

---

 APPENDIX
 

---

 BILLS TRANSMITTED TO GOVERNOR  
 UNDER ARTICLE 16, SECTION 59

HB 640 transmitted by the Chief Clerk to the Governor on February 19, 1971.

HB 647 transmitted by the Chief Clerk to the Governor on February 19, 1971.

## STANDING COMMITTEE REPORTS

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

Engrossed and Enrolled Bills: Correctly engrossed-HB 216, HB 229. Correctly Enrolled-HB 224, HCR 12, HCR 39, HCR 45.

Higher Education: HB 3, SB 21, SB 42.

State Affairs: HCR 33.

 SENT TO THE GOVERNOR  
 February 16, 1971

HCR 34

HB 213

February 22, 1971

HCR 12

HCR 39

HCR 45

---

 TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 23, 1971

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

(Mr. Golman occupied the Chair temporarily)

(Speaker in the Chair)

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

Mr. Speaker	Bass, T.	Caldwell	Cruz
Adams	Beckham	Calhoun	Daniel
Agnich	Bigham	Carrillo	Davis, D.
Allen, Joe	Blanton	Cavness	Davis, H.
Allen, John	Blythe	Christian	Denton
Allred	Bowers	Clark	Doran
Angly	Boyle	Clayton	Doyle
Atwell	Braecklein	Coats	Dramberger
Atwood	Braun	Cobb	Earthman
Baker	Burgess	Cole	Finck
Bass, B.	Bynum	Craddick	Finnell

Finney	Jones, D.	Nelms	Sherman
Floyd	Jones, E.	Neugent, D.	Short
Foreman	Jones, G.	Newton	Silber
Gammage	Jungmichel	Nichols	Simmons
Garcia	Kaster	Nugent, J.	Slider
Golman	Kilpatrick	Ogg	Solomon
Grant	Kubiak	Orr	Spurlock
Graves	Lee	Parker, C.	Stewart
Hale	Lemmon	Parker, W.	Stroud
Hanna, Joe	Lewis	Patterson	Swanson
Hannah, John	Ligarde	Pickens	Tarbox
Harris	Lombardino	Poerner	Traeger
Hawkins	Longoria	Poff	Truan
Hawn	Lovell	Presnal	Tupper
Haynes	McAlister	Price	Uher
Head	McKissack	Reed	Vale
Heatly	Mengden	Rosson	Von Dohlen
Hilliard	Moncrief	Salem	Ward
Holmes, T.	Moore, A.	Salter	Wayne
Holmes, Z.	Moore, G.	Sanchez	Wieting
Howard	Moore, T.	Santiesteban	Williams
Hubenak	Moreno	Schulle	Williamson
Hull	Murray	Semos	Wolff
Ingram	Nabers	Shannon	Wyatt
Absent			
Farenthold	Johnson	Rodriguez	Smith
Hendricks			
Absent-Excused			
Cates	Kost	Niland	Slack
Harding			

A quorum of the House was announced present.

The Invocation was offered by the Reverend Charles H. Born, Pastor of University Lutheran Church-Missouri Synod, Austin, Texas, as follows:

Lord God, Heavenly Father, You have designed us so that we are restless until we find our rest in You! Deliver us from our restless selfseeking and guide us by Your Word and Spirit so that we may find perfect rest in communion with You.

You have created us to love people and use things, but we have frustrated Your Will and subverted Your purpose by using people and loving things and thus bringing pollution to Your creation and destroying all our human relationships. Forgive us our failures to be responsibly human and help this Body to design legislation that will use Your gifts in the common good.

Tomorrow the eyes of the world will turn once again to a little garden outside Jerusalem where we will see in memory the Suffering Saviour crushed by our burden but strengthened so that He might say, "Your Will be done!" May we find strength in Him to also say, "Your Will be done!" so that righteousness, justice and peace might prevail in this State, our nation and our world. Hear our prayer, in the Name of Him who loved us and gave Himself for us, even Jesus Christ, our Lord. Amen.

LEAVES OF ABSENCE GRANTED

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

Mr. Kost on motion of Mr. Simmons.

Mr. Slack on motion of Mr. Hull.

On motion of Mr. Tom Holmes, Mr. Harding was granted leave of absence for today on account of illness.

On motion of Mr. Bynum, Mr. Cates was granted leave of absence for today on account of inclement weather.

MESSAGE FROM THE SENATE

Austin, Texas, February 23, 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:

HB 229, By Lovell: Relating to the assessment, equalization and collection of taxes by the Lovelady Independent School District; and declaring an emergency.

SB 38, By McKool: Providing that informal marriage of certain underage persons without parental consent is voidable and requiring written consent of parents; and declaring an emergency.

SB 27, By Brooks, et al: Relating to immunization of persons attending elementary or secondary schools; and declaring an emergency.

SB 367, By Harrington: Renaming Lamar State College of Technology as Lamar University; and declaring an emergency.

SCR 30, By Jordan: Authorizing Texas Legislative Council to enter into interagency contracts with State Commission for the Blind in fulfilling federal requirements for continuing statewide studies.

SB 128, By Mauzy: Authorizing the Board of Regents of the University of Texas System to acquire by purchase, etc., certain properties to be used for campus expansion and university purposes in the University of Texas System; and declaring an emergency.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 228 by 30 Yeas, 0 Nays.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

RESOLUTIONS SIGNED BY THE SPEAKER

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

SCR 11, Providing for a Committee to Appoint a Poet Laureate of the State of Texas.

