

HB 1154 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1179 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1321 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1339 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1381 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1382 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1383 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1384 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1385 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1386 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1387 transmitted by the Chief Clerk to the Governor on March 15, 1971.

HB 1425 transmitted by the Chief Clerk to the Governor on March 15, 1971.

STANDING COMMITTEE REPORTS

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

Engrossed and Enrolled Bills: Correctly engrossed—HB 182, HB 225, HB 347, HB 348, HB 356, HB 386, HCR 76.

Public Health: HB 427, HCR 53, HSR 129.

State Affairs: HB 237, HB 330, HB 506, SB 140.

THIRTY-EIGHTH DAY—TUESDAY, MARCH 16, 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:

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

Absent

Allred	Finney	Ligarde	Wyatt
Cruz	Hale		

Absent-Excused

Clayton	Niland
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(Mr. John Allen occupied the Chair temporarily)

(Speaker in the Chair)

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

LEAVES OF ABSENCE GRANTED

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

Mr. Clayton on motion of Mr. Slider.

Mr. Niland, temporarily for today, on motion of Mr. Williams.

Representatives Patterson, Doran, and Kilpatrick entered the House and were announced present.

MESSAGE FROM THE SENATE

Austin, Texas, March 16, 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:

SCR 57, By Brooks: Commending the fire fighters of Engine Company Number 41 for their bravery and devotion to duty.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

BILL AND RESOLUTION SIGNED BY THE SPEAKER

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

HB 37, Relating to the holding of elections for the consolidating of cities; giving rules for voting.

HCR 76, Inviting the Honorable Lyndon B. Johnson to address a Joint Session.

MEMORIAL RESOLUTION ADOPTED

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

HSR 241, by Ogg: In memory of Whitney M. Young, Jr.

The resolution was read.

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

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HCR 88, by Ogg: Congratulating the Cypress-Fairbanks Bobcats.

On motion of Mr. Swanson the names of all the Members of the House were added to HCR 88 as signers thereof.

HSR 240, by Lee: Commending Dr. Alvin I. Thomas, President of Prairie View A&M College.

The resolution was read and on motion of Mr. Lee the names of all the Members of the House were added to HSR 240 as signers thereof.

HSR 242, by Edmund Jones, Earthman, Blythe, Lee, Mengden, and Bowers: Commending the Cypress-Fairbanks High School.

HSR 243, by Blythe: Congratulating the citizens of the Acres Home Area of Houston.

HSR 244, by Slider: Congratulating Coach Don Woodall and members of the 1970-71 Hughes Springs Mustangs team.

Representatives Allred and Boyle entered the House and were announced present.

CONGRATULATORY RESOLUTIONS ADOPTED—(continued)

HSR 245, by Ingram and Head: Commending Mrs. J. W. T. (Betty) Green.

The resolution was read and on motion of Mr. Grant the names of all the Members of the House were added to the resolution as signers thereof.

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

HCR 87—REFERRED TO COMMITTEE

(Creating a Joint Committee on Legislative Ethics)

Mrs. Farenthold offered the following resolution:

HCR 87

Whereas, Information has been presented in the courts of the United States implying that certain persons have, directly or indirectly, given things of value, privilege, and personal advantage to Members of the Legislature of this state, intending thereby to influence them in the performance of their official duties; and

Whereas, Information has been presented in the courts of the United States implying that certain persons having a direct interest in a measure pending before, or thereafter to be introduced, in the Legislature of this

state, did privately attempt to influence the actions of certain Members by methods other than by appealing to the reason of such Members; and

Whereas, Information has been presented in the courts of the United States implying that certain employed agents or representatives did privately endeavor to exercise influence over Members of the Legislature of this state concerning a measure then pending before such Legislature; and

Whereas, The preservation of popular confidence in the integrity of such a government is among the most solemn duties of a public official; and

Whereas, The indifference or inaction of this Legislature upon the presentation of information implying that corrupt practices have been exerted against certain Members could be viewed, and will understandably be viewed, as proof that the government of Texas is not unswervingly committed to the best interests of those for whose benefit it has been instituted; and

Whereas, This Legislature has the right and duty to investigate any and all charges of undue influence against its Members; to pursue such charges until the truth be known; and to take such measures as may be necessary to prevent their repetition, all to the end that the government of Texas may be rightly known as one whose officials act in no other interest than that of the people whom they serve; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, the Senate concurring, That the Legislature of the State of Texas immediately create a Joint Committee on Legislative Ethics, and that this committee be charged with the fundamental purpose of restoring the confidence of the people of Texas in their government; and, be it further

Resolved, That to accomplish this end, the Joint Committee on Legislative Ethics shall investigate every circumstance and detail of the stock fraud allegations involving Texas public officials brought by the Securities and Exchange Commission, including but not limited to the following:

(1) The alleged fraudulent manipulation of stock, and the knowledge and acquiescence of Texas public officials, whether elected or appointed, if any;

(2) Loans made, suggested, or arranged by principals, or by financial institutions owned or controlled by principals, charged or otherwise related to the alleged fraudulent manipulation of stock, to Texas public officials, whether elected or appointed, for the purpose of purchasing said stock, or for any other purpose;

(3) The proposal, drafting, introduction, referral, passage, amending, enactment, and subsequent vetoing of House Bills 72 and 73, Second Called Session, 61st Legislature; and the relation of such bills, if any, to the allegations made by the Securities and Exchange Commission concerning the fraudulent manipulation of stock;

(4) The purchase of allegedly fraudulently manipulated stock by Texas public officials, whether elected or appointed, and the profits or losses realized thereby;

(5) The evidence, if any, that individuals having a direct interest in a measure pending before, or thereafter introduced into the Legislature did

directly or indirectly give or promise to give things of value, privilege, and personal advantage to Members of the Legislature, and did privately attempt to influence the action of any Member by methods other than by appealing to the reason of the Member, in violation of the Constitution and laws of this state; and, be it further

Resolved, That the committee shall respect the doctrine of Separation of Powers; and nothing in this Resolution shall be construed as an attempt by this Legislature to infringe upon any person's right to a full, fair, and impartial judicial hearing upon any matter coming before the committee upon which such hearing would otherwise be appropriate; nor shall anything in this Resolution be construed as an attempt by this Legislature to prejudice or otherwise influence the outcome of such judicial hearing; and, be it further

Resolved, That the Joint Committee on Legislative Ethics shall consist of five members of the House of Representatives and five members of the Senate. Each House shall choose its five members in a committee of the whole. The members shall be the authors of this resolution in each House and at least one member of the minority party in each House. The remaining three members from each House shall be chosen in a manner such that the interests of all Texans are represented, and this shall be accomplished in the following manner:

One committee member from each House shall be a resident of a county with a population of not less than 700,000.

One committee member from each House shall be a resident of a county with a population not less than 100,000 nor more than 699,999.

