

The bill was read second time and was passed to third reading.

ADJOURNMENT

Mr. Doran moved that the House adjourn until 11:30 a.m. today.

The motion prevailed without objection.

The House accordingly, at 11:21 a.m., adjourned until 11:30 a.m. today.

FIFTY-FIFTH DAY—FRIDAY, APRIL 16, 1971

The House met at 11:30 a.m. and was called to order by the Honorable Tommy Shannon.

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

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

Absent-Excused

Baker	Cruz	Moore, G.	Presnal
Blanton	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	

A quorum of the House was announced present.

LEAVES OF ABSENCE GRANTED

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

Mr. Hawkins on motion of Mr. Garcia.

Mr. Presnal on motion of Mr. Howard.

Mr. Cruz on motion of Mr. Howard.

Mr. Graves, temporarily for today, on motion of Mr. Zan Holmes.

Mr. Baker on motion of Mr. Hubenak.

Mr. Murray, temporarily for today, on motion of Mr. Garcia.

Mr. Clayton on motion of Mr. Slider.

Mr. Dean Neugent on motion of Mr. Craddick.

Mr. Griffith Moore on motion of Mr. Braecklein.

Mr. Caldwell on motion of Mr. Carl Parker.

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

Mr. Salter on motion of Mr. Garcia.

Mr. Nichols on motion of Mr. Braun.

Mr. Blanton, temporarily for today, on motion of Mr. Hawn.

Representative Patterson entered the House and was announced present.

CONSIDERATION OF BILLS ON THE LOCAL
AND CONSENT CALENDAR

Mr. Doran moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the Local and Consent Calendar which were considered on the previous Legislative Day.

The motion prevailed without objection.

HB 1125 ON THIRD READING

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

HB 1125, Relating to use of nets in Chambers County, except in Trinity Bay; providing penalties.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 1125 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1162 ON THIRD READING

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

HB 1162, Abolishing offices of county superintendent, ex officio county superintendent and county school board in counties of 21,000-22,000 population.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 1162 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 446 ON THIRD READING

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

HB 446, Abolishing county superintendent of schools in counties of 53,800-55,000 population, and transferring duties to county judge.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 446 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1175 ON THIRD READING

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

HB 1175, Abolishing office of county superintendent in counties of 17,400-17,640 population.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 1175 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 592 ON THIRD READING

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

HB 592, Setting salary of county attorneys in counties of 1,500,000 or more population, and prohibiting said county attorneys from private law practice.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 592 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. Lee requested to be recorded as voting Nay on the passage of HB 592.

HB 1123 ON THIRD READING

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

HB 1123, Prohibiting shooting of guns around certain bodies of water in Liberty County and Chambers County.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 1123 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 936 ON THIRD READING

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

HB 936, Regulating placement of memorial or identifying markers on Texas highways.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 936 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 729 ON THIRD READING

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

HB 729, Making permanent the prohibition against taking less than 14 inch redbfish.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 729 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 445 ON THIRD READING

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

HB 445, Allowing counties of 8,600-8,800 population to hire assistant to county superintendent.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 445 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 50 ON THIRD READING
(Mr. Newton—House Sponsor)

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

SB 50, Relating to salary of District Attorney of the 81st Judicial District.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which SB 50 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 49 ON THIRD READING
(Mr. Newton—House Sponsor)

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

SB 49, Fixing minimum and maximum salary for official shorthand reporter for 81st Judicial District.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which SB 49 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 387 ON THIRD READING
(Mr. Harris—House Sponsor)

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

SB 387, Relating to research and experimentation for determining the effects of marihuana use.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which SB 387 was passed 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 of SB 387.

Representative Blanton entered the House and was announced present.

HB 479 ON THIRD READING

The Chair laid before the House on its third reading and final passage, HB 479, Establishing Pine Bough Public Utility District in Harris County.

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

Yeas—131

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

Nays—1

Braun

Absent

Harding

Ligarde

Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 479 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 480 ON THIRD READING

The Chair laid before the House on its third reading and final passage, HB 480, Creating Glen Hollow Public Utility District in Harris County.

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

Yeas—181

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

Nays—1

Braun

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 480 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 481 ON THIRD READING

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

HB 481, Creating Pine Forest Public Utility District in Harris County.

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

Yeas—131

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

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

Nays—1

Braun

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 481 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 785 ON THIRD READING

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

HB 785, Relating to increasing maintenance tax in certain school districts.

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

Yeas—132

Adams	Calhoun	Finnell	Hubenak
Agnich	Carrillo	Finney	Hull
Allen, Joe	Cates	Floyd	Ingram
Allen, John	Cavness	Foreman	Johnson
Allred	Christian	Gammage	Jones, D.
Angly	Clark	Garcia	Jones, E.
Atwell	Coats	Golman	Jones, G.
Atwood	Cobb	Grant	Jungmichel
Bass, B.	Cole	Hale	Kaster
Bass, T.	Craddick	Hanna, Joe	Kilpatrick
Beckham	Daniel	Hannah, John	Kost
Bigham	Davis, D.	Harris	Kubiak
Blanton	Davis, H.	Hawn	Lee
Blythe	Denton	Haynes	Lemmon
Bowers	Doran	Head	Lewis
Boyle	Doyle	Heatly	Lombardino
Braecklein	Dramberger	Hendricks	Longoria
Braun	Earthman	Hilliard	Lovell
Burgess	Farenthold	Holmes, Z.	McAlister
Bynum	Finck	Howard	McKissack

Mengden	Patterson	Shannon	Tarbox
Moncrief	Pickens	Sherman	Traeger
Moore, A.	Poerner	Short	Truan
Moreno	Poff	Silber	Tupper
Nabers	Price	Simmons	Uher
Nelms	Reed	Slack	Vale
Newton	Rodriguez	Slider	Von Dohlen
Niland	Rosson	Smith	Ward
Nugent, J.	Salem	Solomon	Wieting
Ogg	Sanchez	Spurlock	Williams
Orr	Santiesteban	Stewart	Williamson
Parker, C.	Schulle	Stroud	Wolff
Parker, W.	Semos	Swanson	Wyatt

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 785 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 948 ON THIRD READING

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

HB 948, Authorizing creation of recreational area in Goliad County.

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

Yeas—132

Adams	Boyle	Daniel	Garcia
Agnich	Braecklein	Davis, D.	Golman
Allen, Joe	Braun	Davis, H.	Grant
Allen, John	Burgess	Denton	Hale
Allred	Bynum	Doran	Hanna, Joe
Angly	Calhoun	Doyle	Hannah, John
Atwell	Carrillo	Dramberger	Harris
Atwood	Cates	Earthman	Hawn
Bass, B.	Cavness	Farenthold	Haynes
Bass, T.	Christian	Finck	Head
Beckham	Clark	Finnell	Heatly
Bigham	Coats	Finney	Hendricks
Blanton	Cobb	Floyd	Hilliard
Blythe	Cole	Foreman	Holmes, Z.
Bowers	Craddick	Gammage	Howard

Hubenak	McAlister	Poff	Solomon
Hull	McKissack	Price	Spurlock
Ingram	Mengden	Reed	Stewart
Johnson	Moncrief	Rodriguez	Stroud
Jones, D.	Moore, A.	Rosson	Swanson
Jones, E.	Moreno	Salem	Tarbox
Jones, G.	Nabers	Sanchez	Traeger
Jungmichel	Nelms	Santiesteban	Truan
Kaster	Newton	Schulle	Tupper
Kilpatrick	Niland	Semos	Uher
Kost	Nugent, J.	Shannon	Vale
Kubiak	Ogg	Sherman	Von Dohlen
Lee	Orr	Short	Ward
Lemmon	Parker, C.	Silber	Wieting
Lewis	Parker, W.	Simmons	Williams
Lombardino	Patterson	Slack	Williamson
Longoria	Pickens	Slider	Wolff
Lovell	Poerner	Smith	Wyatt

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 948 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1156 ON THIRD READING

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

HB 1156, Removing crappie and white perch catch limitations in Leon County.

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

Yeas—132

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

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 1156 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 287 ON THIRD READING

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

HB 287, Relating to term of office of supervisors of the Bayview Municipal Utility District of Galveston County.

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

Yeas—132

Adams	Angly	Beckham	Boyle
Agnich	Atwell	Bigham	Braecklein
Allen, Joe	Atwood	Blanton	Braun
Allen, John	Bass, B.	Blythe	Burgess
Allred	Bass, T.	Bowers	Bynum

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 287 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 387 ON THIRD READING

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

HB 387, Setting salary of Judge of County Court at Law of Hidalgo County.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 387 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 564 ON THIRD READING

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

HB 564, Creating Irving Flood Control District of Dallas County, Texas.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 564 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 676 ON THIRD READING

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

HB 676, Including certain land in Sabine and San Augustine Counties under the Uniform Wildlife Regulatory Act and setting other regulations.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 676 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 797 ON THIRD READING

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

HB 797, Increasing examination and licensing fees for certified public accountants.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 797 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 635 ON THIRD READING

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

HB 635, Adding counties of 22,200-22,650 population to those allowed to use jury wheels in selecting jurors.

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

Yeas—132

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 635 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1323 ON THIRD READING

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

HB 1323, Relating to transfer of Kimble County Adjunct of Texas A&M University to Texas Tech University.

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

Yeas—132

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

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 1323 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 625 ON THIRD READING

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

HB 625, Abolishing office of county superintendent in counties of 27,700-28,800 population and transferring duties to county judge.

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

Yeas—182

Adams	Cavness	Golman	Kilpatrick
Agnich	Christian	Grant	Kost
Allen, Joe	Clark	Hale	Kubiak
Allen, John	Coats	Hanna, Joe	Lee
Allred	Cobb	Hannah, John	Lemmon
Angly	Cole	Harris	Lewis
Atwell	Craddick	Hawn	Lombardino
Atwood	Daniel	Haynes	Longoria
Bass, B.	Davis, D.	Head	Lovell
Bass, T.	Davis, H.	Heatly	McAlister
Beckham	Denton	Hendricks	McKissack
Bigham	Doran	Hilliard	Mengden
Blanton	Doyle	Holmes, Z.	Moncrief
Blythe	Dramberger	Howard	Moore, A.
Bowers	Earthman	Hubenak	Moreno
Boyle	Farenthold	Hull	Nabers
Braecklein	Finck	Ingram	Nelms
Braun	Finnell	Johnson	Newton
Burgess	Finney	Jones, D.	Niland
Bynum	Floyd	Jones, E.	Nugent, J.
Calhoun	Foreman	Jones, G.	Ogg
Carrillo	Gammage	Jungmichel	Orr
Cates	Garcia	Kaster	Parker, C.

Parker, W.	Sanchez	Slider	Tupper
Patterson	Santiesteban	Smith	Uher
Pickens	Schulle	Solomon	Vale
Poerner	Semos	Spurlock	Von Dohlen
Poff	Shannon	Stewart	Ward
Price	Sherman	Stroud	Wieting
Reed	Short	Swanson	Williams
Rodriguez	Silber	Tarbox	Williamson
Rosson	Simmons	Traeger	Wolff
Salem	Slack	Truan	Wyatt

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 625 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 449 ON THIRD READING

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

HB 449, Setting salary of assistant to county superintendent in counties of 10,000-10,300 population.

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

Yeas—132

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

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 449 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 900 ON THIRD READING

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

HB 900, Permitting police officers to remove the inspection sticker following an accident so as to force the owner into compliance with the re-inspection law.

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

Yeas—128

Agnich	Blythe	Clark	Farenthold
Allen, Joe	Bowers	Coats	Finck
Allen, John	Boyle	Cobb	Finnell
Allred	Braecklein	Cole	Finney
Angly	Braun	Craddick	Floyd
Atwell	Burgess	Daniel	Foreman
Atwood	Bynum	Davis, D.	Gammage
Bass, B.	Calhoun	Davis, H.	Garcia
Bass, T.	Carrillo	Denton	Golman
Beckham	Cates	Doran	Grant
Bigham	Cavness	Dramberger	Hale
Blanton	Christian	Earthman	Hanna, Joe

Hannah, John	Kost	Parker, W.	Slider
Harris	Lee	Patterson	Smith
Hawn	Lemmon	Pickens	Solomon
Haynes	Lewis	Poerner	Spurlock
Head	Lombardino	Poff	Stewart
Heatly	Longoria	Price	Stroud
Hendricks	Lovell	Reed	Swanson
Hilliard	McAlister	Rodriguez	Tarbox
Holmes, Z.	McKissack	Rosson	Traeger
Howard	Mengden	Salem	Truan
Hubenak	Moncrief	Sanchez	Tupper
Hull	Moore, A.	Santiesteban	Uher
Ingram	Moreno	Schulle	Vale
Johnson	Nelms	Semos	Von Dohlen
Jones, D.	Newton	Shannon	Ward
Jones, E.	Niland	Sherman	Wieting
Jones, G.	Nugent, J.	Short	Williams
Jungmichel	Ogg	Silber	Williamson
Kaster	Orr	Simmons	Wolff
Kilpatrick	Parker, C.	Slack	Wyatt

Nays—4

Adams	Doyle	Kubiak	Nabers
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Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 900 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 505 ON THIRD READING

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

HB 505, Allowing presiding judge of 51st and 119th Judicial Districts to pay the shorthand reporters up to \$12,500 annually.

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

Yeas—132

Adams	Allen, John	Atwell	Bass, T.
Agnich	Allred	Atwood	Beckham
Allen, Joe	Angly	Bass, B.	Bigham

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

Mr. Doran moved to reconsider the vote by which HB 505 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 352 ON THIRD READING

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

HB 352, Raising salary of the Judge of the Brazoria County Court of Domestic Relations.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 352 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 292 ON THIRD READING

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

HB 292, Raising supplemental salary of the 149th Judicial District Judge.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 292 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 615 ON THIRD READING

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

HB 615, Exempting totally disabled veterans from certain motor vehicle registration fees.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 615 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 16 ON THIRD READING

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

HB 16, Relating to rights in cemetery plot of individual owner and conveyance thereof, subject to rules of cemetery association; and representative designated by co-owners.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 16 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1610 ON THIRD READING

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

HB 1610, Validating certain school districts and actions of their directors.

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

Yeas—132

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 1610 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1295 ON THIRD READING

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

HB 1295, Validating certain actions heretofore taken by the Texas Tech and University of Texas System Boards of Regents.

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

Yeas—132

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

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 1295 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1296 ON THIRD READING

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

HB 1296, Relating to operation, situs and maintenance of The University of Texas of the Permian Basin.

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

Yeas—132

Adams	Clark	Hannah, John	Lombardino
Agnich	Coats	Harris	Longoria
Allen, Joe	Cobb	Hawn	Lovell
Allen, John	Cole	Haynes	McAlister
Allred	Craddick	Head	McKissack
Angly	Daniel	Heatly	Mengden
Atwell	Davis, D.	Hendricks	Moncrief
Atwood	Davis, H.	Hilliard	Moore, A.
Bass, B.	Denton	Holmes, Z.	Moreno
Bass, T.	Doran	Howard	Nabers
Beckham	Doyle	Hubenak	Nelms
Bigham	Dramberger	Hull	Newton
Blanton	Earthman	Ingram	Niland
Blythe	Farenthold	Johnson	Nugent, J.
Bowers	Finck	Jones, D.	Ogg
Boyle	Finnell	Jones, E.	Orr
Braecklein	Finney	Jones, G.	Parker, C.
Braun	Floyd	Jungmichel	Parker, W.
Burgess	Foreman	Kaster	Patterson
Bynum	Gammage	Kilpatrick	Pickens
Calhoun	Garcia	Kost	Poerner
Carrillo	Golman	Kubiak	Poff
Cates	Grant	Lee	Price
Cavness	Hale	Lemmon	Reed
Christian	Hanna, Joe	Lewis	Rodriguez

Rosson	Short	Stewart	Vale
Salem	Silber	Stroud	Von Dohlen
Sanchez	Simmons	Swanson	Ward
Santiesteban	Slack	Tarbox	Wieting
Schulle	Slider	Traeger	Williams
Semos	Smith	Truan	Williamson
Shannon	Solomon	Tupper	Wolff
Sherman	Spurlock	Uher	Wyatt

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 1296 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 572 ON THIRD READING

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

HB 572, Relating to salary of Judge of County Court at Law No. 2 of Jefferson County.