SCR 28, Making certain correction in SB 228.

#### MEMORIAL RESOLUTIONS ADOPTED

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

HSR 133, by H. Davis: In memory of Walter Williams.

HSR 136, by Harding: In memory of Bernard P. Taylor.

HSR 140, by Bigham: In memory of James Orvie Wiggington.

#### CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 134, by H. Davis: Commending Mr. Omar Barker.

HSR 141, by Kilpatrick: Commending Miss Brenda Montgomery.

#### SENATE BILLS ON FIRST READING

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

SB 49 to the Committee on Counties.

SB 50 to the Committee on Counties.

SB 67 to the Committee on Governmental Affairs and Efficiency.

#### HCR 53—REFERRED TO COMMITTEE

(Memorializing Congress to take appropriate action to protect certain hospitals and prevent their loss of Medicare certification)

Mr. Von Dohlen offered the following resolution:

#### HCR 53

Whereas, Rules and regulations recently promulgated by the United States Department of Health, Education and Welfare have placed an almost impossible burden of compliance upon many of the so-called "Access Hospitals" of Texas; and

Whereas, Under these rules and regulations, a registered professional nurse must be on duty at all times in these hospitals and the nationwide shortage of professional nursing personnel makes it virtually impossible for them to employ an around-the-clock professional staff; and

Whereas, Also required is strict enforcement of fire safety features, including the installation of fire sprinkling systems; the tight money market, along with the limited number of firms specializing in such work, makes compliance extremely difficult; and

Whereas, Further, the rules and regulations called for autopsy performance in 20 percent of all deaths which occur at these hospitals, where the majority of deaths are from geriatric causes and the immediate survivors object to the performance of autopsies upon the deceased; and

Whereas, The rules and regulations dealing with Utilization Review Committees require such reviews to be made by physicians who have no financial interest, either direct or indirect, in these hospitals and impose not only a financial burden on the hospitals but result in a reviewing board composed of persons unfamiliar with the operational procedures of these hospitals; and

Whereas, Noncompliance with these rules and regulations could lead to loss of certification under the Medicare Program for access hospitals, which are generally located in the more remote rural areas of Texas and provide their communities with an immediate and vital public health service; and

Whereas, Should Medicare certification be forfeited, it would force most of these hospitals to close their doors, thereby resulting in the loss of public health service and, often, the loss of the community's doctor or doctors, who move to new locations where hospital services are available; and

Whereas, Such losses would be a crippling blow to the over-all general health and welfare in Texas; 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 congratulate the 91st Congress of the United States for its passage of H.R. 19470, which permits discretion on the part of the Secretary of the Department of Health, Education and Welfare to determine, under certain circumstances, whether a registered professional nurse must be required around-the-clock in these particular "access hospitals"; and, be it further

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 take whatever action it deems appropriate and practical, under the geographical circumstances, to protect those hospitals which are acting in good faith in attempting to comply with all of the rules and regulations of the Department of Health, Education and Welfare and to prevent their loss of Medicare certification in the interest of public health; and, be it further

Resolved by the House of Representatives of the State of Texas, the Senate concurring, 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 the Department of Health, Education and Welfare to adopt a program of latitude in the strict enforcement of the above mentioned rules and regulations in those cases of good faith attempts for compliance; 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: Von Dohlen, Jungmichel, Traeger, Bynum, Kubiak, Garcia, D. Neugent, Uher, Poerner, Schulle, Newton, and Wyatt.

The resolution was referred to the Committee on Public Health.

HCR 54—REFERRED TO COMMITTEE

(Granting T. J. Bailey and wife permission to sue the state)

Mr. Ingram offered the following resolution:

HCR 54

Whereas, T. J. Bailey and wife, Ronda Bailey, allege that they own certain tracts of land consisting of 230 acres, located and situated in the L. B. Henderson and Wm. Dodson HR Surveys in Wood County, Texas, such land lying on both sides of State Farm to Market Road No. 2869; and

Whereas, It is alleged that T. J. Bailey and wife, Ronda Bailey, constructed on this property a spring-fed, freshwater lake, dam, and spillway and other improvements at great costs and expense; and

Whereas, It is alleged that the State of Texas and the Highway Department of the State of Texas laid out and constructed Farm to Market Road No. 2869 and that the Highway Department and the State of Texas employed contractors and other employees and representatives to construct said highway with full knowledge that in removing the natural grass and shrubbery and in plowing up the natural surface of the land for the construction of said road, that unless proper engineering steps were taken to protect the Bailey property, that in the event of rain, sand, clay, silt and other foreign matter would be washed upon the residue of the Bailey land, therefore causing great and irreparable damage to same, and that if the cut made in the construction of said road was made at the depth called for in the contract, that it would likely drain the above mentioned lake by reason of its proximity to the proposed road, therefore effectively destroying said land, and that the said T. J. Bailey and wife, Ronda Bailey, warned the Highway Department of the State of Texas, their contractor, representatives and employees before said damage occurred and sought protection; and

Whereas, It is plain that the State of Texas and the Highway Department of the State of Texas, their representatives and employees ignored said warning plea, proceeded with said work as called for in the contract, and in the months of April and May, 1970, heavy rains occurred at the location of the Bailey farm and as a result thereof, thousands of cubic yards of sand and silt and other foreign matter were deposited onto the Bailey lands and to such an extent that a four-strand barbed wire fence across a portion of the Bailey land was completely covered and the lake hereinabove mentioned was silted and after the completion of the road in question, the lake was practically drained because the cut for the road was at a greater depth than the bottom of the Bailey lake, thus practically draining it; and