One committee member from each House shall be a resident of a county with a population of not more than 99,999; and, be it further

Resolved, That said committee is hereby authorized to request the services and assistance of the State Auditors Department, the Texas Legislative Council, the Department of Public Safety, the Attorney General's Department, the State Treasurer's Department, the State Banking Commission, the State Board of Insurance, and all other state agencies and officers, and it shall be the duty of said departments, agencies, and officers to assist the committee when requested to do so. The committee shall have the power to inspect the records, documents and files of every state department, agency, and officer, and of all municipal, county or other political subdivisions of the state and to examine into their duties, responsibilities and activities; and, be it further

Resolved, That said committee having ascertained the true facts, it shall examine all relevant matters of fact and law as may be found in the Constitution of the State of Texas, in the statutes, or in the rules of either House to report its findings and conclusions as may be appropriate to the end that justice may be done; and, be it further

Resolved, That any vacancy on said committee shall be filled by a Member of the Legislature of the same House as the vacating member and that said committee shall choose the replacement by a majority vote of said committee in accordance with the classification from which the vacating member was originally chosen; however, a vacancy left by an author of this Resolution shall be filled without regard to classification; and, be it further

Resolved, That the committee be authorized to hire investigative personnel, clerical personnel and such other help as is needed, including legal counsel; and, be it further

Resolved, That such sums as may, from time to time be necessary, be appropriated from the contingent expenses of the House and Senate to carry on the work of the committee; and, be it further

Resolved, That in the conduct of the investigation, the committee may require, by use of subpoenas addressed to any sheriff in the state or the Texas Department of Public Safety, the attendance and testimony of all witnesses relating directly or indirectly to any matter which the committee has authority to investigate under this Resolution, and for this purpose the chairman may administer oaths and receive evidence, instruments, documents, analytical data, charts, and maps. And that the committee have the power to enforce subpoenas on witnesses and records anywhere within the state, and the power to punish for contempt, and all other investigative powers which the Legislature has the legal power to invest; and, be it further

Resolved, That said committee shall make a preliminary report to the Legislature on or before May 1, 1971 and make such additional reports to the Legislature as it deems appropriate, with a final report submitted as expeditiously as possible; and, be it further

Resolved, That all proceedings of the committee shall be open to the public and be recorded and that all testimony before the committee be recorded and promptly printed and placed in the public record; and, be it further

Resolved, That the committee shall have no right to conduct an investigation for the purpose of laying a foundation for the institution of criminal proceedings, for the aid and benefit of grand juries in planning indictments, or for the purpose of intentionally injuring any person or for any ulterior purpose.

Resolved, That the purpose of the committee is to ascertain the truth and that it be authorized to begin work immediately.

EXHIBIT I

From the Affidavits of James H. Perry and Milburn Dennis Leach, securities investigators for the United States Securities and Exchange Commission.

July 22, 1969	Gus Mutscher bought 10,000 shares of NBL at \$13 a share	\$130,000.00
	Tommy Shannon bought 4,115 shares of NBL at \$11½ a share	\$ 45,779.38
	S. Rush McGinty bought 4,115 shares of NBL at \$11½ a share	\$ 45,779.38
	F. C. Schulte bought 2,000 shares of NBL at \$11½ a share	\$ 22,250.00
July 25, 1969	Elmer Baum and Preston Smith jointly bought 20,000 shares of NBL at \$13¼ a share	\$275,000.00

Aug. 4, 1969	W. S. Heatly bought 8,813 shares of NBL at \$14¼ a share	\$125,585.25
Aug. 26, 1969	Gov. Smith calls the 61st Legislature back into session	
Sept. 5, 1969	Tommy Shannon introduced H.B. 72 and 73	
Sept. 8, 1969	Preston Smith submits to the Legislature for consideration the subject of additional in- surance for state banks. H.B. 72 and 73 passed House of Representatives.	
Sept. 9, 1969	H.B. 72 and 73, as amended, passed Senate.	
Sept. 11, 1969	Gus Mutscher sold 7,500 shares of NBL at \$20 a share	\$150,000.00
	Tommy Shannon sold 3,500 shares of NBL at \$20 a share	\$ 70,000.00
	S. Rush McGinty sold 3,000 shares of NBL at \$20 a share	\$ 60,000.00
	F. C. Schulte sold 2,000 shares of NBL at \$20 a share	\$ 40,000.00
Sept. 12, 1969	Elmer Baum and Preston Smith jointly sold 14,000 shares of NBL at \$20 a share	\$280,000.00
Sept. 29, 1969	Preston Smith vetoed H.B. 72 and 73	
Sept. 30, 1969	W. S. Heatly sold 7,813 shares of NBL at \$19¾ a share	\$154,306.75
Oct. 6, 1969	Elmer Baum and Preston Smith jointly sold 6,000 shares of NBL at \$20 a share	\$120,000.00
	Elmer Baum bought 2,000 shares of NBL at \$20½ a share	\$ 41,000.00
Oct. 8, 1969	Gus Mutscher, Jr., bought 17,000 shares of NBL at \$20½ a share	\$348,500.00
Oct. 30, 1969	S. Rush McGinty sold 1,646 shares of MCI at 5¼ a share	\$ 8,641.50

Signed: Farenthold, T. Moore, E. Jones, Harris, Braun, Nichols, Mengden, Reed, Allred, Truan, Graves, Denton, Blythe, Vale, John Hannah, Moreno, Zan Holmes, Patterson, B. Bass, Caldwell, Earthman, Bigham, Bowers, and Lee.

Mrs. Farenthold moved that HCR 87 be read in full.

Mr. Johnson objected to the above motion.

Question recurring on the motion that HCR 87 be read in full, the motion prevailed by the following vote:

Yeas—131

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

Nays—12

Bigham	Calhoun	Harris	McAlister
Braun	Cates	Head	Patterson
Caldwell	Davis, H.	Kaster	Salter

Present—Not Voting

Jones, E.

Absent

Boyle Doran Ingram

Absent-Excused

Clayton Niland

HCR 87 was then read in full and was referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

Mr. Clark asked unanimous consent to introduce and have placed on first reading HB 1602.

There was no objection offered.

Mr. Clark asked unanimous consent to introduce and have placed on first reading HB 1603.

There was no objection offered.

(Mr. Ward in the Chair)

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 325 to the Committee on Urban Affairs.

SB 97 to the Committee on Criminal Jurisprudence.

SB 447 to the Committee on Counties.

MASCOT RESOLUTION

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

HSR 214, by Cavness: To name Laura Elizabeth Finck Mascot of the House.

HCR 81—REFERRED TO COMMITTEE

(Directing the University of Houston to evolve an Institute of Coastal Environmental Studies)

Mr. Lemmon offered the following resolution:

HCR 81

Whereas, The solution to environmental problems is essential to the present and future quality of life for all Texans; and

Whereas, The intensity of environmental problems varies with the different geographic regions of the state; and

Whereas, Existing technology and knowledge have not been consistently committed to developing solutions to the environmental problems; and

Whereas, The identification and solving of environmental problems demand the application of technical, scientific, socio-economic, and managerial expertise; experimentation; and application of data and processes in support of the full development of our total human resources; and

Whereas, One major geographic zone in which environmental problems

of almost one-third of the population of the state are concentrated in the coastal zone; and

Whereas, The nature of the major environmental problems of the Texas Gulf Coast area have numerous common denominators with those of other regions of the state; and

Whereas, Concentrated efforts to solve the problems of this geographic area, would have applicability in different degrees wherever similar human interaction with the physical environment exists;

Whereas, The institutional resources of a region should be harnessed to identify and solve environmental problems; and

Whereas, Urban coastal environment demonstrates the urgency or necessity of focusing on the interaction between rural, suburban, and metropolitan populations living in ever changing economic and social combinations within the coastal environment; and

Whereas, The geographic, demographic, social, and economic variables representative of this large segment of the Texas population require constant analysis and effort if the quality of life and productivity supportive of an expanding and diversified economy are to be achieved;

Whereas, The preparation of professional and paraprofessional persons skilled in coping with the continuously developing problems of living in the coastal environment of Texas; and relevance of higher education in a region possessed of such complex and diverse environmental problems is to a large degree dependent upon the nature and extent of academic involvement in the identification of problems and development of solutions.

