, Jones of Taylor, Murray, Newton, Nichols, Parker of Denton, Presnal, and Vale.

## ENGROSSED AND ENROLLED BILLS

Lombardino, Chairman; Baker, Vice-Chairman; Adams, Craddick, and Rodriguez.

## FEDERAL RELATIONS

Santiesteban, Chairman; Holmes of Dallas, Vice-Chairman; Coats, Mengden, and Newton.

## GOVERNMENTAL AFFAIRS AND EFFICIENCY

Smith, Chairman; Sherman, Vice-Chairman; Blanton, Coats, Davis of Howard, Doyle, Farenthold, Hawkins, Jones of Lubbock, Moore of Hill, Poff, Rodriguez, Shannon, Silber, Spurlock, Tupper, and Williamson.

## HIGHER EDUCATION

Murray, Chairman; Tarbox, Vice-Chairman; Allred, Bigham, Blanton, Braecklein, Cole, Gammage, Graves, Hanna of Stephens, Harding, Jones of Taylor, Kost, Lemmon, Lewis, Lombardino, Mengden, Parker of Denton, Pickens, Presnal, and Schulle.

## HIGHWAYS AND ROADS

Burgess, Chairman; Moore of Hill, Vice-Chairman; Beckham, Caldwell, Earthman, Hanna of Stephens, Hawn, Hilliard, Howard, Jones of Harris, Moore of McLennan, Moreno, Parker of Jefferson, Patterson, Poff, Rodriguez, Salem, Shannon, Silber, Ward, and Wolff.

## HOUSE ADMINISTRATION

Shannon, Chairman; McAlister, Vice-Chairman; Allen of Harris, McKissack, Neugent of Galveston, Slider, and Smith.

## INSURANCE

Pickens, Chairman; Salter, Vice-Chairman; Allred, Beckham, Bynum, Cavness, Finney, Harris, Heatly, Hilliard, Holmes of Hood, Jones of Taylor, Jungmichel, Kost, McKissack, Nabers, Niland, Orr, Parker of Jefferson, Truan, and Wolff.

## INTERSTATE COOPERATION

Wayne, Chairman; Salem, Vice-Chairman; Braun, Earthman, and Semos.

## JUDICIAL DISTRICTS

Parker of Jefferson, Chairman; Hendricks, Vice-Chairman; Carrillo, Daniel, Heatly, Ingram, Lee, Nugent of Kerr, Poff, Spurlock, and Wolff.

## JUDICIARY

Hale, Chairman; Rosson, Vice-Chairman; Angly, Braecklein, Caldwell, Daniel, Davis of Howard, Finck, Hendricks, Longoria, Moore of McLennan, Murray, Newton, Ogg, Parker of Jefferson, Pickens, Price, Salter, Santiesteban, Simmons, and Tupper.

## JUVENILE CRIME AND DELINQUENCY

Bass of Harris, Chairman; Vale, Vice-Chairman; Bowers, Clark, Denton, Foreman, Gammage, Golman, Graves, Harris, Holmes of Dallas, Jones of Harris, Ligarde, Moncrief, and Salter.

## LABOR

Haynes, Chairman; Clark, Vice-Chairman; Bigham, Bowers, Braun, Caldwell, Cruz, Denton, Farenthold, Hannah of Angelina, Head, Johnson, Kilpatrick, Longoria, Mengden, Nelms, Nichols, Patterson, Reed, Stroud, and Truan.

## LIQUOR REGULATION

McKissack, Chairman; Jungmichel, Vice-Chairman; Atwell, Allen of Harris, Bass of Harris, Cobb, Craddick, Garcia, Hale, Harding, Neugent of Galveston, Santiesteban, Schulle, Semos, Sherman, Simmons, Slack, Traeger, Truan, Uher, and Vale.

## LIVESTOCK

Holmes of Hood, Chairman; Poerner, Vice-Chairman; Angly, Burgess, Cates, Davis of Howard, Doran, Dramberger, Earthman, Garcia, Hanna of Stephens, Ingram, Johnson, Patterson, Short, Slack, and Ward.

## MENTAL HEALTH AND MENTAL RETARDATION

Rosson, Chairman; Davis of Travis, Vice-Chairman; Agnich, Allred, Atwell, Baker, Farenthold, Grant, Hawkins, Holmes of Dallas, Jones of Lubbock, Moreno, Ogg, Poerner, Price, Reed, and Wyatt.

## MILITARY AFFAIRS

Johnson, Chairman; Williams, Vice-Chairman; Bass of Van Zandt, Braun, Grant, Graves, Harding, Hull, Lee, Moore of Dallas, Moore of Hill, Niland, Salem, Smith, Solomon, Swanson, and Tarbox.

## MOTOR TRANSPORTATION

Cavness, Chairman; Niland, Vice-Chairman; Adams, Angly, Clark, Coats, Cruz, Doyle, Dramberger, Hannah of Angelina, Hilliard, Johnson, Kilpatrick, Lovell, Moore of Dallas, Nichols, Nugent of Kerr, Pickens, Poff, Stewart, and Williamson.

## OIL, GAS AND MINING

Swanson, Chairman; Cobb, Vice-Chairman; Allen of Gregg, Baker, Calhoun, Cates, Coats, Davis of Howard, Farenthold, Finnell, Hanna of Stephens, Kaster, McKissack, Moore of Dallas, Sanchez, Sherman, Short, Slack, Spurlock, Stewart, and Wolff.

## PARKS AND WILDLIFE

Harding, Chairman; Lovell, Vice-Chairman; Agnich, Atwood, Calhoun, Christian, Craddick, Foreman, Hendricks, Holmes of Hood, Hull, Kilpatrick, Kubiak, Ogg, Poerner, Price, Schulle, Slider, Stroud, Wayne, and Williams.

## PENITENTIARIES

Ward, Chairman; Sanchez, Vice-Chairman; Bass of Van Zandt, Christian, Davis of Travis, Hale, Hannah of Angelina, Harris, Head, Kubiak, Lee, Lewis, Lovell, Nichols, and Reed.