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

Yeas—132

Adams	Carrillo	Floyd	Johnson
Agnich	Cates	Foreman	Jones, D.
Allen, Joe	Cavness	Gammage	Jones, E.
Allen, John	Christian	Garcia	Jones, G.
Allred	Clark	Golman	Jungmichel
Angly	Coats	Grant	Kaster
Atwell	Cobb	Hale	Kilpatrick
Atwood	Cole	Hanna, Joe	Kost
Bass, B.	Craddick	Hannah, John	Kubiak
Bass, T.	Daniel	Harris	Lee
Beckham	Davis, D.	Hawn	Lemmon
Bigham	Davis, H.	Haynes	Lewis
Blanton	Denton	Head	Lombardino
Blythe	Doran	Heatly	Longoria
Bowers	Doyle	Hendricks	Lovell
Boyle	Dramberger	Hilliard	McAlister
Braecklein	Earthman	Holmes, Z.	McKissack
Braun	Farenthold	Howard	Mengden
Burgess	Finck	Hubenak	Moncrief
Bynum	Finnell	Hull	Moore, A.
Calhoun	Finney	Ingram	Moreno

Nabers	Poff	Short	Traeger
Nelms	Price	Silber	Truan
Newton	Reed	Simmons	Tupper
Niland	Rodriguez	Slack	Uher
Nugent, J.	Rosson	Slider	Vale
Ogg	Salem	Smith	Von Dohlen
Orr	Sanchez	Solomon	Ward
Parker, C.	Santiesteban	Spurlock	Wieting
Parker, W.	Schulle	Stewart	Williams
Patterson	Semos	Stroud	Williamson
Pickens	Shannon	Swanson	Wolff
Poerner	Sherman	Tarbox	Wyatt

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 572 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 837 ON THIRD READING

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

HB 837, Relating to salaries of Criminal District Attorney, his first assistant and other employees of Brazoria County.

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

Yeas—132

Adams	Braun	Doran	Harris
Agnich	Burgess	Doyle	Hawn
Allen, Joe	Bynum	Dramberger	Haynes
Allen, John	Calhoun	Earthman	Head
Allred	Carrillo	Farenthold	Heatly
Angly	Cates	Finck	Hendricks
Atwell	Cavness	Finnell	Hilliard
Atwood	Christian	Finney	Holmes, Z.
Bass, B.	Clark	Floyd	Howard
Bass, T.	Coats	Foreman	Hubenak
Beckham	Cobb	Gammage	Hull
Bigham	Cole	Garcia	Ingram
Blanton	Craddick	Golman	Johnson
Blythe	Daniel	Grant	Jones, D.
Bowers	Davis, D.	Hale	Jones, E.
Boyle	Davis, H.	Hanna, Joe	Jones, G.
Braecklein	Denton	Hannah, John	Jungmichel

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 837 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 667 ON THIRD READING

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

HB 667, Relating to compensation of members and clerk of the Victoria County Juvenile Board.

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

Yeas—132

Adams	Blythe	Coats	Finck
Agnich	Bowers	Cobb	Finnell
Allen, Joe	Boyle	Cole	Finney
Allen, John	Braecklein	Craddick	Floyd
Allred	Braun	Daniel	Foreman
Angly	Burgess	Davis, D.	Gammage
Atwell	Bynum	Davis, H.	Garcia
Atwood	Calhoun	Denton	Golman
Bass, B.	Carrillo	Doran	Grant
Bass, T.	Cates	Doyle	Hale
Beckham	Cavness	Dramberger	Hanna, Joe
Bigham	Christian	Earthman	Hannah, John
Blanton	Clark	Farenthold	Harris

Hawn	Lee	Parker, W.	Slider
Haynes	Lemmon	Patterson	Smith
Head	Lewis	Pickens	Solomon
Heatly	Lombardino	Poerner	Spurlock
Hendricks	Longoria	Poff	Stewart
Hilliard	Lovell	Price	Stroud
Holmes, Z.	McAlister	Reed	Swanson
Howard	McKissack	Rodriguez	Tarbox
Hubenak	Mengden	Rosson	Traeger
Hull	Moncrief	Salem	Truan
Ingram	Moore, A.	Sanchez	Tupper
Johnson	Moreno	Santiesteban	Uher
Jones, D.	Nabers	Schulle	Vale
Jones, E.	Neims	Semos	Von Dohlen
Jones, G.	Newton	Shannon	Ward
Jungmichel	Niland	Sherman	Wieting
Kaster	Nugent, J.	Short	Williams
Kilpatrick	Ogg	Silber	Williamson
Kost	Orr	Simmons	Wolff
Kubiak	Parker, C.	Slack	Wyatt

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 667 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 752 ON THIRD READING

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

HB 752, Raising evaporation and collection cost allowance for wholesale petroleum distributors.

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

Yeas—132

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

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 752 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 738 ON THIRD READING

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

HB 738, Prohibiting shooting of white-winged dove without requisite permit.

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

Yeas—132

Adams	Allred	Bass, B.	Blanton
Agnich	Angly	Bass, T.	Blythe
Allen, Joe	Atwell	Beckham	Bowers
Allen, John	Atwood	Bigham	Boyle

Braecklein	Garcia	Lewis	Santiesteban
Braun	Golman	Lombardino	Schulle
Burgess	Grant	Longoria	Semos
Bynum	Hale	Lovell	Shannon
Calhoun	Hanna, Joe	McAlister	Sherman
Carrillo	Hannah, John	McKissack	Short
Cates	Harris	Mengden	Silber
Cavness	Hawn	Moncrief	Simmons
Christian	Haynes	Moore, A.	Slack
Clark	Head	Moreno	Slider
Coats	Heatly	Nabers	Smith
Cobb	Hendricks	Nelms	Solomon
Cole	Hilliard	Newton	Spurlock
Craddick	Holmes, Z.	Niland	Stewart
Daniel	Howard	Nugent, J.	Stroud
Davis, D.	Hubenak	Ogg	Swanson
Davis, H.	Hull	Orr	Tarbox
Denton	Ingram	Parker, C.	Traeger
Doran	Johnson	Parker, W.	Truan
Doyle	Jones, D.	Patterson	Tupper
Dramberger	Jones, E.	Pickens	Uher
Earthman	Jones, G.	Poerner	Vale
Farenthold	Jungmichel	Poff	Von Dohlen
Finck	Kaster	Price	Ward
Finnell	Kilpatrick	Reed	Wieting
Finney	Kost	Rodriguez	Williams
Floyd	Kubiak	Rosson	Williamson
Foreman	Lee	Salem	Wolff
Gammage	Lemmon	Sanchez	Wyatt

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 738 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 451 ON THIRD READING

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

HB 451, Relating to counties with a population between 8,000 and 10,000 in which the Commissioners Court may raise certain salaries up to \$12,500.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 451 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 97 ON THIRD READING
(Mr. Wieting—House Sponsor)

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

SB 97, Amending Sec. 4.23 of the Texas Education Code.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which SB 97 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 637 ON THIRD READING

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

HB 637, Relating to exempting from franchise tax certain corporations providing homes for certain elderly people.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 214 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 306 ON THIRD READING

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

HB 306, Validating special elections in certain cities and towns.

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

Yeas—132

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 306 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 508 ON THIRD READING

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

HB 508, Relating to salaries of certain county officers in counties of 18,600-18,900 population.

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

Yeas—132

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

Traeger	Uher	Ward	Williamson
Truan	Vale	Wieting	Wolff
Tupper	Von Dohlen	Williams	Wyatt

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 508 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 691 ON THIRD READING

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

HB 691, Relating to compensation of certain county and district officials.

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

Yeas—132

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

Short	Solomon	Traeger	Ward
Silber	Spurlock	Truan	Wieting
Simmons	Stewart	Tupper	Williams
Slack	Stroud	Uher	Williamson
Slider	Swanson	Vale	Wolff
Smith	Tarbox	Von Dohlen	Wyatt

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 691 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 676 ON THIRD READING
(Mr. Sanchez—House Sponsor)

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

SB 676, Relating to the places for the holding of meetings of the Good Neighbor Commission and to its financing and functions.

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

Yeas—132

Adams	Cates	Gammage	Jones, G.
Agnich	Cavness	Garcia	Jungmichel
Allen, Joe	Christian	Golman	Kaster
Allen, John	Clark	Grant	Kilpatrick
Allred	Coats	Hale	Kost
Angly	Cobb	Hanna, Joe	Kubiak
Atwell	Cole	Hannah, John	Lee
Atwood	Craddick	Harris	Lemmon
Bass, B.	Daniel	Hawn	Lewis
Bass, T.	Davis, D.	Haynes	Lombardino
Beckham	Davis, H.	Head	Longoria
Bigham	Denton	Heatly	Lovell
Blanton	Doran	Hendricks	McAlister
Blythe	Doyle	Hilliard	McKissack
Bowers	Dramberger	Holmes, Z.	Mengden
Boyle	Earthman	Howard	Moncrief
Braecklein	Farenthold	Hubenal	Moore, A.
Braun	Finck	Hull	Moreno
Burgess	Finnell	Ingram	Nabers
Bynum	Finney	Johnson	Nelms
Calhoun	Floyd	Jones, D.	Newton
Carrillo	Foreman	Jones, E.	Niland

Nugent, J.	Rodriguez	Simmons	Truan
Ogg	Rosson	Slack	Tupper
Orr	Salem	Slider	Uher
Parker, C.	Sanchez	Smith	Vale
Parker, W.	Santiesteban	Solomon	Von Dohlen
Patterson	Schulle	Spurlock	Ward
Pickens	Semos	Stewart	Wieting
Poerner	Shannon	Stroud	Williams
Poff	Sherman	Swanson	Williamson
Price	Short	Tarbox	Wolff
Reed	Silber	Traeger	Wyatt

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which SB 676 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 692 ON THIRD READING

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

HB 692, Prescribing maximum salary to be paid official shorthand reporters for the 124th and 188th Judicial Districts.

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

Yeas—132

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

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 692 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 438 ON THIRD READING

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

HB 438, Relating to salary of county school superintendents' assistant in counties of 46,000-47,000 population.

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

Yeas—132

Adams	Bowers	Cole	Floyd
Agnich	Boyle	Craddick	Foreman
Allen, Joe	Braecklein	Daniel	Gammage
Allen, John	Braun	Davis, D.	Garcia
Allred	Burgess	Davis, H.	Golman
Angly	Bynum	Denton	Grant
Atwell	Calhoun	Doran	Hale
Atwood	Carrillo	Doyle	Hanna, Joe
Bass, B.	Cates	Dramberger	Hannah, John
Bass, T.	Cavness	Earthman	Harris
Beckham	Christian	Farenthold	Hawn
Bigham	Clark	Finck	Haynes
Blanton	Coats	Finnell	Head
Blythe	Cobb	Finney	Heatly

Hendricks	Lombardino	Pickens	Smith
Hilliard	Longoria	Poerner	Solomon
Holmes, Z.	Lovell	Poff	Spurlock
Howard	McAlister	Price	Stewart
Hubenak	McKissack	Reed	Stroud
Hull	Mengden	Rodriguez	Swanson
Ingram	Moncrief	Rosson	Tarbox
Johnson	Moore, A.	Salem	Traeger
Jones, D.	Moreno	Sanchez	Truan
Jones, E.	Nabers	Santiesteban	Tupper
Jones, G.	Nelms	Schulle	Uher
Jungmichel	Newton	Semos	Vale
Kaster	Niland	Shannon	Von Dohlen
Kilpatrick	Nugent, J.	Sherman	Ward
Kost	Ogg	Short	Wieting
Kubiak	Orr	Silber	Williams
Lee	Parker, C.	Simmons	Williamson
Lemmon	Parker, W.	Slack	Wolff
Lewis	Patterson	Slider	Wyatt

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 438 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 468 ON THIRD READING

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

HB 468, Including police officers of state supported institutions of higher education and police officers employed by the State Board of Control within definition of peace officers.

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

Yeas—182

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

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

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which HB 468 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 215 ON THIRD READING
(Mr. Carl Parker—House Sponsor)

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

SB 215, Relating to salaries of certain county officials in counties of 195,001 to 600,000 population.

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

Yeas—182

Adams	Allred	Bass, B.	Blanton
Agnich	Angly	Bass, T.	Blythe
Allen, Joe	Atwell	Beckham	Bowers
Allen, John	Atwood	Bigham	Boyle

Braecklein	Garcia	Lewis	Santiesteban
Braun	Golman	Lombardino	Schulle
Burgess	Grant	Longoria	Semos
Bynum	Hale	Lovell	Shannon
Calhoun	Hanna, Joe	McAlister	Sherman
Carrillo	Hannah, John	McKissack	Short
Cates	Harris	Mengden	Silber
Cavness	Hawn	Moncrief	Simmons
Christian	Haynes	Moore, A.	Slack
Clark	Head	Moreno	Slider
Coats	Heatly	Nabers	Smith
Cobb	Hendricks	Nelms	Solomon
Cole	Hilliard	Newton	Spurlock
Craddick	Holmes, Z.	Niland	Stewart
Daniel	Howard	Nugent, J.	Stroud
Davis, D.	Hubenak	Ogg	Swanson
Davis, H.	Hull	Orr	Tarbox
Denton	Ingram	Parker, C.	Traeger
Doran	Johnson	Parker, W.	Truan
Doyle	Jones, D.	Patterson	Tupper
Dramberger	Jones, E.	Pickens	Uher
Earthman	Jones, G.	Poerner	Vale
Farenthold	Jungmichel	Poff	Von Dohlen
Finck	Kaster	Price	Ward
Finnell	Kilpatrick	Reed	Wieting
Finney	Kost	Rodriguez	Williams
Floyd	Kubiak	Rosson	Williamson
Foreman	Lee	Salem	Wolff
Gammage	Lemmon	Sanchez	Wyatt

Absent

Harding Ligarde Moore, T.

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which SB 215 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 909 ON THIRD READING
(Mr. Cavness—House Sponsor)

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

SB 909, Providing for the selection of Death Benefit Plan by qualified members; amending Article 6228b, Vernon's Texas Civil Statutes.

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

Yeas—132

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

Absent

Harding	Ligarde	Moore, T.
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Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Wayne
Clayton	Holmes, T.	Nichols	
Cruz	Moore, G.	Presnal	

Mr. Doran moved to reconsider the vote by which SB 909 was passed and to table the motion to reconsider.

The motion to table prevailed.

CAPTIONS OF SENATE BILLS ORDERED
AMENDED

Mr. Doran asked unanimous consent that the captions of Senate Bills

passed on the Local Bill Calendar on today be amended to conform with the body of the bills, where necessary.

There was no objection offered and it was so ordered.

LEAVE OF ABSENCE GRANTED

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

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 354, by Salem: Honoring the Lebasyr Club of Corpus Christi on its 35th Anniversary.

HSR 356, by Atwood: Commending Coach Tom Landry.

HSR 357, by Earthman: Commending the members of the Eighth Grade Class of Our Lady of Mount Carmel School, Houston.

HSR 358, by Adams: Declaring April 22, 1971, Newton County Day in the State of Texas.

