

THIRTEENTH DAY—TUESDAY, FEBRUARY 2, 1971

The House met at 11:00 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	Davis, H.	Jones, E.	Presnal
Adams	Denton	Jones, G.	Price
Agnich	Doran	Jungmichel	Reed
Allen, Joe	Doyle	Kaster	Rodriguez
Allen, John	Dramberger	Kilpatrick	Rosson
Allred	Earthman	Kost	Salem
Angly	Farenthold	Kubiak	Salter
Atwell	Finck	Lee	Sanchez
Atwood	Finnell	Lemmon	Santiesteban
Baker	Finney	Lewis	Schulle
Bass, B.	Floyd	Ligarde	Semos
Bass, T.	Foreman	Lombardino	Shannon
Beckham	Gammage	Longoria	Sherman
Bigham	Garcia	Lovell	Short
Blanton	Golman	McAlister	Silber
Blythe	Grant	McKissack	Slack
Bowers	Graves	Mengden	Slider
Boyle	Hale	Moncrief	Solomon
Braecklein	Hanna, Joe	Moore, A.	Spurlock
Braun	Hannah, John	Moore, G.	Stewart
Burgess	Harding	Moore, T.	Stroud
Bynum	Harris	Moreno	Swanson
Caldwell	Hawkins	Murray	Tarbox
Calhoun	Hawn	Nabers	Traeger
Carrillo	Haynes	Nelms	Truan
Cates	Head	Neugent, D.	Tupper
Cavness	Heatly	Newton	Uher
Christian	Hendricks	Nichols	Vale
Clark	Hilliard	Nugent, J.	Von Dohlen
Clayton	Holmes, T.	Ogg	Ward
Coats	Holmes, Z.	Orr	Wayne
Cobb	Howard	Parker, C.	Wieting
Cole	Hubenak	Parker, W.	Williams
Craddick	Hull	Patterson	Williamson
Cruz	Ingram	Pickens	Wolff
Daniel	Johnson	Poerner	Wyatt
Davis, D.	Jones, D.	Poff	

Absent

Smith

Absent-Excused

Niland Simmons

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

MEMBERS OF APPROPRIATIONS COMMITTEE
RECORDED PRESENT

In accordance with a motion adopted on January 25, the following Members of the Appropriations Committee were recorded present and in the Appropriations Committee meeting: Representatives Heatly, Slack, John Allen, Braecklein, Carrillo, Cobb, H. Davis, Doran, Haynes, Hull, Johnson, Longoria, W. Parker, Presnal, Salter, Santiesteban, Slider, Swanson, Tarbox, Ward, and Wolff.

LEAVES OF ABSENCE GRANTED

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

Mr. Simmons, temporarily for today on account of illness in the family, on motion of Mr. Finck.

Mr. Niland on motion of Mr. Williams.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled resolution:

HCR 20, In memory of Julius C. Carter.

MEMORIAL RESOLUTIONS ADOPTED

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

SCR 14, In memory of Harry Bengé Crozier.

HSR 67, by H. Davis, Foreman and Cavness: In memory of Max H. Bickler.

On motion of Mr. Harold Davis the names of all the Members of the House were added to HSR 67 as signers thereof.

HCR 23, by Atwell and the Dallas Delegation: In memory of Walter C. Hornaday.

On motion of Mr. Allred the names of all the Members of the House were added to HCR 23 as signers thereof.

HCR 24, by McKissack: In memory of E. M. (Ted) Dealey.

Representative Smith entered the House and was announced present.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

SCR 12, Extending best wishes to Howard P. Steinle.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was laid before the House for consideration at this time:

HSR 69, by Moreno, Truan and Cruz: Commending Cesar Chavez.

The resolution was read.

Mr. Clayton moved to refer HSR 69 to the Committee on Resolutions and Interim Activities.

Mrs. Farenthold moved to table the motion.

A record vote was requested by Representatives Graves, Harris, and Braun.

The vote of the House was taken on the motion to table the motion to refer HSR 69 to the Committee on Resolutions and Interim Activities and the vote was announced Yeas 68, Nays 67.

A verification of the vote was requested and was granted.

The roll of those voting Yea and Nay was again called and the verified vote resulted as follows:

Yeas—66

Allen, Joe	Cruz	Johnson	Santiesteban
Bass, B.	Daniel	Kaster	Schulle
Bass, T.	Davis, D.	Kubiak	Semos
Beckham	Denton	Ligarde	Shannon
Bigham	Doyle	Lombardino	Silber
Boyle	Farenthold	Longoria	Smith
Braecklein	Finck	Moncrief	Spurlock
Braun	Finney	Moore, G.	Stroud
Bynum	Gammage	Moreno	Swanson
Caldwell	Grant	Nelms	Truan
Calhoun	Graves	Nichols	Tupper
Carrillo	Hale	Orr	Vale
Cates	Hannah, John	Parker, C.	Williams
Cavness	Harris	Pickens	Wolf
Clark	Haynes	Reed	Wyatt
Coats	Head	Rodriguez	
Cole	Holmes, Z.	Salem	

Nays—66

Adams	Blythe	Doran	Harding
Agnich	Bowers	Dramberger	Hawkins
Allen, John	Burgess	Earthman	Hawn
Allred	Christian	Finnell	Heatly
Angly	Clayton	Foreman	Holmes, T.
Atwell	Cobb	Garcia	Howard
Atwood	Cradick	Golman	Hubenak
Baker	Davis, H.	Hanna, Joe	Ingram

Jones, D.	McKissack	Poerner	Tarbox
Jones, E.	Mengden	Poff	Traeger
Jones, G.	Moore, A.	Price	Uher
Jungmichel	Murray	Rosson	Von Dohlen
Kost	Nabers	Sherman	Wayne
Lee	Neugent, D.	Short	Wieting
Lemmon	Newton	Slider	Williamson
Lovell	Parker, W.	Solomon	
McAlister	Patterson	Stewart	

Absent

Blanton	Hull	Nugent, J.	Sanchez
Floyd	Kilpatrick	Ogg	Slack
Hendricks	Lewis	Presnal	Ward
Hilliard	Moore, T.	Salter	

Absent-Excused

Niland	Simmons
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The Speaker stated that the motion to table was lost by the above vote.

A record vote was requested by Representatives Graves, Harris, and Braun on the motion to refer HSR 69 to the Committee on Resolutions and Interim Activities.

The motion was lost by the following vote:

Yeas—66

Adams	Doran	Jones, E.	Presnal
Agnich	Dramberger	Jones, G.	Rosson
Allen, John	Earthman	Jungmichel	Salter
Angly	Finnell	Lee	Sherman
Atwell	Garcia	Lovell	Short
Atwood	Golman	McAlister	Slider
Baker	Hanna, Joe	McKissack	Solomon
Blythe	Harding	Mengden	Stewart
Bowers	Hawkins	Moore, A.	Tarbox
Burgess	Hawn	Murray	Traeger
Bynum	Heatly	Nabers	Uher
Christian	Hilliard	Neugent, D.	Von Dohlen
Clayton	Holmes, T.	Newton	Wayne
Cobb	Howard	Nugent, J.	Wieting
Craddick	Hubenak	Parker, W.	Williamson
Davis, D.	Ingram	Poerner	
Davis, H.	Jones, D.	Poff	

Nays—75

Allen, Joe	Boyle	Cates	Daniel
Allred	Braecklein	Cavness	Denton
Bass, B.	Braun	Clark	Doyle
Bass, T.	Caldwell	Coats	Farenthold
Beckham	Calhoun	Cole	Finck
Bigham	Carrillo	Cruz	Finney

Foreman	Kost	Orr	Silber
Gammage	Kubiak	Parker, C.	Simmons
Grant	Lemmon	Patterson	Smith
Graves	Lewis	Pickens	Spurlock
Hale	Ligarde	Price	Stroud
Hannah, John	Lombardino	Reed	Swanson
Harris	Longoria	Rodriguez	Truan
Haynes	Moncrief	Salem	Tupper
Head	Moore, G.	Sanchez	Vale
Holmes, Z.	Moore, T.	Santiesteban	Williams
Johnson	Moreno	Schulle	Wolff
Kaster	Nelms	Semos	Wyatt
Kilpatrick	Nichols	Shannon	

Absent

Blanton	Hendricks	Ogg	Ward
Floyd	Hull	Slack	

Absent-Excused**Niland**

HSR 69 was then adopted.

VOTES RECORDED

Representatives Clayton, Mengden, Hilliard, D. J. Davis, John Allen, Christian, Cavness, Earthman, Jungmichel, Bowers, Lee, Edmund Jones, Williamson, and Blythe requested to be recorded as voting Nay on the adoption of HSR 69.