## PUBLIC EDUCATION

Jungmichel, Chairman; Cole, Vice-Chairman; Braun, Burgess, Cates, Clark, Davis of Travis, Denton, Golman, Hale, Hawkins, Hilliard, Ingram, Kubiak, Orr, Poff, Reed, Rosson, Silber, Truan, and Williamson.

## PUBLIC HEALTH

Neugent of Galveston, Chairman; Uher, Vice-Chairman; Allred, Bowers, Boyle, Cavness, Cole, Craddick, Finney, Foreman, Golman, Holmes of Hood, Kost, Lewis, Silber, Smith, Swanson, Traeger, Tupper, Von Dohlen, and Williams.

## PUBLIC LANDS AND BUILDINGS

Cruz, Chairman; Beckham, Vice-Chairman; Dramberger, Jones of Harris, Lee, McAlister, and Moore of McLennan.

## RESOLUTIONS AND INTERIM ACTIVITIES

Blanton, Chairman; Daniel, Vice-Chairman; Bowers, Floyd, Sherman, Truan, and Ward.

## REVENUE AND TAXATION

Atwell, Chairman; Kilpatrick, Vice-Chairman; Allen of Harris, Cavness, Christian, Finck, Heatly, Lemmon, Ligarde, McAlister, Moore of Dallas, Newton, Niland, Nugent of Kerr, Salem, Sanchez, Sherman, Smith, Spurlock, Uher, and Wieting.

## RULES

Nugent of Kerr, Chairman; Doran, Vice-Chairman; Bass of Harris, Clayton, Floyd, Hale, Jungmichel, Longoria, Orr, Shannon, and Slider.

## SCHOOL DISTRICTS

Wieting, Chairman; Hawkins, Vice-Chairman; Angly, Bass of Van Zandt,

Bass of Harris, Boyle, Denton, Earthman, Grant, Graves, Hannah of Angelina, Head, Howard, Ingram, and Kubiak.

#### STATE AFFAIRS

Slider, Chairman; Golman, Vice-Chairman; Baker, Bynum, Clayton, Cruz, Floyd, Garcia, Hawn, Lovell, McKissack, Moncrief, Nabers, Parker of Jefferson, Pickens, Poerner, Short, Solomon, Uher, Von Dohlen, and Wyatt.

#### STATE FINANCE

Ligarde, Chairman; Presnal, Vice-Chairman; Blythe, Moreno, and Spurlock.

#### URBAN AFFAIRS

Jones of Taylor, Chairman; Atwood, Vice-Chairman; Agnich, Allen of Gregg, Boyle, Braun, Calhoun, Doyle, Golman, Howard, Hubenak, Lombardino, McAlister, Moncrief, Nelms, Stewart, Traeger, Tupper, Wayne, Williamson, and Wyatt.

#### YOUTH

Orr, Chairman; Nabers, Vice-Chairman; Allred, Bigham, Blythe, Boyle, Cates, Denton, Gammage, Haynes, Hilliard, Holmes of Dallas, Lombardino, Mengden, Moore of McLennan, Nichols, and Patterson.

#### HCR 5—REFERRED TO COMMITTEE

(Expressing support for use of nonleaded fuels by state agencies)

Mr. John Hannah offered the following resolution:

#### HCR 5

Whereas, Maintaining and improving the quality of our environment is a vital issue affecting all Texans and one which must be faced not only collectively by State Government, but also individually by each person, corporation, and political unit; and

Whereas, The problem of air contamination from motor vehicle fumes continues to grow each year with the addition of thousands of new vehicles to our state's streets and highways; and

Whereas, A high proportion of our state's automobiles are owned, operated, and maintained by State Government or by political subdivisions; due to their almost constant usage and generally long life-span, these government-owned vehicles are great contributors to the air pollution problem; and

Whereas, Special nonleaded fuels are now available at relatively low commercial prices; use of these fuels tends to reduce the harmful exhaust emission from motor vehicles and keeps air pollution at a minimum; and

Whereas, The State Government and political subdivisions should take the initiative in providing an example for the citizens of Texas in using these new, pollution-fighting fuels; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the 62nd Legislature by this Resolution express its support and encouragement for the use of nonleaded fuels by all state agencies and political subdivisions, and that governing boards and directors of these agencies and subdivisions give favorable consideration to the establishment of rules and regulations requiring the use of nonleaded fuels wherever practical; and, be it further

Resolved, That an official copy of this Resolution be prepared and mailed to each state agency and political subdivision.

The resolution was referred to the Committee on State Affairs.

#### HCR 6—REFERRED TO COMMITTEE

(Urging Texas Department of Public Safety to be more diligent in enforcing the littering laws of this state)

Mr. John Hannah offered the following resolution:

#### HCR 6

Whereas, Among its many responsibilities, the Department of Public Safety is charged with the enforcement of laws relating to the operation of motor vehicles, criminal law enforcement in cooperation with local authorities, and education of citizens in public safety and law observance; and

Whereas, The Department of Public Safety has been recognized for many years, not only as one of the most outstanding law enforcement agencies in the United States, but, overall, as one of the most efficient agencies in the State of Texas; and

Whereas, Article 696a of the Texas Penal Code states: "It shall be unlawful for any municipal corporation, private corporation, firm or person to dump, deposit, or leave any refuse, garbage, rubbish, or junk on any public highway in this state, or county road"; and

Whereas, Section 4 of House Bill 795, enacted by the 61st Legislature, Regular Session, which became effective September 1, 1969, also states: "No person may throw or deposit any trash, litter, or other waste on a parking area"; and

Whereas, It is generally known that Texans are innately negligent in observing these laws, though they are not as careless as the inhabitants of one of their sister states who do not litter the highways with beer cans and rubbish alone, but with oil drums strewn along the way; and

Whereas, Texans drive more than 59 billion vehicle-miles annually and leave in their wake quantities of unlawful debris; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Texas Department of Public Safety is hereby urged to be more diligent in enforcing the littering laws of this state in order to maintain a clean and beautiful environment, and to preserve the natural beauty of Texas highways and highway rights-of-way; and, be it further

Resolved, That the Department of Public Safety be, and it is hereby,

commended by the 62nd Legislature, Regular Session, for its outstanding performance and diligence to duty in all phases of this department's complex operations.

The resolution was referred to the Committee on State Affairs.