Whereas, The said T. J. Bailey and wife, Ronda Bailey, represent that they have suffered substantial damage to their property by virtue of the trespass and negligence of the State of Texas and the Highway Department of the State of Texas, their contractors, representatives, and employees, and

that neither of them has been compensated therefor, they, however, having been compensated for the value of the land actually taken, but the damages herein complained of not being in the contemplation of the parties; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That T. J. Bailey and wife, Ronda Bailey, are hereby granted permission to bring suit against the State of Texas and the Highway Department of the State of Texas, within two years from the adoption of this Resolution, in a court of competent jurisdiction in Wood County, Texas, in order to determine what damages, compensation, or other relief, if any, they are entitled to receive.

Service of citation or any other necessary process may be had upon the Chairman of the Highway Department of the State of Texas and the Attorney General of Texas. The case shall be tried as provided by law for other civil cases, and either of the parties shall have the right of appeal; and, be it further

Resolved, That it is understood that the purpose of this Resolution is merely to grant permission to bring suit, and nothing herein shall be construed as an admission of liability on the part of the State of Texas or the Highway Department of the State of Texas, or of the truth of the allegations set out herein; and, be it further

Resolved, That nothing in this Resolution may be construed as a waiver of any defense, of law or fact, available to the state or to any of its departments, agencies, or political subdivisions; and every defense is specifically reserved.

The resolution was referred to the Committee on Judiciary.

#### HSR 129—REFERRED TO COMMITTEE

(Petitioning Members of the Texas Delegation in Congress to consider making federal funds available for the care and treatment of persons with kidney disorders)

Mr. Braun offered the following resolution:

#### HSR 129

Whereas, There is a great need in the State of Texas for funds to be used in the care and treatment of persons suffering from kidney disorders, particularly those with diseases requiring the use of artificial kidney and other highly expensive machines which are beyond the reach of financing by the patient or his family; and

Whereas, News media have frequently called the attention of the concerned public to the urgent need of charitable funds to provide treatment for specific patients, the most recent being Talia Carroll, a 14-year-old girl from Brownsville, Texas, who has lost the use of her kidneys because of terminal kidney disease; and

Whereas, This young girl's life is dependent on three weekly, six-hour treatments with an artificial kidney machine which replaces the blood-cleansing functions of her own kidneys and prevents death that would otherwise result from uremic poisoning and congestive heart failure; and

Whereas, Members of Alpha Epsilon Pi, The University of Texas at Austin, initiated a successful drive for funds to make possible the purchase of an artificial kidney unit for Talia's use when she left Brackenridge Hospital in Austin, thus freeing the hospital's one unit for the use of other patients suffering the same ailment; and

Whereas, Talia Carroll was fortunate, as four people died in Austin last year because an artificial kidney unit was not available to them; but crisis collections will not always be successful and the element of time in the patient's life makes it imperative that there be instituted an organized program to give immediate help to those afflicted with serious kidney disease; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature of the State of Texas hereby petition Members of the Texas Delegation in the Congress of the United States to give serious consideration to and to use their efforts toward making federal funds available to provide artificial kidneys, other kidney machines, hospitalization, and medical care for indigent patients and those other patients who cannot afford the high costs of treatment and care required if their lives are to be saved; and, be it further

Resolved, That official copies of this Resolution be prepared under the Seal of the House of Representatives of the State of Texas and transmitted to Members of the Senate and the House of Representatives of the United States Congress from the State of Texas.

The resolution was referred to the Committee on Public Health.

#### HSR 138—REFERRED TO COMMITTEE

(Creating an interim committee on degree plans)

Mr. Uher offered the following resolution:

#### HSR 138

Whereas, The increasing number of students attending our state's colleges and universities in recent years has placed great stress upon our institutions of higher education and upon the state budget which must underwrite the cost of educational programs and activities; and

Whereas, A restructuring or "streamlining" of the basic college degree programs might allow for acceleration of the learning process and for fuller use of existing educational facilities; and

Whereas, It is important that the State of Texas explore possible new solutions for meeting the present educational needs of its citizens and for insuring the continued improvement of educational facilities and programs to meet the increased needs of future generations; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature hereby create an interim study committee on degree plans in Texas; this committee shall study the feasibility and desirability of restructuring the basic college degree to allow for graduation with a bachelor's degree in three years. Specifically, the study shall include the feasibility of (1) consolidating basic courses into more general subjects of the same field which might be

completed in only one semester, (2) revamping curriculum so that the student could initiate study in his major beginning with the second semester of the freshman year, (3) reducing the number of hours needed for a basic degree to 100 hours, (4) adjusting tuition costs for all degrees, basic and graduate, to reflect the shortened degree period; the committee shall also study the effect of a three-year degree program upon specialty degrees, such as law, medicine, engineering, and others; and, be it further

Resolved, That the Speaker of the House shall appoint five Members of the House of Representatives and five lay members, chosen from the ranks of college and university leaders, to serve on the special interim study committee; and, be it further

Resolved, That the actual expenses of both legislative and citizen members and other necessary expenses of operation of the committee shall be paid from the Expense Fund of the House of Representatives; the committee members 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 items must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes 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 RESOLUTIONS

The following Mascot resolutions were referred to the Committee on House Administration:

HSR 135, by D. Davis: To name Susan Katherine Bynum Mascot of the House.