Be It Resolved, That the University of Houston be directed to evolve an Institute of Coastal Environmental Studies that will utilize its Law Institute for Coastal and Marine Resources, Institute of Urban Studies, Graduate School of Social Work, the College of Education, College of Business Administration, and the related Social Science Departments to identify and offer solutions to the numerous problems related to the complexities arising from the constant struggle of the rural, suburban, and urban people as they endeavor to cope with the constantly changing physical, industrial, sociological, political, and economic balance within the geographic limitations of the coastal zone.

The resolution was referred to the Committee on State Affairs.

HCR 82—REFERRED TO COMMITTEE

(Providing for adjournment sine die)

Mr. Tarbox offered the following resolution:

HCR 82

Be It Resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Sixty-second Texas Legislature adjourn sine die on April 30, 1971.

The resolution was referred to the Committee on Rules.

HCR 83—REFERRED TO COMMITTEE

(Establishing a Joint Interim Constitutional Fund Committee)

Mr. Clayton offered the following resolution:

HCR 83

Whereas, State agencies which have as part of their duties the administration of constitutional funds must devote a considerable amount of their time to this function; and

Whereas, Responsibility for administering a constitutional fund occupies much valuable time which the agency could devote to its primary functions; and

Whereas, The administration of a constitutional fund requires expertise which could be obtained outside the agencies which are responsible for them; and

Whereas, Creation of a special agency designed solely to administer the constitutional funds and handle the issuance and sale of constitutional bonds might facilitate administration and place the state in a more advantageous position to sell its bonds; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a joint interim constitutional fund study committee be established and that the committee be composed of three Members of the House of Representatives appointed by the Speaker, three Members of the Senate appointed by the Lieutenant Governor, and three private citizens of the state appointed by the Governor; and, be it further

Resolved, That the Governor shall appoint the chairman of the committee from among the legislative Members; that the committee may elect other officers; and that the committee shall meet at the call of the chairman; and, be it further

Resolved, That the committee shall:

- (1) study the constitutional provisions and statutes authorizing the creation and operation of all constitutional funds;
- (2) consult with the state agencies responsible for administering the funds to understand their methods and procedures for handling the funds and to develop detailed information on which to base recommendations;
- (3) study alternative methods for administering constitutional funds;
- (4) study the experiences of other states in handling similar funds and consult with experts;
- (5) hold hearings to consider comments and recommendations from all interested persons;
- (6) submit recommendations together with drafts of bills and resolu-

tions the committee finds would be helpful in improving the administration of constitutional funds, to the Members of the 63rd Legislature; and, be it further

Resolved, That all state agencies responsible for administering constitutional funds be requested to work with the committee and its staff, providing information useful in understanding the present administration and operation of the constitutional funds; and, be it further

Resolved, That the Texas Legislative Council be requested to provide the committee with staff and assistance to develop background information and analysis of legal problems, and to assist the committee in every way possible; and, be it further

Resolved, That the committee be authorized to hold such meetings as it considers necessary; summon and compel the attendance of witnesses and the production of documents and records; and administer oaths and affirmations to witnesses; and, be it further

Resolved, That actual expenses of members of the committee and other necessary expenses of operation in connection with committee activities, including the expenses of employing professional staff and contracting with consultants and professional groups, shall be paid equally from the Contingent Expense Funds of the House of Representatives and the Senate. The committee shall prepare a budget for its expenses, which shall be submitted to the Administration Committees of the House and Senate, and no expenditures shall be made until the budget has been approved by both of those committees. Prior approval of nonbudgeted expenditures must also be obtained from both of those committees.

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

HCR 84—REFERRED TO COMMITTEE

(Concerning the establishing of state-operated public camping facilities near Austin)

Mr. Rodriguez offered the following resolution:

HCR 84

Whereas, Thousands of tourists visit the Austin area each year to see the attractions of our state government and to take advantage of the many recreational facilities of the Highland Lakes region; and

Whereas, Many of these tourists and vacationers enjoy camping, and travel with trailers, campers, or other camping equipment in order to commune with nature in the classic tradition of the pioneers; and

Whereas, Although numerous state parks throughout Texas have provided these modern trailsmen with special parks and temporary camping facilities, such facilities are noticeably absent from the Austin area; and

Whereas, It is the desire of the Texas Legislature that all travelers to the Capitol area should be provided adequate facilities for an enjoyable visit; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the 62nd Legislature by this Resolution express its desire that state-operated, public camping facilities be established within convenient proximity to the city of Austin, our state's capital, for the benefit and use of those adventurous visitors and tourists who wish to camp in their trailers, campers, or tents, or who simply want to spend the night "under the stars"; and, be it further

Resolved, That official copies of this Resolution be prepared for the Texas Parks and Wildlife Department, the Texas Highway Department, and the Lower Colorado River Authority as an expression of the wish of the 62nd Legislature that these agencies cooperate in the establishment of state-owned and operated public camping facilities in or in close proximity to the city of Austin.

The resolution was referred to the Committee on Parks and Wildlife.

HSR 224—REFERRED TO COMMITTEE

(Amending Rule VIII, Rules of the House of Representatives of the 62nd Legislature)

Mr. Patterson offered the following resolution:

HSR 224

Be it Resolved by the House of Representatives, That Rule VIII, Rules of the House of Representatives of the 62nd Legislature, be amended by adding a Section 13A to read as follows:

"Section 13A. (1) It shall not be in order for any standing committee to consider any bill which if enacted would require appropriation of money from the state treasury until the author has submitted to the chairman a fiscal statement, signed by the Director of the Budget and by the Comptroller of Public Accounts or his designated representative.

"(2) With reference to the bill as referred to the committee and its effect on spending for the next succeeding fiscal biennium (or the current biennium if the Legislature is in session after August 31, 1971), the fiscal statement must contain:

"(a) an estimate of the amount of money that would be required to be appropriated for the biennium and designation of the fund from which the appropriation would be made; or

"(b) the conclusion that the amount of money required to be appropriated for the biennium is entirely subject to the discretion of the Legislature."

Signed: Patterson, Clayton, Traeger, and Blythe.

The resolution was referred to the Committee on Rules.