#### HCR 7—REFERRED TO COMMITTEE

(Urging the Texas Industrial Commission to include an import division within the agency)

Mr. Salem offered the following resolution:

#### HCR 7

Whereas, It is the intent of the Legislature of the State of Texas to do everything within its power and scope of activities to encourage the economic growth of Texas, as authorized under Article XVI, Section 56, of the Texas Constitution; and

Whereas, The 56th Session of the Texas Legislature determined that the Texas Industrial Commission shall be the agency to promote and encourage the prosperous development of Texas business, industry, agriculture, and commerce and to encourage and develop commerce with other states and foreign countries; and

Whereas, Reciprocal trade is the lifeblood of a healthy foreign trade climate and must be nurtured to insure the progress of commerce in this state; and

Whereas, The 62nd Session of the Texas Legislature desires the promotion of a two-way street in world trade to enable Texas to reach its potential among the leaders of states engaged in world trade and to engender greater commercial progress and international business relations around the globe, assisted by America's efficient state department through its far-flung consulates and embassies; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, the Senate concurring, That the Texas Legislature hereby urge the Texas Industrial Commission to include an energetic, aggressive, properly staffed import division within the agency to advise and assist commerce, industry, or individuals seeking to bring goods into or through our borders.

The resolution was referred to the Committee on State Affairs.

#### HCR 11—REFERRED TO COMMITTEE

(Providing for State Official license plates for Members of the State Board of Education)

Mr. Adams offered the following resolution:

#### HCR 11

Whereas, The issuance of "State Official" license plates for use on private vehicles is a courtesy extended by the Highway Commission Regulations to various state officials in Texas government; and

Whereas, The State Board of Education is the policy-forming and planning body for the public school systems of the state; and

Whereas, The State Board of Education meets regularly in the State Capitol at Austin for the purpose of formulating important educational policy; and

Whereas, It is the consensus of the Legislature that the State Board of Education provides an important service to the State and its members are due the courtesy of having "State Official" license plates issued to them; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the State Highway Commission be directed to provide by regulation for the issuance of "State Official" license plates to the members of the State Board of Education; and, be it further

Resolved, That the issuance of "State Official" license plates be limited to two sets of plates for each member.

The resolution was referred to the Committee on Resolutions and Interim Activities.

#### HCR 12—REFERRED TO COMMITTEE

(Memorializing Congress to completely reorganize the public welfare program)

Mr. Lombardino offered the following resolution:

#### HCR 12

Whereas, Like most states of the nation, Texas is facing a welfare crisis with spending now exceeding \$500 million annually, one-third from state and two-thirds from federal funds; and

Whereas, There is an immediate need for an emergency appropriation of more than \$40 million if reductions are to be avoided in programs providing Aid to Families with Dependent Children and Nursing Home and Medical Care; even with an emergency appropriation, some cuts under AFDC would be unavoidable unless the \$80 million constitutional ceiling on annual public assistance spending by the State of Texas can be raised in the next few months; and

Whereas, The Texas Legislature and citizens of the state have demonstrated a keen sense of responsibility to the needy and underprivileged, and coverage to the aged in Texas is above the national level while average monthly payments to this group of recipients is close to the national level; and

Whereas, Between Fiscal 1961 and 1967, an average of about 3,000 children per year were added to the AFDC rolls, and in 1968 the figure jumped by more than 15,000; in 1968 the total went up nearly 29,000 and for the first six months of 1970, the latest period for which figures are available, nearly 40,000 additional children were covered; and

Whereas, This phenomenal growth occurred despite the fact that the

total number of children born in the state was actually declining, and the Department of Public Welfare projects the AFDC case load growth to continue at about the current rate during the coming biennium; and

Whereas, The staggering rise in numbers of Texas citizens eligible for welfare benefits is attributable to changes in the federal regulations with which the states must comply and to the overturning by the courts, starting about 1968, of state AFDC eligibility rules and methods of administration, thereby opening the gates to more and more recipients; and

Whereas, In other areas of welfare benefits costs have also risen: for example, a new "vendor drug" program permits direct payments to druggists for public assistance recipients' prescriptions could add approximately \$24 million to proposed medical spending; an upward adjustment in payment rates to nursing homes on an incremental basis, beginning in February, 1971, would increase funds needed for this nursing home care by approximately \$41 million; and

Whereas, Because of all of the new programs, and the thousands of new welfare recipients forced on Texas and other states by the federal government and the federal courts, and the mandatory regulations with which those administering the programs in the states must comply, it would seem that the entire welfare program should be reorganized at the national level, thereby relieving the states of an overwhelming and constantly changing financial burden and assuring recipients eligible under federal law the full benefits which the Congress and the courts have guaranteed to them; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the Texas Legislature does hereby memorialize the Congress of the United States to exercise its power to completely reorganize the public welfare system so that it may be financed and administered at the national level in keeping with federal statutes and federal court interpretations; and, be it further

Resolved, That copies of this Resolution be sent to all members of the Texas delegation in the Congress of the United States, urging them to exert their efforts to further the enactment of federal legislation to bring about the assumption of the entire public welfare program by the federal government; and, be it further

Resolved, That copies of this Resolution also be sent to the presiding officers of the legislatures of the 49 other states, the territories and protectorates of the United States.

The resolution was referred to the Committee on State Affairs.

