

Parks and Wildlife: HB 420, HB 676.

Public Education: HB 163.

State Affairs: HB 616, HB 618.

SENT TO THE GOVERNOR
March 16, 1971

HB 37

HCR 76

FORTIETH DAY—THURSDAY, MARCH 18, 1971

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

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

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

Absent-Excused

Atwell	Cobb	Holmes, Z.	Spurlock
Clark	Doran	Hull	Stroud
Clayton	Golman	Salter	Wayne

(Mr. Tom Holmes occupied the Chair temporarily)

(Speaker in the Chair)

A quorum of the House was announced present.

The Invocation was offered by The Reverend Jon Siemsglusz, Pastor of Grace Lutheran Church, Brenham, Texas, as follows:

O God, we begin this day in Thy Name. And as we see Your hand in the history of our nation, so we thank You for our great leaders through whom You have brought us many blessings.

We are especially mindful of those who in times of crisis have given themselves for the upholding of freedom, truth and righteousness. Let their dedication be an example, that each of us may be equal to the sacrifices demanded of us. Teach us well the lessons of history lest we forget that others have labored and that we have now entered into their labors. Set before each of us the supreme devotion of Jesus Christ, who came to serve and to lose His life in service for others.

We also remember in a special prayer this morning Mr. Jep Fuller, former Senator, who is in M. D. Anderson hospital. Comfort him, as he lies on his hospital bed, is the prayer of each of us. And if it be Your will, O God, grant him strength and renewed health, that he may return to his active, normal life. In Jesus' Name we ask it. Amen.

Representative Hale entered the House and was announced present.

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. Traeger.

Mr. Zan Holmes on motion of Mr. Tom Bass.

Mr. Wayne on motion of Mr. Uher.

Mr. Spurlock, temporarily for today, on motion of Mr. Lewis.

Mr. Clark on motion of Mr. Nelms.

Mr. Atwell on motion of Mr. Hawn.

Mr. Golman, temporarily for today, on motion of Mr. Aubry Moore.

Mr. Cobb on motion of Mr. Walt Parker.

Mr. Hull on motion of Mr. Walt Parker.

Mr. Doran on motion of Mr. Floyd.

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

Mr. Stroud on motion of Mr. Tom Bass.

Mr. Salter, on account of illness in the family, on motion of Mr. Tom Moore.

MESSAGE FROM THE SENATE

Austin, Texas, March 18, 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 59, By Aikin, et al: Resolving that The University of Texas M.D. Anderson Hospital and Tumor Institute is reaffirmed as the official state resource for the education, research and treatment of cancer and allied diseases for all citizens and physicians and medical and dental schools of Texas and available as a national resource, etc.

SJR 7, By Harrington: Amending the Texas Constitution to provide an exemption of \$3,000 of the value of residence homesteads of all persons 65 years of age or older, etc.

SB 19, By Herring: Relating to the use of county employees and equipment to construct, maintain, or improve private roads in certain counties; and declaring an emergency.

SB 37, By Mauzy: Relating to requiring automobile liability insurers to provide written certification of liability coverage to certain of their insureds; and declaring an emergency.

SB 101, By Mauzy: Relating to uninsured motorist coverage; and declaring an emergency.

SB 217, By Sherman: Relating to creation of Juvenile Board for Deaf Smith County; and declaring an emergency.

SB 221, By Mauzy, Harrington: Relating to cancellation of motor vehicle insurance; and declaring an emergency.

SB 226, By Bates: An Act licensing domestic landscape irrigators and lawn sprinkler companies; and declaring an emergency.

SB 278, By Herring: Relating to the establishment, etc., of The University of Texas System Environmental Science Park; and declaring an emergency.

SB 282, By Mauzy: An Act prohibiting the engaging in certain disruptive activities or disrupting a lawful assembly on the campus or property of private or public schools.

SB 318, By Brooks: Relating to the authority of the governing body of certain state-supported colleges and universities to close a street or alley running through the campus; and declaring an emergency.

SB 373, By Moore: Authorizing Community Centers for Mental Health and Mental Retardation Services; and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

(Mr. Calhoun in the Chair)

RESOLUTION SIGNED BY THE SPEAKER

The Chair announced the signing by the Speaker in the presence of the House, after giving due notice thereof, the following enrolled resolution:

SCR 57, Commending the fire fighters of Engine Company Number 41.

Representatives Short, Rodriguez, Pickens, and Grant Jones entered the House and were announced present.

(Speaker in the Chair)

MEMORIAL RESOLUTION ADOPTED

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

SCR 58, In memory of Mrs. Ethel Ruth Watson.

HSR 253—ADOPTED

(Extending best wishes to the Honorable Crawford Martin)

Mr. Wayne offered the following resolution:

HSR 253

Whereas, On Friday, March 5, our distinguished and esteemed former colleague, Crawford C. Martin, Attorney General of Texas, suffered a severe heart attack; and

Whereas, General Martin has served the office of Attorney General with honor and outstanding leadership since he was first elected to that post in 1966; prior to that, the Texas Senate had the privilege of claiming him as a Member from 1949 to 1963; and

Whereas, We are optimistic that he will surmount this illness just as he has overcome other obstacles that have stood in his way during his illustrious career, thus turning them into victories; and

Whereas, Crawford C. Martin's absence is felt in the Attorney General's Department, it is our sincere desire that he will soon be completely restored to health; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature convey to Crawford C. Martin our deep concern for him at this time, and our best wishes for a speedy recovery; and that a copy of this Resolution be prepared for him as a token of our warmest regards.

The resolution was read and was unanimously adopted.

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

HSR 257—ADOPTED

(Congratulating the Honorable Nola White)

Mr. Smith offered the following resolution:

HSR 257

Whereas, The Honorable Nola White, First Assistant Attorney General of Texas, is an outstanding public servant who, in a little over three years, has written his name in great letters across the pages of state government in Texas; and

Whereas, In January, 1967, Mr. White retired from the practice of law in his beloved home city of Beaumont, deep in the heart of the Golden Triangle of East Texas, and came to Austin as Special Assistant Attorney General and Chief of the newly-organized Crime Prevention Division where he worked effectively and efficiently with law enforcement and other officials throughout the state. He presently serves on the Legislative Committee on Criminal Investigative Procedures, and represents General Martin on the Texas Commission on Law Enforcement Officer Standards and Education as well as the Texas Criminal Justice Council; and

Whereas, As First Assistant Attorney General since February, 1968, he has built up an amazing record of achievement in his field and has worked untiringly for the betterment of crime prevention and law enforcement in Texas and has earned distinction in several fields; and

Whereas, This outstanding public servant has just returned from M. D. Anderson Hospital in Houston where he fought a successful fight against illness and returned to Austin looking fit and healthy and able to carry on; and

Whereas, While recovering from surgery in Houston, Nola White was able to rise to the occasion and to resume his duties when Attorney General Crawford Martin became ill, and has continued his active leadership in the Department since that time; therefore, be it

Resolved by the Texas House of Representatives, That the Honorable Nola White is hereby congratulated for his return to duty under difficult circumstances and that he be, and is hereby, commended for his devotion to duty, his willingness to work, and his sincere dedication as a public servant; and, be it further

Resolved, That the best wishes and high regard of the Members of this House be, and are hereby, expressed as are the sincere best wishes for a long and happy life, and a long continued opportunity to serve the people of Texas.

The resolution was read and was unanimously adopted.

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

Representative Sanchez entered the House and was announced present.

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 187, Granting minors the capacity to consent to examination or treatment for disorders relating to or caused by narcotics or other drugs.

HCR 89, Commending Master Sergeant Finnis D. McCleery.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HCR 95, by Tom Bass, Foreman, H. Davis, and Cavness: Commending Mrs. Georgiana Ruth Kennedy Sims.

HSR 254, by Hawkins: Saluting the senior high school students of Mildred High School.