HSR 227—REFERRED TO COMMITTEE

(Creating a special interim committee to be known as the Texas-Mexico-Central America Friendship Committee)

Mr. Sanchez offered the following resolution:

HSR 227

Whereas, The State of Texas, Mexico, and the countries of Central America share a heritage which has continued for three centuries; ties of blood, culture, and common goals have been responsible for the development of particularly close relations between the peoples of Texas, Mexico, and Central America; and

Whereas, Despite the generally harmonious relations between Texans and the governments and citizens of Mexico and Central America, occasional conflicts have arisen over divergent farming and ranching interests, competition in tourism, policies of the fishing and shrimping industry, and other areas where international competition is especially keen; and

Whereas, The existence of appropriate agencies and facilities for mutual agreement and compromise would greatly alleviate the industrial and economic discord which may arise between Texas, Mexico, and the countries of Central America; and

Whereas, The work of the Texas-Mexico Friendship Committee, established as an interim committee of the 61st Legislature, did much to further the relations between Mexico and Texas, but there are many problems and possible solutions which require further investigation, study, and action; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature hereby create a special interim committee, to be known as the Texas-Mexico-Central America Friendship Committee, to continue the work begun by the Texas-Mexico Friendship Committee of the 61st Legislature in studying various means of promoting good relations between Texas and our neighbors to the South, with particular attention to the complex problems of shrimping and fishing, agriculture and livestock, and tourism; and, be it further

Resolved, That the committee shall be composed of ten members: seven members appointed from the Membership of the House of Representatives by the Speaker of the House, and three members from the Good Neighbor Commission to be named by the committee after it has been organized; all of the said members shall hold their positions for a term of two years from and after the effective date of this Resolution; and, be it further

Resolved, That the Texas Department of Agriculture, the Parks and Wildlife Department, the Texas Industrial Commission, the Tourist Development Agency, the Texas Highway Department, the Good Neighbor Commission, and all other state departments and agencies having jurisdiction over matters pertinent to the committee's interests be requested to cooperate with the committee in its efforts to improve the relationships between Texas and Mexico and the countries of Central America; and, be it further

Resolved, That the staff of the Texas Legislative Council be requested to serve as staff for the study committee; and, be it further

Resolved, That from the Expense Fund of the House of Representatives, the committee members shall be reimbursed for their actual expenses

incurred in carrying out the provisions of this Resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditure shall be made until the budget has been approved. Prior approval of non-budgeted expenditures 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. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

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

HSR 230—REFERRED TO COMMITTEE

(Creating a special interim committee to make a study of current and projected needs for mass transportation in Texas)

Mr. McKissack offered the following resolution:

HSR 230

Whereas, One of the most pressing problems in Texas today is mass transportation, both between Texas cities and towns and within the urban areas themselves; and

Whereas, Although American technology has placed this country in the forefront in industrial development, there has been a great lag in innovations for the movement of people and goods, largely because of the automobile and its great convenience as a personal transportation medium controlled solely by the owner and operator; and

Whereas, It has become apparent, however, that more and more automobiles and more and more highways cannot provide permanent answers as mass transportation media, and that there is an urgent need for action leading to the development of practical, efficient, convenient, comfortable, and rapid mass transportation facilities within, between, and around Texas cities; now, therefore be it

Resolved, That the House of Representatives of the 62nd Legislature create a special interim committee to make a study of current and projected needs for mass transportation in Texas, and that this Texas Transportation Study Committee investigate successful mass transit systems already in operation and study legislation in effect in other states and elsewhere which provides for mass transportation and establishes transportation authorities; and, be it further

Resolved, That the committee shall be composed of five Members of the House of Representatives, all to be appointed by the Speaker of the House, and that the chairman of the committee shall be elected by committee members; and, be it further

Resolved, That at the request of the committee chairman, the staff of the Texas Legislative Council shall provide assistance to the committee; and, be it further

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

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

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

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 J. Nugent and Burgess:

HJR 75, A Joint Resolution proposing an Amendment to Section 1-d, Article VIII, Constitution of the State of Texas, to provide for methods of assessment for ranch, farm, forest, and other open space lands that will promote the preservation of their existing uses.

By Gammage:

HJR 76, A Joint Resolution proposing an Amendment to Section 48a, Article III, Constitution of the State of Texas, to reduce the minimum service requirement for eligibility under the teacher retirement system from ten years to five years.

By Hale:

HJR 77, A Joint Resolution proposing an Amendment to Article V, Sections 5 and 6, of the Texas Constitution; relating to the appellate jurisdiction and to the writ authority of the Court of Criminal Appeals; relating to replacing the Courts of Civil Appeals with Court of Appeals, having civil and criminal appellate jurisdiction.

By Hale:

HJR 78, A Joint Resolution proposing an Amendment to Article V, Section 8, of the Texas Constitution, to enlarge the jurisdiction of the district court in probate matters and to authorize the supreme court to adopt

rules for such cases between district courts, county courts, and other courts having jurisdiction and provide for appeals.

By Hale:

HJR 79, A Joint Resolution proposing an Amendment to Article V, Section 19, of the Texas Constitution to limit appeals from a justice court to a county court in civil cases to cases in which the judgment, exclusive of costs, exceeds \$100.

By Hale:

HJR 80, A Joint Resolution proposing an Amendment to Article V of the Texas Constitution by adding Section 7a, creating the Judicial Districts Board and defining the powers and duties of the board.

By Clayton:

HJR 81, A Joint Resolution proposing an Amendment to Article III, Constitution of the State of Texas, by adding a new Section 52a to give the Legislature the power to authorize cities and counties to issue revenue bonds for industrial development purposes.

By Clayton:

HJR 82, A Joint Resolution proposing an Amendment to Article III, Constitution of the State of Texas, by adding a new section which would set an amount not to exceed 6% on rates of interest to be borne by bonds issued pursuant to constitutional authority.

By D. Neugent:

HJR 83, A Joint Resolution proposing an Amendment to Article III, of the Constitution of the State of Texas, by adding a new Section 52-f to provide that a county may pay the premiums for errors and omissions insurance policies and faithful performance bonds which may be obtained by county and district clerks.

By Patterson:

HJR 84, A Joint Resolution proposing an Amendment to Section 5, Article III, Constitution of the State of Texas, to provide for annual legislative sessions.

By D. Jones:

HJR 85, A Joint Resolution proposing an Amendment to Article III, Section 24, and Article IV, Section 17, of the Texas Constitution, to provide that Members of the Legislature shall receive a salary based on years of service in the Legislature, and to provide that the Lieutenant Governor and Speaker of the House of Representatives shall receive a salary of \$20,000 per year.

By Rodriguez:

HJR 86, A Joint Resolution proposing an Amendment to Section 24, Article III, Constitution of the State of Texas, to provide for setting the

salaries of Members of the Legislature by referendum elections and to change the provisions relating to per diem and mileage payable to the Members.

By Von Dohlen, Poff, Spurlock, Uher, Tupper, Newton, Kubiak, Gammage, Coats, Bynum, and Wyatt:

HJR 87, A Joint Resolution proposing an Amendment to Article III, Section 5, of the Texas Constitution, to provide for annual legislative sessions.

By G. Jones:

HJR 88, A Joint Resolution proposing an Amendment to Section 1, Article XVII, Constitution of the State of Texas, to provide that a proposed constitutional amendment may revise all or part of the Constitution; and may be voted upon as one question.

By Heatly:

HJR 89, A Joint Resolution proposing an Amendment to Article III, Constitution of the State of Texas, by adding a new section, authorizing an interest rate prescribed by the Parks and Wildlife Department on Texas Park Development Bonds, subject to limitations imposed by the Legislature, not to exceed six and one-half percent (6½%) weighted average annual interest.

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 Hull, Moncrief, Hilliard, Sherman, Lewis, Shannon, Spurlock, and Finney:

HB 1091, A bill to be entitled An Act authorizing the Board of Regents of The University of Texas System to establish, maintain and operate an (Undergraduate) Nursing School in Tarrant County; providing for severability; and declaring an emergency.

Referred to Committee on Higher Education.