HSR 137, by D. Jones: To name Robin Elise Short Mascot of the House.

HSR 139, by Shannon: To name Mitchell Key (Mitch) Moncrief 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 Adams:

HJR 37, A Joint Resolution proposing an Amendment to Article I, Con-

stitution of the State of Texas, to permit courts of record to determine mental competency of persons to stand trial in criminal actions.

By Cobb:

HJR 38, A Joint Resolution proposing an Amendment to Article I, Section 10, of the Texas Constitution, to provide for waiver of grand jury indictment by a person accused of a felony.

#### 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 Hendricks:

HB 626, A bill to be entitled An Act validating the incorporation of all cities and towns of 5,000 inhabitants or less, heretofore incorporated or attempted to be incorporated under the General Laws of Texas; validating the boundary lines thereof; validating governmental proceedings; providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Ogg:

HB 627, A bill to be entitled An Act requiring the licensing, inspection and regulation of medical care facilities; providing for certificates of need; providing for regulations, enforcement procedures and penalties for the violation thereof; repealing acts inconsistent therewith; providing for a severability clause; and declaring an emergency.

Referred to Committee on State Affairs.

By Wayne, Uher, Johnson, and Blythe:

HB 628, A bill to be entitled An Act abolishing the office of county superintendent in all counties which have no common school districts; and declaring an emergency.

Referred to Committee on Counties.

By Calhoun:

HB 629, A bill to be entitled An Act relating to conforming certain definitions and administrative provisions of the Certificate of Title Act to the Business and Commerce Code; amending Sections 3, 5, 6, 33, 35, 41 and 42, adding Section 65, and repealing Sections 43, 44, 45, and 46, Certificate of Title Act (Article 1436-1, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Judiciary.

By Harding:

HB 630, A bill to be entitled An Act relating to making the inheritance tax applicable to certain property held in joint tenancy with right of survivorship; providing certain presumptions; amending Chapter 14, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, by adding an Article 14.011; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Sanchez and Swanson:

HB 631, A bill to be entitled An Act authorizing the importation into this state of not more than 10 containers of distilled spirits containing not more than two ounces each for use and consumption and not for resale; authorizing the issuance of tax stamps for these containers of distilled spirits; providing a minimum tax of five cents for containers of distilled spirits; amending Subsection (15) of Section 17, Section 21, and Section 21a, Article I, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Liquor Regulation.

By Christian, Agnich, and Bynum:

HB 632, A bill to be entitled An Act declaring legislative findings and intent with regard to wildlife and fishery resources; amending various licensing laws to increase fees and delete exemptions; removing one obsolete license for nonresident hunters; providing a new license for special archery season and a penalty for violation; providing an effective date for license fees; and declaring an emergency.

Referred to Committee on Appropriations.

By Caldwell:

HB 633, A bill to be entitled An Act relating to the creation, establishment, administration, maintenance, operation, powers, and duties of the Brazoria County Drainage District Number Three in Brazoria County; repealing Chapter 307, Acts of the 61st Legislature, Regular Session, 1969 (Article 8280-476, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Cruz, McAlister, Lombardino, Nelms, Williams, Longoria, T. Bass, Ogg, Vale, Kaster, Coats, Joe Allen, Gammage, Kubiak, Sanchez, Carrillo, Moreno, and Truan:

HB 634, A bill to be entitled An Act providing for the regulation by the State Department of Health of certain commercial transactions involving hazardous substances; providing a penalty for violations; and declaring an emergency.

Referred to Committee on Public Health.

By A. Moore:

HB 635, A bill to be entitled An Act relating to additional classes of counties that are to use jury wheels in selecting jurors; amending Article 2094, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Judiciary.

By A. Moore:

HB 636, A bill to be entitled An Act relating to the exemption from insurance laws of reciprocal or inter-insurance exchanges; amending Article 19.12, Texas Insurance Code, as amended; and declaring an emergency.

Referred to Committee on Insurance.

By Harding:

HB 637, A bill to be entitled An Act relating to exempting from the franchise tax certain corporations providing homes for certain elderly people; amending Article 12.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Harding:

HB 638, A bill to be entitled An Act relating to amending the inheritance tax law to change the time for the presumption that a gift is made in contemplation of death, to allow valuation of certain divided estates in the same manner as for federal estate tax purposes, to provide for a 10-year graduated deduction for certain property in the gross estate, to allow certain United States obligations to be valued at par value, to change certain valuation dates, to provide a single due date for a preliminary report, to require the county clerk to submit certain documents to the Comptroller, to provide a due date for the payment of the tax, to impose certain penalties for late payment, and making certain other conforming amendments; amending Article 14.01, Article 14.08, Article 14.10, Sections (A) and (B) of Article 14.11, Sections (A), (B), and (C) of Article 14.14, Section (A) of Article 14.16, and Article 14.17, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; providing for severability; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Atwood:

HB 639, A bill to be entitled An Act relating to temporary permits for certain commercial motor vehicles; amending Sections 1 and 2, Chapter 517, Acts of the 58th Legislature, 1963 (Article 6675a-6c, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Motor Transportation.