HSR 355—ADOPTED

(Congratulating the Honorable Ben Bynum on his birthday)

Mr. Dee Jon Davis offered the following resolution:

HSR 355

Whereas, On this grand and glorious 16th day of April in the year of our Lord 1971, there is among us a freshman Member of the House of Representatives who made his honorable entrance into the world some 28 years ago and thus warrants the most elaborate of celebrations on April 16, his special day; and

Whereas, The Honorable Ben Bynum, as he was so named and is so affectionately referred to as he stumbles to roll call on the House floor, has brightened the lives of his parents; his lovely wife, Penny; his daughter, Susan; friends, fellow legislators, and Amarillo's rattlesnakes, prairie dogs and coyotes; and

Whereas, This dashing young legislator was once seen dashing across the sprawling green lawns of the sacred grounds of his beloved Texas Capitol before the laughing eyes of his colleagues who falsely summoned him to the Governor's Mansion with orders to appear immediately; and

Whereas, His lovely young secretary was forced to sprint across this same lawn in hot pursuit to prevent the freshman legislator from falling all over himself to appear before the Governor, who was nowhere to be found and who had not summoned the Honorable Mr. Bynum; and

Whereas, Representative Bynum pushed a bill supporting a District of Travis which would create a Texas capital somewhat resembling Washington D.C.; and

Whereas, The Honorable Ben Bynum, when speaking so eloquently on the subject of his glorious District of Travis, received numerous hee-haws; and

Whereas, The citizens of the 74th District, Place 1, join with family members, staff and legislative colleagues in honoring him on his special day; now, therefore, be it

Resolved, That Members of the House of Representatives of the 62nd Legislature hereby wish the Honorable Ben Bynum a very Happy Birthday and many more years of health, happiness, cheer, joy and successful legislation; and, be it further

Resolved, That an official copy of this resolution, under the seal of the House of Representatives, be prepared for Representative Ben Bynum, in high praise and adoration for his undying dedication to the State of Texas and as our good wishes for many happy returns of the day.

The resolution was read and was unanimously adopted.

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

INTRODUCTION OF HOUSE BILLS

Mr. Tupper asked unanimous consent to introduce and have placed on first reading HB 1719.

There was no objection offered.

Mr. Traeger asked unanimous consent to introduce and have placed on first reading HB 1720.

There was no objection offered.

SENATE JOINT RESOLUTION ON FIRST READING

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

SJR 1.

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 56 to the Committee on Appropriations.

SB 66 to the Committee on Judiciary.

SB 87 to the Committee on Judiciary.

SB 99 to the Committee on Judiciary.

SB 379 to the Committee on Counties.

SB 468 to the Committee on Public Health.

SB 476 to the Committee on Highways and Roads.

SB 541 to the Committee on Urban Affairs.

SB 543 to the Committee on Governmental Affairs and Efficiency.

SB 587 to the Committee on Parks and Wildlife.

SB 642 to the Committee on Counties.

SB 667 to the Committee on Elections.

SB 677 to the Committee on School Districts.

SB 831 to the Committee on Criminal Jurisprudence.

SB 835 to the Committee on State Affairs.

SB 880 to the Committee on School Districts.

SB 881 to the Committee on Judiciary.

SB 834 to the Committee on State Affairs.

HSR 348—REFERRED TO COMMITTEE

(Concerning individual legislative districts)

Mr. Reed offered the following resolution:

HSR 348

Whereas, Originally, the Constitution of the State of Texas provided for individual, or single-member, legislative districts; and

Whereas, In the Texas House of Representatives at present, 62 members are from such individual, or single-member, districts; and

Whereas, A recent decision of a Federal district court in Indiana, while ruling that certain at-large districts may be constitutional, also requires that these districts include the identical number of places and the same population limits; the ruling further stipulates that under most conditions such at-large districts are unconstitutional since by their nature they deprive minorities of equal representation; and

Whereas, A statewide poll recently conducted by the National Federation of Business shows that of those who have a preference in the type of legislative districts for the state, over 80 percent favor individual, or single-member, districts; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature, by this Resolution, go on record as favoring individual, or single-member, legislative districts.

Signed: Reed, T. Bass, T. Moore, Graves, Allred, Angly, Joe Allen, Farenthold, Gammage, Christian, Blythe, Agnich, Rodriguez, Head, Daniel, Bigham, Lee, Grant, Mengden, Denton, John Hannah, Harris, E. Jones, Craddick, Truan, Stroud, Earthman, Braun, Eowers, Nichols, B. Bass, Vale, Caldwell, Moreno, and Zan Holmes.

The resolution was referred to the Committee on Congressional and Legislative Districts.

HSR 350—REFERRED TO COMMITTEE

(Amending the Rules of the House of Representatives)

Mrs. Farenthold offered the following resolution:

HSR 350

Whereas, The Texas Constitution, Article III, Section 9, requires that the House of Representatives elect a Speaker of the House from its own membership; and

Whereas, Article 5428, Vernon's Texas Civil Statutes, states that the election of the Speaker by members of the House of Representatives shall be held at the beginning of a Regular Session "when a quorum has appeared and been qualified . . . unless a majority of the members present shall decide to defer said election"; and

Whereas, The Speaker of the House of Representatives is one of the major legislative officers in the government of the State of Texas, comparable in status, responsibility and authority to the Governor and the Lieutenant Governor; and

Whereas, All major state officials, except for the Speaker of the House of Representatives, are elected directly by the people of the state following a public campaign in which the opportunity for these candidates' positions on problems and issues facing the state may become publicly known; and

Whereas, The election of the Speaker has a great effect on all of the people of this state, and should be conducted under circumstances, as open to the public viewing as possible, in order that the accountability of the Speaker to the House membership, and of the Speaker and House members to their constituents throughout the state, may be at a maximum, in line with the canons of democratic government; and

Whereas, Such accountability is additionally enhanced when persons serve in office only one term, thus allowing House members of each Legislature to freely participate in electing their own leadership and for that leadership to more truly reflect the will of the House each biennium; now therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, That a new Section 15 be added to the House Rules, Rule 1, as follows:

"Rule 1, Section 15. 1. (a) On the first day of the Regular Session, the House shall resolve itself into a Committee of the Whole, with the Secretary of State presiding, and elect ten (10) of its members to serve as the Nominating Committee for the Speakership.

"(b) On the second day of the Regular Session, with the Secretary of State presiding, said Nominating Committee shall present to the House at least three (3) nominees for serious consideration by the House membership for the Speakership, and nominations shall also be received from the floor.

"(c) On the third day of the Regular Session, with the Secretary of State presiding, the election of the Speaker shall occur from those candidates nominated on the previous day.

"2. The Speaker, elected by a majority of the members of the House, shall serve only one (1) term."

Signed: Farenthold, Allred, Braun, Graves, Harris, Tom Bass, Nichols, Zan Holmes, and Denton.

The resolution was referred to the Committee on Rules.

HSR 351—REFERRED TO COMMITTEE

(Amending the Rules of the House of Representatives)

Mrs. Farenthold offered the following resolution:

HSR 351

Whereas, The Texas Constitution, Article III, Section 9, as well as Article 5428 of Vernon's Texas Civil Statutes, requires that the House of Representatives elect a Speaker of the House from its own membership; and

Whereas, The Legislative Reorganization Act (Article 5429f, Section 2, Vernon's Texas Civil Statutes) states that "it is the purpose and intent of the Legislature to place its activities on a continuing basis . . . without regard to the formal Sessions of the Legislature"; and

Whereas, The Speaker of the House of Representatives is one of the major legislative officers in the government of the State of Texas, comparable in status, responsibility and authority to the Governor and the Lieutenant Governor; and

Whereas, While all candidates for election to state, as well as to local, offices file public reports of campaign contributions, loans, and expenses, candidates for the Speaker of the House of Representatives do not file such reports regarding the Speakership campaigns; and

Whereas, It is a basic requirement of representative government that campaigns for public office be conducted openly, in order that the accountability of the Speaker to the House membership, and of the Speaker and House members to their constituents throughout the state, may be at a maximum; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, That a new Section 14 be added to the House Rules, Rule 1, as follows:

"Rule 1, Section 14. 1. (a) The Speaker and all House members, who have received five or more spoken or written pledges for the Speakership

for any present or future election, shall file with the Chief Clerk of the House of Representatives a report of gifts, contributions, loans, expenses, and the sources and purposes thereof, verified by the oath or affirmation of the person filing the report.

“(b) Said report shall be filed by the Speaker and Speaker candidates with the Chief Clerk on the first day of the month of each quarter.

“(c) The following details regarding the Speakership campaign are among those to be included in said report, along with a report on the source of funds, whether funded or not from the Legislative Contingent Expense:

“(1) Traveling expenses of the Speaker or Speaker candidate and his staff;

“(2) The hiring of staff, including attorneys;

“(3) Telegraph and telephone tolls, postage, freight and express charges;

“(4) Printing and stationery;

“(5) Rentals for offices, headquarters, or any meeting places;

“(6) Newspaper and other advertising and publicity; and,

“(7) Receptions, dinners, and other events, whether money-making or for the purposes of contacting House members, House candidates, and any other persons interested in the Speakership campaign.

“2. All House members or candidates for the House of Representatives who have contributed financially or as a campaign aide, whether reimbursed or not, to the campaign of a Speaker or any Speaker candidate shall also file a report, explaining said contribution, with the Chief Clerk of the House.

“3. Said reports shall be kept in the office of the Chief Clerk and shall be available for public inspection. The reports shall be kept in that office for one year following the candidacy or term(s) of the Speaker or Speaker candidate, thereupon being forwarded to the Legislative Reference Library and placed in permanent file.”

Signed: Farenthold, Allred, Braun, Graves, Harris, Tom Bass, Nichols, Zan Holmes, and Denton.

The resolution was referred to the Committee on Rules.

HSR 353—REFERRED TO COMMITTEE

(Concerning advanced weather modification techniques)

Mr. Rodriguez offered the following resolution:

HSR 353

Whereas, The “Intermediary-Compatriot” Project of the United States Air Force has been successful in increasing and concentrating rainfall over parts of Laos in order to impede traffic along the Ho Chi Minh trail; and

Whereas, In 1969 President Ferdinando Marcos of the Republic of the Philippines asked the United States to employ its most advanced weather modification techniques to relieve a drought in the islands; and

Whereas, The Air Force sent its rainmakers to seed the clouds over the Philippines, and a substantial downpour resulted; and

Whereas, Most areas in the State of Texas are currently afflicted by a drought of major proportions; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature of the State of Texas hereby request the United States Department of Defense, Washington, D.C., to instruct the United States Air Force to conduct training programs for the use of advanced weather modification techniques in areas of Texas afflicted by drought in order to provide relief for the Texas situation and, at the same time, to increase the proficiency of the Air Force in this important innovative adjunct to military operations.

The resolution was referred to the Committee on State Affairs.

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 D. Jones:

HB 1713, A bill to be entitled An Act relating to the feeding of garbage to swine; amending Subsection (7), Section 22a, Chapter 52, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 1525b, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on State Affairs.

HB 1714 and HB 1715 were read first time and referred to committees on yesterday.

By Heatly:

HB 1716, A bill to be entitled An Act amending the Motor Vehicle Certificate of Title Act, Acts of the 46th Legislature, 1939, page 602, (Article 1436-1, VTPS) as amended, by adding a new Section 61A requiring certain transporters of motor vehicles to make a check of the title to such vehicles and establish the right of possession in person tendering the vehicles for transportation; establishing a penalty for failure to comply; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Blanton, Swanson, Niland, and Spurlock:

HB 1717, A bill to be entitled An Act creating the "Redevelopment Housing Corporation"; providing for the selection and duties of a corporate board and staff; specifying the powers of the corporation; authorizing the corporation to borrow money and issue bonds or other evidence of indebtedness for such money; authorizing investment in said bonds or evidence

of debt by fiduciaries and state retirement and pension funds; authorizing the corporation to designate, with the consent of the cities, certain areas within the cities as inadequate or substandard housing areas; authorizing the corporation to acquire, with the approval of the cities, such areas by eminent domain, providing a special procedure for eminent domain, rule of damages, and appeal in such cases; authorizing the corporation to ask for, give notice of, and receive bids for the clearance of inadequate and substandard housing from such areas and reconstruction or redevelopment with adequate housing, under plans made jointly with the cities; specifying fees and charges to be made by the corporation; authorizing the corporation to enter into contracts for clearing of areas of inadequate housing pursuant to plans approved by the cities; providing for suspension of building codes by cities with reference to housing installed or constructed under such contracts; providing for the management and control of the renting, leasing, sale, occupancy or other disposition of such redevelopment housing units by the corporation, the city, or other agency authorizing the corporation to enter into contracts and agreements with private corporations and with the departments, agencies, boards, public corporations, municipal corporations, and political subdivisions of this state; and of the United States; providing for assignment of welfare, pension and other benefits to pay rent by occupants of such housing units; providing for suspension of the anti-trust laws of this state as to such contracts; providing a standard for ad valorem taxation of redevelopment housing units; authorizing all departments, boards, or agencies of this state, or public or municipal corporations or political subdivisions of this state to convey land and real property to the corporation without notice, advertisement, or bid; authorizing city councils to delegate their duties under this Act; specifying definitions of certain terms and the applicability of this Act; providing for severability of the provisions of the Act; and providing for repeal of certain laws or parts of laws; and declaring an emergency.

Referred to Committee on State Affairs.

HOUSE JOINT RESOLUTION ON FIRST READING

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

By Reed:

HJR 91, A Joint Resolution proposing a Constitutional Amendment authorizing special sessions of the legislature on the petition of a majority of the Members of each House.

(Speaker in the Chair)

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

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

SB 27, Relating to the immunization of persons attending elementary or secondary schools or institutions of higher education.

SB 64, Relating to the assessment and collection of taxes in certain independent school districts.

SCR 74, Commending the Sponsors of the San Antonio International Trade Fair.

SCR 78, Requesting return of HB 1458 for further consideration.

LEAVE OF ABSENCE GRANTED

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

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HCR 115, by Tarbox: Commending Frank E. Medina.

HSR 336—ADOPTED

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

HSR 336, Amending the Rules of the House of Representatives.

The resolution was adopted without objection.

Mr. Doran moved to reconsider the vote by which HSR 336 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HCR 67—ADOPTED

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

HCR 67, Encouraging trustees of major Texas Pension and Retirement Systems to invest in Government insured or guaranteed mortgage backed securities.

The resolution was adopted without objection.

Mr. Golman moved to reconsider the vote by which HCR 67 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HCR 61—ADOPTED

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

HCR 61, Concerning official policy for state agencies concerning urban communities.

The resolution was adopted without objection.

Mr. Golman moved to reconsider the vote by which HCR 61 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HB 556 ON THIRD READING

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

HB 556, Establishing system of comparative negligence, etc.