REASON FOR VOTE ON HSR 69

I voted against HSR 69 because the presence of Mr. Chavez in Austin could contribute to greater unrest and difficulty for the owners and employers of an important Austin industry.

Signed: Don Cavness

REASON FOR VOTING NO ON HSR 69

I am a great believer in the committee system. Before voting for a bill or a resolution of this type, I feel it should go to a committee first. I feel we should comply with House, and particularly to committee rules. I have a resolution at the present time somewhat of this type in committee, but I will comply with the committee system. My voting No was in no way an attempt to kill the bill, in fact the final passage was on a voice vote.

Signed: Leroy J. Wieting
District 44

SCR 13—ADOPTED
(Mr. McAlister—House Sponsor)

The Speaker laid before the House the following resolution on committee report:

SCR 13, Providing for a Joint Session to honor the wives and families of Texas prisoners of war in Southeast Asia.

The resolution was adopted without objection.

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 107 to the Committee on Appropriations.

SB 108 to the Committee on Appropriations.

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 Johnson:

HJR 22, A Joint Resolution proposing an Amendment to Article VIII, Constitution of the State of Texas, by adding a Section 21, to provide that revenue from motor vehicle registration fees be retained by the counties which collect the fees.

By Clayton, Solomon, Slider, John Allen, and Swanson:

HJR 23, A Joint Resolution proposing an Amendment to Article III, Sections 49-c and 49-d, of the Texas Constitution, providing for use of not more than 10 percent of the amount of money in the Water Development Fund for construction of waste treatment facilities; increasing the interest rate ceiling on Water Development Bonds to six percent; providing additional funds; expanding the purposes of the fund; and changing the name of the fund to the Environmental Enhancement Fund.

By Clayton, Solomon, Slider, John Allen, and Swanson:

HJR 24, A Joint Resolution proposing an Amendment to Article III, Section 49-c, of the Texas Constitution, to remove the interest rate ceiling on Water Development Bonds.

By Clayton, Solomon, Slider, John Allen, and Swanson:

HJR 25, A Joint Resolution proposing an Amendment to Article III, Section 49-c, of the Texas Constitution, to provide for the issuance and sale of \$100 million in Water Development Bonds for the purpose of making money available to provide financial assistance for construction of waste treatment facilities.

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 Johnson:

HB 311, A bill to be entitled An Act relating to removing from the State Board of Insurance rate-making authority for automobile insurance and setting standards for rates which may be charged; providing formal regulatory controls for use if independent action and price competition fail; authorizing cooperative action among insurers and regulating such cooperation; amending Articles 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08 and 5.09 of the Texas Insurance Code; adding Articles 5.09A, 5.09B, 5.09C, 5.09D, and 5.09E to the Texas Insurance Code; amending Section 35 of the Texas Motor Vehicle Safety Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Insurance.

By Cobb, H. Davis, Hull, W. Parker, Bynum, Presnal, and Tarbox:

HB 312, A bill to be entitled An Act relating to committing an act, or entry upon the campus of a state-supported institution of higher education to commit an act likely to interfere with peaceful activities; direction to leave; refusal to leave or reentry; providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Cobb, H. Davis, Hull, Tarbox, W. Parker, Presnal, and Bynum:

HB 313, A bill to be entitled An Act requiring a person on the campus of any state-supported institution of higher education to identify himself on request; providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Cobb, H. Davis, Hull, W. Parker, Tarbox, Bynum, and Presnal:

HB 314, A bill to be entitled An Act relating to withdrawal of consent by the chief administrative officer of a state-supported institution of higher education, or his designee, for a person to remain on campus; providing for a written report of such withdrawal in certain instances; providing for reinstatement of consent; providing a hearing; unlawful entry on the campus of a state-supported institution of higher education; providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Cobb, H. Davis, Hull, Tarbox, W. Parker, Bynum, and Presnal:

HB 315, A bill to be entitled An Act prohibiting any person from causing any officer or employee of a state-supported institution of higher education from doing or refraining from doing any act in the performance of his duties, under certain circumstances; providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Cobb, H. Davis, Hull, Tarbox, W. Parker, Bynum, and Presnal:

HB 316, A bill to be entitled An Act relating to persons refusing to leave a building under the control and management of a state-supported institution of higher education during those hours when the building is regularly closed to the public, upon being requested to do so by an appropriate institutional official under certain circumstances; providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Cobb, H. Davis, Hull, W. Parker, Tarbox, Bynum, and Presnal:

HB 317, A bill to be entitled An Act relating to the entry without permission upon the campus or a facility of a state-supported institution of higher education after notice of suspension or dismissal; providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Golman:

HB 318, A bill to be entitled An Act relating to the compensation to which firemen and policemen in certain cities are entitled; amending Section 1, Chapter 143, Acts of the 50th Legislature, 1947, as amended (Article 1583-2, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Urban Affairs.

By Golman:

HB 319, A bill to be entitled An Act relating to vagrancy; amending Article 607, Penal Code of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Golman:

HB 320, A bill to be entitled An Act amending Article 524, Penal Code of Texas, 1925, as amended, to provide an exemption from the provisions of this Article for private consensual acts between married persons and their lawful spouses; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Golman:

HB 321, A bill to be entitled An Act to prohibit the sale or shipment for use in the State of Texas of the chemical compound known as DDT and other chlorinated hydrocarbons and other products treated therewith; prescribing a penalty for violation; and declaring an emergency.

Referred to Committee on Agriculture.

By Nelms, Clark, and Gammage:

HB 322, A bill to be entitled An Act relating to permits issued by the Texas Air Control Board for construction, modification, expansion, or additions to industrial plants and facilities; amending Subchapter C, Texas Clean Air Act, as amended (Article 4477-5, Vernon's Texas Civil Statutes), to add a new Section 3.28; and declaring an emergency.

Referred to Committee on State Affairs.

By Shannon:

HB 323, A bill to be entitled An Act amending Chapter 274, Acts of the 60th Legislature, Regular Session, 1967, by adding thereto a new subtitle to be identified and codified as Article 5069-1.042, providing a general rule for determination of the rate of interest on real estate loans secured by a lien and authorizing refund of excess charges in the event of premature termination of loans; and declaring an emergency.

Referred to Committee on Banks and Banking.

By Slider:

HB 324, A bill to be entitled An Act amending Chapter 274, Acts of the 60th Legislature, Regular Session, 1967, by adding thereto a new subtitle to be identified and codified as Article 5069-1.041, relative to obligations guaranteed or insured by agencies of the United States of America; and declaring an emergency.

Referred to Committee on Banks and Banking.

By Hull, T. Holmes, Lewis, Moncrief, Shannon, Hilliard, Spurlock, and Finney:

HB 325, A bill to be entitled An Act relating to the right, power, and authority of the Coordinating Board, Texas College and University System, to contract with the Texas College of Osteopathic Medicine to provide for the education of certain medical students; and declaring an emergency.

Referred to Committee on State Affairs.

By Adams:

HB 326, A bill to be entitled An Act relating to the use of artificial devices to call or attract fox in Jasper, Newton, Tyler, and Hardin Counties; amending Section 1, Chapter 640, Acts of the 61st Legislature, Regular Session, 1969; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Jungmichel, Golman, Uher, Wieting, and Kubiak:

HB 327, A bill to be entitled An Act relating to establishing minimum standards for teaching load requirements of faculty members in Texas Public Senior Colleges and Universities paid from the appropriation for "Faculty Salaries"; distinguishing between undergraduate teaching loads

and graduate teaching loads; providing for various types of teaching situations and special conditions; providing for reporting to institutional governing boards; providing for severability; and declaring an emergency.

Referred to Committee on Appropriations.

By Jungmichel:

HB 328, A bill to be entitled An Act amending Acts 1969, 61st Legislature, Chapter 889, known as Texas Education Code, by amending Section 2.08 to extend the provisions thereof to any employee of any textbook publishing company selling textbooks in Texas or to any person receiving any payments of money from any such companies; providing certain exceptions; providing for severability; and declaring an emergency.

Referred to Committee on Public Education.

By Jungmichel, Golman, Cavness, Truan, and McKissack:

HB 329, A bill to be entitled An Act to amend Chapter 495, Acts of the 44th Legislature, Third Called Session, 1936, as last amended by Chapter 402, Acts of the 52nd Legislature, Regular Session, 1951 (Article 7064a, Vernon's Texas Civil Statutes) redefining the term "insurance organization"; providing exceptions to the imposition of the tax; repealer clause; and declaring an emergency.