#### HSR 17—REFERRED TO COMMITTEE

(Creating an interim committee to study the insurance industry)

Mr. Salem offered the following resolution:

#### HSR 17

Whereas, More than 80,000 people hold licenses to sell insurance in Texas, and over \$2 billion is spent annually by Texans for insurance; and

Whereas, On August 31, 1969, at the close of the state's fiscal year, 1,638 insurance companies of all kinds were licensed in Texas, including 776 Texas companies and 862 out-of-state companies; in 1968-69 alone, 79 new companies were organized or admitted to conduct business in Texas; and

Whereas, The regulatory agency for this business is the three-member State Board of Insurance, which was established in 1957, although the history of the Board dates back to the Constitution of 1876; its composition, duties, and jurisdiction have been changed by the Texas Legislature a number of times through the years; and

Whereas, Volume of business conducted by insurance companies in Texas and resulting revenues from licenses and fees paid by the industry rank high in importance to the Texas economy, possibly second only to the oil and gas or petroleum industry; and

Whereas, Insurance rates, coverage provided for Texas citizens, and company assets and all income sources are of major concern to the Texas Legislature, in view of constantly rising costs of living for Texas citizens and ever-increasing demands for government services from the state level; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature create a special interim committee to make a thorough study of all aspects of the insurance industry and of the State Board of Insurance, reviewing the practices of the Board and the Insurance Commissioner with respect to the Board's regulatory functions; and, be it further

Resolved, That the committee shall be composed of 11 members of the House of Representatives, to be appointed by the Speaker of the House; and, be it further

Resolved, That the House Insurance Study Committee shall have power to hold meetings and such hearings as it may deem necessary at any place in the state and to issue process to witnesses, at any place in this state, to compel their attendance and the production of all books, records, and instruments, to issue attachments where necessary to obtain compliance with subpoenas or other process, which may be addressed to and served by either the Sergeant at Arms appointed by the committee or by any peace officer of this state; and to cite for contempt, and cause to be prosecuted for contempt, anyone disobeying the subpoenas or other process lawfully issued by it in the same manner as provided by general law. The chairman of the committee shall issue, in the name of the committee, such subpoenas as a majority of the committee may direct. In the event the chairman is absent, the vice-chairman or any designee of the chairman is authorized to issue subpoenas or any other process in the same manner as the chairman; and, be it further

Resolved, That the House Insurance Study Committee shall request the assistance of departments and agencies of state government having any concern in the regulation of the insurance business in Texas; and, be it further

Resolved, That the committee be authorized to employ independent professional consultants to carry out the purposes of this Resolution, but before any expenditures are made by the committee, the committee shall prepare

a budget for its operating expense, which shall be submitted to the House Administration Committee. Prior approval of the budget and nonbudgeted expenses must be obtained from the House Administration Committee before any expenses of the committee may be paid; and, be it further

Resolved, That the Texas Legislative Council shall work with the committee and provide staff for the committee at all times during its deliberations; and, be it further

Resolved, That members of the committee shall be reimbursed for actual and necessary expenses incurred in carrying out the purposes of this Resolution; expenses of committee members and other necessary expenses of operation shall be paid from the Contingent Expense Fund of the House of Representatives; and, be it further

Resolved, That the committee shall complete the study and make a full report, together with findings and recommendations and drafts of any legislation that may be proposed, to the 63rd Legislature in January, 1973.

The resolution was referred to the Committee on Resolutions and Interim Activities.

#### HSR 18—REFERRED TO COMMITTEE

(Creating an interim committee to study all pension plans for state employees)

Mr. Salem offered the following resolution:

#### HSR 18

Whereas, The over 225,000 Texas state employees provide an invaluable manpower resource, directly responsible for the efficient functioning of the legislative, executive, and judicial departments of the State of Texas; and

Whereas, All of these employees are members of various pension plans into which are channeled millions of dollars each year. With the large sums constituting these retirement funds, it seems advisable to study pension plans and policies to determine whether the plans are fiscally sound and if state employees are served by them equitably and without discrimination; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature, Regular Session, hereby create a special interim committee to undertake an in-depth study of all pension plans for state employees; and, be it further

Resolved, That this committee direct particular attention toward determining what the effect on presently allocated finances would be if, under existing policies, a large number of employees collectively were to demand payment of benefits, or if those eligible for retirement should suddenly decide to collect payments; and, be it further

Resolved, That this committee give specific consideration to the fairness of present employee pension policies in an effort to determine if

the plans are without favor to any segment of employees and that the committee also investigate any other areas which would aid in clarification of state employee benefit plans; and, be it further

Resolved, That the committee shall be composed of five members of the House of Representatives and five citizen members, all to be appointed by the Speaker of the House. The five citizen members shall be appointed as follows: one to represent the Texas Public Employees Association; one to represent the Employees Retirement System; one to represent the Texas Employment Commission; and two to represent Texas private corporations or businesses with employee pension plans; and, be it further

Resolved, That the committee be provided with subpoena powers and that the staff of the Texas Legislative Council provide assistance at the request of the chairman; and, be it further

Resolved, That the actual expenses and other necessary expenses of operation of the committee, both legislative and citizen members, shall be paid from the Contingent Expense Fund of the House of Representatives; that the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures shall be obtained from the House Administration Committee; and, be it further

Resolved, That this committee shall make its complete report, including findings and recommendations for policy changes and drafts of any proposed legislation to the 63rd Legislature at its regular session in January, 1973, and that five copies of the completed study shall be filed in the Legislative Reference Library and five copies filed in the office of the Texas Legislative Council. Following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

#### HSR 24—REFERRED TO COMMITTEE

(Creating an interim committee to study current programs of the emotionally disturbed child)

Mr. Denton offered the following resolution:

#### HSR 24

Whereas, A pattern of neglect exists in Texas with regard to the emotionally disturbed child; and

Whereas, One child out of every ten in the state is estimated to show signs of emotional illness; and

Whereas, The admission of teen-agers to the state hospitals has risen 100 percent in the last decade and extreme difficulty exists in obtaining treatment for children from low and middle income families; treatment for any emotionally disturbed child is often uncertain, variable, and inadequate in all parts of Texas; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature create a special interim committee to study current programs, facilities, treatment, and care of the emotionally disturbed child; and, be it further

Resolved, That the committee shall be composed of five Members of the House of Representatives to be named by the Speaker of the House; and, be it further

Resolved, That state departments and agencies concerned with youth and health affairs are requested to give full cooperation to the committee in its study; and, be it further

Resolved, That the committee investigate, examine, and present an understandable synopsis of workings, deficiencies, and problems of the care of emotionally disturbed children in Texas; and, be it further

Resolved, That the committee be provided with subpoena powers and that the staff of the Texas Legislative Council provide assistance at the request of the committee Chairman; and, be it further

Resolved, That actual expenses and other necessary expenses of operation of the committee shall be paid from the Contingent Expense Fund of the House of Representatives, that the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and that no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures shall be obtained from the House Administration Committee; and, be it further

Resolved, That this committee shall make its complete report, including findings and recommendations for policy changes and drafts of any proposed legislation to the 63rd Legislature when it convenes at its regular session in January, 1973, and that five copies of the completed study shall be filed in the Legislative Reference Library and five copies filed in the office of the Texas Legislative Council. Following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

#### MASCOT RESOLUTION

The following Mascot resolution was referred to the Committee on House Administration:

HSR 30, by Adams: Naming Edward Lee Howard as Mascot of the House.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House Joint Resolutions were today laid before the House, read first time and referred to the Committee on Constitutional Amendments:

By Mengden:

HJR 1, A Joint Resolution proposing an Amendment to Article VIII, Section 1, of the Texas Constitution, to prohibit the Legislature from taxing personal or corporate incomes without approval by a popular vote.