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

Yeas—87

Adams	Doran	Jones, D.	Rodriguez
Allen, Joe	Doyle	Kost	Salem
Allred	Earthman	Lemmon	Sanchez
Atwell	Farenthold	Lewis	Santiesteban
Bass, B.	Finney	Lombardino	Shannon
Bass, T.	Gammage	Longoria	Short
Beckham	Golman	Mengden	Silber
Bigham	Grant	Moncrief	Simmons
Bowers	Hale	Moore, A.	Slack
Braecklein	Hannah, John	Moore, T.	Smith
Braun	Harris	Moreno	Solomon
Bynum	Hawn	Nabers	Spurlock
Calhoun	Haynes	Nelms	Stroud
Carrillo	Head	Newton	Swanson
Cates	Heatly	Niland	Truan
Clark	Hendricks	Nugent, J.	Tupper
Coats	Hilliard	Ogg	Uher
Cobb	Holmes, Z.	Parker, C.	Vale
Cole	Hubenak	Parker, W.	Von Dohlen
Daniel	Hull	Poff	Williams
Davis, D.	Ingram	Price	Wolff
Denton	Johnson	Reed	

Nays—42

Agnich	Dramberger	Kaster	Rosson
Allen, John	Finck	Kilpatrick	Schulle
Angly	Finnell	Kubiak	Semos
Atwood	Floyd	Lee	Tarbox
Blythe	Foreman	Lovell	Traeger
Boyle	Garcia	McAlister	Ward
Burgess	Hanna, Joe	McKissack	Wieting
Cavness	Howard	Orr	Williamson
Christian	Jones, E.	Patterson	Wyatt
Craddick	Jones, G.	Pickens	
Davis, H.	Jungmichel	Poerner	

Present—Not Voting

Stewart

Absent

Blanton Harding Ligarde

Absent-Excused

Baker	Graves	Murray	Salter
Caldwell	Hawkins	Neugent, D.	Sherman
Clayton	Holmes, T.	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

PAIRED

Mr. Stewart (present), who would vote Yea, with Mr. Sherman (absent), who would vote Nay.

Mr. Hale moved to reconsider the vote by which HB 556 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE ON HB 556

We voted against and opposed HB 556 because we feel that the ultimate result of this legislation will be a significant increase in the insurance rates in Texas.

Signed: John Traeger, John Allen, and Harold Davis.

REASON FOR VOTE

I was off the floor when the vote on HB 556 was taken. Someone voted me Yes but my desire was to vote No.

Signed: Gayle Ingram

SB 346 ON SECOND READING
(Mr. Hale—House Sponsor)

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

SB 346, A bill to be entitled An Act providing for the legal sale of mixed beverages on a local option basis; providing for the regulation of the sale and service of certain alcoholic beverages; providing penalties; amending the following sections of Article I, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon's Texas Penal Code): Section 3; Section 3-a; Section 19; Section 11; Section 12; Subsection (a), Section 13; Section 15; Section 15(a); Subsections (5), (15), (35), and (37), Section 17; Subsection (5), Section 23(a); Section 25; Section 40; Section 49; and Subsection 7, Section 15(e); adding the following Sections to Article I, Texas Liquor Control Act, as amended: Section 11-a; Section 15(g); Section 20b; Section 20c; Section 20e; and Section 58; adding a new Section 24-b, Article II, Texas Liquor Control Act (Articles 667-1 through 667-33, Vernon's Texas Penal Code); repealing Section 14, Article II, Texas Liquor Control Act; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend SB 346 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. Section 3, Article I, Texas Liquor Control Act, as amended (Article 666-3, Vernon's Texas Penal Code), is amended to read as follows: "Section 3. It shall be unlawful for any person to whom a Wine and Beer Retailer's Permit or Beer Retailer's License has been issued or any officer, agent, servant, or employee thereof to have in his possession on the licensed premises, any distilled spirits or any liquor containing alcohol in excess of fourteen (14%) per centum by volume."

Sec. 2. Section 3-a, Article I, Texas Liquor Control Act, as amended (Article 666-3a, Vernon's Texas Penal Code), is amended by adding a new Subsection (15), to read as follows:

"(15) 'Mixed Beverage' means one or more servings of a beverage composed in whole or in part of any alcoholic beverage in sealed or unsealed containers of any legal size for consumption on the premises where served or sold by the holder of a Mixed Beverage Permit, the holder of a Daily Temporary Mixed Beverage Permit, the holder of a Caterer's Permit, the holder of a Mixed Beverage Late Hours Permit, the holder of a Private Club Registration Permit, or the holder of a Private Club Late Hours Permit."

Sec. 3. Section 10, Article I, Texas Liquor Control Act, as amended (Article 666-10, Vernon's Texas Penal Code), is amended to read as follows:

"Section 10. Every applicant for a Pharmacist's Medicinal, Brewer's Distiller's, Mixed Beverage, Winery (except Class B Winery), Wholesaler's, Class B Wholesaler's, Wine Bottler's, or Package Store Permit under this Act shall give notice of such application by publication for two (2) consecutive issues in a newspaper of general circulation published in the city or town in which applicant's place of business is located. Provided, however, that in such instances where no newspaper is published in the city or town, then the same shall be published in a newspaper of general circulation published in the county where the applicant's business is located, and if no newspaper is published in the county, the notice shall be published in a qualified newspaper which is published in the closest neighboring county and circulated in the county of applicant's residence. Such notice shall be printed in ten (10) point black face type and shall set forth the type of permit to be applied for, the exact location of the place of business, the name of the owner or owners thereof, and if operating under an assumed name, the trade name together with the names of all owners, and if a corporation, the names and titles of all officers. The cost of such notice shall be borne by the applicant. This section does not apply to an applicant for either a Daily Temporary Mixed Beverage Permit or a Caterer's Permit."

Sec. 4. Section 11, Article I, Texas Liquor Control Act, as amended (Article 666-11, Vernon's Texas Penal Code), is amended to read as follows:

"Section 11. The Commission or Administrator may refuse to issue a

permit, either on an original application or a renewal application, to any applicant either with or without a hearing if it has reasonable grounds to believe and finds any of the following to be true:

“(1) That the applicant has been convicted in a court of competent jurisdiction for the violation of any provision of this Act during the two (2) years next preceding the filing of his application, or that two (2) years has not elapsed since the termination of any sentence, by pardon or otherwise, imposed upon the applicant upon conviction for a felony.

“(2) That the applicant has violated or caused to be violated, during the six (6) months period immediately preceding the date of his application, any provision of this Act or any rule or regulation of the Commission which involves a question of moral turpitude as distinguished from a technical violation of the Act or any rule or regulation.

“(3) That the applicant has failed to answer or has falsely answered or has incorrectly answered any of the questions in his original application or any renewal application.

“(4) That the applicant is indebted to the state for any taxes, fees, or payment of penalties imposed by this Act or by any rule or regulation of the Commission.

“(5) That the applicant is not of good moral character, that his reputation for being a peaceable, law-abiding citizen in the community where he resides is bad, or that he is under twenty-one (21) years of age.

“(6) That the place or manner in which the applicant may conduct his business is of such a nature which, based on the general welfare, health, peace, morals, and safety of the people and on the public sense of decency, warrants a refusal of a permit.

“(7) That the applicant is in the habit of using alcoholic beverages to excess, or is physically or mentally incapacitated.

“(8) That the Commission or Administrator believes or has reason to believe that the applicant will sell or knowingly permit any agent, servant, or employee to unlawfully sell liquor in a dry area or in any other manner contrary to law.

“(9) That the applicant, except an applicant for a permit created by this Act authorizing the holder thereof to sell mixed beverages, has any financial interest in any permit or license authorizing the holder thereof to sell beer at retail other than is authorized in Section 23(a)(5) or Section 17(1) of Article I of the Texas Liquor Control Act.

“(10) That the applicant, except an applicant for a permit created by this Act authorizing the holder thereof to sell mixed beverages, is residually domiciled with any person who has any financial interest in any permit or license authorizing the holder thereof to sell beer at retail other than as authorized in Section 23(a)(5) or Section 17(1) of Article I of the Texas Liquor Control Act.

“(11) That the applicant is not a citizen of the United States or has not been a citizen of Texas for a period of three (3) years immediately preceding the filing of his application, provided, however, that this Section

11 (11) shall not apply to any person who has been issued a permit or renewal thereof on or before September 1, 1948, and has at some time been a citizen of the United States.

“(12) That the applicant does not have available an adequate building at the address for which the permit is sought.

“(13) That the applicant is residentially domiciled with any person whose permit or license has been cancelled for cause within the twelve (12) months next preceding the date of the present application for a permit.

“(14) That the applicant has failed or refused to furnish a true copy of his application to the Alcoholic Beverage Commission District Office in the district in which the premises sought to be covered by a permit are located.

“(14a) That an applicant for a Mixed Beverage Permit, directly or indirectly, or through a subsidiary, affiliate, agent, or employee, or through an officer, director, or firm member, owns any interest of any kind in the premises, business, or permit of a package store, except as permitted in Subsection (5), Section 23(a), of this Article.

“(14b) That an applicant for a Package Store Permit, directly or indirectly, or through a subsidiary, affiliate, agent, or employee, or through an officer, director, or firm member, owns any interest of any kind in the premises, business, or permit of a mixed beverage establishment, except as permitted in Subsection (5), Section 23(a), of this Article.

“(15) The Commission or Administrator shall be vested with discretionary authority to refuse or grant such permits under the restrictions of this Section, as well as under any other pertinent provision of this Act.

“(16) When the word ‘applicant’ is used in Subsections (1) through (14b) of this Section, it shall also mean and include each member of a partnership or association and all officers and the owner or owners of the majority of the corporate stock of a corporation, as of the date of the application, except as permitted in Section 23(a)(5) and Section 17(1) of Article I of the Texas Liquor Control Act.

There may be sufficient legal reason to deny a permit if there is found that during the six (6) months immediately preceding the date of application the premise for which the permit is sought has been operated, used or frequented for any purpose or in any manner that is lewd, immoral, or offensive to public decency.

In the granting or withholding of any permit to sell alcoholic beverages at retail, as provided in Article I, of the Texas Liquor Control Act, the Commissioner or Administrator in forming his conclusions may give consideration to any recommendations made in writing by the District or County Attorney or County Judge or Commissioners Court of the county or the Sheriff of the county, or the Mayor or Chief of Police of any incorporated city or town wherein the applicant proposes to conduct his business and to any recommendations made by representatives of the Commission.”

Sec. 5. Article I, Texas Liquor Control Act, as amended (Article 666-1

through 666-57, Vernon's Texas Penal Code), is amended by adding a new Section 11-a, to read as follows:

"Section 11-a. In addition to the information required of applicants for permits under this Article, the applicant for a Mixed Beverage Permit must file with his original or renewal application a sworn statement in a form prescribed by the Commission or Administrator containing the following information:

"(1) The name and residential address of the lessor of the premises;

"(2) The name and address of the lessee of the premises;

"(3) The amount of monthly rental on the premises and the date of expiration of the lease;

"(4) Whether the lease or rental agreement includes furniture and fixtures;

"(5) Whether the business is to be operated under a franchise and if so the name and address of the franchisor;

"(6) The name and address of the accountant of the business;

"(7) A list of all bank accounts, including account numbers, used in connection with the business; and

"(8) Any information required by the Commission or Administrator relevant to the determination of all persons having a financial interest of any kind in the granting of a Mixed Beverage Permit."

Sec. 6. Section 12, Article I, Texas Liquor Control Act, as amended (Article 666-12, Vernon's Texas Penal Code), is amended to read as follows:

"Section 12. The Commission or Administrator may cancel or may suspend for a period of time not exceeding sixty (60) days, after notice and hearing, any permit or any renewal of such permit if it is found that any of the following is true:

"(1) That the permittee has at any time been convicted for the violation of any provision of this Act.

"(2) That the permittee has violated any provision of this Act or any rule or regulation of the Commission at any time.

"(3) That the permittee has made any false or misleading statement in connection with his application or renewal application, either in the formal application itself or in any other instrument in writing submitted to the Commission, its officers or its employees, relating to such application or renewal application.

"(4) That the permittee is indebted to the state for any taxes, fees, or payment of penalties imposed by this Act or by any rule or regulation of the Commission.

"(5) That the permittee is not of good moral character, or that his repu-

tation for being a peaceable and law-abiding citizen in the community where he resides is bad.

“(6) That the place or manner in which the permittee conducts his business is of such a nature which, based on the general welfare, health peace, morals, and safety of the people and on the public sense of decency, warrants the cancellation or suspension of the permit.

“(7) That the permittee is not maintaining an acceptable bond.

“(8) That the permittee, his agent, servant, or employee, maintains a noisy, lewd, disorderly or insanitary establishment or has been supplying impure or otherwise deleterious beverages.

“(9) That the permittee is insolvent or mentally or physically unable to carry on the management of his establishment.

“(10) That the permittee is in the habit of using alcoholic beverages to excess.

“(11) That either the permittee, his agent, servant, or employee knowingly misrepresented to a customer or the public any liquor sold by him.

“(12) That the permittee, his agent, servant, or employee was intoxicated on the licensed premises.

“(13) That the permittee, his agent, servant, or employee sold or delivered alcoholic beverages to any intoxicated person.

“(14) That the permittee, his agent, servant, or employee possessed on the premises covered by his permit any alcoholic beverage that he was not authorized by his permit to purchase and sell.

“(15) That any Package Store or Wine Only Package Store permittee, his agent, servant, or employee transported, caused to be transported, shipped or caused to be shipped liquor into a dry state, or into any dry area within this State.

“(16) That the permittee, his agent, servant, or employee sold or delivered any liquor on Sunday, except as permitted by Section 25, Article I, of this Act.

“(17) That the permittee, his agent, servant, or employee knowingly sold or delivered liquor to any person under the age of twenty-one (21) years.

“(18) That the permittee, his agent, servant, or employee sold or delivered any liquor in violation of Section 25, Article I, of this Act.

“(19) That the permittee, his agent, servant, or employee employed any person to sell, handle, transport, or dispense, or to assist in selling, handling, transporting or dispensing any liquor in violation of Subsection (5), Section 17, Article I of this Act.

“(20) That the permittee is residentially domiciled with any person who has financial interest in any establishment engaged in the business of selling beer at retail other than an interest in a mixed beverage estab-

ishment or as provided in Section 23 (a) (5), and Section 17 (1) of Article I of this Act.

“(21) That the permittee is residentially domiciled with any person whose permit or license has been cancelled for cause within twelve (12) months next preceding the date of application.

“(22) That the permittee, his agent, servant, or employee sold, offered for sale, distributed, or delivered any alcoholic beverage during any period of suspension of his permit by the Commission or Administrator.

“(23) That the permittee is not a citizen of the United States or has not been a citizen of Texas for a period of three (3) years immediately preceding the filing of his application; provided, however, this Paragraph (23) shall not apply to any person who has been issued a permit or a renewal thereof on or before September 1, 1948, and has at some time been a citizen of the United States.

“(24) That the permittee has been finally convicted of a felony during the period he is the holder of any permit or renewal thereof.

“(25) That the permittee, his agent, servant, or employee permitted any intoxicated person to remain on the premises.

“(26) That the retail permittee, his agent, servant, or employee, sold or delivered any liquor between 9:00 p.m. of any day and 10:00 a.m. of the following day, except as permitted in Section 25 of this Article.

“(27) That the permittee, his agent, servant, or employee permitted any person to open any container or to possess any open container of alcoholic beverage on the licensed premises unless a Mixed Beverage Permit has been issued for the premises.

“(28) Where the word ‘permittee’ is used in this section it also means and includes each member of a partnership or association and each officer and the owner or owners of the majority of the corporate stock of a corporation, except as provided in Section 23 (a) (5) and Section 17 (1) of Article I of this Act.

“(29) In addition to the causes for cancellation or suspension hereinbefore set out, the Commission or Administrator may cancel or suspend the permit of any person upon satisfactory proof that the permittee has been finally convicted of any penal provisions of this Act.”

Sec. 7. Subsection (a), Section 13, Article I, Texas Liquor Control Act (Article 666-13, Vernon's Texas Penal Code) as amended, is amended to read as follows:

“(a) All permits issued under this Act expire one year from the date of issue.”

Sec. 8. Section 15, Article 1, Texas Liquor Control Act, as amended (Article 666-15, Vernon's Texas Penal Code), is amended by adding Subsections (22), (23), (24), and (25) to read as follows:

"(22) Mixed Beverage Permit. A Mixed Beverage Permit authorizes the holder to sell mixed beverages from unsealed containers, or from sealed containers containing no less than one fluid ounce but not more than two fluid ounces, for consumption on the premises for which the permit is issued.