By Williams:

HB 640, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Cypress Forest Public Utility District"; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated and to situations where necessary to carry out the purposes for which District was created; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Finney and T. Bass:

HB 641, A bill to be entitled An Act relating to state government; setting forth the purpose of the Act; defining terms; creating the office of ombudsman; providing powers, duties, privileges, procedures, and

qualifications; making certain acts unlawful; providing a penalty; providing that the provisions of the Act are cumulative of any other law or procedure; and declaring an emergency.

Referred to Committee on State Affairs.

By Haynes:

HB 642, A bill to be entitled An Act relating to the annual salaries of assistants to the county school superintendent in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Cavness:

HB 643, A bill to be entitled An Act relating to the State Board of Dental Examiners and the practice of dentistry and dental hygiene in this state; providing that certain acts relating to prescribing and use of drugs are unlawful and subject to penalties; amending Article 4543, Subsection (1) and (2) of Article 4550a, and Article 4551, Revised Civil Statutes of Texas, 1925, as amended; amending Section 6, Chapter 475, Acts of the 52nd Legislature, Regular Session, 1951 (Article 4551e, Vernon's Texas Civil Statutes); amending Chapter 7, Title 12, Penal Code of Texas, 1925, as amended, by adding new Articles 751b and 751c; repealing all laws in conflict; providing for severability; and declaring an emergency.

Referred to Committee on Public Health.

By Cavness:

HB 644, A bill to be entitled An Act relating to the rule making authority of the State Board of Dental Examiners; providing for the licensing of dental laboratories in this state; providing penalties; amending Articles 4551d and 4551f, Revised Civil Statutes of Texas, 1925; repealing all laws in conflict; providing for severability; and declaring an emergency.

Referred to Committee on Public Health.

By Wayne:

HB 645, A bill to be entitled An Act relating to abolishing the office of county superintendent of schools in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Traeger:

HB 646, A bill to be entitled An Act authorizing cooperation and contracts among political subdivisions of this State; declaring legislative purpose and intent, setting forth the purposes for which contracts can be made and the terms and conditions applying to such contracts; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Slider:

HB 647, A bill to be entitled An Act relating to the powers and duties of the Titus County Fresh Water Supply District No. 1 and authorizing an increase in the assessor and collector's fee; amending Sections 4 and 5, Chapter 221, Acts of the 60th Legislature, Regular Session, 1967; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

HB 648 was not read first time today.

By Joe Allen:

HB 649, A bill to be entitled An Act authorizing any public free school district of this state to conduct and supervise special education classes for the deaf; providing for the eligibility of students; and providing the manner of financing; and declaring an emergency.

Referred to Committee on Appropriations.

By Graves:

HB 650, A bill to be entitled An Act relating to the classification of certain drugs as dangerous drugs and narcotic drugs; amending Section 1 and Subdivision (5) of Section 9, Uniform Narcotic Drug Act, as amended (Article 725b, Vernon's Texas Penal Code); amending Subsections (a) and (b) of Section 2, and Sections 3, 9, 13, and 15, of Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

---

Representatives Smith and Hendricks entered the House and were announced present.

---

**BILL SIGNED BY THE SPEAKER**

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

HB 224, Concerning registration and registration fees for certain truck tractors or commercial motor vehicles and semitrailers.

**HB 216—VOTE RECONSIDERED**

Mr. Cavness moved to suspend all necessary rules and to reconsider the vote by which HB 216 was passed on yesterday.

The motion prevailed without objection.

The Speaker laid before the House on its passage,

HB 216, Creating a Texas Surplus Property Agency.

Representatives Rodriguez and Johnson entered the House and were announced present.

HB 216—(Consideration continued)

HB 216 was passed by the following vote:

Yeas—138

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

Nays—2

Blythe Mengden

Absent

Bigham Farenthold Graves Ligarde

**Absent-Excused**

Cates                      Kost                      Niland                      Slack  
Harding

Mr. Cavness moved to reconsider the vote by which HB 216 was passed and to table the motion to reconsider.

**The motion to table prevailed.**

**SCR 18—ADOPTED  
(Mr. Atwell—House Sponsor)**

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

SCR 18, Naming a committee to appoint an outstanding artist to be Texas State Artist.

The resolution was adopted.

Mr. Atwell moved to reconsider the vote by which SCR 18 was adopted and to table the motion to reconsider.

**The motion to table prevailed.**

**HB 381 ON THIRD READING**

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

**HB 381, Removing the American bison or buffalo from the definition of a game animal.**

The bill was read third time and was passed.

Mr. Schulle moved to reconsider the vote by which HB 381 was passed and to table the motion to reconsider.

**The motion to table prevailed.**

**VOTES RECORDED**

Mr. Kubiak and Mr. Ogg requested to be recorded as voting Nay on the passage of HB 381.

**HB 382 ON THIRD READING**

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

**HB 382, Repealing Article 978h, Penal Code, declaring buffalo to be game animals.**

The bill was read third time and was passed.

Mr. Schulle moved to reconsider the vote by which HB 382 was passed and to table the motion to reconsider.

**The motion to table prevailed.**

## VOTES RECORDED

Mr. Kubiak and Mr. Ogg requested to be recorded as voting Nay on the passage of HB 382.

## HB 377 ON THIRD READING

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

HB 377, Prohibiting hunting from any type of aircraft and authorizing hunting from an automobile on private property.

The bill was read third time.

Mr. Jim Nugent offered the following amendment to HB 377:

Amend HB 377 by adding on line 51, Second Printing, behind the word "property" the following:

"by any person who is legally on the property for the purpose of hunting."

The amendment was adopted without objection.