By Joe Allen and Gammage:

HJR 2, A Joint Resolution proposing an Amendment to Sections 1 and 2, Article VI, Constitution of the State of Texas, so as to lower the minimum age required for voting to 18 years.

By Johnson:

HJR 3, A Joint Resolution proposing a Constitutional Amendment to provide for a veterans' and public employees' housing program and for the issuance of bonds to finance the program.

By Traeger:

HJR 4, A Joint Resolution proposing an Amendment to Article VIII of the Texas Constitution by adding a new section to be known as Section 1-f, providing that a surviving spouse, who disposes of an existing residential homestead and acquires a new home, may dedicate a new residential homestead with the same ad valorem tax exemption as a residential homestead of a married person or the head of a family.

By Swanson and Bowers:

HJR 5, A Joint Resolution proposing an Amendment to Article I of the Constitution of the State of Texas, providing for the denial of bail by a magistrate to any person accused of a felony and found by the court to be free on bail for a felony when charged with a second felony, and the denial of bail to any person charged with a capital offense; providing a limit to that person's incarceration without trial; granting the right of appeal.

By Blythe:

HJR 6, A Joint Resolution proposing an Amendment to Article VII of the Texas Constitution, to provide for the removal of trustees of the school districts of the State by recall elections.

By Cavness:

HJR 7, A Joint Resolution proposing an Amendment to Sections 2 and 5, Article VII, Constitution of the State of Texas, relating to the classification of proceeds from leases and royalties of public school lands and lands which are a part of the permanent school fund.

By Heatly:

HJR 8, A Joint Resolution providing that bills for raising revenue may originate in either House of the Legislature; and amending Article III, Section 33, of the Constitution of the State of Texas.

By Joe Allen:

HJR 9, A Joint Resolution proposing an Amendment to Article VIII of the Constitution of the State of Texas to provide that the governing body of a county home-rule or general-law city, school district, and junior college district may authorize an additional \$3,000 residence homestead exemption for persons 65 years of age or older.

#### EXPRESSION OF APPRECIATION

Mr. Niland was recognized and addressed the House briefly expressing appreciation to Speaker Mutscher for his work on the Standing Committee Appointments.

The Members of the House then gave Speaker Mutscher a standing ovation.

#### HOUSE BILL ON FIRST READING

By unanimous consent, the following House Bill was today laid before the House, read first time and referred to Committee, as follows:

By Heatly:

HB 170, A bill to be entitled An Act appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the two-year period beginning September 1, 1971, and ending August 31, 1973; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency.

Referred to Committee on Appropriations.

#### MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

HSR 41, by Moncrief, Hull, Lewis, Shannon, Hilliard, Sherman, Spurlock, and Finney: In memory of Mrs. Annie I. Smith.

#### HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Head:

HB 1, A bill to be entitled An Act amending Section 1, Chapter 581, Acts of the 61st Legislature, Regular Session, 1969 (Article 2326j-73, Vernon's Texas Civil Statutes), relating to compensation of the official shorthand reporter for the 4th Judicial District; providing for severability; and declaring an emergency.

Referred to Committee on Counties.

By Ward:

HB 2, A bill to be entitled An Act relating to defining the jurisdiction of the County Court of Johnson County and the jurisdiction of the District Court of Johnson County, relating to prescribing the duties of the District Clerk and the County Attorney of Johnson County; amending Chapter 102, Acts of the 51st Legislature, Regular Session, 1949 (Article 1970-335, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judicial Districts.

By McAlister:

HB 3, A bill to be entitled An Act relating to the amount available for workmen's compensation awards and expenses at Texas Tech University; amending Section 19, Chapter 252, Acts of the 55th Legislature, Regular Session, 1957 (Article 8309f, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Higher Education.

By Joe Allen and Short:

HB 4, A bill to be entitled An Act relating to the requirements for energy absorption systems for private passenger automobiles; and declaring an emergency.

Referred to Committee on State Affairs.

By Joe Allen:

HB 5, A bill to be entitled An Act authorizing the Air Control Board to promulgate rules, regulations, and standards to control excessive noise and providing civil penalties and injunctive relief in case of violations; and declaring an emergency.

Referred to Committee on State Affairs.

By Joe Allen:

HB 6, A bill to be entitled An Act relating to forbidding the operation of motor vehicles, trailers, semitrailers, and tractors upon public highways if they are not equipped with tires meeting certain requirements; specifying certain requirements; exempting certain farm vehicles; setting a penalty; delegating rule-making power to the Department of Public Safety; and declaring an emergency.

Referred to Committee on Motor Traffic.

#### MESSAGE FROM THE SENATE

Austin, Texas, January 21, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 10, By Shannon, et al: In Memory of R. B. "Dick" Moncrief.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

HOUSE BILLS ON  
FIRST READING  
(Continued)

By Joe Allen:

HB 7, A bill to be entitled An Act relating to certain sales and purchases by dealers in used or secondhand personal property; requiring dealers in used or secondhand personal property to have a registration certificate issued by the consumer credit commissioner; providing penalties; and declaring an emergency.

Referred to Committee on Business and Marketing Affairs.

By Joe Allen:

HB 8, A bill to be entitled An Act relating to the dating of fresh milk, fresh eggs, and fresh meat by a retail seller; providing a penalty for violation; and declaring an emergency.

Referred to Committee on Agriculture.