Notwithstanding the limitation set out in this subsection and in Section 20e of Article 1, a Mixed Beverage Permit shall authorize the holder thereof to purchase wine, beer, and malt liquor in a container of any legal size containing alcohol of not more than 21% by volume from the holder of any permit or license which authorizes the holder thereof to sell same for resale, and the Mixed Beverage Permit shall authorize the holder thereof to sell such wine, beer and malt liquor in a container of any legal size for consumption on the premises for which the permit is issued. The annual fee for a Mixed Beverage Permit is Two Thousand Dollars (\$2,000.00) for an original permit, One Thousand Five Hundred Dollars (\$1,500.00) for the first annual renewal, One Thousand Dollars (\$1,000.00) for the second annual renewal, and Five Hundred Dollars (\$500.00) for the third annual and each subsequent annual renewal.

"(23) Daily Temporary Mixed Beverage Permit. (a) The Commission may, in its discretion, issue on a temporary basis a Daily Temporary Mixed Beverage Permit. The fee for the permit is Twenty-five Dollars (\$25) per day.

"(b) The permit authorizes the sale of mixed beverages for consumption on the premises for which the permit is issued and may only be issued to a political party or political association supporting a candidate for public office or a proposed amendment to the State Constitution or other ballot measure, an organization formed for a specific charitable or civic purpose, a fraternal organization in existence for over five years with a regular membership, or a religious organization.

"(c) Distilled spirits sold under a Daily Temporary Mixed Beverage Permit must be purchased from the holder of a Local Distributor's Permit.

"(d) All provisions of this Act applicable to a Mixed Beverage Permit also apply to a daily Temporary Mixed Beverage Permit, unless there is a special provision to the contrary.

"(e) The requirements which apply to the application and issuance of other permits contained in this Act do not apply to the application and issuance of a Daily Temporary Mixed Beverage Permit. The Commission may adopt such rules and regulations as it determines to be necessary to implement and administer the provisions of this section, including, but not limited to, limitations on the number of times during any calendar year a qualified organization may be issued a license provided for by this section.

"(24) Mixed Beverage Late Hours Permit. A Mixed Beverage Late Hours Permit authorizes the holder to sell mixed beverages on Sunday between the hours of 1 a.m. and 2 a.m. and on any day except Sunday between the hours of 12 midnight and 2 a.m. if the premises covered by the permit are in an area where the sale of mixed beverages during those hours is authorized by this Act. All sections of this Act which apply to a

Mixed Beverage Permit also apply to a Mixed Beverage Late Hours Permit. The annual state fee for a Mixed Beverage Late Hours Permit is \$100.

“(25) (a) Caterer’s Permit. A Caterer’s Permit may only be issued to the holder of a Mixed Beverage Permit. It authorizes the Mixed Beverage Permittee to sell mixed beverages on a temporary basis at a place other than the premises for which the Mixed Beverage Permit is issued, but only in an area where the sale of such beverages has been authorized by a local option election.

“(b) The provisions of this act which apply to the application and issuance of other permits do not apply to the application and issuance of a Caterer’s Permit. The restrictions and regulations which apply to the sale of mixed beverages on the licensed premises also apply to the sale under the authority of a Caterer’s Permit, and any act which is prohibited on the licensed premises is also prohibited when the permittee is operating other than on the licensed premises under a Caterer’s Permit. Any act which, if done on the licensed premises would be a ground for cancellation or suspension of the Mixed Beverage Permit, is a ground for cancellation of both the Mixed Beverage Permit and the Caterer’s Permit if done when the permittee is operating away from the licensed premises under the authority of a Caterer’s Permit.

“(c) A Caterer’s Permit is auxiliary to the primary Mixed Beverage Permit held by the permittee. All receipts from the sale of mixed beverages under the authority of the Caterer’s Permit shall be treated for tax purposes as if they were made under the authority of the primary permit. If the primary permit ceases to be valid for any reason, the Caterer’s Permit ceases to be valid. All provisions of this Act applicable to the primary permit not inconsistent with this subsection apply to a Caterer’s Permit.

“(d) The Commission shall adopt rules and regulations governing the application, issuance, and use of Caterer’s Permits.

“(e) The annual fee for a Caterer’s Permit is \$250.”

Sec. 9. Article I, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon’s Texas Penal Code), is amended by adding a new Section 58, to read as follows:

“Section 58. (a) A mixed beverage permit held by a corporation may not be renewed if the Commission or Administrator finds that control of the corporation has substantially changed since the time the original permit was issued. A substantial change of control has occurred if, by the transfer of the ownership of stock or by any other means, there has been a substantial change as to the person or persons having effective control of the corporation.

“(b) The Commission or Administrator may adopt reasonable rules and regulations in accordance with the provisions of this section.

“(c) A corporation which is barred from renewing a permit because of

this section may file an application for an original permit and may be issued an original permit if otherwise qualified.

“(d) This section does not apply to a change in corporate control brought about by the death of a shareholder if his surviving spouse or descendants are his successors in interest.”

Sec. 10. Section 15(a), Article I, Texas Liquor Control Act, as amended (Article 666-15a1, Vernon's Texas Penal Code), is amended to read as follows:

“Section 15(a). Except as to Agent's Industrial, Carrier's, Private Carrier's, Local Cartage, and Storage Permits, and as to such Wine and Beer Retailer's Permits as shall be issued to operators of dining, buffet, or club cars, and Class B Winery Permits, and except as to Mixed Beverage Permits during the first, second and third years of their existence, the Commissioners Court of each county in this state shall have the power to levy and collect from every person that may be issued a permit hereunder in said county a fee equal to one-half ($\frac{1}{2}$) of the state fee; and the city or town wherein the licensed premises are located shall have the power to levy and collect a fee not to exceed one-half ($\frac{1}{2}$) of the state fee, but no other fee or tax shall be levied by either. Nothing herein contained shall be construed as preventing the levying, assessing, and collecting of general ad valorem taxes on the property of said persons. The Commission or Administrator may cancel the permit, or any renewal thereof, of any person upon finding that the permittee has not paid any fee levied by the county or city as provided in this section. All permits shall be displayed in a conspicuous place at all times on the licensed premises. Any permittee or licensee who engages in the sale of any alcoholic beverage without having first paid the fees which may have been levied by the county or city as herein provided shall be guilty of a misdemeanor and upon conviction shall be fined not less than Ten Dollars (\$10) nor more than Two Hundred Dollars (\$200). Nothing herein shall be construed as a grant to any subdivision of any power or authority to regulate licensees or permittees hereunder, save and except the collection of the fees herein authorized, and save and except any power or authority to regulate as granted elsewhere in the Texas Liquor Control Act.

Sec. 11. Subsection (5), Section 17, Article I, Texas Liquor Control Act, as amended (Article 666-17, Vernon's Texas Penal Code), is amended to read as follows:

“(5) (a) It shall be unlawful for any person to employ anyone under twenty-one (21) years of age to sell, handle, transport, or dispense or to assist in selling, handling, transporting or dispensing any liquor, except malt liquor and ale, which employees shall be at least eighteen (18) years of age; provided further that any person eighteen (18) years of age or over may be employed by the holder of any type of Wholesaler's Permit to work in any capacity, except as the holder of an agent's permit, either on or off the licensed premises; and provided further, that any person sixteen (16) years of age or over may be employed by the holder of a Wine Only Package Store Permit to work in any capacity on the licensed premises. Except as to the age of employees, the holder of a Wine Only Package Store Permit shall be subject to all other restrictions and penal-

ties set out in Section 17(b) of Article I of the Texas Liquor Control Act which are applicable to the holder of a package store permit.

“(b) The provisions of Subdivision (a) of this subsection do not apply to the holder of a Mixed Beverage Permit. The holder of a Mixed Beverage Permit may not employ any person under the age of 21 in the actual mixing, preparing, selling, dispensing, or serving of mixed beverages. Employees not involved in the actual mixing, selling, preparing, dispensing, or serving of mixed beverages may be under the age of 21.”

Section 12. Subsection (15), Section 17, Article I, Texas Liquor Control Act, as amended (Article 666-17, Vernon's Texas Penal Code), is amended to read as follows:

“(15) Except as required to supply the needs of Airline Beverage Permittees or Mixed Beverage Permittees as authorized under this Act, it shall be unlawful for any person to import, sell, offer for sale, barter, exchange, or possess for the purpose of sale any liquor the container of which contains less than one-half ($\frac{1}{2}$) pint; provided; however, that in the case of malt or vinous liquor a six (6) ounce container shall be the minimum; provided further that any bona fide common carrier of persons, engaged in interstate commerce, may be authorized by the Commission to transport liquor in containers of less than one-half ($\frac{1}{2}$) pint but not for sale, use or consumption in Texas. The prohibitions contained herein shall not apply to any licensee or permittee under this Act when engaged in supplying the needs of Airline Beverage Permittees or Mixed Beverage Permittees and shall not apply to the possession or sale by Airline Beverage Permittees or Mixed Beverage Permittees as authorized elsewhere in this Act; provided, however, in no event shall any container of liquor contain any less than one fluid ounce.

“The Commission may adopt such reasonable regulations as may be necessary to give effect to the above provision.”

Sec. 13. Subsection (35), Section 17, Article I, Texas Liquor Control Act, as amended (Article 666-17, Vernon's Texas Penal Code), is amended to read as follows:

“(35) It shall be unlawful for the holder of a Brewer's, Distiller's, Class A Winery, Class B Winery, Rectifier's, Wholesaler's, Class B Wholesaler's, or Wine Bottler's Permit, directly or indirectly, or through a subsidiary or affiliate, any agent or employee, or by the officer, director or firm member, to own any interest of any kind in the premises of a Package Store, Wine Only Package Store, or Mixed Beverage Permittee, or any interest of any kind in the premises in which any such Package Store, Wine only Package Store, or Mixed Beverage Permittee conducts its business.”

“It shall be unlawful for any person who owns or has an interest in the business of a Distiller, Brewer, Rectifier, Wholesaler, Class B Wholesaler, Class A Winery, Class B Winery, Wine Bottler, Local Distributor's Permit or any agent, servant or employee: (a) to own or have an interest directly or indirectly in the business, premises, equipment or fixtures of any Mixed Beverage Permit; (b) to furnish, give or lend any money or

service or other thing of value, or to guarantee the fulfillment of any financial obligation of any Mixed Beverage Permittee; (c) to make or offer to enter into an agreement, condition, or system, the effect of which will amount to the shipment and delivery of alcoholic beverages on consignment; (d) to furnish, give, rent, lend, or sell to any Mixed Beverage Permittee any equipment, fixtures, or supplies to be used in the selling or dispensing of alcoholic beverages; (e) to pay or make any allowances to any Mixed Beverage Permittee for a special advertising or distributing service, or to allow any excessive discounts; (f) to offer any prize, premium, gift or other similar inducement, other than to the extent authorized by Section 17(3)(g) of this Article I, to any Mixed Beverage Permittee or the agent, servant, or employee thereof or to advertise in the convention program or sponsor a function at a meeting or convention of any corporate trade association of holders of Mixed Beverage Permits. Provided, however, nothing in this Subsection (f) shall apply to any trade association incorporated prior to 1950."

Sec. 14. Subsection (37), Section 17, Article I, Texas Liquor Control Act, as amended (Article 666-17, Vernon's Texas Penal Code), is amended to read as follows:

"(37) It shall be unlawful for any wholesaler, Class B wholesaler, Class A winery, wine bottler or local distributor to sell any liquor, nor shall any package store permittee, wine only package store permittee, private club permittee, mixed beverage permittee, or other retailer purchase any liquor, except for cash or on terms requiring payment by the purchaser as follows: on purchases made from the first to the fifteenth day inclusive of each calendar month, payment must be made on or before the twenty-fifth day of the same calendar month; and, on purchases made from the sixteenth to the last day inclusive of each calendar month, payment must be made on or before the tenth day of the succeeding calendar month. Every delivery of liquor must be accompanied by an invoice of sale giving the date of purchase of such liquor. In the event any package store permittee, wine only package store permittee, private club permittee, mixed beverage permittee or other retail dealer becomes delinquent in the payment of any account due for liquor purchased (that is, if he fails to make full payment on or before the date hereinbefore provided) then it shall be the duty of the wholesaler, Class B wholesaler, Class A winery, wine bottler or local distributor to report that fact immediately to the Commission or the Administrator in writing. Any private store permittee, wine only package store permittee, private club permittee, mixed beverage permittee or other retail dealer who becomes delinquent shall not be permitted to purchase liquor from any wholesaler, Class B wholesaler, Class A winery, wine bottler or local distributor until said delinquent account is paid in full, and the delinquent account shall be cleared from the records of the Commission before any wholesaler, Class B wholesaler, Class A winery, wine bottler or local distributor will be permitted to sell liquor to him. Any wholesaler, Class B wholesaler, Class A winery, wine bottler or local distributor who accepts postdated checks, notes, or memoranda or who participates in any scheme, trick, or device to assist any package store permittee, wine only package store permittee, private club permittee, mixed beverage permittee or other retail dealer in the violation of this Section shall likewise be guilty of a violation of this Section. The Commission shall have the power and it shall be its duty to adopt rules and regulations giving full force and effect to this section. Any sales of malt beverages to the holder of a Mixed Beverage Permit or a Daily Temporary Mixed

Beverage Permit by any holder of a license under Article II of the Texas Liquor Control Act or the holder of a Local Distributors Permit which authorizes sales to any licensee or permittee for resale shall be subject to the provisions of Section 24- $\frac{1}{4}$ and Section 19-C of Article II of the Texas Liquor Control Act."

Sec. 15. Article I, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon's Texas Penal Code), is amended by adding a new Section 20e, to read as follows:

"Section 20e. All distilled spirits sold by a Mixed Beverage Permittee or a Private Club Permittee must be purchased in this state from a holder of a Local Distributor's Permit. No local distributor may sell distilled spirits to a Mixed Beverage Permittee or a Private Club Permittee in individual containers containing less than one fluid ounce. No local distributor may deliver less than two and four-tenths gallons of distilled spirits in a single shipment.

"The Commission or Administrator is authorized to issue Local Distributor's Permits only to holders of Package Store Permits issued under the terms of Section 15(8) of Article I of the Texas Liquor Control Act. A Local Distributor's Permit shall authorize the holder thereof to purchase distilled spirits or liquor from holders of Wholesaler's Permits issued under the terms of Section 15(6) of Article I of the Texas Liquor Control Act, only and to sell and distribute to Mixed Beverage Permittees or Private Club Permittees such brands of distilled spirits, liquor, and other alcoholic beverages as are for general distribution and are available from the wholesaler to all local distributors. The fee for a Local Distributor's Permit shall be in the amount of Fifty Dollars (\$50) and shall be paid in addition to, and under the same conditions as, the fee paid for the holder's Package Store Permit. Any holder or any agent of a holder of a Wholesaler's Permit issued under the terms of Section 15(6) of this Article I may enter the licensed premises of a Mixed Beverage Permittee or a Private Club Permittee for the purpose of determining the brands offered for sale and suggesting or promoting to the extent authorized by Section 17(3) (g) of this Article I, the sale of other brands; provided, however, that no holder and no agent of a holder of a Section 15(6) Wholesaler's Permit shall be authorized to accept a direct order from a Mixed Beverage Permittee other than a direct order for wine or malt liquor.

"No holder of a Nonresident Seller's Permit or a Manufacturer's Agent's Permit issued under Section 15- $\frac{1}{2}$ of this Article I, shall, unless accompanied by the holder or the agent of a holder of a Wholesaler's Permit, solicit any business, directly or indirectly, from a Mixed Beverage Permittee or a Private Club Permittee.