Referred to Committee on Insurance.

By Cobb, Hull, Haynes, Swanson, Wolff, McKissack, Schulle, Kubiak, Burgess, Wieting, Hubenak, Ward, Price, Cole, Simmons, Von Dohlen, Bynum, and Boyle:

HB 330, A bill to be entitled An Act relating to the creation, organization, powers, duties, and procedures of the Texas Motor Vehicle Commission; providing and establishing the requirements for the license of persons engaged in the business as franchise new motor vehicle dealers and new motor vehicle manufacturers and distributors and their representatives and the renewal of such licenses; providing fees for the issuance of licenses; providing grounds for refusal to license and revocation and suspension of licenses; providing certain prohibited acts on the part of franchise new motor vehicle dealers and new motor vehicle manufacturers and distributors and their representatives without regard to the terms of the franchise agreements between the parties; providing for suits for civil penalties and injunction for violation of the Act; providing for appeals from actions taken by the Commission; enacting other provisions relating to the subject; providing for severability of the Act; and declaring an emergency.

Referred to Committee on State Affairs.

By Stroud, Golman, Orr, Hawn, Coats, Atwell, McKissack, Reed, Blanton, Z. Holmes, G. Moore, Boyle, and Semos:

HB 331, A bill to be entitled An Act relating to time spent as a justice of the peace or judge on certain courts to be credited as judicial service for purposes of retirement under certain circumstances; amending Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article

6228b, Vernon's Texas Civil Statutes), by adding a Section 2C; and declaring an emergency.

Referred to Committee on Appropriations.

By Foreman:

HB 332, A bill to be entitled An Act amending Section 3 of Article 913, Texas Penal Code, as amended, to permit the Parks and Wildlife Department to prescribe rules applying to propagation in captivity of protected species; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Hale, Salem, and McAlister:

HB 333, A bill to be entitled An Act providing for the licensing and regulation of private vocational schools and certain solicitors for them; providing penalties; declaring the Act to be severable; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By G. Jones:

HB 334, A bill to be entitled An Act providing for restraint against the introduction of evidence of advance payments for economic loss to claimants during subsequent litigation unless introduced by the party against whom the action is brought; providing for introduction of evidence of advance payments after a verdict and reduction of any amount awarded to the claimant by the jury; preventing the tolling or interruption of the statute of limitations by the making of advance payments; and declaring an emergency.

Referred to Committee on Insurance.

By G. Jones:

HB 335, A bill to be entitled An Act relating to the treatment as principal or income of corporate distributions to a trust; amending Section 29, Texas Trust Act, as amended (Article 7425b-29, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judiciary.

By Dramberger:

HB 336, A bill to be entitled An Act relating to the vaccination or immunization of persons attending public schools or state-supported institutions of higher education; amending Section 2.09, Texas Education Code; and declaring an emergency.

Referred to Committee on Public Health.

By Dramberger and Wolff:

HB 337, A bill to be entitled An Act relating to information required to be placed on all labels of prescription drugs; providing penalties; and declaring an emergency.

Referred to Committee on Public Health.

By Finney:

HB 338, A bill to be entitled An Act relating to the creation, powers, and duties of the Texas Industrial Training Council; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Finney:

HB 339, A bill to be entitled An Act relating to the creation, organization, operation, powers, and duties of a business development corporation; and declaring an emergency.

Referred to Committee on Judiciary.

By Hull:

HB 340, A bill to be entitled An Act relating to additional building standards for mobile homes, amending Chapter 656, Acts of the 61st Legislature, Regular Session, 1969 (Article 5221f, Vernon's Texas Civil Statutes); and providing for severability.

Referred to Committee on Governmental Affairs and Efficiency.

By Hull:

HB 341, A bill to be entitled An Act establishing a Uniform Standards Code for Recreational Vehicles approved by the American National Standards Institute for installation of plumbing, heating and electrical systems in recreational vehicles; to require a license to be issued by the Bureau of Labor Statistics to recreational vehicle manufacturers engaged in business in this state; to require all recreational vehicles to bear a Seal of Certification of License issued by the Bureau of Labor Statistics; to provide for reciprocity; to provide for inspection; to establish fees and charges and to provide for their disposition; to provide for enforcement and penalties; to provide for restrictions and placement of serial numbers; to provide for severability; and declaring an emergency.

Referred to Committee on Resolutions and Interim Activities.

HB 342 (Read first time and referred to the Committee on Revenue and Taxation on February 1, 1971.)

HCR 25—REFERRED TO COMMITTEE

(Memorializing the Congress of the United States urging the continuation of the operation of the United States Public Health Service Hospital in Galveston and the Outpatient Clinics in Houston and Port Arthur)

Mr. Clark offered the following resolution:

HCR 25

Whereas, In a hearing before the House Merchant Marine and Fisheries

Committee on December 30, 1970, the Honorable Elliot L. Richardson, Secretary of the Department of Health, Education and Welfare, made public his intention to seek the closing of eight Public Health Service Hospitals and thirty outpatient clinics located throughout the nation, among them the Public Health Service Hospital in Galveston and Outpatient Clinics in Houston and Port Arthur; and

Whereas, The Public Health Service Hospital in Galveston and the outpatient clinics in Houston and Port Arthur provide vital medical services to seamen, to military personnel and their dependents, to foreign seamen visiting the ports of South Texas, and to other governmental beneficiaries; the training, teaching, and emergency medical aid programs of these PHS facilities are essential to the needs of Texas citizens; and

Whereas, Although the Secretary proposes that the Veterans Administration and nonfederal resources assume the patient load of the 160-patient Galveston PHS Hospital and the two Texas clinics, congressional leaders state that VA hospitals are already overcrowded; and

Whereas, Secretary Richardson testified that it would take about \$140 million to upgrade United States Public Health Service facilities, certainly a very small amount in terms of the overall national budget; and

Whereas, It is indeed unfortunate that the Federal Government should decide to make its budget cuts in the area of public health, when there is a great need for increased improvements rather than a decrease in health services, when there is a shortage of hospitals and the costs of hospital and treatment services continue to rise; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the 62nd Legislature of the State of Texas hereby memorialize the Congress of the United States to urge the Honorable Elliot L. Richardson, Secretary of Health, Education and Welfare, to continue operating the United States Public Health Service Hospital in Galveston and the Outpatient Clinics in Houston and Port Arthur, so that the vital health programs provided by these facilities will continue to be available to Texas citizens and the many others now using them; and, be it further

Resolved, That Senator Lloyd M. Bentsen, Jr., Senator John Tower, and the entire Congressional delegation from Texas be requested to use the power of their offices to influence a reversal of the Secretary's decision to close the Galveston Public Health Service Hospital and the Outpatient Clinics at Houston and Port Arthur; and, be it further

Resolved, That copies of this Resolution be prepared and sent to the President of the United States; to the Honorable Elliot L. Richardson, Secretary of Health, Education and Welfare; to Senators Lloyd M. Bentsen, Jr., and John Tower; and to other members of the Texas delegation in the Congress, as well as members of Congress from all states and territories of the United States.

Signed: Clark, Nelms, Harris, Gammage, Haynes, C. Parker, and Dean Neugent.

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

HJR 19 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,
HJR 19, Providing for an increase in the Senate from 31 to 39 Members.

Representative Simmons entered the House and was announced present.

HJR 19—(Consideration continued)

The resolution was read third time and failed to pass by the following vote:

Yeas—94

Adams	Finnell	Lemmon	Salter
Allen, John	Finney	Lewis	Sanchez
Atwell	Floyd	Ligarde	Schulle
Atwood	Foreman	Lombardino	Shannon
Baker	Garcia	Longoria	Short
Bass, T.	Grant	Lovell	Silber
Blanton	Hale	McAlister	Simmons
Braecklein	Hanna, Joe	McKissack	Slack
Burgess	Harding	Moncrief	Slider
Bynum	Hawkins	Moore, A.	Solomon
Calhoun	Hawn	Moore, G.	Spurlock
Carrillo	Heatly	Murray	Swanson
Cates	Hendricks	Nabers	Tarbox
Cavness	Hilliard	Newton	Traeger
Christian	Holmes, T.	Nugent, J.	Tupper
Clayton	Howard	Ogg	Uher
Cobb	Hubenak	Orr	Von Dohlen
Cole	Hull	Parker, W.	Ward
Craddick	Ingram	Pickens	Wayne
Cruz	Johnson	Poerner	Wieting
Davis, D.	Jones, D.	Poff	Williamson
Doran	Jones, G.	Presnal	Wolff
Doyle	Jungmichel	Price	
Dramberger	Kost	Rosson	

Nays—52

Agnich	Coats	Holmes, Z.	Reed
Allen, Joe	Daniel	Jones, E.	Rodriguez
Allred	Davis, H.	Kaster	Salem
Angly	Denton	Kubiak	Santiesteban
Bass, B.	Earthman	Lee	Semos
Beckham	Farenthold	Mengden	Sherman
Bigham	Finck	Moore, T.	Smith
Blythe	Gammage	Moreno	Stewart
Bowers	Graves	Nelms	Stroud
Boyle	Hannah, John	Neugent, D.	Truan
Braun	Harris	Nichols	Vale
Caldwell	Haynes	Parker, C.	Williams
Clark	Head	Patterson	Wyatt

Absent

Golman Kilpatrick

Absent-Excused

Niland

Mr. Caldwell moved to reconsider the vote by which HJR 19 failed to pass and to table the motion to reconsider.