By Coats:

HB 1092, A bill to be entitled An Act relating to abortion and abortifacients; providing penalties for violations; amending Articles 1191, 1192, 1193, and 1194, Penal Code of Texas, 1925; repealing Articles 1195 and 1196, Penal Code of Texas, 1925; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By John Allen:

HB 1093, A bill to be entitled An Act relating to a joint study to determine the best sites for natural river areas; designation of natural river areas by the legislature; administration of natural river areas; acquisition

of lands and easements for natural river areas by donation, purchase, and eminent domain; consideration by Texas Water Rights Commission of effects on natural river areas and recommended natural river areas in passing on applications for storage or diversion of public water or at hearings on the feasibility of federal projects; consideration of public interest in establishing and maintaining natural river areas by Texas Water Development Board and all other political subdivisions and agencies of the state engaged in planning for water development; prevention of pollution in natural river areas; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Doyle:

HB 1094, A bill to be entitled An Act relating to the issuance of a child support order in conjunction with a suit for divorce; amending Section 1, Chapter 39, General Laws, Acts of the 44th Legislature, Regular Session, 1935, as amended (Article 4639a, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judiciary.

By Joe Allen:

HB 1095, A bill to be entitled An Act known as the Texas Water Resources Act of 1971, relating to making the Limited Sales, Excise and Use Tax applicable to the receipts from the sale, lease, or rental of, use, storage, or other consumption in this state of water; providing an exemption for residential uses and agricultural uses; amending Article 20.04, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, by adding a Section (AA), adding a Subsection (4) of Section (E), amending Subsection (2) of Section (L), and repealing Subsection (2) of Section (D); providing an effective date; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Coats, Boyle, G. Moore, Reed, Bowers, Agnich, T. Moore, Earthman, Lewis, Grant, Golman, Cobb, Blanton, Ingram, Cole, Kaster, and Tupper:

HB 1096, A bill to be entitled An Act providing for a referendum on the question of "Authorizing the use of State Funds for the benefit of private and parochial primary and secondary schools"; and declaring an emergency.

Referred to Committee on State Affairs.

By Price:

HB 1097, A bill to be entitled An Act authorizing the Board of Directors of The Texas A&M University System to acquire by purchase in the name of the State of Texas, for the use and benefit of the Texas Forest Service, and to improve the same, a sufficient quantity of land suitable for the expansion of the Indian Mound Nursery in Rusk County for the operation thereon of a forest tree nursery and for the production of other forest products; providing that not more than one hundred acres of land may be purchased under the terms of this Act; providing that the selling price of tree seedlings produced thereon shall, as far as practicable, represent the cost of production; and declaring an emergency.

Referred to Committee on Higher Education.

By D. Jones:

HB 1098, A bill to be entitled An Act concerning the issuance of permits and taxation of suppliers, dealers, and users of liquefied gas and liquefied gas carburetor dealers amending Articles 10.52, 10.53, 10.58, 10.59, 10.61, 10.62, and 10.63 of Subchapter B of Chapter 10, Title 122A, Taxation-General, Revised Civil Statutes of Texas, as amended; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Boyle:

HB 1099, A bill to be entitled An Act relating to leasehold interests in land, buildings or improvements owned in whole or in part by the state, a county, a city or cities, a school district, or any other governmental or public entity or body politic; amending Articles 7173 and 7174, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on State Affairs.

(Speaker in the Chair)

By Lombardino:

HB 1100, A bill to be entitled An Act prohibiting the presence in a room or place of a person who knows that a narcotic or dangerous drug is being unlawfully used and providing penalties; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Lombardino:

HB 1101, A bill to be entitled An Act prohibiting the sale of, or offer to sell, certain glue unless it contains a prescribed quantity of certain chemicals and providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Lombardino:

HB 1102, A bill to be entitled An Act relating to the obstruction of or interference with a speech or the making of a speech by an invited guest of the state; providing penalties; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Lombardino:

HB 1103, A bill to be entitled An Act relating to the hours of work of firemen in certain cities; providing for the compensation of firemen upon termination of service for a portion of their accumulated sick leave and vacation leave in certain cities; amending Chapter 38, Acts of the 49th Legislature, Regular Session, 1945, as amended (Article 1583-1,

Vernon's Texas Penal Code), by adding Section 6C; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Lombardino:

HB 1104, A bill to be entitled An Act relating to voir dire examination by the court in felony cases; amending Article 35.17, Code of Criminal Procedure, 1965; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Joe Allen:

HB 1105, A bill to be entitled An Act relating to the deposit of cash with a court in the execution of a bail bond; amending Article 17.02, Texas Code of Criminal Procedure, 1965; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Joe Allen:

HB 1106, A bill to be entitled An Act relating to the failure to appear when required by persons lawfully released from custody pending the disposition of criminal charges or appeals on condition they will subsequently appear; amending Title 8, Chapter 8, Penal Code of Texas, 1925, as amended, by adding Article 438e, repealing Article 22.01a, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Joe Allen:

HB 1107, A bill to be entitled An Act amending Chapter 148, Acts of the 61st Legislature of the State of Texas, Regular Session, 1969 (Article 8280-405, Vernon's Texas Civil Statutes) to provide that land may be annexed to Harris County Utility District No. 1 in the manner provided by Article 7930-2, Section 2, V.T.C.S.; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Joe Allen:

HB 1108, A bill to be entitled An Act amending Chapter 263, Acts of the 61st Legislature of the State of Texas, Regular Session, 1969 (Article 8280-423, Vernon's Texas Civil Statutes) to provide that land may be annexed to Harris County Utility District No. 2 in the manner provided by Article 7930-2, Section 2, V. T. C. S.; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Joe Allen:

HB 1109, A bill to be entitled An Act amending Chapter 149, Acts of

the 61st Legislature of the State of Texas, Regular Session, 1969 (Article 8280-406, Vernon's Texas Civil Statutes) to provide that land may be annexed to Harris County Utility District No. 3 in the manner provided by Article 7930-2, Section 2, V.T.C.S.; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Joe Allen:

HB 1110, 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 "Enchanted Place 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 for 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 E. Jones:

HB 1111, A bill to be entitled An Act providing that a doctor may not testify against a patient about any matter that came to his knowledge as a result of a doctor-patient relationship; amending the Code of Criminal Procedure, 1965, by amending Article 38.10 and by adding Article 38.111; and declaring an emergency.

Referred to Committee on Judiciary.

By Joe Allen:

HB 1112, A bill to be entitled An Act relating to notice of cancellation of certain insurance policies and to the time allowed before cancellation of certain policies for nonpayment of premiums; amending Subchapter E, Chapter 21, Texas Insurance Code, as amended; and declaring an emergency.

Referred to Committee on Insurance.

By Orr:

HB 1113, A bill to be entitled An Act amending Section 2, Chapter 455, Acts of the 61st Legislature, Regular Session, 1969 (Article 5421C-12, Vernon's Texas Civil Statutes); exempting the sale of certain real property interests of political subdivisions from bid procedures and publication requirements; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Harris:

HB 1114, A bill to be entitled An Act relating to the incorporation, organization, and regulation of cooperative associations; providing penalties; providing for severability; and declaring an emergency.

Referred to Committee on Judiciary.

By Earthman:

HB 1115, A bill to be entitled An Act relating to the issuance of license plates by the State Highway Department; amending Section 13, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-13, Vernon's Texas Civil Statutes); amending Sections 5, 6, and 7, Chapter 3, Acts of the 43rd Legislature, 2nd Called Session, 1934, as amended (Article 807b, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Highways and Roads.