"Where a Mixed Beverage Permittee or a Private Club Permittee is in an area where there are no local distributors, the holder of a Mixed Beverage Permit or a Private Club Permit shall be empowered to purchase alcoholic beverages in the nearest area where local distributors are located and transport same to the premises of the Mixed Beverage Permittee or Club; provided the permittee transporting such alcoholic beverages is also a holder of a Beverage Cartage Permit, and provided that such transporter shall acquire such alcoholic beverages only on the

written order from the holder of a Mixed Beverage Permit or officer or manager of the Club and any such alcoholic beverages must be accompanied by a written statement furnished and signed by a local distributor, showing the name and address of the consignee and consignor, the origin and destination of such shipment, and such other information as may be required by the Commission or Administrator; and it shall be the duty of the person in charge of such alcoholic beverages while they are being so transported to exhibit such written statement to any representative of the Commission or any peace officer making demand therefor, and such statement shall be accepted by such representative or officer as prima facie evidence of the lawful right to transport such alcoholic beverages.

"The Commission is hereby authorized to issue a Beverage Cartage Permit to the holder of a Mixed Beverage Permit or a Private Club Permit to transport alcoholic beverages to the licensed premise from the place of purchase. The holder of a Beverage Cartage Permit shall be privileged to transfer alcoholic beverages as herein provided. The annual state fee for a Beverage Cartage Permit shall be ten dollars (\$10.00).

"Notwithstanding any other provision of this Act, the holder of a Local Distributor's Permit may sell to holders of Mixed Beverage Permits distilled spirits, wine and vinous liquor in containers containing not less than one ounce but not more than two ounces, as well as any other container authorized by the Texas Liquor Control Act. Holders of Wholesaler's Permits may import, sell, offer for sale, or possess for purpose of resale to holders of Local Distributor's Permits, or as permitted in Section 15(21) of this Article I, distilled spirits, wine and vinous liquor in containers containing not less than one ounce but not more than two ounces, as well as any other container authorized by the Texas Liquor Control Act.

"Notwithstanding any other provision of this Act, the holder of a Mixed Beverage Permit, the holder of Daily Temporary Mixed Beverage Permit, the holder of a Caterer's Permit, or the holder of a Mixed Beverage Late Hours Permit, may sell, offer for sale, and possess for purpose of resale, for consumption on the premises where served or sold, any alcoholic beverage in an unsealed container, or in a sealed container of any legal size.

"Notwithstanding any other provision of this Act, the holder of a private club registration permit may serve, for consumption on the premises, any alcoholic beverage in an unsealed container or in a sealed container of any legal size."

Sec. 16. Article I, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon's Texas Penal Code), is amended by adding a new Section 20b, to read as follows:

"Section 20b. (a) No Mixed Beverage Permittee may refill with any substance a container which contained distilled spirits on which the tax prescribed in Section 21, Article I, of this Act has been paid.

"(b) A Mixed Beverage Permittee or any person employed by the permittee who empties a bottle containing distilled spirits on which the

tax prescribed in Section 21, Article I, of this Act has been paid, shall immediately after emptying the bottle destroy it. A bottle is considered destroyed if it is no longer capable of containing any liquid.

“(c) Every Mixed Beverage Permittee shall provide at all service counters where distilled spirits are poured from bottles the necessary facilities for the destruction of bottles so that persons emptying distilled spirits bottles may immediately destroy them.

“(d) Any Mixed Beverage Permittee, his officer, agent, or employee, who is found in possession of an emptied distilled spirits bottle which contained distilled spirits on which the tax prescribed in Section 21, Article I, of this Act has been paid, which has not been destroyed is guilty of a separate violation of this section for each bottle.

“(e) An empty distilled spirits bottle which has locked on it an automatic measuring and dispensing device of a type approved by the Administrator or Commission, so as to prevent the refilling of the bottle without unlocking and removing the device from the bottle, is not required to be destroyed as required in Subsections (a) through (d) of this section, but shall be destroyed immediately upon the unlocking and removal of the device. Subsection (d) of this section does not apply to the possession of an empty distilled spirits bottle until the device has been unlocked and removed from the bottle.

“(f) No holder of a Mixed Beverage Permit shall sell any alcoholic beverage to any other holder of a Mixed Beverage Permit or to any other person, except for consumption on the licensed premises of the selling permit holder.

“(g) No holder of a Mixed Beverage Permit shall permit any person to take any alcoholic beverage purchased on the licensed premises from the premises where sold.”

Sec. 17. Article I, Texas Liquor Control Act, as amended, is amended by adding a new Section 20c, to read as follows:

“Section 20c. (a) No holder of a mixed beverage permit, nor any officer, agent, or employee of a holder, may possess or permit to be possessed on the premises for which the permit is issued any alcoholic beverage which is not covered by an invoice from the supplier from whom the alcoholic beverage was purchased. A person who violates this section is punishable, upon conviction, by a fine of not more than One Thousand Dollars (\$1,000) or by confinement in the county jail for no more than thirty (30) days or by both. The Commission or Administrator may, after notice and hearing, suspend for a period of up to sixty (60) days, or cancel, the permit of any permittee it finds to have violated this subsection.

“(b) No holder of a Mixed Beverage Permit, nor any officer, agent, or employee of a holder, may knowingly possess or permit to be possessed on the premises for which the permit is issued any alcoholic beverage which is not covered by an invoice conforming with the requirements specified in Subsection (a) of this Section 20c. A person who violates this subsec-

tion is punishable by a fine of not less than Five Hundred Dollars (\$500) nor more than One Thousand Dollars (\$1,000) and by confinement in the county jail for not less than thirty (30) days nor more than two (2) years. The Commission or Administrator shall cancel the permit of any permittee convicted of violating this subsection or found by the Commission or Administrator, after notice of hearing, to have violated this subsection."

Sec. 18. Subsection (5), Section 23(a), Texas Liquor Control Act, as amended (Article 666-23a, Vernon's Texas Penal Code), is amended to read as follows:

"(5) It is further provided that any bona fide hotel shall be authorized to hold a Package Store Permit and a Mixed Beverage Permit as well as a Wine and Beer Retailer's Permit and a Beer Retailer's License provided such businesses are completely and wholly segregated from each other. The Board is authorized to adopt rules and regulations to enforce this provision. It is further provided that a hotel holding a Package Store Permit may deliver liquor at retail in unbroken packages to the rooms of bona fide guests of such hotel for consumption in such rooms."

Sec. 19. Section 25, Article I, Texas Liquor Control Act, as amended (Article 666-25, Vernon's Texas Penal Code), is amended to read as follows:

"Section 25. (a) No person, except a person selling alcoholic beverages under the authority of a Mixed Beverages Permit, may sell or deliver any liquor:

"(1) Between 9:00 o'clock p.m. of any day and 10:00 o'clock a.m. of the following day of any day except Sunday, provided, however, that nothing in this section shall prevent a wholesaler from making sales and deliveries to retailers between the hours of 7:00 o'clock a.m. and 9:00 o'clock p.m. Provided further, that any person holding more than one Package Store Permit shall be privileged to transfer alcoholic beverages between any of his licensed premises in the same county under such rules and regulations as may be prescribed by the Commission, at any time between the hours of 7:00 o'clock a.m. and 9:00 o'clock p.m. on any day when the sale of such alcoholic beverage is legal, provided that he be the holder of a Local Cartage Permit.

"(2) On Christmas Day.

"(3) On Sundays.

"(b) No person in a county of 300,000 or more population, according to the last preceding federal census, may sell or offer for sale any mixed beverage on Sunday at any time between the hours of 2 a.m. and 12 noon or on any day other than Sunday at any time between the hours of 2 a.m. and 7 a.m.

"(c) No person in a county not having a population of 300,000 or more, according to the last preceding federal census, may sell or offer for sale

any mixed beverage on Sunday at any time between the hours of 1 a.m. and 12 noon or on any day other than Sunday at any time between the hours of 12 midnight and 7 a.m.

“(d) Regardless of the provisions of Subsections (a) and (b) of this section, the Commissioners Court of any county under 300,000 population, according to the last preceding federal census, may by order adopt for the unincorporated areas of that county the hours prescribed above for counties having a population of 300,000 or more, according to the last preceding federal census, during which the sale or offering for sale of mixed beverages is made unlawful; and the governing body of any incorporated city or town in any county under 300,000 population, according to the last preceding federal census, may by ordinance adopt the hours prescribed above for counties having a population of 300,000 or more, according to the last preceding federal census, during which the sale or offering for sale of mixed beverages is made unlawful; violation of a Commissioners Court order or a city ordinance made under this subsection is punishable as a violation of this Act.

“(e) No person may sell or offer for sale any mixed beverage on Sunday between the hours of 1 a.m. and 2 a.m., or on any other day between the hours of 12 midnight and 2 a.m. unless he holds a Mixed Beverage Late Hours Permit.

“(f) Notwithstanding any other provision of the Texas Liquor Control Act, as to the holder of a storage permit, airline beverage permit, or in accordance with Sections 21 and 21 1/8 of Article I, no person shall sell, offer for sale or store for the purpose of sale in Texas, any liquor on which the state and federal tax has not been paid, provided, however, that the holder of any permit authorized to transport liquor out of the state may apply to the Commission for a refund of the excise tax on any liquor on which the state tax has been paid upon proper proof that the liquor was sold or disposed of outside the boundaries of the State of Texas.”

Sec. 20. Section 40, Article I, Texas Liquor Control Act, as amended (Article 666-40, Vernon's Texas Penal Code), is amended to read as follows:

“Section 40. (a) The Commissioners Court upon petition as herein provided shall, as provided in Section 32, Article I, order local option elections for the purpose of determining whether alcoholic beverages of the various types and alcoholic contents herein provided, shall be legalized or prohibited.

“(b) In areas where any type or classification of alcoholic beverages is prohibited and the issue submitted pertains to legalization of the sale of one or more such prohibited types or classifications, one of the following issues shall be submitted:

“(1) ‘For the legal sale of beer for off-premise consumption only’ and ‘Against the legal sale of beer for off-premise consumption only.’

“(2) ‘For the legal sale of beer’ and ‘Against the legal sale of beer.’

“(3) ‘For the legal sale of beer and wine for off-premise consumption

only' and 'Against the legal sale of beer and wine for off-premise consumption only.'

"(4) 'For the legal sale of beer and wine' and 'Against the legal sale of beer and wine.'

"(5) 'For the legal sale of all alcoholic beverages for off-premise consumption only' and 'Against the legal sale of all alcoholic beverages for off-premise consumption only.'

"(6) 'For the legal sale of all alcoholic beverages except mixed beverages' and 'Against the legal sale of all alcoholic beverages except mixed beverages.'

"(7) 'For the legal sale of all alcoholic beverages including mixed beverages' and 'Against the legal sale of all alcoholic beverages including mixed beverages.'

"(8) 'For the legal sale of mixed beverages' and 'Against the legal sale of mixed beverages.'

"(c) In areas where the sale of all alcoholic beverages including mixed beverages has been legalized, one of the following issues shall be submitted in any prohibitory election:

"(1) 'For the legal sale of beer for off-premise consumption only' and 'Against the legal sale of beer for off-premise consumption only.'

"(2) 'For the legal sale of beer' and 'Against the legal sale of beer.'

"(3) 'For the legal sale of beer and wine for off-premise consumption only' and 'Against the legal sale of beer and wine for off-premise consumption only.'

"(4) 'For the legal sale of beer and wine' and 'Against the legal sale of beer and wine.'

"(5) 'For the legal sale of all alcoholic beverages for off-premise consumption only' and 'Against the legal sale of all alcoholic beverages for off-premise consumption only.'

"(6) 'For the legal sale of all alcoholic beverages except mixed beverages' and 'Against the legal sale of all alcoholic beverages except mixed beverages.'

"(7) 'For the legal sale of all alcoholic beverages including mixed beverages' and 'Against the legal sale of all alcoholic beverages including mixed beverages.'

"(8) 'For the legal sale of mixed beverages' and 'Against the legal sale of mixed beverages.'

“(d) In areas where the sale of all alcoholic beverages except mixed beverages has been legalized one of the following issues shall be submitted in any prohibitory elections:

“(1) ‘For the legal sale of beer for off-premise consumption only’ and ‘Against the legal sale of beer for off-premise consumption only.’

“(2) ‘For the legal sale of beer’ and ‘Against the legal sale of beer.’

“(3) ‘For the legal sale of beer and wine for off-premise consumption only’ and ‘Against the legal sale of beer and wine for off-premise consumption only.’

“(4) ‘For the legal sale of beer and wine’ and ‘Against the legal sale of beer and wine.’

“(5) ‘For the legal sale of all alcoholic beverages for off-premise consumption only’ and ‘Against the legal sale of all alcoholic beverages for off-premise consumption only.’

“(6) ‘For the legal sale of all alcoholic beverages except mixed beverages’ and ‘Against the legal sale of all alcoholic beverages except mixed beverages.’

“(e) In areas where the sale of beverages containing alcohol not in excess of fourteen per centum (14%) by volume has been legalized, and those of higher alcoholic content are prohibited, one of the following issues shall be submitted in any prohibitory election:

“(1) ‘For the legal sale of beer for off-premise consumption only’ and ‘Against the legal sale of beer for off-premise consumption only.’

“(2) ‘For the legal sale of beer’ and ‘Against the legal sale of beer.’

“(3) ‘For the legal sale of beer and wine for off-premise consumption only’ and ‘Against the legal sale of beer and wine for off-premise consumption only.’

“(4) ‘For the legal sale of beer and wine’ and ‘Against the legal sale of beer and wine.’

“(f) In areas where the sale of beer containing alcohol not exceeding four per centum (4%) by weight has been legalized, and all other alcoholic beverages are prohibited, one of the following issues shall be submitted in any prohibitory election:

“(1) ‘For the legal sale of beer for off-premise consumption only’ and ‘Against the legal sale of beer for off-premise consumption only.’

“(2) ‘For the legal sale of beer’ and ‘Against the legal sale of beer.’

“(g) Wine, as referred to in Paragraphs (3) and (4) of Subsection (b) of this section, Paragraphs (3) and (4) of Subsection (c) of this section, Paragraphs (3) and (4) of Subsection (d) of this section, and in Para-

graphs (3) and (4) of Subsection (e) of this section, means and includes malt and vinous beverages that do not contain alcohol in excess of fourteen per centum (14%) by volume.

"(h) Vinous and malt liquor, containing not more than fourteen per centum (14%) alcohol by volume, and beer, which are sold or dispensed to the public in unbroken, sealed and individual containers are hereby declared to be a separate and distinct type and kind of alcoholic beverage and where the sale of alcoholic beverages has been legalized for off-premise consumption only, the sale or consumption of any other type or kind of alcoholic beverages on the licensed premises shall be unlawful.

"(i) No local option election may affect the sale of mixed beverages unless the proposition specifically mentions mixed beverages. In any legalization or prohibitory local option election where any shade or aspect of the issue submitted involves the sale of mixed beverages, any other type or classification of alcoholic beverage which was legalized prior to such election shall remain legalized without regard to the outcome of said election on the question of mixed beverages."

Section 21. Article I, Texas Liquor Control Act, as amended, (Article 666, Vernon's Texas Penal Code), is hereby amended by the addition thereto of a new section to be known as Section 40-B, such new section to read as follows:

"Section 40-B. In order to qualify under the terms of this Act to hold a local option election to legalize or prohibit the sale of liquor as authorized under Section 40 of Article I of the Texas Liquor Control Act, any qualified political subdivision holding such election must have been in existence for at least eighteen (18) months. Such political subdivision, to qualify hereunder, shall include substantially all of the area encompassed by such subdivision at the time of its creation and may include any and all other areas legally annexed by or added to such subdivision since its creation. These restrictions shall not apply to any city or town that was incorporated prior to December 1, 1971.