The motion to table was lost by the following vote:

Yeas—47

Agnich	Clark	Holmes, Z.	Rodriguez
Allen, Joe	Coats	Jones, E.	Salem
Allred	Cruz	Kaster	Santiesteban
Angly	Daniel	Kilpatrick	Semos
Bass, B.	Denton	Lee	Sherman
Beckham	Earthman	Mengden	Smith
Bigham	Farenthold	Moore, T.	Stewart
Blythe	Gammage	Moreno	Stroud
Bowers	Graves	Nelms	Truan
Boyle	Hannah, John	Nichols	Vale
Braun	Harris	Parker, C.	Williams
Caldwell	Head	Reed	

Nays—99

Adams	Finnell	Kubiak	Rosson
Allen, John	Finney	Lemmon	Salter
Atwell	Floyd	Lewis	Sanchez
Atwood	Foreman	Ligarde	Schulle
Baker	Garcia	Lombardino	Shannon
Bass, T.	Grant	Longoria	Short
Blanton	Hale	Lovell	Silber
Braecklein	Hanna, Joe	McAlister	Simmons
Burgess	Harding	McKissack	Slack
Bynum	Hawkins	Moncrief	Slider
Calhoun	Hawn	Moore, A.	Solomon
Carrillo	Haynes	Murray	Spurlock
Cates	Heatly	Nabers	Swanson
Cavness	Hendricks	Neugent, D.	Tarbox
Christian	Hilliard	Newton	Traeger
Clayton	Holmes, T.	Nugent, J.	Tupper
Cobb	Howard	Ogg	Uher
Cole	Hubenak	Orr	Von Dohlen
Craddick	Hull	Parker, W.	Ward
Davis, D.	Ingram	Patterson	Wayne
Davis, H.	Johnson	Pickens	Wieting
Doran	Jones, D.	Poerner	Williamson
Doyle	Jones, G.	Poff	Wolff
Dramberger	Jungmichel	Presnal	Wyatt
Finck	Kost	Price	

Absent

Golman Moore, G.

Absent-Excused

Niland

MESSAGE FROM THE SENATE

Austin, Texas, February 2, 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 18, By Lombardino: Commending police officer Jerry Rangel and inviting him to address a Joint Session of the Texas Legislature.

HCR 19, By Pickens: In memory of John Ben Shepperd, Jr.

HCR 21, By Moncrief, Hilliard, et al: In honor of Cato Sells Hightower.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate**MEMORIAL RESOLUTION ADOPTED**

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

HSR 70, by Daniel and Speaker Mutscher: In memory of Newton A. Walker.

On motion of Mr. Lemmon the names of all the Members of the House were added to HSR 70 as signers thereof.

RECESS

Mr. Slider moved that the House recess until 1:30 p.m. today.

The motion prevailed without objection.

The House accordingly, at 12:29 p.m., recessed until 1:30 p.m. today.

AFTERNOON SESSION

The House met at 1:30 p.m. and was called to order by the Speaker.

HJR 15 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HJR 15, A Joint Resolution proposing a Constitutional Amendment providing for the issuance of state general obligation bonds in a total amount not to exceed \$450 million for the benefit of the available school fund, the bonds to be retired with income derived from bonuses, delay rentals, and 72½ percent of the royalties received under mineral leases of lands belonging to the permanent school fund.

The resolution was read second time.

Mr. Atwell offered the following amendment to HJR 15:

Amend HJR 15 by striking all below the resolving clause and substituting the following:

Section 1. That Article VII, Constitution of the State of Texas, be amended by adding a Section 5a to read as follows:

"Section 5a. (1) The Comptroller of Public Accounts by proclamation from time to time shall provide for, issue, and sell general obligation bonds of the State of Texas in a total aggregate amount not to exceed \$450 million. These bonds shall be called public free school bonds.

"(2) The bonds, and any interest coupons appertaining to them, shall be negotiable instruments (provided that the bonds may be issued registrable as to principal alone or as to both principal and interest), and shall be executed, and may be made redeemable prior to maturity, and may be issued in the form, denominations, and manner, and under the terms, conditions, and details, and may be sold in the manner, at the price, and under the terms and shall bear interest at the rate or rates, and shall mature serially or otherwise on the date or dates, all as determined and prescribed by the Comptroller in the proclamation authorizing the issuance of the bonds.

"(3) Regardless of the provisions of Subsection (b), Section 2, of this Article, as amended, the portion of the royalties and other moneys not dedicated to the permanent school fund under that subsection shall be deposited in the state treasury to the credit of a special fund to be known as the public free school bond interest and sinking fund.

"(4) The money in the interest and sinking fund shall be used to pay the interest and principal coming due on the bonds during the ensuing fiscal year and to establish and maintain a reserve equal to the average annual principal and interest requirements of all outstanding bonds issued under this section. If during any fiscal year the fund receives deposits in excess of the foregoing requirements, then the excess shall be transferred to the available school fund. If the deposits are insufficient to meet those requirements, the state treasurer shall transfer into the interest and sinking fund out of the first money coming into the treasury, not otherwise appropriated by the Constitution, the additional amount needed to meet those requirements.

"(5) All proceeds from the sale of the bonds, less the expenses incurred in connection with their issuance and sale, shall be deposited in the state treasury to the credit and for the use of the Foundation School Fund or, to the extent provided by law, another fund or funds established for the support of the public free schools of the state. As long as bonds have not been issued and sold in the total aggregate amount authorized by this

section, the Comptroller, in any statement or certificate made under Article III, Section 49a, of this Constitution shall include in the amount estimated to be available in the Foundation School Fund, or other fund or funds referred to above, an amount equal to the total principal amount of bonds that may yet be issued within the limitation, less the estimated expenses to be incurred in connection with their issuance and sale.

"(6) Before any of the bonds issued are delivered to the purchasers, the record pertaining to the bonds shall be examined by the Attorney General and the record and the bonds shall be approved by him. After approval by the Attorney General, the bonds shall be registered in the office of the Comptroller. When approved, registered, and delivered to the purchasers, the bonds are incontestable and constitute general obligations of the State of Texas.

"(7) The Comptroller may provide by proclamation for the issuance of refunding bonds for the purpose of refunding any bonds issued under this section and then outstanding, together with accrued interest on them. The issuance and sale of refunding bonds are governed by the same provisions applicable to the issuance and sale of the original bonds. The refunding bonds may be exchanged for the outstanding bonds or may be sold and the proceeds used to retire the outstanding bonds.

"(8) All bonds issued pursuant to the provisions of this section are legal and authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, and guardians, and for the sinking funds of cities, towns, villages, counties, school districts, and all other political subdivisions and public agencies of the State of Texas. The bonds, when accompanied by all unmatured coupons appurtenant to them, are lawful and sufficient security for all deposits of state funds and of all funds of any agency or political subdivision of the state, and of counties, school districts, cities, and all other municipal corporations or subdivisions at the par value of the bonds. The bonds and the income from them, including the profits made on their sale, shall at all times be free from taxation in this state.

"(9) This Section 5a takes effect only if and when the Constitutional Amendment proposed by HJR 7 is adopted and takes effect."

Sec. 3. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on May 18, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The Constitutional Amendment providing for the issuance of state general obligation bonds in a total amount not to exceed \$450 million for the benefit of the foundation school fund, the bonds to be retired with income derived from a portion of the royalties and other mineral lease income from lands belonging to the permanent school fund."

Mr. Atwell moved to postpone further consideration of HJR 15 until 11:30 a.m. tomorrow.

The motion to postpone prevailed without objection.

HB 43 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

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.

The bill was read second time.