HSR 255, by Burgess: Commending the 1970-1971 Stephen F. Austin Lumberjack team on winning the NAIA District IV title.

On motion of Mr. Adams, the names of all the Members of the House were added to HSR 255 as signers thereof.

HSR 256, by Burgess: Congratulating the members of the 1970-71 Stephen F. Austin Lumberjack team on advancing to the NAIA National Tournament Quarterfinals.

On motion of Mr. Adams, the names of all the Members of the House were added to HSR 256 as signers thereof.

HSR 258, by Truan, Farenthold, Salem, and Hale: Congratulating Mr. Joe F. Garza of Corpus Christi.

On motion of Mr. Braun the names of all the Members of the House were added to HSR 258 as signers thereof.

Representative Price entered the House and was announced present.

LEAVE OF ABSENCE GRANTED

On motion of Mr. Wolff, Mr. Floyd was granted leave of absence for the remainder of today on account of important business.

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 Haynes:

HB 1191, A bill to be entitled An Act amending Section 1, Chapter 493, Acts of the 49th Legislature, Regular Session, 1965, as amended (Article 8309e-1, Vernon's Texas Civil Statutes), Workmen's Compensation for employees of Independent School Districts; providing for the application of Sections 1 and 4, Article 8306, Revised Civil Statutes of Texas, 1925, as amended, which provides for the waiver of common-law defenses of contributory negligence, fellow servant doctrine and assigned risk and further providing for the right of employees when employer is not a subscriber to sue the employer for common-law negligence; providing that this Act shall not affect any rights which have vested or accrued prior to the effective date hereof, and retaining prior laws in effect, insofar as injuries sustained prior to the effective date hereof; providing for a savings clause; repealing all laws in conflict; and declaring an emergency.

Referred to Committee on State Affairs.

By Nichols:

HB 1192, A bill to be entitled An Act relating to cancelling, refusing to issue, or refusing to renew motor vehicle and fire insurance policies; amending Chapter 5, Texas Insurance Code, as amended, by adding Articles 5.25-1 and 5.01-4; and declaring an emergency.

Referred to Committee on Insurance.

COMMITTEE MEETING

Mr. Pickens asked unanimous consent of the House that the Committee on Insurance be permitted to meet at this time.

There was no objection offered.

HOUSE BILLS ON FIRST READING—(Continued)

By Cavness:

HB 1193, A bill to be entitled An Act relating to the assessment of

property and casualty insurers for the protection of the policyholders and claimants of impaired property and casualty insurers; setting forth the conditions and methods for assessments; making provision for the disbursement and repayment of funds derived from assessments; declaring legislative purpose; providing a title by which the Act may be cited; defining certain terms used in the Act; providing for creation of special reserve funds to be accumulated and held in trust by property and casualty insurers for the payment of assessments; providing for accounting, investment, and withdrawal of special reserve funds; setting forth the penalties for failure to accumulate funds and pay assessments; providing for assignment of subrogation rights; providing for consideration of special reserve funds by the State Board of Insurance in making and approving rates; providing for rule making authority; providing for appeals; providing for prohibition against unconstitutional application; providing the conditions for resumption of issuance of insurance policies by an impaired insurer; containing a severance clause; providing for control over conflicting laws; and declaring an emergency.

Referred to Committee on Insurance.

By Cavness:

HB 1194, A bill to be entitled An Act relating to the assessment of life, health, accident, and group hospital service insurers for the protection of persons entitled to policy benefits of impaired life, health, accident, and group hospital service insurers; setting forth the conditions and methods for assessments; making provision for the disbursement and repayment of funds derived from assessments; declaring legislative purpose; providing a title by which the Act may be cited; defining certain terms used in the Act; providing for creation of special reserve funds to be accumulated and held in trust by life, health, accident, and group hospital service insurers for the payment of assessments; providing for accounting, investment, and withdrawal of special reserve funds; setting forth the penalties for failure to accumulate funds and pay assessments; providing for the right of contract by the receiver or conservator to achieve uniform treatment of persons entitled to policy benefits; providing for assignment of subrogation rights; providing for rule making authority; providing for appeals; providing for prohibition against unconstitutional application; providing the conditions for resumption of issuance of insurance policies by an impaired insurer; containing a severance clause; providing for control over conflicting laws; and declaring an emergency.

Referred to Committee on Insurance.

By Calhoun:

HB 1195, A bill to be entitled An Act relating to the salaries of the official shorthand reporters for the 42nd and 104th Judicial Districts of Texas; amending Subsections (a) and (b), Section 1, Chapter 241, Acts of the 59th Legislature, Regular Session, 1965 (Article 2326j-42, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Calhoun:

HB 1196, A bill to be entitled An Act transferring Jones County from

the 104th Judicial District to the 39th Judicial District and fixing terms of court; amending Section 2, Chapter 184, Acts of the 57th Legislature, Regular Session, 1961, as amended, and Section 39, Article 199, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Judicial Districts.

By Calhoun:

HB 1197, A bill to be entitled An Act relating to the creation of the position of state apiarist in the Department of Agriculture and transferring the powers and duties of the state entomologist that pertain to honey bees to the Department of Agriculture; and declaring an emergency.

Referred to Committee on Agriculture.

By Harding:

HB 1198, A bill to be entitled An Act relating to reports on investments and income of the Permanent University Fund; and declaring an emergency.

Referred to Committee on State Affairs.

By Braun, Nichols, and Graves:

HB 1199, A bill to be entitled An Act relating to counties to be included in the Gulf Coast Waste Disposal Authority; providing for election of a six-member board of directors for the Gulf Coast Waste Disposal Authority; relating to qualifications of the directors; relating to issuance of permits; clarifying the relationship between the Gulf Coast Waste Disposal Authority and the Texas Water Quality Board; authorizing the use of various methods of disposal and the types of disposal systems; providing that tax money will not be used to finance industrial pollution control or clean-up; providing that at least 50 percent of the funds of the authority will be used for enforcement; amending Sections 1.01, 1.02, 2.02, 2.03, 2.04, 2.05, 2.08, Subsections (i) and (j) of Section 3.10, and Subsection (e) of Section 3.01 of and adding Sections 3.25, 3.26, 3.27, 4.09, and 5.09 to Chapter 409, Acts of the 61st Legislature, Regular Session, 1969 (Article 7621d-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Howard:

HB 1200, A bill to be entitled An Act amending Subsection (L), Section 1, Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933 as added (Article 2654c, Vernon's Texas Civil Statutes), relating to exemptions from residency requirements for the payment of resident tuition and fees at institutions of higher education.

Referred to Committee on Appropriations.

By Howard:

HB 1201, A bill to be entitled An Act constituting a local law for the maintenance of the public roads and highways in Bowie County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right-of-way for the designated state highways, including farm-to-market highways, or federal highways when the acquisition of such right-of-way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency.

Referred to Committee on Counties.

By Braecklein:

HB 1202, A bill to be entitled An Act relating to the release of a defendant on personal bond; amending the Code of Criminal Procedure, 1965; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Doran:

HB 1203, A bill to be entitled An Act relating to the appointment of special rangers by the Public Safety Commission; amending Subsection (5), Section II, Chapter 181, Acts of the 44th Legislature, Regular Session, 1935, as amended (Article 4413(11), Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Doran:

HB 1204, A bill to be entitled An Act relating to including Concho County within the 119th Judicial District; amending Section 5, Chapter 367, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 199 (119), Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judicial Districts.

By Doran:

HB 1205, A bill to be entitled An Act relating to the sale of certain fish in Edwards County; amending Section 1, Chapter 61, Acts of the 43rd Legislature, Special Laws, 1933 (Article 978L, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Doran:

HB 1206, A bill to be entitled An Act prescribing compensation for certain county and district officials in certain counties; amending Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Doran:

HB 1207, A bill to be entitled An Act relating to the abolition of the office of county auditor in certain counties; and declaring an emergency.

Referred to Committee on Counties.