By Earthman:

HB 1116, A bill to be entitled An Act relating to the powers and duties of the presiding judge of a special canvassing board for absentee voting; amending Subdivision 6, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code); and declaring an emergency.

Referred to Committee on Elections.

By Wayne:

HB 1117, A bill to be entitled An Act providing for the appointment by the District Judge of the 64th Judicial District of Texas, composed of the Counties of Hale, Swisher and Castro, of an official shorthand reporter for such judicial district; providing his qualifications; providing that the salary of said official shorthand reporter shall be fixed and determined by the judge of said judicial district and not otherwise; providing for the manner of payment of said salary and out of what fund; providing for transcript fees and allowance for hotel and traveling expenses; providing a saving clause; and declaring an emergency.

Referred to Committee on Counties.

By Traeger:

HB 1118, A bill to be entitled An Act amending Article 4570, Revised Civil Statutes of Texas, 1925, as last amended by Chapter 27, Acts of the 58th Legislature, Regular Session, 1963, to establish the grounds on which the State Board of Podiatry Examiners may refuse to admit a person to examination or to license a person to practice podiatry; amending Article 4573, Revised Civil Statutes of Texas, 1925, to establish the grounds and procedure for the revocation, cancellation or suspension of the license of any practitioner of podiatry and to provide for probation for a practitioner; declaring that this Act does not invalidate or affect any validly issued license; providing for severability; and declaring an emergency.

Referred to Committee on Public Health.

By Joe Allen:

HB 1119, A bill to be entitled An Act amending Section 9 of Chapter 222, Acts of the 61st Legislature, State of Texas, Regular Session, 1969 (Article 8280-416, Vernon's Texas Civil Statutes) by adding the power and prescribing procedures for adding certain territory to Harris County Utility District No. 4 which now is within another conservation and reclamation district; providing for a petition for such addition, a hearing on said petition, an election for the proposition of ratification of said addition and any bonds and taxes theretofore voted or additional bonds; providing for the continuing taxation of such territory to discharge indebtedness of the district in which it was originally contained; providing that land may be annexed in the manner provided by Article 7930-2, Section 2, V.T.C.S.; providing a severability clause; providing that this Act shall be cumulative of all other laws relating to the district; finding that the requirements of Article 16, Section 59(d) of the Constitution of Texas have been accomplished; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Ward:

HB 1120, A bill to be entitled An Act validating, ratifying, confirming, and approving contracts, scrip warrants, and time warrants and refunding bonds authorized by counties or cities (including home-rule cities) or towns validating, ratifying, confirming, and approving refunding bonds issued for the purpose of refunding time warrants and all proceedings, governmental acts, orders, ordinances, resolutions, and other instruments relating to the issuance of refunding bonds for such purposes of counties, cities (including home-rule cities), and towns; providing that this Act shall not apply to any contract, scrip warrants, time warrants, or to any refunding bond proceedings, governmental acts, orders, resolutions, or other instruments, or bonds executed or issued by any county with a population in excess of 350,000, according to the last preceding federal census, or any contract, scrip warrants, time warrants, or any refunding bond proceedings, governmental acts, orders, ordinances, resolutions or other instruments, or bonds, the validity of which is now involved in litigation; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Atwell and Sanchez:

HB 1121, A bill to be entitled An Act creating the Texas Housing Finance Corporation; defining the powers and duties of the corporation, establishing a Housing Development Fund and authorizing the issuance of fund notes; authorizing the issuance of not in excess of \$100,000,000 in revenue bonds to assist in the financing of housing for low and moderate income families; and declaring an emergency.

Referred to Committee on State Affairs.

By Cavness:

HB 1122, A bill to be entitled An Act permitting extensions of the term of oil and gas leases issued by the Commissioner of the General Land Office for no more than 390 days; amending Section 2, Chapter 255, Acts of the 53rd Legislature, Regular Session, 1953 (Article 5382e, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Oil, Gas, and Mining.

By Daniel:

HB 1123, A bill to be entitled An Act relating to the discharge of firearms in Liberty and Chambers Counties; providing penalties; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Daniel:

HB 1124, A bill to be entitled An Act relating to the use of certain types of firearms in Liberty and Chambers Counties; providing penalties; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Daniel:

HB 1125, A bill to be entitled An Act relating to the use of nets in Chambers County; providing penalties; amending Chapter 18, Acts of the 56th Legislature, 2nd Called Session, 1959; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Denton:

HB 1126, A bill to be entitled An Act amending Subsection 2, Section III and Subsection 1, Section VIII, Chapter 75, Acts of the 50th Legislature, 1947, as amended (Article 6243h, Vernon's Texas Civil Statutes), relating to participation in the municipal retirement system and board membership; and declaring an emergency.

Referred to Committee on Urban Affairs.

By McKissack:

HB 1127, A bill to be entitled An Act relating to the reserves required to be maintained by certain insurers; amending Section 3, Article 1.10, Texas Insurance Code; repealing Subsection (b), Section 2 of Article 14.15, and Section 2, Article 22.11, Texas Insurance Code, as amended; repealing laws in conflict; providing for severability; and declaring an emergency.

Referred to Committee on Insurance.

By McKissack:

HB 1128, A bill to be entitled An Act relating to the denial, refusal, suspension, or revocation of the licenses of certain insurance agents; amending Subsection (a), Section 10, Article 21.07, Texas Insurance Code, as amended; and declaring an emergency.

Referred to Committee on Insurance.

By McKissack:

HB 1129, A bill to be entitled An Act limiting the liability of certain insurance companies for attorney fees in a case where the company delays payment of an insured loss beyond the prescribed time for payment; amending Article 3.62, Texas Insurance Code; and declaring an emergency.

Referred to Committee on Insurance.

By Ogg:

HB 1130, A bill to be entitled An Act increasing the penalty for unlawful possession of lysergic acid, lysergic acid diethylamide, LSD-25, and LSD; amending Subsection (a), Section 15, 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.

By Ogg:

HB 1131, A bill to be entitled An Act authorizing county governments in counties having 1,500,000 inhabitants or more, and any political subdivisions within any such county in this state, to contract with each other for the performance of functions of government required or authorized by the constitution or the laws of this state; and declaring an emergency.

Referred to Committee on Counties.

By Ogg:

HB 1132, A bill to be entitled An Act relating to requiring proof of identity by means of a pictured identification when tangible personal property is pledged as security for certain loans or when certain used property is sold to dealers in secondhand personal property; amending Subsection (10), Article 3.17, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-3.17, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Ogg:

HB 1133, A bill to be entitled An Act relating to the creation of the 233rd and 234th District Courts in Harris County, both of which courts are directed to give preference to criminal cases; relating to the creation of Juvenile Courts Nos. 4 and 5 of Harris County; relating to the creation of the Courts of Domestic Relations Nos. 6 and 7 of Harris County; amending Subchapter C, Judicial Districts, Act of 1969 (Article 199a, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judicial Districts.