Mr. Cole offered the following amendment to the bill:

Amend HB 43 by striking all below the enacting clause and substituting the following:

"Section 1. Subsection (a), Section 1, Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933, as last amended by Section 1, Chapter 435, Acts of the 55th Legislature, Regular Session, 1957 (Article 2654c, Vernon's Texas Civil Statutes), is amended to read as follows:

'(a) The Governing Boards of the several institutions of collegiate rank supported in whole or in part by public funds appropriated from the State Treasury shall cause to be collected from students registering in the schools, tuition or registration fees at the rates hereinafter prescribed.

(1) A resident student shall be charged \$5 for each semester credit hour taken.

(2) A nonresident student shall be charged \$30 for each semester credit hour taken.

(3) A resident student enrolled in a medical or dental branch, school or college shall be charged \$16 for each semester credit hour taken.

(4) A nonresident student enrolled in a medical or dental branch, school or college shall be charged \$32 for each semester credit hour taken.

(5) A resident or nonresident student registered for a course or courses in art, architecture, drama, speech or music, where individual coaching or instruction is the usual method of instruction, shall be charged a fee designated by the governing board of the institution in addition to the regular tuition fee, but in no event shall the additional fee be more than \$75 for a semester.'

Sec. 2 The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

Mr. Harold Davis raised a point of order against further consideration of the amendment by Mr. Cole on the grounds that the amendment is not germane to the bill in that the amendment addresses itself to all classes of students and the bill concerns nonresident students.

The Speaker sustained the point of order.

Mr. Kubiak offered the following amendment to HB 43:

Amend HB 43 by substituting the words and figures \$500 in lieu of \$700 wherever they appear in the bill.

Mr. Harold Davis moved to table the above amendment.

The motion to table the amendment by Mr. Kubiak prevailed.

Mr. Foreman offered the following amendment to HB 43:

Amend HB 43 by adding at the end of subsection (4) of subsection (a) the following:

Any nonresident student who has completed at least 60 semester hours upon the effective date of this act may continue to enroll at the same institution at the same tuition rate as was effective at the time of his original enrollment until he has completed 120 semester hours if he executes a promissory note payable to the said institution for an amount equal to the difference between the tuition per semester prior to and after the effective date of this Act for six semesters. Said note shall be payable within 5 years from its execution.

The amendment was adopted without objection.

Mr. Cavness offered the following amendment to HB 43:

Amend HB 43 by striking out Section No. 2 thereof and renumbering the remaining section in proper numerical order.

The amendment was adopted without objection.

Mr. Tom Bass offered the following amendment to HB 43:

Amend HB 43 by adding the following subsection (13) to Section 1 on page 2. This new section will follow subsection (12).

"Within the terms of this Section foreign students will be exempt from nonresident regulations and be charged the same as resident students."

Mr. Harold Davis moved to table the above amendment.

A record vote was requested.

The motion to table the amendment by Mr. Tom Bass prevailed by the following vote:

Yeas—111

Adams	Atwood	Boyle	Cates
Agnich	Baker	Braecklein	Christian
Allen, John	Bass, B.	Braun	Clark
Allred	Blanton	Burgess	Clayton
Angly	Blythe	Bynum	Coats
Atwell	Bowers	Calhoun	Cobb

Cole	Heatly	Mengden	Sherman
Craddick	Hendricks	Moncrief	Short
Davis, D.	Hilliard	Moore, A.	Silber
Davis, H.	Holmes, T.	Moore, G.	Simmons
Doran	Howard	Nabers	Slack
Doyle	Hubenak	Nelms	Slider
Dramberger	Hull	Neugent, D.	Solomon
Earthman	Ingram	Newton	Spurlock
Finck	Johnson	Nugent, J.	Stewart
Finnell	Jones, D.	Ogg	Stroud
Finney	Jones, E.	Orr	Swanson
Floyd	Jones, G.	Parker, W.	Tarbox
Garcia	Jungmichel	Pickens	Traeger
Golman	Kilpatrick	Poerner	Uher
Hale	Kost	Poff	Von Dohlen
Hanna, Joe	Lee	Presnal	Ward
Hannah, John	Lemmon	Price	Wayne
Harding	Lewis	Rosson	Wieting
Hawkins	Lombardino	Salem	Williamson
Hawn	Lovell	Salter	Wolff
Haynes	McAlister	Schulle	Wyatt
Head	McKissack	Shannon	

Nays—36

Allen, Joe	Denton	Kubiak	Rodriguez
Bass, T.	Farenthold	Longoria	Sanchez
Beckham	Foreman	Moore, T.	Santiesteban
Bigham	Gammage	Moreno	Semos
Caldwell	Grant	Murray	Smith
Carrillo	Graves	Nichols	Truan
Cavness	Harris	Parker, C.	Tupper
Cruz	Holmes, Z.	Patterson	Vale
Daniel	Kaster	Reed	Williams

Absent**Ligarde****Absent-Excused****Niland**

A record vote was requested on passage of HB 43 to engrossment.

HB 43 was passed to engrossment by the following vote:

Yeas—128

Adams	Bass, B.	Burgess	Clayton
Agnich	Bass, T.	Bynum	Coats
Allen, John	Beckham	Calhoun	Cobb
Allred	Blanton	Carrillo	Cole
Angly	Blythe	Cates	Craddick
Atwell	Bowers	Cavness	Daniel
Atwood	Boyle	Christian	Davis, D.
Baker	Braecklein	Clark	Davis, H.

Denton	Holmes, T.	Moncrief	Sherman
Doran	Holmes, Z.	Moore, A.	Short
Doyle	Howard	Moore, G.	Silber
Dramberger	Hubenak	Nabers	Simmons
Earthman	Hull	Nelms	Slack
Finck	Ingram	Neugent, D.	Slider
Finnell	Johnson	Newton	Smith
Finney	Jones, D.	Nugent, J.	Solomon
Floyd	Jones, E.	Ogg	Spurlock
Foreman	Jones, G.	Orr	Stewart
Garcia	Jungmichel	Parker, C.	Stroud
Golman	Kaster	Parker, W.	Swanson
Grant	Kilpatrick	Pickens	Tarbox
Hale	Kost	Poerner	Traeger
Hanna, Joe	Kubiak	Poff	Truan
Hannah, John	Lee	Presnal	Uher
Harding	Lemmon	Reed	Von Dohlen
Hawkins	Lewis	Rosson	Ward
Hawn	Lombardino	Salem	Wayne
Haynes	Longoria	Salter	Wieting
Head	Lovell	Sanchez	Williams
Heatly	McAlister	Schulle	Williamson
Hendricks	McKissack	Semos	Wolff
Hilliard	Mengden	Shannon	Wyatt

Nays—19

Allen, Joe	Farenthold	Moore, T.	Rodriguez
Bigham	Gammage	Moreno	Santiesteban
Braun	Graves	Murray	Tupper
Caldwell	Harris	Nichols	Vale
Cruz	Ligarde	Patterson	

Absent**Price****Absent-Excused****Niland**

**MOTION TO PLACE
HB 43 ON THIRD READING**

Mr. Harold Davis moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 43 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—112

Adams	Angly	Blanton	Burgess
Agnich	Atwell	Blythe	Bynum
Allen, John	Baker	Boyle	Calhoun
Allred	Beckham	Braecklein	Carrillo

Cates	Hawkins	McKissack	Sherman
Cavness	Hawn	Mengden	Short
Christian	Haynes	Moncrief	Silber
Clayton	Head	Moore, A.	Simmons
Coats	Heatly	Moore, G.	Slack
Cobb	Hendricks	Nabers	Slider
Craddick	Hilliard	Nelms	Smith
Daniel	Holmes, T.	Neugent, D.	Solomon
Davis, D.	Holmes, Z.	Newton	Spurlock
Davis, H.	Howard	Ogg	Stewart
Denton	Hubenak	Orr	Stroud
Doran	Hull	Parker, C.	Swanson
Doyle	Ingram	Parker, W.	Tarbox
Dramberger	Johnson	Pickens	Traeger
Finnell	Jones, D.	Poerner	Truan
Finney	Jungmichel	Poff	Uher
Floyd	Kaster	Presnal	Von Dohlen
Foreman	Kilpatrick	Price	Ward
Garcia	Kost	Rosson	Wayne
Golman	Lemmon	Salem	Wieting
Grant	Lewis	Salter	Williams
Hale	Lombardino	Schulle	Williamson
Hanna, Joe	Lovell	Semos	Wolff
Harding	McAlister	Shannon	Wyatt

Nays—36

Allen, Joe	Cole	Jones, E.	Nichols
Atwood	Cruz	Jones, G.	Nugent, J.
Bass, B.	Earthman	Kubiak	Patterson
Bass, T.	Farenthold	Lee	Reed
Bigham	Finck	Ligarde	Rodriguez
Bowers	Gammage	Longoria	Sanchez
Braun	Graves	Moore, T.	Santiesteban
Caldwell	Hannah, John	Moreno	Tupper
Clark	Harris	Murray	Vale

Absent-Excused

Niland

LEAVE OF ABSENCE GRANTED

Mr. Williamson was granted leave of absence temporarily for today on account of important business on motion of Mr. Atwell.