MESSAGE FROM THE SENATE

Austin, Texas, March 18, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

HCR 53, By Von Dohlen, et al: Memorializing the Congress of the United States to take appropriate action to protect "access hospitals" and to prevent their loss of Medicare certification.

HCR 86, By A. Moore: Congratulating Miss Judy Womack, Miss Wool and Mohair of Texas.

HCR 88, By Ogg: Congratulating the Cypress-Fairbanks Basketball Team.

SCR 60, By Harris: A Senate Concurrent Resolution memorializing the brave Americans and Texans who have given their lives for their country in Vietnam.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HOUSE BILLS ON FIRST READING—(Continued)

By Spurlock:

HB 1208, A bill to be entitled An Act providing that grossly inaccurate reporting is libel and that verification of gross inaccuracies with the person libeled is a defense; amending Articles 5430, 5431, and 5432, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on Judiciary.

By Kaster and Moreno:

HB 1209, A bill to be entitled An Act relating to the establishment of a home for veterans of the Armed Forces of the United States; relating to the powers and duties of the Veterans Affairs Commission of the State of Texas; and declaring an emergency.

Referred to Committee on Appropriations.

By Uher:

HB 1210, A bill to be entitled An Act relating to the supplemental salary of the district attorney of the 23rd Judicial District; repealing Chapter 26, Acts of the 57th Legislature, 1st Called Session, 1961 (Article 326k-47, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Uher:

HB 1211, A bill to be entitled An Act relating to the payment of salary and office expenses of county school superintendents and ex officio county school superintendents from county funds; amending Subsections (b) and (e), Section 17.51, Texas Education Code; amending Section 17.52, Texas Education Code, by adding Subsection (c); amending Section 17.53, Texas Education Code; and declaring an emergency.

Referred to Committee on Counties.

By E. Jones:

HB 1212, A bill to be entitled An Act providing for the maintenance of adequate police regulation on Lake Livingston; amending Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 8280-188, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Clark:

HB 1213, A bill to be entitled An Act relating to election of the county auditor in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Williamson:

HB 1214, A bill to be entitled An Act relating to the composition of the State Board of Education; amending Section 11.21, Subsections (h) and (i) of Section 11.22, and Subsection (c) of Section 11.23, Texas Education Code; and declaring an emergency.

Referred to Committee on Public Education.

(Mr. Harold Davis in the Chair)

By McKissack:

HB 1215, A bill to be entitled An Act relating to the inclusion of physicians, surgeons, and other doctors of medicine in The Texas Professional Corporation Act; amending Section 3, Chapter 779, Acts of the 61st Legislature, Regular Session, 1969 (Article 1528e, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judiciary.

By Schulle:

HB 1216, A bill to be entitled An Act relating to abolition of the offices of elective county superintendent and county board of school trustees; amending Section 17.64, Texas Education Code; and declaring an emergency.

Referred to Committee on Counties.

By Schulle:

HB 1217, A bill to be entitled An Act authorizing the District Attorney of the 22nd Judicial District of Texas to employ certain necessary employees; providing for setting of salaries and funding; providing authority for payment of necessary expenses of District Attorney's office; providing for bonding and necessary qualifications; and providing for an emergency.

Referred to Committee on Counties.

By Burgess:

HB 1218, A bill to be entitled An Act authorizing state institutions of higher education to maintain one or more revolving funds to facilitate the payment of their expenses, to pay their bills within cash discount periods, and to make other payments including any and all salaries and wages; and declaring an emergency.

Referred to Committee on Higher Education.

By Williamson:

HB 1219, A bill to be entitled An Act relating to the election of members of the Coordinating Board, Texas College and University System; amending Section 4, Higher Education Coordinating Acts of 1965 (Article 2919e-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Higher Education.

By Williamson:

HB 1220, A bill to be entitled An Act relating to the powers and duties of the Coordinating Board, Texas College and University System with reference to requests for appropriations for and approval of construction, repair and rehabilitation of facilities at institutions of higher education; amending Sections 15 and 16, Higher Education Coordinating Act of 1965, as amended (Article 2919e-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Higher Education.

By Williamson:

HB 1221, A bill to be entitled An Act relating to the power of the Coordinating Board, Texas College and University System, to set enrollment limits at state-supported institutions of higher education; amending the Higher Education Coordinating Act of 1965 (Article 2919e-2, Vernon's Texas Civil Statutes), by adding Section 10a; and declaring an emergency.

Referred to Committee on Higher Education.

By D. Jones:

HB 1222, A bill to be entitled An Act transferring the management, control maintenance, and operation of the sites and state buildings located thereon which presently is vested in the Board of Control to the State Building Commission; providing an effective date and for the transfer of certain properties, personnel, and appropriations to the State Building Commission; amending Chapter 514, Acts of the 54th Legislature, 1955, as amended (Article 678m, Vernon's Texas Civil Statutes), by amending Section 7 and adding a Section 7A; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By D. Jones:

HB 1223, A bill to be entitled An Act relating to reapportionment of congressional districts; repealing Chapter 342, Acts of the 60th Legislature, Regular Session, 1967 (Article 197c, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Congressional and Legislative Districts.

By Calhoun:

HB 1224, A bill to be entitled An Act relating to the establishment and operation of the State Board of Ophthalmic Dispensers to regulate and license ophthalmic dispensers; providing penalties; repealing laws in conflict; providing for severability; providing effective dates; and declaring an emergency.

Referred to Committee on Public Health.

By Longoria and Sanchez:

HB 1225, A bill to be entitled An Act relating to credit for judicial retirement for judges who have served in the armed forces; amending Section 2A, Chapter 99, Acts of the 51st Legislature, 1949 (Article 6228b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Lemmon:

HB 1226, A bill to be entitled An Act relating to the compensation to be paid from county funds to district and criminal district court judges serving in certain counties; amending Section 1, Chapter 229, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 6819a-19b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Lemmon:

HB 1227, A bill to be entitled An Act relating to jury trials in contested probate and mental illness proceedings in the district court or in the

county court; amending Section 21, Texas Probate Code, as amended; and declaring an emergency.

Referred to Committee on Judiciary.

By Hubenak:

HB 1228, A bill to be entitled An Act relating to the term of office of commissioners of the Brazoria County Drainage District No. 4; amending Section 4, Chapter 7, Acts of the 41st Legislature, 1st Called Session, 1929; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Hubenak and Caldwell:

HB 1229, A bill to be entitled An Act relating to the term of office of commissioners of the Brazoria County Conservation and Reclamation District No. 3; amending Section 16, 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 Nelms:

HB 1230, A bill to be entitled An Act relating to the authority of home-rule cities to disannex or exchange territory; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Cavness:

HB 1231, A bill to be entitled An Act amending Section 4.03, Subchapter D, and Section 5.01, Subchapter E, Texas Clean Air Act, as amended (Article 4477-5, Vernon's Texas Civil Statutes), relating to inspection and enforcement by local governments; and declaring an emergency.

Referred to Committee on State Affairs.

By Cavness:

HB 1232, A bill to be entitled An Act repealing Subsection (d), Section 16.57, Chapter 16, Texas Education Code, removing the requirement that no child living within the city limits of a city having a public transportation system may be eligible for transportation to school at state expense unless he resides more than two miles from the transportation service, measured by the nearest practical route; and declaring an emergency.

Referred to Committee on Public Education.

By Finck, Simmons, Lombardino, Wolff, Silber, Dramberger, Floyd, and Kost:

HB 1233, A bill to be entitled An Act relating to the exemption of the area comprising municipal cooling lakes in certain counties from the calculation of local fund assignments for the Foundation School Program;

amending Subsection (b), Section 16.76, Texas Education Code; and declaring an emergency.

Referred to Committee on Appropriations.