Sec. 22. Section 49, Article I, Texas Liquor Control Act, as added (Article 666-49a, Vernon's Texas Penal Code), is amended to read as follows:

"Section 49. The Commission or Administrator shall have the power and authority to suspend for a length of time not exceeding thirty (30) days any retail Package Store Permit, Mixed Beverage Permit, Wine Only Package Store Permit, or Medicinal Permit upon ascertaining that any act constituting a breach of the peace has occurred upon the premises covered by the permit of such retail dealer or under his control, and at the expiration of the period for which such permit has been suspended the Commission or Administrator may further suspend or cancel the permit unless it shall have been shown to the satisfaction of the Commission or Administrator that the act was beyond the control of the person holding the permit and did not result from improper supervision by the permittee of the conduct of persons permitted by him to be on the licensed premise or premises under his control."

Sec. 23. Article II, Texas Liquor Control Act, as amended (Articles 667-1

through 667-33, Vernon's Texas Penal Code), is amended by adding a new Section 24-B, to read as follows:

"Section 24-B. The provisions of this Act applicable to outdoor advertising and advertising in or on the premises do not apply to establishments for which a Mixed Beverage Permit has been issued. The Commission or Administrator shall promulgate reasonable rules and regulations relating to such advertising, and violation of those rules and regulations is a violation of this Act."

Sec. 24. Section 14, Article II, Texas Liquor Control Act, as amended (Article 667-14, Vernon's Texas Penal Code), is repealed.

Sec. 25. Subsection 7, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code), is amended to read as follows:

"7. The Commission or Administrator may cancel or suspend for a period of time not exceeding sixty (60) days, after notice and hearing, any Private Club Registration Permit or any renewal of such Private Club Registration Permit, upon finding that the permittee club has:

"(a) Sold, offered for sale, purchased or held title to any liquor whatsoever so as to constitute an open saloon. The term 'open saloon' as used in this subsection means any place where any alcoholic beverage whatever, manufactured in whole or in part by means of the process of distillation, or any liquor composed or compounded in part of distilled spirits, is sold or offered for sale for beverage purposes by the drink or in broken or unsealed containers, or any place where any such liquors are sold or offered for sale for human consumption on the premises where sold.

"(b) Refused to allow any authorized agent or representative of the Texas Alcoholic Beverage Commission or any peace officer to come upon the club premises for the purpose of inspecting alcoholic beverages stored on said premises or investigating compliance with this Act or any provision of the Texas Liquor Control Act.

"(c) Refused to furnish the Commission or its agent or representatives when requested any information pertaining to the storage, possession, serving or consumption of alcoholic beverages upon club premises.

"(d) Permitted or allowed any alcoholic beverages stored on club premises to be served or consumed at any place other than on the club premises.

"(e) Failed to maintain an adequate building at the address for which said Private Club Registration Permit was issued.

"(f) Caused, permitted or allowed any member of a club in a dry area to store any liquor on club premises except under the locker system.

"(g) Caused, permitted or allowed any person to consume or be served any alcoholic beverages on the club premises at any time on Sunday between the hours of 1:15 a.m. and 12:00 noon, or on any other day at

any time between the hours of 12:15 a.m. and 7:00 a.m.; provided, however, that a permittee club holding a Private Club Late Hours Permit shall be entitled to cause, permit and allow service and consumption of alcoholic beverages on the club premises during the additional hours authorized by such permit.

“(h) Violated any provision of the Texas Liquor Control Act or this Act.”

Sec. 26. Section 13, Article I, Texas Liquor Control Act, as amended (Article 666-13, Vernon's Texas Penal Code), is amended by adding a Subsection (f) to read as follows:

“(f) Notwithstanding any other provision of this Act, if the surviving spouse or surviving descendant of a holder of a Mixed Beverage Permit qualifies as the successor in interest to the permit as provided in Subsection (b) of this section, the descendant or surviving spouse may continue to renew the permit by paying a renewal fee equal to the fee the permittee would be required to pay had he lived.”

Sec. 27. In all counties where the sale of all alcoholic beverages has been legalized, and where a majority of the voters in the county in which the wet area is located, at the general election on November 3, 1970, approved the Constitutional Amendment authorizing mixed beverage local option elections, the Secretary of State or the Commissioners Court shall cause to be printed on a ballot to be voted on at the May 18, 1971, Constitutional Amendment election, in each area now wet for alcoholic beverages, the following local option issue:

“For the legal sale of mixed beverages”; and

“Against the legal sale of mixed beverages”

If the result of said election is to legalize the sale of mixed beverages, such legalization shall be effective only in the area or areas now wet and shall not affect any area presently dry; and, if the result of any such election is to fail to legalize the sale of mixed beverages, then the local option status of such area therein shall remain as it was prior to said election, unless later changed by local option election. Votes in said election shall be canvassed in accordance with the provisions of Article I, Section 37, Texas Liquor Control Act; and to the extent applicable, such election shall be conducted in accordance with all other provisions of the Texas Liquor Control Act pertaining to the holding of local option elections, save and except as changed by the provisions of this section.

Sec. 28. If any provision, part, section, subsection, paragraph, sentence, clause, phrase or word of this Act or the application thereof to any person or circumstance is held unconstitutional or invalid, such decision shall not affect the validity of the remaining portions or application of the Act which can be given effect without the invalid portion or application, and to this end the provisions of this Act are declared to be severable, and the Legislature hereby declares that it would have passed this Act and each provision, part, section, subsection, paragraph, sentence, clause, phrase or word thereof, irrespective of the fact that any provision is declared unconstitutional.

Sec. 29. All laws or parts of law in conflict herewith are hereby repealed.

Sec. 30. 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. Poff raised a point of order against further consideration of Committee Amendment No. 1 on the grounds that Section 10 is in violation of Rule 26, Section 1 of the House Rules.

The Speaker overruled the point of order.

Mr. Williamson raised a point of order against further consideration of SB 346 on the grounds that it violates Rule 19, Section 14 of the House Rules.

The Speaker overruled the point of order.

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

Amend Committee Amendment No. 1 to SB 346, on page 32 of the second printing of the bill, by inserting in line 31, immediately preceding the word "as", the word "except".

The amendment was adopted without objection.

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

Amend Committee Amendment No. 1 to SB 346, on page 36 of the second printing of the bill, by inserting in line 18, immediately preceding the word "and", the following:

"either throughout the entire county or in any portion of such county, "

The amendment was adopted without objection.

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

Amend SB 346, Second Printing on page 24, line 1 by the addition of a new Section 8 and renumbering the subsequent Sections accordingly:

Section 8. Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code), is amended by adding a Section 14-a to read as follows:

"Section 14-a. No later than 30 days following the granting of an original or renewal permit to sell or serve alcoholic beverages under the authority of Article I of this Act, the District or County Attorney of the county in which the establishment is located may appeal the granting of the permit to the District Court of the county. The basis for the appeal shall be that the permit was granted contrary to the provisions of this Act or of the rules or regulations of the Commission. The appeal shall be filed as an original action with the District or County Attorney as

plaintiff and the Administrator as defendant. The court shall give the matter preferential setting, and the District or County Attorney shall prosecute the case to final judgment. An appeal to the district court from the granting of a renewal permit shall not supersede the action of the Commission. The court may, in the case of an appeal from the granting of an original permit, order that the action of the Commission be superseded pending the appeal. The final judgment of the district court shall either uphold or reverse the action of the Commission, and either party may appeal the judgment."

Mr. Hale moved to table the above amendment.

Representative Graves entered the House and was announced present.

SB 346—(Consideration continued)

A record vote was requested on the motion to table the amendment by Mr. Grant Jones.

The motion to table prevailed by the following vote:

Yeas—79

Agnich	Dramberger	Kilpatrick	Santiesteban
Allen, Joe	Earthman	Kost	Schulle
Allen, John	Finck	Lee	Semos
Angly	Floyd	Lemmon	Shannon
Atwell	Gammage	Lewis	Silber
Bass, T.	Garcia	Lombardino	Simmons
Bigham	Golman	Longoria	Slack
Blanton	Graves	McKissack	Spurlock
Blythe	Hale	Mengden	Stroud
Bowers	Harris	Moncrief	Swanson
Boyle	Hawn	Moreno	Truan
Braecklein	Haynes	Nelms	Tupper
Bynum	Hilliard	Niland	Uher
Carrillo	Hubenak	Ogg	Vale
Clark	Hull	Orr	Von Dohlen
Coats	Johnson	Parker, C.	Wieting
Cobb	Jones, D.	Pickens	Williams
Craddick	Jones, E.	Rodriguez	Wolff
Davis, D.	Jungmichel	Salem	Wyatt
Doyle	Kaster	Sanchez	

Nays—50

Adams	Cates	Doran	Head
Allred	Cavness	Farenthold	Heatly
Atwood	Christian	Finnell	Hendricks
Bass, B.	Cole	Foreman	Holmes, Z.
Beckham	Daniel	Grant	Howard
Burgess	Davis, H.	Hanna, Joe	Ingram
Calhoun	Denton	Hannah, John	Jones, G.

Kubiak	Newton	Price	Tarbox
Lovell	Nugent, J.	Reed	Traeger
McAlister	Parker, W.	Rosson	Ward
Moore, A.	Patterson	Short	Williamson
Moore, T.	Poerner	Solomon	
Nabers	Poff	Stewart	

Absent

Braun	Finney	Harding	Smith
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

RECESS

Mr. Blanton moved that the House recess until 2:30 p.m. today.

The motion prevailed without objection.

The House accordingly, at 1:32 p.m., recessed until 2:30 p.m. today.

AFTERNOON SESSION

The House met at 2:30 p.m. and was called to order by the Speaker.

SB 346—ON PASSAGE TO THIRD READING

The Speaker laid before the House, as pending business, on its passage to third reading, SB 346, relating to providing for the legal sale of mixed beverages on a local option basis.

The bill was read second time on this morning with Committee Amendment No. 1 pending.

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

Amend Committee Amendment No. 1 to SB 346 by adding a new Section 26, and renumber the subsequent Sections. The new Section 26 shall read as follows:

Section 26. Article I, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon's Texas Penal Code), is amended by adding a new Section 57a, to read as follows:

"Section 57a. If the holder of a permit which authorizes the sale of mixed beverages, by himself or by his agent or employee, sells any alcoholic beverage to a person who the seller knows or should know to be intoxicated, and the person, in consequence of his intoxication, injures the person or property of another, the permittee shall pay just damages to the person injured, to be recovered in an action brought under this section."

Mr. McKissack moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote.

Yeas—81

Agnich	Dramberger	Jungmichel	Sanchez
Allen, Joe	Earthman	Kaster	Santiesteban
Allen, John	Farenthold	Kilpatrick	Schulle
Atwell	Finck	Kost	Shannon
Atwood	Finnell	Lee	Silber
Bass, T.	Finney	Lemmon	Simmons
Blanton	Floyd	Lewis	Slack
Bowers	Gammage	Lombardino	Spurlock
Boyle	Garcia	Longoria	Stroud
Braecklein	Golman	McKissack	Swanson
Braun	Graves	Moncrief	Traeger
Bynum	Hale	Nelms	Tupper
Calhoun	Hanna, Joe	Newton	Uher
Carrillo	Harris	Niland	Vale
Clark	Hawn	Ogg	Von Dohlen
Coats	Haynes	Orr	Williams
Cobb	Hilliard	Parker, W.	Wolff
Craddick	Hubenak	Pickens	Wyatt
Davis, D.	Hull	Poerner	
Doran	Johnson	Rodriguez	
Doyle	Jones, E.	Salem	

Nays—47

Adams	Daniel	Jones, D.	Poff
Allred	Davis, H.	Jones, G.	Price
Angly	Denton	Kubiak	Reed
Bass, B.	Foreman	Lovell	Rosson
Beckham	Grant	McAlister	Short
Bigham	Hannah, John	Mengden	Solomon
Blythe	Head	Moore, A.	Tarbox
Burgess	Heatly	Moore, T.	Truan
Cates	Hendricks	Moreno	Ward
Cavness	Holmes, Z.	Nabers	Wieting
Christian	Howard	Nugent, J.	Williamson
Cole	Ingram	Parker, C.	

Present—Not Voting

Semos

Absent

Harding	Patterson	Smith	Stewart
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Committee Amendment No. 1 to SB 346 by adding a Section _____ to read, as follows:

Section _____ Article I, Texas Liquor Control Act, as amended (Article 666-1 et seq., Vernon's Texas Penal Code) is amended by adding a Section 12(c) to read as follows:

"Section 12(c). Notwithstanding any other provision of this Act, a person whose application for an original or renewal Mixed Beverage Permit has been denied or whose Mixed Beverage Permit has been cancelled or suspended, may appeal the action of the Commission or Administrator to the District Court of the county in which the premises are located. Trial shall be de novo, as the term is ordinarily understood when applied to an appeal from the justice court to the county court, and in no case shall the substantial evidence rule apply. The court may supersede the action of the Commission or Administrator in any case except the denial of an application for an original permit."

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—97

Adams	Doran	Kaster	Sanchez
Agnich	Dramberger	Kilpatrick	Santiesteban
Allen, Joe	Earthman	Kost	Schulle
Allen, John	Finnell	Kubiak	Semos
Allred	Finney	Lee	Shannon
Angly	Floyd	Lemmon	Short
Atwell	Gammage	Lewis	Slack
Atwood	Garcia	Longoria	Smith
Bass, B.	Golman	Lovell	Spurlock
Bass, T.	Hale	McAlister	Stewart
Beckham	Hanna, Joe	McKissack	Stroud
Blanton	Hannah, John	Mengden	Swanson
Blythe	Hawn	Moncrief	Traeger
Bowers	Haynes	Moore, A.	Tupper
Boyle	Head	Nabers	Uher
Braecklein	Hendricks	Nelms	Vale
Burgess	Hilliard	Newton	Von Dohlen
Bynum	Holmes, Z.	Niland	Ward
Carrillo	Hubenak	Ogg	Wieting
Cates	Hull	Orr	Williams
Clark	Ingram	Parker, C.	Williamson
Coats	Johnson	Parker, W.	Wyatt
Craddick	Jones, E.	Pickens	
Daniel	Jones, G.	Price	
Davis, D.	Jungmichel	Salem	

Nays—33

Bigham	Doyle	Lombardino	Silber
Braun	Farenthold	Moore, T.	Simmons
Calhoun	Finck	Moreno	Solomon
Cavness	Foreman	Nugent, J.	Tarbox
Christian	Grant	Poerner	Truan
Cobb	Graves	Poff	Wolff
Cole	Harris	Reed	
Davis, H.	Howard	Rodriguez	
Denton	Jones, D.	Rosson	

Absent

Harding	Heatly	Patterson
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

Mr. Lewis moved to limit amendments to those on the Speaker's desk.

The motion was seconded.

The motion then prevailed.

Mr. Hale moved to reconsider the vote by which the above motion prevailed and to table the motion to reconsider.

The motion to table prevailed.

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

Amend Committee Amendment No. 1 of SB 346 by amending Sec. 8, Page 24, on Line 16 after the period, delete the remaining sentence and add in lieu thereof the following:

"(22) Mixed Beverage Permit. A Mixed Beverage Permit authorizes the holder to sell mixed beverages for consumption on the premises for which the permit is issued. The state fee for a Mixed Beverage Permit is \$5,000 for the original permit and \$2,000 for each annual renewal."