SJR 5 ON SECOND READING
(Mr. Carrillo—House Sponsor)

The Speaker laid before the House on its second reading and passage to third reading,

SJR 5, Proposing an Amendment to Article III, Section 51-a, of the Texas Constitution, authorizing the Legislature to enact legislation and appropriate funds for assistance grants, medical care, and rehabilitation services for needy individuals and families.

The resolution was read second time.

Mr. Wieting offered the following committee amendment to the resolution:

Committee Amendment No. 1

Amend SJR 5 by striking all below the resolving clause and inserting in lieu thereof the following:

Section 1. That Article III of the Constitution of the State of Texas be amended by adding a new Section 51a-1, and the same is hereby amended so as to read as follows:

"Section 51a-1. The limitations and restrictions contained in Article III, Section 51-a of the Texas Constitution on the expenditure of state funds for public assistance purposes shall not apply to or restrict or limit the Legislature in providing state funds for the payment of assistance grants to recipients of old age assistance, aid to the blind, and aid to the permanently and totally disabled.

"All other provisions of Section 51-a, shall continue in full force and effect."

Section 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the expiration of 100 days from the date on which this resolution is filed with the Secretary of State, at which election the ballots shall be printed to provide for voting for or against the proposition: "The Constitutional Amendment removing the old age assistance, aid to the blind and aid to the permanently and totally disabled programs from the limitations and restrictions on the expenditure of State funds as provided in Section 51-a of Article III."

Mr. Truan offered the following amendment to Committee Amendment No. 1:

Amend Section 2 of Committee Amendment No. 1 to SJR 5 by substituting "May 18, 1971," for "the first Tuesday after the expiration of 100 days from the date on which this Resolution is filed with the Secretary of State."

The amendment was adopted without objection.

VOTE RECORDED

Mr. Blythe requested to be recorded as voting Nay on the amendment by Mr. Truan to Committee Amendment No. 1 to SJR 5.

Mr. Hull offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to SJR 5 by striking all below the resolving clause and substituting the following:

Section 1. That Article III, Section 51-a, of the Texas Constitution, be amended to read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medical care for, and for rehabilitation and any other services included in the federal laws as they now read or as they may hereafter be amended, providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

"(1) Needy aged persons who are citizens of the United States or noncitizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years;

"(2) Needy individuals who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

"(3) Needy blind persons;

"(4) Needy dependent children and the caretakers of such children.

"The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, in providing rehabilitation and any other services included in the federal laws making matching funds available to help such families and individuals attain or retain capability for independence or self-care, to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of state funds to or on behalf of any needy person shall not exceed the amount that is matchable out of federal funds; provided that the total amount of state funds paid for assistance grants for needy dependent children and the caretakers of the children shall not exceed Forty Million Dollars (\$40,000,000) during any fiscal year.

"Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however,

that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on May 18, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The Constitutional Amendment removing the limitation on the total state appropriations for assistance grants for the needy aged, the needy disabled, and the needy blind, and setting a limitation of \$40 million on total state appropriations during any fiscal year for assistance grants for needy dependent children and the caretakers of such children."

Mr. Truan moved to table the above amendment.

A record vote was requested.

The motion to table the amendment by Mr. Hull was lost by the following vote:

Yeas—65

Allen, Joe	Farenthold	Ligarde	Rodriguez
Allred	Finck	Lombardino	Salem
Bass, B.	Gammage	Longoria	Sanchez
Bass, T.	Garcia	Lovell	Santiesteban
Bigham	Graves	McAlister	Schulle
Boyle	Hale	Moore, T.	Silber
Braun	Hannah, John	Moreno	Simmons
Bynum	Harris	Nelms	Smith
Caldwell	Haynes	Neugent, D.	Stroud
Carrillo	Head	Nichols	Truan
Cavness	Heatly	Nugent, J.	Vale
Clark	Holmes, Z.	Parker, C.	Wieting
Coats	Hubenak	Patterson	Williams
Cruz	Johnson	Pickens	Wolff
Daniel	Kaster	Presnal	
Denton	Kost	Price	
Dramberger	Lemmon	Reed	

Nays—81

Adams	Blanton	Clayton	Earthman
Agnich	Blythe	Cobb	Finnell
Allen, John	Bowers	Cole	Finney
Angly	Braecklein	Craddick	Floyd
Atwell	Burgess	Davis, D.	Foreman
Atwood	Calhoun	Davis, H.	Golman
Baker	Cates	Doran	Grant
Beckham	Christian	Doyle	Hanna, Joe

Harding	Kilpatrick	Parker, W.	Stewart
Hawkins	Kubiak	Poerner	Swanson
Hawn	Lee	Poff	Tarbox
Hendricks	Lewis	Rosson	Traeger
Hilliard	McKissack	Salter	Tupper
Holmes, T.	Mengden	Semos	Uher
Howard	Moncrief	Shannon	Von Dohlen
Hull	Moore, A.	Sherman	Ward
Ingram	Moore, G.	Short	Wayne
Jones, D.	Nabers	Slack	Wyatt
Jones, E.	Newton	Slider	
Jones, G.	Ogg	Solomon	
Jungmichel	Orr	Spurlock	

Absent

Murray

Absent-Excused

Niland Williamson

Mrs. Farenthold offered the following substitute amendment for the Hull amendment:

Amend SJR 5 by striking all below the resolving clause and substituting the following:

Section 1. That Article III, Section 51-a, of the Texas Constitution, be amended to read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medical care for, and for rehabilitation and any other services included in the federal laws as they now read or as they may hereafter be amended, providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

"(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years;

"(2) Needy individuals who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

"(3) Needy blind persons;

"(4) Needy dependent children and the caretakers of such children.

"The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, in providing rehabilitation and any other services included in the federal laws making matching funds available to help such families and individuals attain or retain capability for independence or self-care, to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of the state funds to or in behalf of any needy person shall not exceed the amount that is matchable out of federal funds.

"Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on May 18, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The Constitutional Amendment removing the limitation on the total state appropriations during any fiscal year for assistance grants for the needy aged, the needy disabled, the needy blind, and for needy dependent children and the caretakers of such children."

Mr. Carrillo moved to table the above amendment.

A record vote was requested.

The motion to table the amendment by Mrs. Farenthold prevailed by the following vote:

Yeas—104

Adams	Baker	Boyle	Cavness
Agnich	Bass, B.	Braecklein	Christian
Allen, John	Beckham	Burgess	Clayton
Allred	Blanton	Calhoun	Coats
Angly	Blythe	Carrillo	Cobb
Atwell	Bowers	Cates	Cole

Craddick	Hendricks	Mengden	Salter
Daniel	Hilliard	Moncrief	Schulle
Davis, D.	Holmes, T.	Moore, A.	Semos
Davis, H.	Howard	Moore, G.	Sherman
Doran	Hubenak	Murray	Short
Doyle	Hull	Nabers	Slack
Dramberger	Ingram	Neugent, D.	Slider
Earthman	Jones, D.	Newton	Solomon
Finnell	Jones, E.	Nugent, J.	Spurlock
Finney	Jones, G.	Ogg	Stewart
Foreman	Jungmichel	Orr	Swanson
Golman	Kilpatrick	Parker, W.	Tarbox
Grant	Kost	Patterson	Traeger
Hale	Kubiak	Pickens	Tupper
Hanna, Joe	Lee	Poerner	Uher
Harding	Lemmon	Poff	Von Dohlen
Hawn	Lewis	Presnal	Ward
Haynes	Lovell	Price	Wayne
Head	McAlister	Rosson	Wieting
Heatly	McKissack	Salem	Wyatt

Nays—41

Allen, Joe	Floyd	Lombardino	Silber
Bass, T.	Gammage	Longoria	Simmons
Bigham	Garcia	Moore, T.	Smith
Braun	Graves	Moreno	Stroud
Bynum	Hannah, John	Nelms	Truan
Caldwell	Harris	Nichols	Vale
Clark	Hawkins	Parker, C.	Williams
Cruz	Holmes, Z.	Reed	Wolff
Denton	Johnson	Rodriguez	
Farenthold	Kaster	Sanchez	
Finck	Ligarde	Santiesteban	

Absent

Atwood Shannon

Absent-Excused

Niland Williamson

Mr. Traeger offered the following substitute amendment for the Hull amendment:

Amend Committee Amendment No. 1 to SJR 5 by striking all below the resolving clause and substituting the following:

Section 1. That Article III, Section 51-a, of the Texas Constitution, be amended to read as follows:

“Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medical care for, and for rehabilitation and any other services included in the federal laws as they now

read or as they may hereafter be amended, providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

“(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years;

“(2) Needy individuals who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

“(3) Needy blind persons;

“(4) Needy dependent children and the caretakers of such children.