By Murray, Cole, Longoria, Garcia, Atwood, Carrillo, Ingram, and Sanchez:

HB 1234, A bill to be entitled An Act amending Chapter 560, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 2654c-1, Vernon's Texas Civil Statutes), to increase the amount of the building use fee provided for in Section 1 thereof and to clarify the provisions of Section 6 thereof to make Section 6 consistent with Chapter 763, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 2909c-3, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency.

Referred to Committee on Appropriations.

By Murray:

HB 1235, A bill to be entitled An Act relating to certain exemptions from the sales tax; amending Section (P), Article 20.04, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Farenthold:

HB 1236, A bill to be entitled An Act implementing the provision of Section 11a, Article VII, Constitution of the State of Texas, requiring the Legislature to enact laws providing for full disclosure of all details concerning the investment of the permanent university fund; and declaring an emergency.

Referred to Committee on State Affairs.

By Farenthold:

HB 1237, A bill to be entitled An Act relating to the qualifications and conduct of members of the governing boards of state-supported institutions of higher education; and declaring an emergency.

Referred to Committee on State Affairs.

By Farenthold:

HB 1238, A bill to be entitled An Act providing for nonvoting student members on the Board of Regents of the University of Texas System; amending Article 2584, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on State Affairs.

By Lemmon:

HB 1239, A bill to be entitled An Act relating to the district court and county court as concurrent general jurisdiction probate courts and providing the jurisdiction thereof and further providing that the Supreme Court shall have power to adopt rules governing the filing, distribution and transfer of all such cases and proceedings as between district courts, county courts, and other courts having jurisdiction thereof and providing that the Supreme Court may provide that all appeals in such matters shall be to the courts of (civil) appeals; amending Section 5, Texas Probate Code, as amended; and declaring an emergency.

Referred to Committee on Judiciary.

By Reed:

HB 1240, A bill to be entitled An Act relating to regulation of and reporting of campaign contributions and campaign expenditures; containing penal provisions; amending Chapter 14, Texas Election Code as follows: amending Section 242 (Article 14.06 Vernon's Texas Election Code); amending Subsections (c), (d), and (e), Section 243, as amended (Article 14.07); amending Subsections (g) and (h), Section 244, as amended (Article 14.08); amending Section 245 (Article 14.09); and adding Section 244A; amending Section (d), Article 213, Penal Code of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Elections.

By Rodriguez:

HB 1241, A bill to be entitled An Act relating to making certain changes in the Limited Sales, Excise and Use Tax Law for taxing of motor fuel and diesel fuel that is not subject to the Motor Fuel or Diesel Fuel Tax by amending Subsections (e) and (f) of Section (D) of Article 20.04.

Referred to Committee on Revenue and Taxation.

By Baker:

HB 1242, A bill to be entitled An Act requiring notice by posting and publication of a foreclosure sale made under power conferred by a deed of trust or other contract lien; amending Article 3810, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on Judiciary.

By Mengden:

HB 1243, A bill to be entitled An Act relating to committee composed of a voluntary association of persons who join together for the purpose of making certain expenditures on behalf of a candidate; requiring the reporting of expenditures and contributions by those persons; providing a penalty; amending the Texas Election Code by adding a Section 240a; and declaring an emergency.

Referred to Committee on Elections.

By Mengden:

HB 1244, A bill to be entitled An Act to require corporations formed for political purposes, that is, to influence the actions of voters, to report receipts and expenditures the same as political candidates.

Referred to Committee on Elections.

By Mengden:

HB 1245, A bill to be entitled An Act providing for the detention of a witness to a developing or an in-process riot or civil insurrection, fixing a time limit, providing penalties; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Mengden:

HB 1246, A bill to be entitled An Act to allow a person accused of a crime to be removed and to be kept out of court, where he misconducts himself by interrupting the proceedings so that to continue the proceedings in his presence would not be feasible; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Mengden:

HB 1247, A bill to be entitled An Act preserving order in court, providing a penalty; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Sanchez, Allred, Kaster, Kost, Doran, Golman, Wyatt, Santiesteban, T. Moore, Agnich, Ogg, Cruz, Simmons, Earthman, McKissack, Rodriguez, Swanson, Niland, Denton, Finck, Salem, Wolff, Garcia, Murray, Longoria, Atwood, John Hannah, Carrillo, and Lombardino:

HB 1248, A bill to be entitled An Act relating to the places for the holding of meetings of the Good Neighbor Commission and to the financing and functions of the Commission; amending Section 4, Chapter 435, Acts of the 50th Legislature, 1947, as amended (Article 4101-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Simmons, Silber, Kost, Lombardino, Finck, Wolff, Dramberger, and Johnson:

HB 1249, A bill to be entitled An Act relating to the compensation of the Criminal District Attorney of Bexar County; amending Section 4, Chapter 501, Acts of the 58th Legislature, Regular Session, 1963, as amended (Article 326k-50, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Blanton:

HB 1250, A bill to be entitled An Act amending Article 6243a of the Revised Civil Statutes of Texas, as amended, by adding Section 1B thereto, defining "Base Pay"; amending Section 3 thereof to provide for a percentage of deduction from wages of each fireman, policeman and fire alarm operator participating in the pension system, in accordance with the definition of base pay in Section 1B hereof; amending Sections 7, 8, 9, 10, 11 and 13 thereof to specify base pay as defined in Section 1B hereof; providing a saving clause; and declaring an emergency.

Referred to Committee on Urban Affairs.

(HB 1251 through HB 1457 were not read first time today)

By John Allen:

HB 1458, A bill to be entitled An Act relating to the creation, establishment, maintenance, financing powers, duties, and operation of certain water districts under the Model Water District Act; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

HCR 91—REFERRED TO COMMITTEE

(Ratifying the proposed Amendment to the Constitution extending the right to vote to persons 18 years of age or older)

Mr. Reed offered the following resolution:

HCR 91

Ratifying the proposed Amendment to the Constitution of the United States extending the right to vote to persons who are 18 years of age or older.

Preamble

Whereas, The Ninety-second Congress of the United States has adopted the following joint resolution proposing an amendment to the Constitution of the United States:

"Joint Resolution

"Proposing an amendment to the Constitution of the United States extending the right to vote to citizens eighteen years of age or older.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"Article —

"Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation."

Now, therefore, be it

Resolved by the Legislature of the State of Texas, the House of Representatives and the Senate concurring:

Section 1. That the Legislature of the State of Texas ratifies this proposed amendment to the Constitution of the United States.

Sec. 2. That the Secretary of State of the State of Texas shall notify the Administrator of General Services of the United States and each Senator and Representative from Texas in the Congress of the United States of this action of the Legislature by forwarding to each of them a certified copy of this Concurrent Resolution.

The resolution was referred to the Committee on Constitutional Amendments.

HCR 93—REFERRED TO COMMITTEE

(Creating a special bicameral legislative committee to study the feasibility of state acquisition of the Driskill Hotel)

Mr. McAlister offered the following resolution:

HCR 93

Whereas, The Driskill Hotel in Austin is a structure of undisputed historical and architectural importance; and

Whereas, The original four-story hotel was built in 1886; it soon became recognized as an Austin landmark and known as one of the finest hotels in the Southwest; and

Whereas, The 12-story addition to the elegant and renowned hotel was constructed in 1928; and

Whereas, In the summer of 1969, the owners of the Driskill reluctantly closed the original hotel and its annex to make way for the construction of a more profitable building; and

Whereas, So far, even the concerted efforts of private citizens have fallen short of acquiring the historic structure for preservation; and

Whereas, It would be to the advantage of Texas history if this outstanding remnant of the past were preserved for present and future generations; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature of

the State of Texas, the Senate concurring, That a special bicameral legislative committee be, and it is hereby, created to study the feasibility of state acquisition of the Driskill Hotel so that this historic edifice might be preserved; and, be it further

Resolved, That the committee consist of three Members of the House, to be appointed by the Speaker of the House, and three Members of the Senate, to be appointed by the Lieutenant Governor; and, be it further

Resolved, That, in view of the impending demolition of the Driskill Hotel the committee shall be appointed as soon as possible, that it shall begin to function immediately after the appointment of its members, and that it shall continue its work during the remainder of the regular session of the 62nd Legislature; and, be it further

Resolved, That the staff of the Texas Legislative Council be, and it is hereby, requested to assist the committee in its study; and, be it further

Resolved, That the actual expenses and other necessary expenses of operation of the committee shall be paid respectively from the Contingent Expense Funds of the House of Representatives and of the Senate; that the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee and to the Administration Committee of the Senate, 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 from the Administration Committee of the Senate; and, be it further

Resolved, That this committee shall make its complete report, including findings and recommendations, together with drafts of any proposed legislation, to the 62nd Legislature before the adjournment of this Regular Session, 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.