By Ogg:

HB 1134, A bill to be entitled An Act relating to the salary of the county clerk in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Ogg:

HB 1135, A bill to be entitled An Act reducing the number of preemptory challenges permitted in criminal cases; amending Article 35.15, Code of Criminal Procedure, 1965; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By G. Jones:

HB 1136, A bill to be entitled An Act relating to providing workmen's compensation insurance coverages for rejected risks; amending House Bill No. 474, Chapter 279, Acts of the 53rd Texas Legislature, Regular Session, 1953 (codified as Article 5.76, Insurance Code of Texas) providing that counties, municipalities or any other departments of political subdivisions of the State of Texas authorized by any law of this state to

provide workmen's compensation insurance for its employees may obtain such coverage in accordance with Article 5.76, Insurance Code of Texas; containing a repealing clause; providing for severability; and declaring an emergency.

Referred to Committee on Insurance.

By Mengden:

HB 1137, A bill to be entitled An Act relating to prohibiting the exhibition of certain harmful materials to minors and the admittance of minors to motion picture theaters where harmful material is shown; prohibiting a person convicted of violating this Act from working in motion picture theaters; providing penalties; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Smith:

HB 1138, A bill to be entitled An Act relating to financing farm-to-market road construction, improvement, and maintenance from the state highway fund; changing the allocation of funds from the omnibus tax clearance fund to eliminate allocations for farm-to-market construction and to increase the priority of the foundation school program and the general revenue fund amending Article 9.25, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; amending Subdivisions (4-a) and (4-c), Section 2, Article XX, Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 7083a, Vernon's Texas Civil Statutes), and repealing Subdivision (4-b); providing for severability; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

By J. Nugent:

HB 1139, A bill to be entitled An Act authorizing the sale or disposition of the Texas School for the Blind and construction of a replacement facility; and declaring an emergency.

Referred to Committee on Appropriations.

By J. Nugent:

HB 1140, A bill to be entitled An Act relating to the creation, establishment, maintenance, operation, powers, and duties of a conservation and reclamation district to be known as the "Flying 'L' Public Utility District" created under Article 16, Section 59 of the Texas Constitution; determining and finding that the requirements of Article 16, Section 59(d), of the Texas Constitution as to notice of intention to introduce this Act have been fulfilled and accomplished; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HCR 89, by Harding: Commending Master Sergeant Finnis D. McCleery.

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

Representative Niland entered the House and was announced present.

HB 329 ON SECOND READING

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

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.

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

Mr. Jungmichel moved to reconsider the vote by which HB 329 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE HB 329 ON THIRD READING

Mr. Jungmichel moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 329 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—102

Adams	Clark	Hale	Kost
Allen, Joe	Coats	Harding	Kubiak
Allred	Cobb	Harris	Lemmon
Angly	Cole	Hawkins	Ligarde
Atwell	Craddick	Hawn	Lombardino
Baker	Cruz	Haynes	Longoria
Beckham	Daniel	Heatly	Lovell
Bigham	Davis, H.	Hendricks	McAlister
Blanton	Denton	Hilliard	McKissack
Boyle	Doyle	Holmes, T.	Moncrief
Braecklein	Farenthold	Howard	Moore, A.
Braun	Finnell	Hubenak	Moore, T.
Burgess	Foreman	Hull	Murray
Bynum	Gammage	Ingram	Nabers
Carrillo	Garcia	Johnson	Nelms
Cates	Golman	Jungmichel	Neugent, D.
Cavness	Grant	Kilpatrick	Newton

Ogg	Salem	Slider	Uher
Orr	Salter	Solomon	Von Dohlen
Parker, C.	Sanchez	Spurlock	Ward
Parker, W.	Santiesteban	Stewart	Wayne
Patterson	Schulle	Swanson	Wieting
Poerner	Shannon	Tarbox	Williams
Poff	Short	Traeger	Wyatt
Price	Silber	Truan	
Rodriguez	Slack	Tupper	

Nays—41

Agnich	Earthman	Lee	Semos
Allen, John	Finck	Lewis	Sherman
Atwood	Finney	Mengden	Simmons
Bass, T.	Floyd	Moreno	Smith
Blythe	Graves	Nichols	Stroud
Bowers	Head	Niland	Vale
Caldwell	Holmes, Z.	Nugent, J.	Williamson
Christian	Jones, D.	Pickens	Wolff
Davis, D.	Jones, E.	Presnal	
Doran	Jones, G.	Reed	
Dramberger	Kaster	Rosson	

Absent

Bass, B.	Hanna, Joe	Hannah, John	Moore, G.
Calhoun			

Absent-Excused

Clayton

HB 66 ON SECOND READING

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

HB 66, A bill to be entitled An Act providing that the Red Cross, the Salvation Army, and licensed ambulance companies may be designated as official defense and disaster relief agents in times of emergency; amending Sections 8, Chapter 311, Acts of the 52nd Legislature, 1951 (Article 6889-4, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Mr. Aubry Moore offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend HB 66 by adding in Section 8, Subsection (b) on Line 33 after the word and comma "Army," the following: "Civil Air Patrol,".

Further, add at Line 36, a new Subsection (c) as follows: "(c) No provision of this act, nor any designation made hereunder, shall limit, alter, or in anyway affect any liability for civil damages at law, that any such organization would otherwise have."

The committee amendment was adopted without objection.

Mr. Swanson offered the following amendment to the bill:

Amend HB 66 by adding Second Printing after word Army, Line 28, the words, Mercy Corps Houston, Harris County.

The amendment was adopted without objection.

HB 66, as amended, was passed to engrossment.

Mr. Delwin Jones moved to reconsider the vote by which HB 66 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 326 ON SECOND READING

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

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.

The bill was read second time.

Mr. Kilpatrick offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend HB 326 by substituting the word "Walker" for the word "Falls" on Line 20 thereof.

The committee amendment was adopted without objection.

HB 326, as amended, was passed to engrossment.

Mr. Adams moved to reconsider the vote by which HB 326 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 328 ON SECOND READING

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

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.

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

Mr. Jungmichel moved to reconsider the vote by which HB 328 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. Kubiak requested to be recorded as voting Nay on the passage to engrossment of HB 328.

HB 63 ON SECOND READING

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

HB 63, A bill to be entitled An Act relating to the appointment and terms of office of members of the Texas State Board of Examiners of Psychologists; amending Sections 4 and 5, Chapter 713, Acts of the 61st Legislature, Regular Session, 1969 (Article 4512c, Vernon's Texas Civil Statutes); and declaring an emergency.

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

Mr. Cavness moved to reconsider the vote by which HB 63 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 76 ON SECOND READING

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

HB 76, A bill to be entitled An Act to be known as the "Professional Services Procurement Act," relating to and establishing state policies and procedures for the procurement of professional services of architects, attorneys, physicians, surgeons and engineers, by agencies and departments of the State of Texas, political subdivisions, counties, municipalities, districts, public authorities or publicly-owned utilities; defining terms; declaring ding; providing for severability; providing a repealing clause; and declaring public policy; prohibiting contracting for such services by competitive bid-an emergency.

The bill was read second time.

Mr. Sherman offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend HB 76 by striking everything below the enacting clause and substituting in lieu thereof the following:

Section 1. This Act shall be known and may be cited as the "Professional Services Procurement Act."

Section 2. For purposes of this Act the term "professional services"

shall mean those within the scope of the practice of accounting, architecture, optometry, medicine or professional engineering as defined by the laws of the State of Texas or those performed by any licensed architect, optometrist, physician, surgeon, certified public accountant or professional engineer in connection with his professional employment or practice.