“The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate.

“The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, in providing rehabilitation and any other services included in the federal laws making matching funds available to help such families and individuals attain or retain capability for independence or self-care, to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of state funds to or on behalf of any needy person shall not exceed the amount that is matchable out of federal funds; provided that the total amount of state funds paid for assistance grants for needy dependent children and the caretakers of the children shall not exceed Fifty Million Dollars (\$50,000,000) during any fiscal year.

“Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

“Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatso-

ever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on May 18, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The Constitutional Amendment removing the limitation on the total state appropriations for assistance grants for the needy aged, the needy disabled, and the needy blind, and setting a limitation of \$50 million on total state appropriations during any fiscal year for assistance grants for needy dependent children and the caretakers of such children."

Mr. Harris raised a point of order on further consideration of the amendment by Mr. Traeger on the grounds that it is in violation of Section 1 of Rule 20 of the House Rules in that a committee substitute for a bill or resolution cannot be amended.

The Speaker overruled the point of order.

Mr. Wieting moved to table the substitute amendment by Mr. Traeger.

A record vote was requested.

The motion to table the amendment by Mr. Traeger prevailed by the following vote:

Yeas—90

Agnich	Doyle	Jones, E.	Sanchez
Angly	Dramberger	Jungmichel	Santiesteban
Atwell	Earthman	Kaster	Schulle
Atwood	Finck	Kost	Shannon
Baker	Finnell	Kubiak	Sherman
Bass, B.	Foreman	Lee	Short
Beckham	Garcia	Lemmon	Silber
Blythe	Golman	Lewis	Simmons
Bowers	Hannah, John	Ligarde	Slack
Braecklein	Harding	Longoria	Slider
Caldwell	Hawn	McKissack	Smith
Calhoun	Haynes	Mengden	Solomon
Carrillo	Head	Moncrief	Spurlock
Cates	Heatly	Neugent, D.	Tarbox
Christian	Hendricks	Newton	Truan
Clark	Hilliard	Parker, C.	Tupper
Clayton	Holmes, T.	Parker, W.	Vale
Coats	Holmes, Z.	Patterson	Ward
Cobb	Howard	Pickens	Wayne
Craddick	Hubenak	Poerner	Wieting
Cruz	Hull	Poff	Wolff
Daniel	Johnson	Rosson	
Davis, D.	Jones, D.	Salem	

Nays—56

Adams	Allen, John	Bass, T.	Blanton
Allen, Joe	Allred	Bigham	Boyle

Braun	Grant	Moore, A.	Reed
Burgess	Graves	Moore, G.	Rodriguez
Bynum	Hale	Moore, T.	Salter
Cavness	Hanna, Joe	Moreno	Semos
Cole	Harris	Murray	Stewart
Davis, H.	Hawkins	Nabers	Stroud
Denton	Ingram	Nelms	Swanson
Doran	Jones, G.	Nichols	Traeger
Farenthold	Kilpatrick	Nugent, J.	Uher
Finney	Lombardino	Orr	Von Dohlen
Floyd	Loveil	Presnal	Williams
Gammage	McAlister	Price	Wyatt

Absent

Ogg

Absent-Excused

Niland Williamson

Question recurring on the adoption of the Hull amendment to Committee Amendment No. 1, a record vote was requested.

The Hull amendment failed of adoption by the following vote:

Yeas—58

Agnich	Craddick	Hull	Rosson
Allen, John	Davis, D.	Ingram	Semos
Angly	Doyle	Jones, D.	Shannon
Atwell	Earthman	Jones, E.	Sherman
Atwood	Finnell	Jungmichel	Short
Baker	Finney	Lee	Slack
Blanton	Foreman	Lewis	Slider
Blythe	Hanna, Joe	McKissack	Solomon
Bowers	Harding	Mengden	Spurlock
Braecklein	Hawkins	Moncrief	Tarbox
Burgess	Hawn	Nabers	Uher
Calhoun	Heatly	Newton	Ward
Christian	Hilliard	Parker, W.	Wayne
Clayton	Holmes, T.	Poerner	
Cobb	Howard	Poff	

Nays—88

Adams	Bynum	Daniel	Garcia
Allen, Joe	Caldwell	Davis, H.	Golman
Allred	Carrillo	Denton	Grant
Bass, B.	Cates	Doran	Graves
Bass, T.	Cavness	Dramberger	Hale
Beckham	Clark	Farenthold	Hannah, John
Bigham	Coats	Finck	Harris
Boyle	Cole	Floyd	Haynes
Braun	Cruz	Gammage	Head

Hendricks	Lovell	Patterson	Smith
Holmes, Z.	McAlister	Pickens	Stewart
Hubenak	Moore, A.	Presnal	Stroud
Johnson	Moore, T.	Price	Swanson
Jones, G.	Moreno	Reed	Traeger
Kaster	Murray	Rodriguez	Truan
Kilpatrick	Nelms	Salem	Tupper
Kost	Neugent, D.	Salter	Vale
Kubiak	Nichols	Sanchez	Von Dohlen
Lemmon	Nugent, J.	Santiesteban	Wieting
Ligarde	Ogg	Schulle	Williams
Lombardino	Orr	Silber	Wolff
Longoria	Parker, C.	Simmons	Wyatt

Absent

Moore, G.

Absent-Excused

Niland Williamson

Mr. Poff offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to SJR 5 by striking all below the resolving clause and substituting the following:

Section 1. That Article III, Section 51-a, of the Texas Constitution, be amended to read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medical care for, and for rehabilitation and any other services included in the federal laws as they now read or as they may hereafter be amended, providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

"(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years;

"(2) Needy individuals who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

"(3) Needy blind persons;

"(4) Needy dependent children and the caretakers of such children.

"The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate.

"The Legislature shall have authority to enact appropriate legislation

which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, in providing rehabilitation and any other services included in the federal laws making matching funds available to help such families and individuals attain or retain capability for independence or self-care, to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of state funds to or on behalf of any needy person shall not exceed the amount that is matchable out of federal funds; provided that the total amount of state funds paid for assistance grants for needy dependent children and the caretakers of the children shall not exceed Fifty-five Million Dollars (\$55,000,000) during any fiscal year.

"Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on May 18, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The Constitutional Amendment removing the limitation on the total state appropriations for assistance grants for the needy aged, the needy disabled, and the needy blind, and setting a limitation of \$55 million on total state appropriations during any fiscal year for assistance grants for needy dependent children and the caretakers of such children."

Representative Williamson entered the House and was announced present.

SJR 5—(Consideration continued)

Mr. Wieting moved to table the amendment by Mr. Poff.

A record vote was requested.

The motion to table the amendment by Mr. Poff was lost by the following vote:

Yeas—67

Allen, Joe	Farenthold	Lemmon	Salem
Allred	Finck	Ligarde	Sanchez
Bass, B.	Floyd	Lombardino	Santiesteban
Bass, T.	Gammage	Longoria	Schulle
Bigham	Golman	Lovell	Silber
Blanton	Graves	Moore, A.	Simmons
Braun	Hale	Moore, G.	Smith
Bynum	Hannah, John	Moore, T.	Stroud
Caldwell	Harris	Moreno	Truan
Carrillo	Haynes	Nelms	Tupper
Cates	Head	Neugent, D.	Vale
Clark	Holmes, Z.	Nichols	Von Dohlen
Coats	Hubenak	Parker, C.	Wieting
Cruz	Kaster	Patterson	Williams
Daniel	Kilpatrick	Pickens	Wolff
Denton	Kost	Reed	Wyatt
Dramberger	Kubiak	Rodriguez	

Nays—80

Adams	Davis, D.	Johnson	Presnal
Agnich	Davis, H.	Jones, D.	Price
Allen, John	Doran	Jones, E.	Rosson
Angly	Doyle	Jones, G.	Salter
Atwell	Earthman	Jungmichel	Semos
Atwood	Finnell	Lee	Shannon
Baker	Finney	Lewis	Sherman
Beckham	Foreman	McAlister	Short
Blythe	Garcia	McKissack	Slack
Bowers	Grant	Mengden	Slider
Boyle	Hanna, Joe	Moncrief	Solomon
Braecklein	Harding	Murray	Spurlock
Burgess	Hawkins	Nabers	Stewart
Calhoun	Hawn	Newton	Swanson
Cavness	Heatly	Nugent, J.	Tarbox
Christian	Hendricks	Ogg	Traeger
Clayton	Hilliard	Orr	Uher
Cobb	Holmes, T.	Parker, W.	Ward
Cole	Howard	Poerner	Wayne
Craddick	Hull	Poff	Williamson

Absent

Ingram

Absent-Excused

Niland

A record vote was requested on the amendment by Mr. Poff.