HCR 94—REFERRED TO COMMITTEE

(Providing for adjournment from April 7, 1971 to April 13, 1971)

Mr. Shannon offered the following resolution:

HCR 94

Be it Resolved by the House of Representatives of the State of Texas, the Senate concurring, That in compliance with Article III, Section 17, of the Constitution of the State of Texas, either House is hereby granted permission to adjourn from Wednesday, April 7, 1971, to Tuesday, April 13, 1971.

The resolution was referred to the Committee on Rules.

HSR 249—REFERRED TO COMMITTEE

(To appoint a House Investigative Committee)

Mr. Blythe and Mr. Edmund Jones offered the following resolution:

HSR 249

Whereas, Some of the leaders of the government of the State of Texas are known to be associated with some of those who presently stand accused by The Securities and Exchange Commission of fraud and deceitful practices involving misuse of their positions; and

Whereas, The disclosures concerning these prominent public figures have created an atmosphere of suspicion and distrust at a crucial time in legislative history which could be disastrous to Texas government; and

Whereas, The Members of the House of Representatives desire that the good names of all state government officials and all state governmental agencies be clearly removed from the cloud of suspicion and distrust; and

Whereas, The Members of the House of Representatives desire that there be a thorough and rational study and investigation to probe all channels of possible breaches of public trust in hopes of ending such breaches and betrayals; now, therefore, be it

Resolved by the House of Representatives, That the Honorable Speaker of the House is hereby authorized and directed to immediately appoint an eleven man House Investigative Committee to study and investigate, 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 Honorable Speaker of the House is further authorized and directed to appoint immediately the following six House Members to the House Investigative Committee: Representative Maurice Angly, Jr., Representative Tom Craddick, Representative Charles Patterson, Representative Frances Farenthold, Representative A. C. "Bud" Atwood, and Representative Tom Moore, Jr.; and, be it further

Resolved, That the Honorable Speaker of the House is further authorized and directed to appoint immediately five other House Members of his own choosing to the said House Investigative Committee. If a vacancy on the said committee should arise the Honorable Speaker shall appoint another House member to fill this vacancy, subject to House approval; and, be it further

Resolved, That the Chairman of the Committee shall be elected from its membership at the committee's first meeting and notice of such meeting shall be posted as to time and place; and, be it further

Resolved, That said committee is hereby authorized to request the services and assistance of the State Auditor's Department, the State Securities Board, 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 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 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 this committee is to ascertain the truth and that it be authorized to begin work immediately; and, be it further

Resolved, That this House of Representatives, upon the committee's report, shall take such measures as may be necessary to insure that the best interest of Texas citizens is protected.

The resolution was referred to the Committee on Rules.

MASCOT RESOLUTION

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

HSR 250, by Grant: Naming James Moyer Allred Mascot of the House.

SENATE BILL ON FIRST READING

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

SB 338 to the Committee on Governmental Affairs and Efficiency.

(Speaker in the Chair)

Representatives Golman and Stewart entered the House and were announced present.

LEAVE OF ABSENCE GRANTED

On motion of Mr. Carrillo, Mr. Santiesteban was granted leave of absence for the remainder of today on account of important business.

Representative Atwood entered the House and was announced present.

MESSAGE FROM THE SENATE

Austin, Texas, March 18, 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 61, By Blanchard: Requesting return of HB 3.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

BILL SIGNED BY THE SPEAKER

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

SB 241, Relating to the transferring of original jurisdiction in matters of eminent domain from certain county courts to district courts in Tarrant County.

SB 333 ON SECOND READING
(Mr. Bill Bass—House Sponsor)

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

SB 333, A bill to be entitled An Act authorizing governing boards of public junior colleges originally created as county junior college districts which contain territory in three (3) or more counties to divide such junior college districts into nine (9) separate election districts and provide for election of one trustee from each district by qualified voters of that district; providing for terms of office and procedures of elections; providing a severability clause; and declaring an emergency.

The bill was read second time.

Mr. Bill Bass offered the following amendment to the bill:

Amend SB 333 by inserting a new Section after Section 1 to read as follows and renumbering the subsequent sections accordingly:

"Section 2. In the event the governing board of trustees of any such junior college district shall not have adopted the provisions of this Act, it shall be the duty of such board of trustees when presented with a petition requesting such action, signed by 10% or more of the qualified electors residing within such public junior college district, to call an election within such junior college district at which there shall be submitted to the qualified voters of the public junior college district the proposition whether such public junior college district shall adopt the provisions of this Act with respect to the election of trustees, which election shall be held not less than thirty (30) nor more than sixty (60) days thereafter on the first Saturday of some month within such period of time, notice of which such election shall be given by publication one time in at least one newspaper of general circulation in each county in which said public junior college district has territory not more than thirty (30) days nor less than ten (10) days prior to such election. The returns of such election shall be made to such board of trustees, which shall canvass the returns and declare the results thereof. In the event a majority of those voting in such election vote in favor of the proposition

to adopt the provisions of this Act, then the board of trustees of such public junior college shall proceed as hereinafter provided in the same manner as though the governing board of trustees of such junior college district had by resolution of the trustees elected to adopt the provisions of this Act. If the provisions of this Act are adopted at such an election such action shall not thereafter be rescinded."

The amendment was adopted without objection.

SB 333, as amended, was passed to third reading.

Representative Ligarde entered the House and was announced present.

SB 333 ON THIRD READING

Mr. Bill Bass moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 333 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—129

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

Nays—2

Jones, D. Nugent, J.

Absent

Bass, B. Johnson Jones, G. Lovell
Graves

Absent-Excused

Atwell Doran Salter Wayne
Clark Floyd Santiesteban
Clayton Holmes, Z. Spurlock
Cobb Hull Stroud

The Speaker then laid SB 333 before the House on third reading and final passage.

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

Yeas—133

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

Absent

Doyle Harris Johnson

Absent-Excused

Atwell	Doran	Salter	Wayne
Clark	Floyd	Santiesteban	
Clayton	Holmes, Z.	Spurlock	
Cobb	Hull	Stroud	

Mr. Bill Bass moved to reconsider the vote by which SB 333 was passed and to table the motion to reconsider.

The motion to table prevailed.

Representative Johnson entered the House and was announced present.

HB 493 ON SECOND READING

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

HB 493, A bill to be entitled An Act relating to an increased maintenance tax in certain school districts; amending Section 1, Chapter 63, Acts of the 60th Legislature, Regular Session, 1967 (Article 2784e-8, Vernon's Texas Civil Statutes); and declaring an emergency.

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

HB 493 ON THIRD READING

Mr. Von Dohlen moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 493 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adams	Burgess	Denton	Harding
Allen, Joe	Bynum	Doyle	Harris
Allen, John	Caldwell	Dramberger	Hawkins
Allred	Calhoun	Earthman	Hawn
Angly	Carrillo	Farenthold	Haynes
Baker	Cates	Finnell	Head
Bass, B.	Cavness	Finney	Heatly
Bass, T.	Christian	Foreman	Hendricks
Beckham	Coats	Gammage	Hilliard
Blanton	Cole	Garcia	Holmes, T.
Blythe	Craddick	Golman	Howard
Bowers	Cruz	Grant	Hubenak
Boyle	Daniel	Hale	Ingram
Braecklein	Davis, D.	Hanna, Joe	Jones, D.
Braun	Davis, H.	Hannah, John	Jones, E.