Section 3. No state agency, political subdivision, county, municipality, district, authority or publicly-owned utility of the State of Texas shall make any contract for, or engage the professional services of, any licensed physician, optometrist, surgeon, architect, certified public accountant or registered engineer, or any group or association thereof, selected on the basis of competitive bids submitted for such contract or for such services to be performed, but shall select and award such contracts and engage such services on the basis of demonstrated competence and qualifications for the type of professional services to be performed and at fair and reasonable prices.

Section 4. Any and all such contracts, agreements or arrangements for professional services negotiated, made or entered into, directly or indirectly, by any agency or department of the State of Texas, county, municipality, political subdivision, district, authority or publicly-owned utility in any way in violation of the provisions of this Act or any part thereof are hereby declared to be void as contrary to the public policy of this state and shall not be given effect or enforced by any court of this state or by any of its public officers or employees.

Section 5. Nothing in this Act shall affect the validity or binding effect of any valid contracts in existence at the effective date hereof.

Section 6. If any section, sentence, clause or part of this Act is, for any reason, held to be unconstitutional, such decision shall not affect the remaining portion of this Act.

Section 7. Any laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 8. The fact that the selection of certified public accountants, architects, physicians, optometrists, surgeons and professional engineers on the basis of the lowest bid places a premium on incompetence and is the most likely procedure for selecting the least able or qualified and the most incompetent practitioner for the performance of services vitally affecting the health, welfare and safety of the public and that, in spite of repeated expressions of the legislature excepting such professional services from statutes providing for competitive bidding procedures, some public officers continue to apply competitive bidding procedures to the selection of such professional personnel, creates an emergency of the greatest public importance to the health, safety and welfare of the people of Texas and an imperative public necessity requiring that the Constitutional Rule that bills be read on three several days in each House be suspended, and such Rule is hereby suspended; and this Act shall take effect from and after its passage, and it is so enacted.

The committee amendment was adopted by the following vote:

Yeas—101

Adams	Finck	Lemmon	Sanchez
Agnich	Finnell	Lewis	Santiesteban
Allen, John	Finney	Ligarde	Schulle
Angly	Foreman	Lombardino	Shannon
Atwood	Gammage	Longoria	Sherman
Baker	Garcia	McAlister	Short
Blanton	Golman	Moncrief	Simmons
Boyle	Grant	Moore, A.	Slider
Braecklein	Hale	Moore, G.	Solomon
Braun	Hanna, Joe	Murray	Spurlock
Burgess	Harding	Nabers	Stewart
Bynum	Harris	Nelms	Swanson
Calhoun	Hawkins	Neugent, D.	Tarbox
Carrillo	Haynes	Newton	Traeger
Cates	Head	Nichols	Uher
Cavness	Heatly	Niland	Vale
Christian	Hilliard	Nugent, J.	Von Dohlen
Clark	Holmes, T.	Ogg	Ward
Coats	Hubenak	Parker, W.	Wieting
Cobb	Ingram	Pickens	Williams
Cole	Johnson	Poff	Williamson
Craddick	Jones, D.	Presnal	Wolff
Davis, D.	Jones, G.	Price	Wyatt
Davis, H.	Jungmichel	Reed	
Dramberger	Kaster	Rodriguez	
Farenthold	Kost	Salem	

Nays—34

Allen, Joe	Daniel	Jones, E.	Rosson
Allred	Denton	Kubiak	Semos
Bass, B.	Earthman	Lee	Smith
Bass, T.	Floyd	Lovell	Stroud
Beckham	Graves	Mengden	Truan
Bigham	Hendricks	Moore, T.	Tupper
Blythe	Holmes, Z.	Moreno	Wayne
Bowers	Howard	Orr	
Caldwell	Hull	Parker, C.	

Present—Not Voting

Poerner	Silber
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Absent

Atwell	Doyle	Kilpatrick	Salter
Cruz	Hannah, John	McKissack	Slack
Doran	Hawn	Patterson	

Absent-Excused

Clayton

REASON FOR VOTE
March 16, 1971

I voted Present-Not Voting on the adoption of Committee Amendment No. 1 to HB 76 because my firm is engaged in offering a professional service to the public.

Signed: John H. Poerner

REASON FOR VOTE
March 16, 1971

I voted Present-Not voting on the adoption of Committee Amendment No. 1 to HB 76 because I am a registered professional engineer.

Signed: Paul Silber

Mr. Sherman offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend the caption of HB 76 to read as follows:

An Act to be known as the "Professional Services Procurement Act," relating to and establishing state policies and procedures for the procurement of professional services of architects, optometrists, certified public accountants, physicians, surgeons, and registered engineers, by agencies and departments of the State of Texas, political subdivisions, counties, municipalities, districts, public authorities or publicly-owned utilities; defining terms; declaring public policy; prohibiting contracting for such services by competitive bidding; providing for severability; providing a repealing clause; and declaring an emergency.

The committee amendment was adopted without objection.

HB 76, as amended, was passed to engrossment.

Mr. Traeger moved to reconsider the vote by which HB 76 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

By unanimous consent of the House, Mr. Atwood was granted permission to be recorded as voting Yea on the passage of HB 356, HB 386, HB 347, and HB 348, the votes being on yesterday, March 15, 1971.

ADJOURNMENT

Mr. Ogg moved that the House adjourn in memory of Whitney M. Young, Jr., until 10:30 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 12:15 p.m., adjourned until 10:30 a.m. tomorrow in memory of Whitney M. Young, Jr.

 APPENDIX

 BILL TRANSMITTED TO GOVERNOR
 UNDER ARTICLE 16, SECTION 59

HB 1598 transmitted by the Chief Clerk to the Governor on March 15, 1971.

STANDING COMMITTEE REPORTS

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

Criminal Jurisprudence: HB 186.

Engrossed and Enrolled Bills: Correctly engrossed—HCR 53, HCR 86. Correctly enrolled—HB 37, HCR 76.

Parks and Wildlife: HB 586, HB 722, HB 824, HCR 72.

 THIRTY-NINTH DAY—WEDNESDAY, MARCH 17, 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:

Mr. Speaker	Cole	Head	Moore, A.
Adams	Craddock	Heatly	Moore, G.
Agnich	Cruz	Hendricks	Moore, T.
Allen, Joe	Daniel	Hilliard	Moreno
Allen, John	Davis, D.	Holmes, T.	Murray
Angly	Davis, H.	Holmes, Z.	Nabers
Atwell	Denton	Howard	Nelms
Atwood	Doyle	Hubenak	Neugent, D.
Baker	Dramberger	Ingram	Newton
Bass, B.	Earthman	Johnson	Nichols
Bass, T.	Farenthold	Jones, D.	Niland
Beckham	Finck	Jones, E.	Nugent, J.
Bigham	Finnell	Jungmichel	Ogg
Blanton	Finney	Kaster	Orr
Blythe	Floyd	Kilpatrick	Parker, C.
Bowers	Foreman	Kost	Parker, W.
Boyle	Gammage	Kubiak	Patterson
Braecklein	Golman	Lee	Pickens
Braun	Grant	Lemmon	Poerner
Bynum	Graves	Lewis	Poff
Caldwell	Hale	Ligarde	Presnal
Calhoun	Hanna, Joe	Lombardino	Reed
Carrillo	Harding	Longoria	Rodriguez
Cates	Harris	Lovell	Rosson
Cavness	Hawkins	McAlister	Salem
Christian	Hawn	Mengden	Salter
Coats	Haynes	Moncrief	Santiesteban