HB 377, as amended, was passed by the following vote:

## Yeas—136

Adams	Craddick	Howard	Neugent, D.
Agnich	Cruz	Hubenak	Newton
Allen, John	Daniel	Hull	Nichols
Angly	Davis, D.	Ingram	Nugent, J.
Atwell	Davis, H.	Johnson	Ogg
Atwood	Doran	Jones, D.	Orr
Baker	Dramberger	Jones, E.	Parker, C.
Bass, B.	Earthman	Jones, G.	Parker, W.
Bass, T.	Finck	Jungmichel	Patterson
Beckham	Finnell	Kaster	Pickens
Bigham	Finney	Kilpatrick	Poerner
Blanton	Floyd	Kubiak	Poff
Blythe	Foreman	Lee	Presnal
Bowers	Garcia	Lemmon	Price
Boyle	Golman	Lewis	Reed
Braecklein	Grant	Ligarde	Rodriguez
Braun	Graves	Lombardino	Rosson
Burgess	Hale	Longoria	Salem
Bynum	Hanna, Joe	Lovell	Salter
Caldwell	Hannah, John	McAlister	Sanchez
Calhoun	Harris	McKissack	Santiesteban
Carrillo	Hawkins	Moncrief	Schulle
Cavness	Hawn	Moore, A.	Semos
Christian	Haynes	Moore, G.	Shannon
Clark	Head	Moore, T.	Sherman
Clayton	Hendricks	Moreno	Short
Coats	Hilliard	Murray	Silber
Cobb	Holmes, T.	Nabers	Simmons
Cole	Holmes, Z.	Nelms	Slider

Smith	Swanson	Uher	Wieting
Solomon	Tarbox	Vale	Williams
Spurlock	Traeger	Von Dohlen	Williamson
Stewart	Truan	Ward	Wolff
Stroud	Tupper	Wayne	Wyatt

Nays—3

Allen, Joe	Allred	Gammage
------------	--------	---------

Present—Not Voting

Doyle

Absent

Denton	Farenthold	Heatly	Mengden
--------	------------	--------	---------

Absent-Excused

Cates	Kost	Niland	Slack
Harding			

Mr. Floyd moved to reconsider the vote by which HB 377 was passed and to table the motion to reconsider.

The motion to table prevailed.

**BILL SIGNED BY THE SPEAKER**

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

SB 228, Creating the San Augustine City-County Hospital District.

**LEAVE OF ABSENCE GRANTED**

On motion of Mr. John Hannah, Mr. Adams was granted leave of absence for the remainder of today on account of important business.

**HB 146 ON THIRD READING**

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

HB 146, Stipulating computation method for consumption of liquefied gas and taxes due.

The bill was read third time and was passed by the following vote:

Yeas—137

Agnich	Baker	Blythe	Bynum
Allen, John	Bass, B.	Bowers	Caldwell
Allred	Bass, T.	Boyle	Calhoun
Angly	Beckham	Braecklein	Carrillo
Atwell	Bigham	Braun	Cavness
Atwood	Blanton	Burgess	Christian

Clark	Hawn	Moore, A.	Shannon
Clayton	Head	Moore, G.	Sherman
Coats	Heatly	Moore, T.	Short
Cobb	Hendricks	Moreno	Silber
Cole	Hilliard	Murray	Simmons
Craddick	Holmes, T.	Nabers	Slider
Cruz	Holmes, Z.	Nelms	Smith
Daniel	Howard	Neugent, D.	Solomon
Davis, D.	Hubenak	Newton	Spurlock
Davis, H.	Hull	Nichols	Stewart
Denton	Johnson	Nugent, J.	Stroud
Doran	Jones, D.	Ogg	Swanson
Doyle	Jones, E.	Orr	Tarbox
Dramberger	Jones, G.	Parker, C.	Traeger
Earthman	Jungmichel	Parker, W.	Truan
Finck	Kaster	Patterson	Tupper
Finnell	Kilpatrick	Pickens	Uher
Finney	Kubiak	Poerner	Vale
Floyd	Lee	Poff	Von Dohlen
Foreman	Lemmon	Presnal	Ward
Gammage	Lewis	Price	Wayne
Garcia	Ligarde	Reed	Wieting
Grant	Lombardino	Rosson	Williams
Graves	Longoria	Salem	Williamson
Hale	Lovell	Salter	Wolff
Hanna, Joe	McAlister	Sanchez	Wyatt
Hannah, John	McKissack	Santiesteban	
Harris	Mengden	Schulle	
Hawkins	Moncrief	Semos	

## Nays—2

Allen, Joe            Rodriguez

## Absent

Farenthold            Golman            Ingram

## Absent-Excused

Adams            Harding            Kost            Slack  
Cates            Haynes            Niland

Mr. Aubry Moore moved to reconsider the vote by which HB 146 was passed and to table the motion to reconsider.

The motion to table prevailed.

## HB 198 ON SECOND READING

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

HB 198, A bill to be entitled An Act amending Section 7, Article 8306, Revised Civil Statutes of Texas, 1925, as amended, relating to the right of an injured employee entitled to medical aid and treatment under the provisions of the workmen's compensation law to select a licensed physician or licensed chiropractor of his own choice; and declaring an emergency.

The bill was read second time.

Mr. Daniel offered the following committee amendment to HB 198:

**Committee Amendment No. 1**

Amend HB 198 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Sec. 7, Art. 8306, Revised Civil Statutes of Texas, 1925, as last amended by Sec. 1, Ch. 397, Acts of the 55th Leg., Reg. Session, 1957, is amended to read as follows:

"Sec. 7.