Jungmichel	Moreno	Price	Solomon
Kilpatrick	Murray	Reed	Stewart
Kost	Nabers	Rodriguez	Swanson
Kubiak	Nelms	Rosson	Tarbox
Lee	Neugent, D.	Salem	Traeger
Lemmon	Newton	Sanchez	Truan
Lewis	Nichols	Schulle	Tupper
Ligarde	Niland	Semos	Uher
Lombardino	Ogg	Shannon	Vale
Longoria	Orr	Sherman	Von Dohlen
Lovell	Parker, C.	Short	Ward
McKissack	Parker, W.	Silber	Wieting
Moncrief	Patterson	Simmons	Williams
Moore, A.	Poerner	Slack	Williamson
Moore, G.	Poff	Slider	Wolf
Moore, T.	Presnal	Smith	Wyatt

Nays—8

Agnich	Graves	Kaster	Nugent, J.
Finck	Jones, G.	Mengden	Pickens

Absent

Atwood	Bigham	Johnson	McAlister
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Absent-Excused

Atwell	Doran	Salter	Wayne
Clark	Floyd	Santiesteban	
Clayton	Holmes, Z.	Spurlock	
Cobb	Hull	Stroud	

The Speaker then laid HB 493 before the House on third reading and final passage.

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

Yeas—133

Adams	Bynum	Earthman	Haynes
Agnich	Caldwell	Farenthold	Head
Allen, John	Calhoun	Finck	Heatly
Allred	Carrillo	Finnell	Hendricks
Angly	Cates	Finney	Hilliard
Atwood	Cavness	Foreman	Holmes, T.
Baker	Christian	Gammage	Howard
Bass, B.	Coats	Garcia	Hubenak
Bass, T.	Cole	Golman	Ingram
Beckham	Craddick	Grant	Johnson
Bigham	Cruz	Graves	Jones, D.
Blanton	Daniel	Hale	Jones, E.
Blythe	Davis, D.	Hanna, Joe	Jones, G.
Bowers	Davis, H.	Hannah, John	Jungmichel
Boyle	Denton	Harding	Kaster
Braecklein	Doyle	Hawkins	Kilpatrick
Burgess	Dramberger	Hawn	Kost

Kubiak	Nabers	Reed	Swanson
Lee	Nelms	Rodriguez	Tarbox
Lemmon	Neugent, D.	Rosson	Traeger
Lewis	Newton	Salem	Truan
Ligarde	Nichols	Sanchez	Tupper
Lombardino	Niland	Schulle	Uher
Longoria	Nugent, J.	Semos	Vale
Lovell	Ogg	Shannon	Von Dohlen
McAlister	Orr	Sherman	Ward
McKissack	Parker, C.	Short	Wieting
Mengden	Parker, W.	Silber	Williams
Moncrief	Patterson	Simmons	Williamson
Moore, A.	Pickens	Slack	Wolff
Moore, G.	Poerner	Slider	Wyatt
Moore, T.	Poff	Smith	
Moreno	Presnal	Solomon	
Murray	Price	Stewart	

Absent

Allen, Joe Braun Harris

Absent-Excused

Atwell	Doran	Salter	Wayne
Clark	Floyd	Santiesteban	
Clayton	Holmes, Z.	Spurlock	
Cobb	Hull	Stroud	

Mr. Von Dohlen moved to reconsider the vote by which HB 493 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 226 ON SECOND READING

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

HB 226, A bill to be entitled An Act authorizing cities of more than 250,000 population according to the last preceding federal census to expend money, not exceeding one percent of the city's general fund budget, for advertising the city and promoting its growth and development and providing for the creation and operation of a City Board of Development; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 2

Amend HB 226 by striking out Section 1. below the enacting clause and substituting in lieu thereof the following:

Section 1. The governing body of any incorporated city having a population between 275,000 and 385,000 according to the last preceding federal

census may appropriate from the general fund an amount not exceeding one percent of the general fund budget for that year, such appropriation to be for advertising such city and promoting its growth and development.

Representative Spurlock entered the House and was announced present.

HB 226—(Consideration continued)

Mr. Braun offered the following substitute amendment for Committee Amendment No. 2:

Amend HB 226 by striking out Section 1. below the enacting clause and substituting in lieu thereof the following:

Section 1. The governing body of any incorporated city, having a population of not more than 500,000 according to the last Federal census, may appropriate from the general fund an amount not exceeding one percent of the general fund budget for that year, such appropriation to be for advertising such city and promoting its growth and development.

Signed: Braun and McAlister.

The substitute amendment was adopted without objection.

Committee Amendment No. 2, as substituted, was adopted.

Mr. Craddick offered the following amendment to the bill:

Amend HB 226, Section 2, by striking out the words "a City Board of Development," on lines 25 and 26 of said bill, and inserting in its place thereof, the words "a Citizens' Advisory Committee known as a City Board of Development, or by any other name."

The amendment was adopted without objection.

HB 226, as amended, was passed to engrossment.

Mr. Kaster moved to reconsider the vote by which HB 226 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 126 ON SECOND READING

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

HB 126, A bill to be entitled An Act relating to filing for the office of trustee of an independent school district with the secretary of the board of trustees in district having a scholastic population of 150 or more; amending Subsections (b) and (c), Section 23.03, Texas Education Code; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend HB 126, First Printing, by renumbering Section 2 as Section 6 and adding new Sections 2, 3, 4, and 5 to read as follows:

"Sec. 2. Subsection (a), Section 23.05, Texas Education Code, is amended to read as follows:

"(a) Ballots for the election of school trustees for independent school districts having fewer than 150 scholastics as shown by the last approved scholastic census shall be ordered by the county judge and must fulfill the requirements of this section.'

"Sec. 3. Subsection (a), Section 23.06, Texas Education Code is amended to read as follows:

"(a) Ballots for the election of school trustees for independent school districts having 150 or more scholastics as shown by the last approved census shall be prepared as ordered by the trustees of the district and must fulfill the requirements of this section.'

"Sec. 4. Section 23.10, Texas Education Code, is amended to read as follows:

"Section 23.10. Returns; Canvass

"(a) In those school districts having fewer than 150 scholastics, according to the latest approved scholastic census, the election officers shall make returns of the election to the county clerk within five days after such election, to be delivered by him to the commissioners court at its first meeting thereafter to be canvassed by such court. The court or its clerk shall certify the result to the district trustees and issue to the person or persons elected their commissions as trustees.

"(b) In those districts having 150 or more scholastics, according to the latest approved scholastic census, the election returns certified to by election officers shall be made to the board of school trustees which shall canvass the returns, declare the results of the election, and issue certificates of election to the persons shown to be elected.'

"Sec. 5. Subsection (c), Section 23.11, Texas Education Code, is amended to read as follows:

"(c) The positions on the board of trustees shall be designated by number in any independent school district in which the scholastic population is 150 or more according to the latest approved scholastic census and in which the board of trustees, by appropriate action as specified below, orders that all candidates for trustee be voted upon and elected separately for positions on the board of trustees and that all candidates be designated on the official ballot according to the number of the positions for which they seek election.'"

The committee amendment was adopted.

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

Committee Amendment No. 2

Amend HB 126, First Printing, by striking all above the enacting clause and substituting the following:

A bill to be entitled An Act relating to election procedure for the office of trustee of an independent school district having a scholastic population 150 or more; amending Subsections (b) and (c) of Section 23.03, Subsection (a) of Section 23.05, Subsection (a) of Section 23.06, Section 23.10, and Subsection (c) of Section 23.11, Texas Education Code; and declaring an emergency.

The committee amendment was adopted without objection.