By Joe Allen:

HB 9, A bill to be entitled An Act amending Section 1, Chapter 23, Acts of the 58th Legislature, 1963 (Article 135b-5, Vernon's Texas Civil Statutes), to change the name of the Act to the Economic Pesticide Control Act of Texas; adding a new Section 4A authorizing the Texas Commissioner of Agriculture to cancel the registration of or to refuse to register an economic pesticide under certain circumstances; adding a new Section 4B authorizing the commissioner to designate certain pesticides as "restricted-use pesticides" and to promulgate regulations restricting the application of those pesticides to certain areas, at certain times, and under certain conditions; and declaring an emergency.

Referred to Committee on Agriculture.

By Joe Allen:

HB 10, A bill to be entitled An Act providing for a required course in consumer education in the public schools; amending the Texas Education Code by adding Section 21.120; and declaring an emergency.

Referred to Committee on Public Education.

By Joe Allen:

HB 11, A bill to be entitled An Act relating to the taking of exposed shell deposits in certain specified mineral tracts of Galveston and Chambers Counties in Galveston Bay; adding a new Section 2A to Article 4053,

Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Mengden:

HB 12, A bill to be entitled An Act relating to dates on which certain elections may be held and limiting the frequency of certain elections; amending the Texas Election Code by adding Section 9b and 9c; and declaring an emergency.

Referred to Committee on Elections.

By Mengden:

HB 13, A bill to be entitled An Act relating to Members of the Legislature appearing before or contacting in person an officer or employee of a state agency; providing penalties; amending Section 4, Chapter 12, Acts of the 55th Legislature, 1st Called Session, 1957 (Article 183-2, Vernon's Texas Penal Code), and adding a new Section 2a; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Mengden:

HB 14, A bill to be entitled An Act prohibiting instruction in human sexuality or sex relationships in certain grades in public and private schools; prohibiting sensitivity training techniques and instruction in normal and abnormal sex activity in certain grades in public and private schools; prohibiting the administration of certain tests, questionnaires, surveys, assignments, and examinations concerning sex, family life, morality, and religion in certain grades in public and private schools; setting a penalty; amending Chapter 4, Texas Education Code, by adding a new Section 4.32; and declaring an emergency.

Referred to Committee on Public Education.

By Lombardino:

HB 15, A bill to be entitled An Act making provision for cost of living increases in present and future firemen and policemen's pensions in certain cities; amending Chapter 105, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6243f, Vernon's Texas Civil Statutes), by adding a Section 26A; providing for severability; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Kaster:

HB 16, A bill to be entitled An Act relating to the conveyance of the exclusive right of sepulture to an unused grave, niche, or crypt in a family burial plot and the recording of the conveyance in the office of the cemetery association; amending Section 13, Chapter 340, Acts of the 49th Legislature,

1945 (Article 912a-13, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judiciary.

By Kaster:

HB 17, A bill to be entitled An Act relating to the requirement that a written statement showing the price and the services and merchandise to be provided be furnished at the time funeral arrangements are made; amending Subsection H of Section 3 and amending Subsections D, E, F, G, and H of Section 4, Chapter 251, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4582b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Hubenak and Caldwell:

HB 18, A bill to be entitled An Act relating to the authority of a commissioners court to deny a permit for waste disposal on the basis that the waste originates outside the county; amending Subsection (g), Section 5, Solid Waste Disposal Act (Article 4477-7, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Hubenak:

HB 19, A bill to be entitled An Act relating to the term of office of supervisors of the Mayfair Park Municipal Utility District; amending Section 3, Chapter 24, Acts of the 56th Legislature, 3rd Called Session, 1959 (Article 8280-244, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Niland:

HB 20, A bill to be entitled An Act relating to requiring Department of Public Safety certification of certain automobile bumper standards for all new automobiles purchased by the state; and declaring an emergency.

Referred to Committee on State Affairs.

By Niland:

HB 21, A bill to be entitled An Act relating to requiring Department of Public Safety certification of certain automobile bumper standards for all new automobiles sold within the state; amending Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes), by adding Section 136a; and declaring an emergency.

Referred to Committee on State Affairs.

By McAlister and Johnson:

HB 22, A bill to be entitled An Act relating to the preservation of historic courthouses; amending Chapter 500, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 6145, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Public Lands and Buildings.

By Nabers:

HB 23, A bill to be entitled An Act providing that probation may not be granted to persons convicted of or pleading guilty to the offense of murder with malice aforethought; amending Sections 3 and 3a, Article 42.12, Code of Criminal Procedure, 1965; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Nabers:

HB 24, A bill to be entitled An Act relating to the amount of vehicle license fees to be deposited by the county tax collector in the county depository of his county; amending Section 10, Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-10, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Nabers:

HB 25, A bill to be entitled An Act relating to payment by the state of the cost of acquiring rights-of-way for United States or state highways; amending Section 1, Chapter 301, Acts of the 55th Legislature, Regular Session, 1957 (Article 6673e-1, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Hawn:

HB 26, A bill to be entitled An Act providing for the regulation of the servicing of portable fire extinguishers and the installing and servicing of fixed fire extinguisher systems; providing for penalties; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Hawn:

HB 27, A bill to be entitled An Act prohibiting the selling, offering or exposing for sale, keeping with intent to sell at retail, or using or exploding of certain fireworks; regulating supervised displays of fireworks; repealing Chapter 498, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 1725, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Hawkins:

HB 28, A bill to be entitled An Act to amend Chapter 271, General Laws, Acts of the 42nd Legislature, Regular Session, 1931 (Article 5421c, Vernon's Texas Civil Statutes), by adding a new Section 5-A providing a procedure whereby a good faith claimant and occupier of land discovered to be possibly vacant may, under specified conditions, purchase said land not to exceed 100 acres; establishing the purchase price of said land; providing for a reservation of royalty to the State on oil, gas, and other minerals; providing for a patent to issue to a good faith claimant; providing that a good faith claimant shall lose his rights to purchase land if he does not timely comply with provisions of this Act; providing that this Act is cumulative of all other laws; providing that this Act shall not affect the rights of any party under any previously executed mineral deed or oil and gas lease, nor the rights of any applicant who has filed or may hereafter file an application under specified existing statute relating to vacant land; providing for notice to the Attorney General before action may be taken on the application of a good faith claimant; providing for review of action of the Land Commissioner relating to application of a good faith claimant; providing that this Act does not affect certain rights involved in litigation upon the effective date of the Act, nor the rights of the State to any oil, gas, or other minerals produced or removed from land purchased under this Act prior to issuance of patent thereon; providing that a good faith claimant with application pending upon effective date of the Act to purchase vacant land shall have benefits of the Act but shall be exempt from certain time limits provided in the Act; and declaring an emergency.