(a) The association shall furnish such medical aid, hospital services, nursing, chiropractic services, and medicines as may reasonably be required at the time of the injury and at any time thereafter to cure and relieve from the effects naturally resulting from the injury. Such treatment shall include treatments necessary to physical rehabilitation, including proper fitting and training in the use of prosthetic appliances, for such period as the nature of the injury may require or as necessary to reasonably restore the employee to his normal level of physical capacity or as necessary to give reasonable relief from pain, but shall not include any other phase of vocational rehabilitation. The obligation of the association to provide hospital services as herein provided shall not be held to include any obligation on the part of the association to pay for medical, nursing or surgical services not ordinarily provided by hospitals as a part of their services.

(b) The employee shall have the right to choose an attending physician or chiropractor from a panel of physicians and chiropractors to be named by the association subject to the provisions of subsection (c) of this section. If, due to the nature of the injury, the employee is unable to select his physician or chiropractor from a panel and the nature of the injury requires immediate medical treatment and care, the association shall select a physician or chiropractor for him from the panel. Nothing contained in this section shall limit the right of the employee to make a second choice of physician or chiropractor from such panel. The employee may request and the Industrial Accident Board may, under rules prescribed by it, permit an injured employee to select a physician or chiropractor not on the panel when specialized services are needed or in unusual circumstances. By agreement of the injured worker and the association any licensed medical practitioner or any medical facility may be utilized. The employee shall not be entitled to recover any amount expended or incurred by him for said medical aid, hospital services, nursing, chiropractic services or medicines, nor shall any person who supplied the same be entitled to recover of the association therefor, unless the employee has selected the attending physician or chiropractor in accordance with this section. At the time of the injury or immediately thereafter, if necessary, the employee shall have the right to call in any available physician, surgeon, or chiropractor to administer first-aid treatment as may be reasonably necessary at the expense of the association.

(c) The Industrial Accident Board shall approve the qualifications of the panel of physicians and chiropractors named by the association and determine a proper number to be so named. In determining the size of a

panel it shall take into account the number of competent, suitable, and impartial physicians and chiropractors conveniently available to the community in which the medical service is required. Every insured employer shall post the names and address of the physicians and chiropractors on his panel in such manner as to afford his employees reasonable notice thereof.

(d) If the association fails to provide medical aid, hospital services, nursing, chiropractic services and medicines required to be furnished by subsection (a) after request by the injured employee or fails to maintain a panel of physicians as required by subsections (b) and (c) or fails to permit the employee to choose an attending physician from such panel, such injured employee may procure such medical or other treatment, services and supplies and select a physician to render treatment and services at the expense of the association. The employee shall not be entitled to recover any amount expended by him for such treatment or service unless he shall first have requested the association or subscriber to furnish the same and the association or subscriber shall have refused or neglected to do so or unless the nature of the injury required such treatment and services and the association or subscriber having knowledge of such injury shall have neglected to provide the same.

(e) Upon receipt thereof, the Board shall promptly analyze each notice of injury incurred by an injured employee covered under this law. If the Board concludes that vocational rehabilitation is indicated in any such case, it immediately shall take the necessary steps to inform the injured employee of the services and facilities available to him under the Texas Program of Vocational Rehabilitation for Disabled Persons administered by the Vocational Rehabilitation Division of the Texas Education Agency and the Board immediately shall notify said Vocational Rehabilitation Division of such case. In each such case recommendation of services and facilities shall be made after consultation by the Board with the physician or chiropractor furnishing medical aid or chiropractic services as required by this section, who shall retain general supervision of treatment of the injured employee and, should the employee request it, the Board shall consult with a physician or chiropractor of his own selection. The Board shall cooperate with said Vocational Rehabilitation Division with reference to the work of said Division in providing said services and facilities to injured employees covered under the provisions of this law.

(f) The fact that the claimant has selected a physician or chiropractor, physicians or chiropractors from a panel as provided in subsection (b) of this section shall not be admitted in evidence in a trial de novo although the testimony of such medical witness or witnesses may otherwise be received under the rules of evidence."

Section 2. As respects claims for injury sustained prior to the effective date of this Act, no inchoate, vested, matured, existing or other rights, remedies, powers, duties, or authority, either of any employee or legal beneficiary, or of the Board, or of the association, or of any other person shall be in any way affected by any of the amendments or repeals herein made to the original law hereby amended or repealed, but all such rights, remedies, powers, duties, and authority shall remain and be in force as under the original law just as if the amendments or repeals hereby adopted had never been made, and to that end it is hereby declared that as respects such injuries occurring prior to the effective date of this Act, said original law is not repealed, but the same is, and shall remain in full force and

effect as to all such rights, remedies, powers, duties, and authority; and further this Act insofar as it adopts the law of which it is an amendment is a continuation thereof, and only in other respects a new enactment.

Section 3. If any section, paragraph or provision of this Act be declared unconstitutional or invalid for any reason, such holding shall not in any manner affect the remaining sections, paragraphs or provisions of this Act, but the same shall remain in full force and effect.

Section 4. All laws or parts of laws in conflict herewith are expressly repealed to the extent of such conflict.

Section 5. The importance of this legislation and the crowded conditions 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.

The committee amendment was adopted.

HB 198, as amended, was passed to engrossment.