HB 126, as amended, was passed to engrossment.

Mr. Kubiak moved to reconsider the vote by which HB 126 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE
HB 126 ON THIRD READING

Mr. Kubiak moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 126 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

Agnich	Denton	Kilpatrick	Rodriguez
Allen, Joe	Doyle	Kubiak	Salem
Allen, John	Dramberger	Ligarde	Sanchez
Allred	Farenthold	Lombardino	Schulle
Angly	Finnell	Longoria	Shannon
Baker	Finney	Lovell	Short
Bass, B.	Foreman	McAlister	Simmons
Bass, T.	Gammage	Moncrief	Slack
Beckham	Golman	Moore, A.	Smith
Bigham	Grant	Moore, G.	Solomon
Blythe	Hale	Moore, T.	Spurlock
Boyle	Hanna, Joe	Murray	Stewart
Braecklein	Hannah, John	Nabers	Tarbox
Braun	Harding	Nelms	Traeger
Burgess	Harris	Neugent, D.	Truan
Caldwell	Hawkins	Newton	Tupper
Carrillo	Haynes	Nichols	Uher
Cates	Head	Ogg	Vale
Cavness	Heatly	Orr	Von Dohlen
Christian	Hendricks	Parker, W.	Ward
Coats	Holmes, T.	Patterson	Wieting
Cole	Howard	Poerner	Williams
Craddick	Hubenak	Poff	Wolff
Cruz	Ingram	Presnal	Wyatt
Daniel	Johnson	Price	
Davis, H.	Jungmichel	Reed	

Nays—26

Adams	Garcia	Lee	Semos
Atwood	Graves	Lewis	Sherman
Bowers	Hawn	McKissack	Silber
Bynum	Hilliard	Niland	Slider
Davis, D.	Jones, D.	Nugent, J.	Williamson
Earthman	Jones, E.	Pickens	
Finck	Kaster	Rosson	

Absent

Blanton	Kost	Mengden	Parker, C.
Calhoun	Lemmon	Moreno	Swanson
Jones, G.			

Absent-Excused

Atwell	Cobb	Holmes, Z.	Santiesteban
Clark	Doran	Hull	Stroud
Clayton	Floyd	Salter	Wayne

HB 113 ON SECOND READING

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

HB 113, A bill to be entitled An Act relating to the protection of persons who file a claim or aid in filing a claim or testimony at hearings concerning a claim under the Texas Workmen's Compensation Act; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend HB 113 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. No person may discharge or in any other manner discriminate against any employee because the employee has in good faith filed a claim, instituted, or caused to be instituted in good faith, any proceeding under the Texas Workmen's Compensation Act, or has testified or is about to testify in any such proceeding.

Sec. 2. A person who violates any provision of Section 1 of this Act shall be liable for loss of earnings suffered by an employee as a result of the violation, and an employee discharged in violation of the Act shall be entitled to be reinstated to his former position.

Sec. 3. The district courts of the State of Texas shall have jurisdiction for violations of this Act.

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.

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

Amend Committee Amendment No. 1 to HB 113 by striking on lines 21 and 22 the following language therefrom: (or in any other manner discriminate against).

Mr. Carl Parker moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—86

Adams	Finnell	Lewis	Reed
Allen, Joe	Finney	Ligarde	Rodriguez
Allred	Foreman	Lombardino	Salem
Bass, B.	Gammage	Longoria	Sanchez
Bass, T.	Garcia	Lovell	Schulle
Beckham	Grant	Moore, T.	Semos
Bigham	Graves	Moreno	Shannon
Braecklein	Hale	Murray	Sherman
Braun	Hannah, John	Nabers	Silber
Bynum	Harding	Nelms	Simmons
Caldwell	Harris	Neugent, D.	Smith
Carrillo	Haynes	Newton	Spurlock
Cavness	Head	Nichols	Stewart
Coats	Hendricks	Niland	Swanson
Cole	Hilliard	Nugent, J.	Truan
Cruz	Johnson	Ogg	Tupper
Daniel	Jungmichel	Parker, C.	Uher
Davis, H.	Kaster	Pickens	Vale
Denton	Kilpatrick	Poerner	Wieting
Doyle	Kost	Poff	Williams
Farenthold	Kubiak	Presnal	
Finck	Lemmon	Price	

Nays—47

Agnich	Craddick	Jones, D.	Rosson
Allen, John	Davis, D.	Jones, E.	Short
Angly	Earthman	Jones, G.	Slider
Atwood	Golman	Lee	Solomon
Baker	Hanna, Joe	McAlister	Tarbox
Blythe	Hawkins	McKissack	Traeger
Bowers	Hawn	Mengden	Von Dohlen
Boyle	Heatly	Moncrief	Ward
Burgess	Holmes, T.	Moore, A.	Williamson
Calhoun	Howard	Moore, G.	Wolff
Cates	Hubenak	Parker, W.	Wyatt
Christian	Ingram	Patterson	

Absent

Blanton	Dramberger	Orr	Slack
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Absent-Excused

Atwell	Cobb	Holmes, Z.	Santiesteban
Clark	Doran	Hull	Stroud
Clayton	Floyd	Salter	Wayne

MESSAGE FROM THE SENATE

Austin, Texas, March 18, 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:

Committee Substitute

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

Committee Substitute

HB 198, By Nichols, et al: An Act amending Section 7, Article 8306, Revised Civil Statutes of Texas, 1925, as amended; providing for unlimited medical aid, hospital services, nursing, chiropractic services, medicines, and physical rehabilitation; . . . etc.; and declaring an emergency.

HB 183, By A. Moore: An Act relating to authorizing the commissioners court in any county to establish a suboffice or branch office for the sale of license plates; providing for compensation for tax assessors-collectors; amending Section 11, Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-11, Vernon's Texas Civil Statutes); and declaring an emergency.

HB 258, By T. Holmes: An Act relating to appointment of a county tax assessor-collector in a county under 10,000 inhabitants following an election adding the separate office; amending Chapter 8, Title 122, Revised Civil Statutes of Texas, 1925, by adding a new Article 7246-1/2; and declaring an emergency.

SB 114, By Moore: An Act providing that the principal office of the Board of Pardons and Paroles shall be in the City of Huntsville; amending Sections 12 and 13, Article 42.12, Code of Criminal Procedure, 1965; and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HB 113—(Consideration continued)

(Mr. Smith in the Chair)

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

Amend HB 113, Committee Amendment No. 1, Second Printing by adding the following after the period on line 29:

“The burden of proof shall be upon the employee.”

The amendment was adopted without objection.

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

Amend Committee Amendment No. 1 2nd printing of HB 113 by adding the word “reasonable” on line 27 after the word “for” and before the word “loss”

The amendment was adopted.

Committee Amendment No. 1, as amended, was adopted.

HB 113, as amended, was passed to engrossment.

Mr. Nichols moved to reconsider the vote by which HB 113 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 40 ON SECOND READING

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

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

(Speaker in the Chair)

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

Mr. Salem moved to reconsider the vote by which HB 40 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Bowers, Earthman, Jungmichel, and Nabers requested to be recorded as voting Nay on the passage to engrossment of HB 40.

HB 302 ON SECOND READING

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

HB 302, A bill to be entitled An Act relating to compilation of delinquent tax records and payment of fees for services in connection therewith; amending HB 406, Acts of the 52nd Legislature, Regular Session, 1951, Chapter 181 (codified as Vernon's Annotated Civil Statutes, Article 7336f) as last amended by SB 231, Acts of the 54th Legislature, Regular Session, 1955, Chapter 226, to provide that the fee to be paid for compiling, recompiling or supplementing delinquent tax records shall not exceed twenty cents (20¢) per item or written line and that such fees be paid upon approval of record by commissioners court; repealing all laws or parts of laws in conflict herewith; making the Act cumulative of Chapter 10, Title 122, Revised Civil Statutes of Texas; providing a severability clause; 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 302 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 411 ON SECOND READING

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

HB 411, A bill to be entitled An Act relating to prohibiting the thrashing of pecans; providing penalties; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend HB 411 by inserting the following as a new Section 1, and renumbering the remaining sections accordingly:

"Section 1. Wherever the term thrash is used herein, it shall mean to beat or strike with a stick or other object."