Referred to Committee on Judiciary.

By Head:

HB 29, A bill to be entitled An Act to change the name of the East Texas Tuberculosis Hospital to the East Texas Chest Hospital; and declaring an emergency.

Referred to Committee on Appropriations.

By Traeger:

HB 30, A bill to be entitled An Act relating to a decoration to be awarded to any member of the military forces of the state, whose performance has been such as to merit recognition for services performed in a superior and clearly outstanding manner; amending Section 7, Article 5789, Revised Civil Statutes of Texas, 1925, as amended, by adding Subsection (d); and declaring an emergency.

Referred to Committee on Military Affairs.

By Traeger:

HB 31, A bill to be entitled An Act relating to tuition fees at state institutions of collegiate rank; providing that the coordinating board shall set nonresident student tuition rates on the basis of the average cost to the state of educating a student at a state institution of collegiate rank; amending Subsection (a) of and adding a new Subsection (p) to Section 1, Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933, as

amended (Article 2654c, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Appropriations.

By Kubiak:

HB 32, A bill to be entitled An Act relating to the speed for motor-cycles and motor-driven cycles; amending Subsection (a), Section 166, Chapter 421, Acts of the 50th Legislature, 1947, as added (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Highways and Roads.

By Kubiak:

HB 33, A bill to be entitled An Act repealing Section 5, Article 6574b, Revised Civil Statutes of Texas, 1925, as added, prohibiting the destruction of certain records after photographic duplication; and declaring an emergency.

Referred to Committee on Judiciary.

By Kubiak:

HB 34, A bill to be entitled An Act amending Sections 1, 2, and 3, Chapter 360, Acts of the 48th Legislature, 1943 (Article 4590b, Vernon's Texas Civil Statutes), relating to the operation of emergency ambulances and the licensing of ambulance attendants; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Price:

HB 35, A bill to be entitled An Act relating to abolition of the Parks and Wildlife Department and the transfer of its powers, duties, and functions to two newly established agencies; and declaring an emergency.

Referred to Committee on State Affairs.

By Harding:

HB 36, A bill to be entitled An Act relating to the conditions under which a vehicle may be driven to the left side of a roadway; amending Subsection (a), Section 57, Chapter 431, Acts of the 50th Legislature, 1947 (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Highways and Roads.

By Traeger:

HB 37, A bill to be entitled An Act amending Article 1189, Revised Civil Statutes of Texas, 1925, relating to holding of elections for the consolidation of cities; providing for the holding of such elections in any such city upon a petition signed by one hundred qualified voters, and requiring that such election be held, with certain exceptions, when the

petition is signed by qualified voters equal to fifteen per cent of the total vote cast at the preceding general election for city officials; providing that the consolidation election shall first be held in the city with the smallest population according to the last preceding federal census, and other provisions pertaining to the ordering and holding of the election; providing for the holding of such election in larger cities in inverse order of rank in population after the consolidation proposition has been approved by a majority of the voters in the smaller city or cities, and other provisions pertaining to the ordering and holding of such elections in the larger cities; providing that if the consolidation proposition is defeated in any city, the larger city or cities which have not held their election shall not order an election for consolidation; providing that if an election contest is filed in any such election, those cities which have not held the consolidation election may defer holding the election until the contest is finally terminated, and procedure where no contest is timely filed; providing that no consolidation election shall be held on the same identical proposition for a period of two years from the date of the defeat of such proposition in an election in any such city; providing that all laws or parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of the conflict only; providing for severability; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Kubiak:

HB 38, A bill to be entitled An Act establishing the Texas Housing Corporation; defining its duties, powers, and responsibilities; authorizing the issuance of not more than \$200 million in bonds to assist in the financing of housing for persons and families of lower income; creating the housing development fund and authorizing the issuance of fund notes, not more than \$5 million in fund notes to be outstanding at any one time, to provide for development costs, construction costs, and down payment costs; providing for the terms, security, payment, and tax status of all these bonds and notes; and declaring an emergency.

Referred to Committee on State Affairs.

By Kubiak:

HB 39, A bill to be entitled An Act relating to primary elections and conventions held by political parties; changing the dates of the primaries and conventions and related actions; making procedural changes incidental to the change in dates; also making certain changes in addition to those necessitated by the change in dates; prescribing criminal penalties; amending sections of the Texas Election Code as follows: Section 181 (Article 13.03, Vernon's Texas Election Code); Subsection (1), Section 186 (Article 13.08); Paragraphs 2, 2a, 3, and 4, Section 190 (Article 13.12); Section 192 (Article 13.14); Subsection (a), Section 195 (Article 13.17); Sections 205, 212, 213, 217, 222, 223, 224, and 235 (Articles 13.27, 13.34, 13.35, 13.39, 13.45, 13.46, 13.47, and 13.58); and Subsections 3 and 4, Section 177 (Article 12.02); repealing Section 215, Texas Election Code (Article 13.37, Vernon's Texas Election Code); and declaring an emergency.

Referred to Committee on Elections.

By Salem:

HB 40, A bill to be entitled An Act creating a Consumer Protection Division within the Consumer Credit Commission; amending Article 2.02, Chapter 2, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-2.02, Vernon's Texas Civil Statutes); amending Articles 10.04 to 10.07, Chapter 10, Title 79, Revised Civil Statutes of Texas, as amended (Articles 5069-10.04 to 5069-10.07, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Salem:

HB 41, A bill to be entitled An Act providing for the licensing and regulation of private vocational schools and certain solicitors for them; providing penalties; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Salem:

HB 42, A bill to be entitled An Act regulating land installment contracts; defining terms; stipulating the form, delivery, recordation, and contents of the land installment contract; requiring a receipt for payment or deposit; specifying the application of payments; limiting the amount of payments and liens against the property; requiring periodic statements from the vendor; requiring warranty deed from vendor to vendee; specifying enforcement of forfeiture provisions, notice of intention to forfeit, and a period for curing the breach; providing for the return of payments and value of improvements; providing for release of forfeited contract; prohibiting certain changes in relationship of the parties under the contract; authorizing court costs and attorney's fees; limiting the contracts to which the provisions of the Act apply; providing for severability; and declaring an emergency.