Mr. Nichols moved to reconsider the vote by which HB 198 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### LEAVE OF ABSENCE GRANTED

On motion of Mr. Joe Allen, Mr. Haynes was granted leave of absence for the remainder of today on account of important business.

#### HB 3 ON SECOND READING

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

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.

The bill was read second time and was passed to engrossment.

Mr. McAlister moved to reconsider the vote by which HB 3 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### HB 77 ON SECOND READING

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

HB 77, A bill to be entitled An Act relating to the jurisdiction of the

County Court of Smith County and the County Court at Law of Smith County and the exchange of benches between the judges of those courts; amending Sections 2 and 3, Chapter 232, Acts of the 58th Legislature, 1963, as amended (Article 1970-348, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Mr. Blanton offered the following committee amendment to HB 77:

Committee Amendment No. 1

Amend HB 77, First Printing, by striking all below the enacting clause and substituting the following:

Section 1. Section 2, Chapter 232, Acts of the 58th Legislature, 1963, as amended (Article 1970-348, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 2. (a) The County Court at Law of Smith County shall have jurisdiction in all matters, causes, and proceedings, civil, criminal and probate, original and appellate, and also including eminent domain proceedings, over which by the General Laws of this State county courts have jurisdiction, and jurisdiction of said County Court at Law shall be concurrent with that of the County Court of Smith County; but this provision shall not affect the jurisdiction of the Commissioners Court or the County Judge of Smith County as the presiding officer of the Commissioners Court.

"(b) The Judge of the County Court at Law may sit in the absence of the County Judge of Smith County from the courtroom in all matters, causes, and proceedings without the necessity of transferring those matters, causes, and proceedings except matters coming under the jurisdiction of the Commissioners Court where the County Judge would be the presiding officer of that Court.

"(c) The County Judge, if a duly licensed attorney, may sit in the absence of the Judge of the County Court at Law from the courtroom in all matters and causes without the necessity of transferring those matters and causes."

Sec. 2. Section 3, Chapter 232, Acts of the 58th Legislature, 1963 (Article 1970-348, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 3. Nothing in this Act shall diminish the jurisdiction of the County Court of Smith County. The County Court of Smith County, or the Judge thereof, shall have the power to issue writs of injunction, mandamus, and all writs necessary to the enforcement of the jurisdiction of the court; and also to punish contempts under such provisions as are or may be provided by General Law governing county courts throughout the State. The County Judge of Smith County shall be the Judge of the County Court of Smith County. All ex officio duties of the County Judge shall be exercised by the Judge of the County Court of Smith County, except insofar as the same shall, by this act, be committed to the Judge of the County Court at Law of Smith County."

Sec. 3. Section 12, Chapter 232, Acts of the 58th Legislature, 1963 (Article 1970-348, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 12. The County Court at Law of Smith County, or the judge thereof, shall have the power to issue writs of injunction, mandamus, sequestration, attachment, garnishment, certiorari, supersedeas, and all writs necessary to the enforcement of jurisdiction of the court, and to issue writs of habeas corpus in such cases where the offense charged is within the jurisdiction of said court or of any other court in the county of inferior jurisdiction to the County Court at Law. The County Court at Law or the Judge thereof shall also have the power to punish for contempt as prescribed by law for County Courts."

Sec. 4. 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.

The committee amendment was adopted without objection.

Mr. Blanton offered the following committee amendment to HB 77:

**Committee Amendment No. 2**

Amend the caption of HB 77, First Printing, by striking the words "2 and 3," on line 11 and line 12 and substituting the phrase "2, 3, and 12,".

The committee amendment was adopted without objection.

HB 77, as amended, was passed to engrossment.

Mr. Head moved to reconsider the vote by which HB 77 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

**COAUTHOR OF HB 628**

Mr. Uher was granted permission by the author of HB 628 to sign the bill as coauthor.

**ADJOURNMENT**

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

The motion prevailed without objection.

The House accordingly, at 10:57 a.m., adjourned until 10:30 a.m. tomorrow.

---

**APPENDIX**

---

**BILL TRANSMITTED TO GOVERNOR  
UNDER ARTICLE 16, SECTION 59**

HB 555 transmitted by the Chief Clerk to the Governor on February 22, 1971.

**RECOMMENDATIONS OF THE TEXAS WATER  
COMMISSION FILED WITH SPEAKER**

Recommendations of the Texas Water Commission on HB 467, HB 471, and HB 479 filed with the Speaker on February 22, 1971.

Recommendations of the Texas Water Commission on HB 480 filed with the Speaker on February 22, 1971.

Recommendations of the Texas Water Commission on HB 481 filed with the Speaker on February 22, 1971.

Recommendations of the Texas Water Commission on HB 496 filed with the Speaker on February 22, 1971.

**STANDING COMMITTEE REPORTS**

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

Counties: HB 258.

Criminal Jurisprudence: HB 222.

Engrossed and Enrolled Bills: Correctly engrossed-HB 146, HB 377, HB 381, HB 382, HCR 25, HCR 33, HCR 49, HCR 50, HCR 51, HCR 52. Correctly enrolled-HB 84, HB 115.

Governmental Affairs and Efficiency: HB 220, HCR 44, SB 91.

Juvenile Crime and Delinquency: HB 187.

State Affairs: HB 453.

**SENT TO THE GOVERNOR  
February 23, 1971**

HB 224

---

**TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 24, 1971**

The House met at 10:30 a.m. and was called to order by the Speaker.

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