The amendment was adopted by the following vote:

Yeas—85

Adams	Craddick	Ingram	Rosson
Agnich	Davis, D.	Jones, D.	Salter
Allen, John	Davis, H.	Jones, E.	Semos
Angly	Doran	Jones, G.	Shannon
Atwell	Doyle	Jungmichel	Sherman
Atwood	Earthman	Lee	Short
Baker	Finnell	Lewis	Slack
Beckham	Finney	McAlister	Slider
Blanton	Foreman	McKissack	Solomon
Blythe	Garcia	Mengden	Spurlock
Bowers	Golman	Moncrief	Stewart
Boyle	Grant	Moore, A.	Swanson
Braecklein	Hanna, Joe	Murray	Tarbox
Burgess	Harding	Nabers	Traeger
Bynum	Hawkins	Newton	Uher
Calhoun	Hawn	Nugent, J.	Von Dohlen
Cates	Heatly	Orr	Ward
Cavness	Hendricks	Parker, W.	Wayne
Christian	Hilliard	Poerner	Williamson
Clayton	Holmes, T.	Poff	
Cobb	Howard	Presnal	
Cole	Hull	Price	

Nays—63

Allen, Joe	Floyd	Ligarde	Salem
Allred	Gammage	Lombardino	Sanchez
Bass, B.	Graves	Longoria	Santiesteban
Bass, T.	Hale	Lovell	Schulle
Bigham	Hannah, John	Moore, G.	Silber
Braun	Harris	Moore, T.	Simmons
Caldwell	Haynes	Moreno	Smith
Carrillo	Head	Nelms	Stroud
Clark	Holmes, Z.	Neugent, D.	Truan
Coats	Hubenak	Nichols	Tupper
Cruz	Johnson	Ogg	Vale
Daniel	Kaster	Parker, C.	Wieting
Denton	Kilpatrick	Patterson	Williams
Dramberger	Kost	Pickens	Wolff
Farenthold	Kubiak	Reed	Wyatt
Finck	Lemmon	Rodriguez	

Absent-Excused

Niland

A record vote was requested on adoption of Committee Amendment No. 1, as amended.

Committee Amendment No. 1, as amended, was adopted by the following vote:

Yeas—120

Adams	Agnich	Allen, Joe	Allen, John
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Angly	Finnell	Kost	Santiesteban
Atwell	Finney	Lemmon	Schulle
Atwood	Floyd	Lewis	Semos
Baker	Foreman	Ligarde	Shannon
Bass, T.	Garcia	Lombardino	Sherman
Beckham	Golman	Longoria	Short
Blanton	Grant	Lovell	Silber
Boyle	Graves	McAlister	Simmons
Braecklein	Hale	McKissack	Slack
Braun	Hanna, Joe	Moncrief	Slider
Burgess	Harding	Moore, A.	Smith
Bynum	Harris	Moore, G.	Solomon
Caldwell	Hawkins	Murray	Spurlock
Calhoun	Hawn	Nabers	Stewart
Cates	Haynes	Neugent, D.	Stroud
Cavness	Heatly	Nichols	Swanson
Christian	Hendricks	Nugent, J.	Tarbox
Coats	Hilliard	Ogg	Traeger
Cobb	Holmes, T.	Orr	Tupper
Cole	Holmes, Z.	Parker, C.	Uher
Cruz	Howard	Parker, W.	Vale
Daniel	Hubenak	Pickens	Von Dohlen
Davis, D.	Hull	Poff	Ward
Davis, H.	Ingram	Presnal	Wayne
Doran	Johnson	Price	Wieting
Doyle	Jones, D.	Reed	Williams
Dramberger	Jones, G.	Rodriguez	Williamson
Farenthold	Jungmichel	Rosson	Wolff
Finck	Kilpatrick	Sanchez	Wyatt

Nays—26

Allred	Craddick	Kaster	Newton
Bass, B.	Denton	Kubiak	Patterson
Bigham	Earthman	Lee	Poerner
Blythe	Gammage	Mengden	Salem
Bowers	Hannah, John	Moore, T.	Truan
Clark	Head	Moreno	
Clayton	Jones, E.	Nelms	

Absent

Carrillo Salter

Absent-Excused

Niland

Mr. Ward moved to reconsider the vote by which Committee Amendment No. 1, as amended, was adopted and to table the motion to reconsider.

The motion to table prevailed.

SJR 5, as amended, was passed by the following vote:

Yeas—117

Adams	Finnell	Lemmon	Santiesteban
Allen, John	Finney	Lewis	Schulle
Angly	Floyd	Ligarde	Semos
Atwell	Foreman	Lombardino	Shannon
Atwood	Garcia	Longoria	Sherman
Baker	Golman	Lovell	Short
Bass, T.	Grant	McAlister	Silber
Beckham	Graves	McKissack	Simmons
Blanton	Hale	Moncrief	Slack
Boyle	Hanna, Joe	Moore, A.	Slider
Braecklein	Harding	Moore, G.	Smith
Burgess	Hawkins	Moreno	Solomon
Bynum	Hawn	Murray	Spurlock
Caldwell	Haynes	Nabers	Stewart
Calhoun	Heatly	Nelms	Stroud
Carrillo	Hendricks	Neugent, D.	Swanson
Cates	Hilliard	Nugent, J.	Tarbox
Cavness	Holmes, T.	Ogg	Traeger
Christian	Holmes, Z.	Orr	Tupper
Clark	Howard	Parker, C.	Uher
Coats	Hubenak	Parker, W.	Vale
Cole	Hull	Pickens	Von Dohlen
Cruz	Ingram	Poff	Ward
Daniel	Johnson	Presnal	Wayne
Davis, D.	Jones, D.	Price	Wieting
Davis, H.	Jones, G.	Reed	Wolff
Doran	Jungnichel	Rodriguez	Wyatt
Doyle	Kaster	Rosson	
Dramberger	Kilpatrick	Salter	
Finck	Kost	Sanchez	

Nays—31

Agnich	Clayton	Harris	Nichols
Allen, Joe	Cobb	Head	Patterson
Allred	Craddick	Jones, E.	Poerner
Bass, B.	Denton	Kubiak	Salem
Bigham	Earthman	Lee	Truan
Blythe	Farenthold	Mengden	Williams
Bowers	Gammage	Moore, T.	Williamson
Braun	Hannah, John	Newton	

Absent-Excused

Niland

On motion of Mr. Carrillo, and by unanimous consent, the caption of SJR 5 was ordered amended to conform with the body of the resolution.

Mr. Wieting moved to reconsider the vote by which SJR 5 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE ON SJR 5

I voted against final passage of SJR 5 because by leaving restrictions on the category dealing with aid to families with dependent children we have left statutory material in the Constitution and secondly we have singled out for discrimination that group which is probably the most powerless and unprotected in our society—the unskilled woman and her children.

Signed: Frances Tarlton Farenthold

REASON FOR VOTE ON SJR 5
February 2, 1971

I voted against final passage of SJR 5 because of the incredibly low ceiling (\$55 million) on "Aid to Families with Dependent Children (AFDC)." Because of the projected increase in this particular category, I am fearful that another reduction in assistance to "AFDC" will be necessary due to shortage of funds caused by the Poff amendment (\$55 million).

Signed: Carlos F. Truan
District 45—Place 2

HB 343—PRINTING RULES SUSPENDED

Mr. Clayton moved to suspend all necessary printing rules on HB 343.

The motion prevailed without objection.

ADJOURNMENT

Mr. Sherman moved that the House adjourn until 10:30 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 4:18 p.m., adjourned until 10:30 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on resolutions, as follows:

Engrossed and Enrolled Bills: Correctly engrossed—HCR 18, HCR 19, HCR 21, HJR 21, HJR 19, HJR 18, HJR 7. Correctly enrolled—HCR 20.

House Administration: SCR 13.