Referred to Committee on Judiciary.

By H. Davis, Christian, and W. Parker:

HB 43, A bill to be entitled An Act relating to the tuition fee charged nonresident students enrolled at state-supported institutions of higher education and to the classification of certain students as residents and non-residents; amending Subsection (a), Section 1, Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 2654c, Vernon's Texas Civil Statutes); repealing Subsection (L), Section 1, Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933, as amended; and declaring an emergency.

Referred to Committee on Appropriations.

By Presnal:

HB 44, A bill to be entitled An Act amending Sections 1, 2, 3, 4, and 10, Chapter 86, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 6228f, Vernon's Texas Civil Statutes); providing for assistance payments by the State of Texas to the surviving spouse and minor children

of campus security personnel commissioned as peace officers who suffer violent death in the course of the performance of their duties; and declaring an emergency.

Referred to Committee on Higher Education.

By Presnal:

HB 45, A bill to be entitled An Act relating to the hours of use required for lighted lamps on motorcycles and providing a penalty for noncompliance; amending Section 109 and adding a new Section 110A, Chapter 421, Acts of the 50th Legislature, 1947 (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Highways and Roads.

By Presnal:

HB 46, A bill to be entitled An Act providing that the spouse of a teacher, professor, or other employee at a state-supported institution of higher education is not entitled, as such, to an exemption from the residency requirement which applies to the payment of tuition and fees; limiting that exemption to the teacher, professor, or other employee and to his children; amending Subsection (L), Section 1, Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933, as added (Article 2654c, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Appropriations.

By Presnal:

HB 47, A bill to be entitled An Act limiting the amount of campaign expenditures by or on behalf of a candidate for public office; providing civil and criminal penalties for violation; amending the Texas Election Code by adding a new Section 244a; and declaring an emergency.

Referred to Committee on Elections.

By Swanson:

HB 48, A bill to be entitled An Act amending Article 44.04, Texas Code of Criminal Procedure, 1965, providing the rules governing bail pending appeal; providing for no bail pending appeal in certain instances; providing for the denial of bail in certain instances; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Swanson:

HB 49, A bill to be entitled An Act relating to the abolition of common-law marriages after December 31, 1971; making certain conforming amendments regarding proof of informal marriages and the declaration and registration of informal marriages; amending Subchapter E, Chapter 1, Family Code; and declaring an emergency.

Referred to Committee on Judiciary.

By Swanson:

HB 50, A bill to be entitled An Act amending Article 23.05, Code of Criminal Procedure, 1965, providing for issuance of capias for arrest of a defendant following forfeiture of bail; providing rules for making of new bail; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

#### SENATE BILLS ON FIRST READING

The following Senate Bills were today laid before the House, read first time and referred to Committee, as follows:

SB 14 to the Committee on Appropriations.

SB 26 to the Committee on Appropriations.

#### ADJOURNMENT

Mr. Sherman moved that the House adjourn until 11:00 a.m. next Monday.

The motion prevailed without objection.

The House accordingly, at 12:18 p.m., adjourned until 11:00 a.m. next Monday.

(Mr. Cavness in the Chair)

*In Memory of the Honorable*

## **Jack Keller**

Mr. Atwell offered the following resolution:

### **HCR 13**

Whereas, The State of Texas lost one of its most outstanding attorneys and former legislative leaders with the death of Jack Keller of Dallas on September 4, 1970; and

Whereas, This highly respected attorney was a native Texan; born in Denton, he was a resident of Dallas for over 55 years; and

Whereas, He attended the Jefferson School of Law and Southern Methodist University School of Law and was admitted to the Texas State Bar Association in 1926; Mr. Keller was an active member of the American Association of Trial Lawyers; and

Whereas, Always concerned with the problems and issues of his community, state, and nation, this energetic and devoted leader was elected to the Texas House of Representatives in 1927 and served four terms with distinction as a member and leader of the Dallas delegation from 1928 to 1934; his fine statesmanship and keen insight into the affairs of the state set a high standard for his colleagues and earned him the great respect of his constituents and fellow legislators; and

Whereas, Mr. Keller served as campaign manager in Dallas County for former Governor Miriam A. ("Ma") Ferguson; and

Whereas, A great leader of civic as well as state affairs, Mr. Keller was a charter member of the Dallas Junior Chamber of Commerce, a founder of the White Rock Sailing Club, a member of the American Legion and the Munger Place Baptist Church, and a past grand master of the R. C. Buckner Masonic Lodge; he was an Air Force veteran of World War II; and

Whereas, Fond of animals, Mr. Keller was a charter member

of the Bluebonnet Pug Dog Club and the editor of Pug Talk, a national magazine; and

Whereas, He is remembered by his many friends and acquaintances as a considerate and understanding confidant, a highly ethical and reputable attorney, an outspoken and inspirational leader, and a model of active citizenship; and

Whereas, He is survived by his wife, Mrs. Mimi Keller, and his nieces and nephews; and

Whereas, It is appropriate that the Texas Legislature and all the people of Texas pay tribute to Jack Keller for his many years of tireless and dedicated service to his state and to the legal profession, and extend sympathy to his family; now, therefore, be it

Resolved, by the House of Representatives of the 62nd Legislature, the Senate concurring, That this Resolution stand in memory of Jack Keller, courageous leader, outstanding citizen, and devoted public servant; and, be it further

Resolved, That an official copy of this Resolution be prepared for his wife, Mrs. Mimi Keller, as an expression of sympathy from the Texas Legislature; and, be it further

Resolved, That, when the House of Representatives and the Senate adjourn this day, they do so in memory of and in tribute to former Representative Jack Keller.

(Speaker in the Chair)

The resolution was read and was unanimously adopted by a rising vote.

On motion of Mr. Atwell the names of all the Members of the House were added to the resolution as signers thereof.