Committee Amendment No. 1 was adopted without objection.

HB 411, as amended, was passed to engrossment.

Mr. Nabers moved to reconsider the vote by which HB 411 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 590 ON SECOND READING

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

HB 590, A bill to be entitled An Act renaming Lamar State College of Technology as Lamar University; amending Chapter 403, Acts of the 51st Legislature, Regular Session, 1949 (Article 2637a et seq., Vernon's Texas Civil Statutes), by adding a Section 1a; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend HB 590 by striking all below the enacting clause and substituting the following:

Section 1. Chapter 403, Acts of the 51st Legislature, Regular Session, 1949 (Articles 2637a et seq., Vernon's Texas Civil Statutes), is amended by adding Sections 1a and 1b to read as follows:

"Section 1a. The name of Lamar State College of Technology is changed to Lamar University.

"Section 1b. The Board of Regents is authorized at its discretion to adopt an official seal."

Sec. 2. This Act takes effect on August 23, 1971.

Sec. 3. 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 as provided in Section 2, and it is so enacted.

Committee Amendment No. 1 was adopted.

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

Committee Amendment No. 2

Amend HB 590 by striking all above the enacting clause and substituting the following:

A bill to be entitled An Act renaming Lamar State College of Technology as Lamar University and authorizing the Board of Regents to adopt an official seal; amending Chapter 403, Acts of the 51st Legislature, Regular Session, 1949 (Articles 2637a et seq., Vernon's Texas Civil Statutes), by adding Sections 1a and 1b; and declaring an emergency.

Committee Amendment No. 2 was adopted without objection.

HB 590, as amended, was passed to engrossment.

HB 590 ON THIRD READING

Mr. Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 590 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adams	Dramberger	Kubiak	Rodriguez
Allen, Joe	Earthman	Lemmon	Rosson
Allen, John	Farenthold	Lewis	Salem
Allred	Finney	Ligarde	Sanchez
Angly	Foreman	Lombardino	Schulle
Atwood	Gammage	Longoria	Semos
Baker	Garcia	Lovell	Shannon
Bass, T.	Golman	McAlister	Sherman
Beckham	Grant	McKissack	Short
Bigham	Hale	Moncrief	Simmons
Blanton	Hannah, John	Moore, A.	Slack
Blythe	Harding	Moore, G.	Slider
Boyle	Harris	Moore, T.	Smith
Braecklein	Hawkins	Moreno	Solomon
Braun	Hawn	Murray	Spurlock
Burgess	Haynes	Nabers	Swanson
Carrillo	Head	Nelms	Tarbox
Cates	Heatly	Newton	Traeger
Cavness	Hendricks	Nichols	Truan
Christian	Hilliard	Niland	Tupper
Cole	Holmes, T.	Orr	Uher
Craddick	Howard	Parker, C.	Von Dohlen
Cruz	Hubenak	Parker, W.	Ward
Daniel	Ingram	Patterson	Wieting
Davis, D.	Johnson	Poerner	Williams
Davis, H.	Jungmichel	Poff	Williamson
Denton	Kilpatrick	Price	Wolff
Doyle	Kost	Reed	Wyatt

Nays—22

Agnich	Coats	Jones, E.	Ogg
Bass, B.	Finck	Jones, G.	Pickens
Bowers	Finnell	Kaster	Presnal
Bynum	Graves	Lee	Vale
Caldwell	Hanna, Joe	Mengden	
Calhoun	Jones, D.	Nugent, J.	

Absent

Neugent, D.	Silber	Stewart
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Absent-Excused

Atwell	Cobb	Holmes, Z.	Santiesteban
Clark	Doran	Hull	Stroud
Clayton	Floyd	Salter	Wayne

The Speaker then laid HB 590 before the House on third reading and final passage.

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

Yeas—133

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

Nays—2

Caldwell Sherman

Absent

Bynum Cavness

Absent-Excused

Atwell	Cobb	Holmes, Z.	Santiesteban
Clark	Doran	Hull	Stroud
Clayton	Floyd	Salter	Wayne

Mr. Smith moved to reconsider the vote by which HB 590 was passed and to table the motion to reconsider.

The motion to table prevailed.

SCR 60—ADOPTED

(Recognizing March 20, 1971 as Victory in Vietnam Day)

The Speaker laid before the House the following resolution:

SCR 60

Whereas, The armed forces of the United States are currently engaged in combat against communist forces in Southeast Asia to protect and preserve the democratic people of South Vietnam and their duly elected government; and

Whereas, Over 50,000 patriotic sons of America have been killed at the hands of the enemy in Vietnam and another 300,000 have been wounded; over 300,000 brave young men still remain in Vietnam as representatives of the American hope for world peace and security; and

Whereas, The great "silent majority" of the American people is vitally and actively concerned over the threat of communism in Southeast Asia and the world, and plan to emphasize their support for the goals of the Vietnam War and for the 300,000 courageous American troops who still remain in Vietnam by participating in a nationwide march upon state capitols on March 20, 1971, as Victory in Vietnam Day; now, therefore, be it

Resolved by the Senate of the 62nd Legislature, the House of Representatives concurring, That March 20, 1971, be officially recognized in Texas as Victory in Vietnam Day; and, be it further

Resolved, That this Resolution stand in memory of those brave Americans and Texans who have given their lives for their country in Vietnam, and in tribute to the valiant men who have served or are now serving their state and nation while stationed in Southeast Asia.

The resolution was unanimously adopted.

SCR 61—ADOPTED

(Mr. McAlister—House Sponsor)

(Requesting the House to return HB 3 to the Senate)

The Speaker laid before the House the following resolution:

SCR 61

Whereas, HB 3 has been passed by the Senate and has been returned to the House; and

Whereas, The Senate has reconsidered the vote by which HB 3 was finally passed; and

Whereas, The Senate desires to take further action on HB 3; now, therefore, be it

Resolved by the Senate of the State of Texas, That the House of Representatives be and is hereby respectfully requested to return HB 3 to the Senate for further action.

The resolution was unanimously adopted.

CONCERNING RESIGNATION OF REPRESENTATIVE TOM BASS
FROM MEMBERSHIP ON CERTAIN COMMITTEES

The Journal Clerk has this day been advised by the Chief Clerk that Representative Tom Bass has resigned his Chairmanship of the Committee on Juvenile Crime and Delinquency and his membership on the Committee on Rules.

ADJOURNMENT

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

The motion prevailed without objection.

The House accordingly, at 12:20 p.m., adjourned until 11:00 a.m. next Monday.

APPENDIX

BILL TRANSMITTED TO GOVERNOR
UNDER ARTICLE 16, SECTION 59

HB 1609 transmitted by the Chief Clerk to the Governor on March 17, 1971.

STANDING COMMITTEE REPORTS

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

Appropriations: SB 223.

Conservation and Reclamation: HB 19.

Engrossed and Enrolled Bills: Correctly engrossed—HB 66, HB 76, HB 326, HB 328, HCR 72, HCR 90, HCR 92. Correctly enrolled—HB 3, HB 187, HCR 89.

Higher Education: HB 369.

Judiciary: HB 168, HB 264, HB 265, HB 335, HB 684.

Labor: HB 790.

Motor Transportation: SB 183.

Revenue and Taxation: HB 297, HB 630, HB 637.

State Affairs: HCR 30.

Urban Affairs: HB 516.

SENT TO THE GOVERNOR
March 18, 1971

HB 187

HCR 89

FORTY-FIRST DAY—MONDAY, MARCH 22, 1971

The House met at 11:00 a.m. and was called to order by the Speaker.

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

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