Mr. Jungmichel moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—82

Agnich	Atwell	Bass, T.	Blanton
Allen, Joe	Atwood	Bigham	Bowers

Boyle	Graves	Longoria	Semos
Braecklein	Hale	Lovell	Shannon
Braun	Harris	McKissack	Silber
Carrillo	Hawn	Moncrief	Simmons
Clark	Haynes	Moreno	Slack
Cobb	Hilliard	Nelms	Smith
Craddick	Hubenak	Newton	Stroud
Davis, D.	Hull	Niland	Swanson
Doran	Johnson	Ogg	Traeger
Doyle	Jones, E.	Orr	Truan
Dramberger	Jungmichel	Parker, C.	Tupper
Earthman	Kaster	Patterson	Uher
Farenthold	Kilpatrick	Pickens	Vale
Finck	Kost	Poerner	Von Dohlen
Finney	Kubiak	Rodriguez	Williams
Floyd	Lee	Salem	Wolff
Gammage	Lemmon	Sanchez	Wyatt
Garcia	Lewis	Santiesteban	
Golman	Lombardino	Schulle	

Nays—49

Adams	Coats	Holmes, Z.	Price
Allen, John	Cole	Howard	Reed
Allred	Daniel	Ingram	Rosson
Angly	Davis, H.	Jones, D.	Short
Bass, B.	Denton	Jones, G.	Solomon
Beckham	Finnell	McAlister	Stewart
Blythe	Foreman	Mengden	Tarbox
Burgess	Grant	Moore, A.	Ward
Bynum	Hanna, Joe	Moore, T.	Wieting
Calhoun	Hannah, John	Nabers	Williamson
Cates	Head	Nugent, J.	
Cavness	Heatly	Parker, W.	
Christian	Hendricks	Poff	

Absent

Harding Spurlock

Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Section 4 of Committee Amendment Number 1 of SB 346, amending Section 11, Subsection 2 of Article 666 of the Texas Penal Code changing the words "six months" on page 20, line 7 to "twelve months".

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—88

Agnich	Dramberger	Kilpatrick	Reed
Allen, Joe	Earthman	Kost	Salem
Allen, John	Farenthold	Kubiak	Santiesteban
Angly	Finck	Lee	Schulle
Atwell	Finney	Lemmon	Semos
Atwood	Floyd	Lewis	Shannon
Bass, T.	Foreman	Lombardino	Silber
Bigham	Gammage	Longoria	Simmons
Blythe	Garcia	McKissack	Slack
Bowers	Golman	Mengden	Smith
Boyle	Graves	Moncrief	Spurlock
Braecklein	Hale	Moreno	Stroud
Braun	Harris	Nelms	Tarbox
Bynum	Hawn	Newton	Truan
Carrillo	Haynes	Niland	Tupper
Clark	Hilliard	Ogg	Uher
Coats	Hubenak	Orr	Vale
Cobb	Hull	Parker, C.	Von Dohlen
Craddick	Johnson	Parker, W.	Wieting
Davis, D.	Jones, E.	Patterson	Williams
Doran	Jungmichel	Pickens	Wolff
Doyle	Kaster	Poerner	Wyatt

Nays—41

Adams	Daniel	Howard	Rodriguez
Allred	Davis, H.	Ingram	Rosson
Bass, B.	Denton	Jones, D.	Short
Beckham	Finnell	Jones, G.	Solomon
Blanton	Grant	Lovell	Stewart
Burgess	Hanna, Joe	McAlister	Traeger
Calhoun	Hannah, John	Moore, A.	Ward
Cates	Head	Nabers	Williamson
Cavness	Heatly	Nugent, J.	
Christian	Hendricks	Poff	
Cole	Holmes, Z.	Price	

Absent

Harding	Moore, T.	Sanchez	Swanson
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Section 4 of Committee Amendment Number 1 of SB 346, amending Section 11, Subsection 1 of Article 666 of the Texas Penal

Code by deleting everything after the word "act" on page 2, line 30, and substituting in lieu thereof the following: "or for any felony."

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—74

Agnich	Finck	Lewis	Semos
Allen, Joe	Floyd	Lombardino	Shannon
Atwell	Gammage	Lovell	Silber
Atwood	Garcia	McKissack	Simmons
Bass, T.	Golman	Moncrief	Slack
Bigham	Grant	Moore, T.	Smith
Blanton	Graves	Nelms	Spurlock
Bowers	Hale	Niland	Stroud
Boyle	Harris	Ogg	Swanson
Braecklein	Hawn	Parker, C.	Traeger
Braun	Haynes	Patterson	Truan
Carrillo	Hubenak	Pickens	Tupper
Clark	Johnson	Poerner	Vale
Coats	Jungmichel	Reed	Von Dohlen
Craddick	Kaster	Rodriguez	Williams
Doyle	Kilpatrick	Salem	Wolff
Dramberger	Kost	Sanchez	Wyatt
Earthman	Lee	Santiesteban	
Farenthold	Lemmon	Schulle	

Nays—56

Adams	Cole	Hilliard	Nugent, J.
Allen, John	Daniel	Holmes, Z.	Orr
Allred	Davis, D.	Howard	Parker, W.
Angly	Davis, H.	Hull	Poff
Bass, B.	Denton	Ingram	Price
Beckham	Doran	Jones, D.	Rosson
Blythe	Finnell	Jones, E.	Short
Burgess	Finney	Jones, G.	Solomon
Bynum	Foreman	Kubiak	Stewart
Calhoun	Hanna, Joe	McAlister	Tarbox
Cates	Hannah, John	Mengden	Uher
Cavness	Head	Moore, A.	Ward
Christian	Heatly	Nabers	Wieting
Cobb	Hendricks	Newton	Williamson

Absent

Harding	Longoria	Moreno
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Committee Amendment No. 1 to SB 346 by adding a new Section 28, to read as follows; and renumbering the subsequent section accordingly:

Section 28. Section 1A, Chapter 262, Acts of the 57th Legislature, Regular Session, 1961, as amended (Subsection (12), Article 666-15 (e), Vernon's Texas Penal Code), is amended to read as follows:

"Section 1A. Section 15(e) of Article I, Texas Liquor Control Act, as amended, shall apply to any fraternal organization or veterans' organization on the same basis as any other private club, except that any fraternal organization or veterans' organization any part of whose property is exempt, or would be exempt, from taxation under Article 7150, Revised Civil Statutes of Texas, 1925, as now or later amended is exempt from the license fee levied by Subsection 6, Section 15(e), Article I, Texas Liquor Control Act."

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—88

Allen, Joe	Doyle	Kilpatrick	Sanchez
Allen, John	Dramberger	Kost	Santiesteban
Angly	Farenthold	Lee	Schulle
Atwell	Finck	Lewis	Semos
Atwood	Finney	Lombardino	Shannon
Bass, T.	Floyd	Longoria	Silber
Beckham	Foreman	McKissack	Simmons
Bigham	Gammage	Moncrief	Slack
Blythe	Garcia	Moore, A.	Smith
Bowers	Golman	Moore, T.	Spurlock
Boyle	Graves	Moreno	Stroud
Braecklein	Hale	Nelms	Swanson
Braun	Harris	Newton	Tarbox
Bynum	Hawn	Niland	Traeger
Carrillo	Haynes	Ogg	Truan
Clark	Hendricks	Orr	Uher
Coats	Hilliard	Parker, C.	Vale
Cobb	Hubenak	Parker, W.	Von Dohlen
Craddick	Hull	Pickens	Ward
Daniel	Johnson	Poerner	Williams
Davis, D.	Jones, E.	Rodriguez	Wolff
Doran	Jungmichel	Salem	Wyatt

Nays—42

Adams	Blanton	Christian	Earthman
Agnich	Calhoun	Cole	Finnell
Allred	Cates	Davis, H.	Grant
Bass, B.	Cavness	Denton	Hanna, Joe

Hannah, John	Kaster	Nugent, J.	Solomon
Head	Kubiak	Patterson	Stewart
Heatly	Lemmon	Poff	Tupper
Holmes, Z.	Lovell	Price	Wieting
Howard	McAlister	Reed	Williamson
Ingram	Mengden	Rosson	
Jones, D.	Nabers	Short	

Absent

Burgess	Harding	Jones, G.
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Committee Amendment Number 1 to SB 346 by adding a new subsection (14-C), Section 4, Page 21, Second Printing:

That an applicant for a Mixed Beverage Permit does not have available regular food service constituting at least 30% of his gross receipts and files a report to this effect to the Texas Alcoholic Beverage Commission. The Commission shall promulgate regulations concerning this requirement.

Mr. McKissack moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—81

Agnich	Doran	Kilpatrick	Santiesteban
Allen, Joe	Doyle	Kost	Schulle
Atwell	Dramberger	Lee	Semos
Atwood	Earthman	Lemmon	Shannon
Bass, T.	Farenthold	Lewis	Silber
Beckham	Finck	Lombardino	Simmons
Bigham	Finney	Longoria	Slack
Blanton	Floyd	McKissack	Spurlock
Blythe	Gammage	Mengden	Stroud
Bowers	Garcia	Moncrief	Swanson
Boyle	Graves	Moore, T.	Traeger
Braecklein	Hale	Moreno	Truan
Braun	Harris	Nelms	Tupper
Bynum	Hawn	Niland	Vale
Carrillo	Haynes	Ogg	Von Dohlen
Clark	Hubenak	Parker, C.	Williams
Coats	Hull	Pickens	Wolff
Cobb	Johnson	Poerner	Wyatt
Craddick	Jones, E.	Rodriguez	
Daniel	Jungmichel	Salem	
Davis, D.	Kaster	Sanchez	

Nays—50

Adams	Finnell	Jones, D.	Price
Allen, John	Foreman	Jones, C.	Reed
Allred	Golman	Kubiak	Rosson
Angly	Grant	Lovell	Short
Bass, B.	Hanna, Joe	McAlister	Solomon
Burgess	Hannah, John	Moore, A.	Stewart
Calhoun	Head	Nabers	Tarbox
Cates	Heatly	Newton	Uher
Cavness	Hendricks	Nugent, J.	Ward
Christian	Hilliard	Orr	Wieting
Cole	Holmes, Z.	Parker, W.	Williamson
Davis, H.	Howard	Patterson	
Denton	Ingram	Poff	

Absent

Harding	Smith
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Committee Amendment No. 1 to SB 346 by adding a new Section 6(a) as follows:

Sec. 6(a). Section 12, Article I, Texas Liquor Control Act, as amended (Article 666-12b, Vernon's Texas Penal Code), is amended to read as follows:

“Regardless of any other provision of the Texas Liquor Control Act, the Commission or Administrator may for a first offense, cancel, or suspend for a period of time not to exceed sixty (60) days, after notice and hearing, any retail permit or license or any private club registration or mixed beverage permit granted under the provisions of Texas Liquor Control Act upon finding that the Permittee or Licensee, his agent, servant, or employee, has knowingly sold, served, dispensed, or delivered any alcoholic beverages to any person under the age of twenty-one (21) years, or has permitted any person under the age of twenty-one (21) years, who is not accompanied by his parent, legal guardian, or adult spouse, to possess (unless such underaged person is an employee of a Licensee or Permittee as permitted in the Texas Liquor Control Act) or consume any alcoholic beverage on his licensed premises. For the second such offense such permit or license may be cancelled, or suspended for not less than thirty (30) nor more than ninety (90) days. For a third such offense, such permit or license shall be permanently cancelled.

Provided, however, that if, at a hearing held for such purpose, such Permittee or Licensee establishes to the satisfaction of the Commission or Administrator that the violation complained of occurred under such

circumstances as could not have reasonably been prevented by such Permittee or Licensee with the exercise of due diligence or that the Permittee or Licensee was entrapped, or that an agent, servant, or employee of such Permittee or Licensee has violated the provisions of this Section without the knowledge of the Permittee or Licensee, then the Commission or Administrator shall have the authority to relax the provisions of this Section concerning suspension and cancellation of the permit or license and to assess such sanctions as the Commission or Administrator may deem just under the circumstances.

Signed: Cavness and Howard.

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—52

Allen, Joe	Gammage	Kost	Semos
Atwell	Garcia	Lewis	Shannon
Bass, T.	Golman	Longoria	Silber
Bigham	Graves	McKissack	Slack
Boyle	Hale	Moore, T.	Smith
Braecklein	Harris	Moreno	Spurlock
Braun	Hawn	Niland	Stroud
Carrillo	Haynes	Ogg	Swanson
Cobb	Hubenak	Parker, C.	Tarbox
Doyle	Hull	Rodriguez	Tupper
Dramberger	Jungmichel	Salem	Vale
Earthman	Kaster	Sanchez	Von Dohlen
Farenthold	Kilpatrick	Santiesteban	Wyatt

Nays—79

Adams	Craddick	Ingram	Pickens
Agnich	Daniel	Jones, D.	Poerner
Allen, John	Davis, D.	Jones, E.	Poff
Allred	Davis, H.	Jones, G.	Price
Angly	Denton	Kubiak	Reed
Atwood	Doran	Lee	Rosson
Bass, B.	Finck	Lemmon	Schulle
Beckham	Finnell	Lombardino	Short
Blanton	Finney	Lovell	Simmons
Blythe	Floyd	McAlister	Solomon
Bowers	Foreman	Mengden	Stewart
Burgess	Grant	Moncrief	Traeger
Bynum	Hanna, Joe	Moore, A.	Truan
Calhoun	Hannah, John	Nabers	Uher
Cates	Head	Nelms	Ward
Cavness	Heatly	Newton	Wieting
Christian	Hendricks	Nugent, J.	Williams
Clark	Hilliard	Orr	Williamson
Coats	Holmes, Z.	Parker, W.	Wolff
Cole	Howard	Patterson	

Absent

Harding Johnson

Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

The vote of the House was taken on adoption of the Cavness amendment to Committee Amendment No. 1 and the vote was announced Yeas 64, Nays 67.

A verification of the vote was requested and was granted.

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

Yeas—62

Adams	Daniel	Howard	Poerner
Allred	Davis, D.	Ingram	Poff
Angly	Davis, H.	Jones, D.	Price
Atwood	Denton	Jones, G.	Reed
Bass, B.	Earthman	Kubiak	Rosson
Beckham	Finck	Lee	Schulle
Blythe	Finnell	Lemmon	Short
Bowers	Finney	Lombardino	Solomon
Burgess	Floyd	Lovell	Stewart
Bynum	Foreman	Mengden	Tarbox
Calhoun	Grant	Moore, A.	Uher
Cates	Hanna, Joe	Nabers	Ward
Cavness	Hannah, John	Nelms	Wieting
Christian	Head	Nugent, J.	Williamson
Cole	Hendricks	Orr	
Craddick	Holmes, Z.	Patterson	

Nays—64

Mr. Speaker	Dramberger	Kost	Santiesteban
Agnich	Farenthold	Lewis	Semos
Allen, Joe	Gammage	Longoria	Shannon
Allen, John	Garcia	McAlister	Silber
Atwell	Golman	McKissack	Simmons
Bass, T.	Hale	Moore, T.	Slack
Bigham	Harris	Moreno	Spurlock
Blanton	Hawn	Newton	Swanson
Boyle	Haynes	Niland	Traeger
Braecklein	Hilliard	Ogg	Truan
Braun	Hubenak	Parker, C.	Tupper
Carrillo	Huli	Parker, W.	Vale
Clark	Johnson	Pickens	Von Dohlen
Coats	Jungmichel	Rodriguez	Williams
Cobb	Kaster	Salem	Wolff
Doyle	Kilpatrick	Sanchez	Wyatt

Absent

Doran	Harding	Jones, E.	Smith
Graves	Heatly	Moncrief	Stroud

Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

The Speaker stated that the Cavness amendment failed of adoption by the above vote.

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

Amend Committee Amendment No. 1 to SB 346 by deleting Sec. 40-B, Article I on page 34 and substituting in lieu thereof the following:

Sec. 40-B. In order to qualify under the terms of this Act to hold a local option election to legalize or prohibit the sale of liquor as authorized under Section 40 of Article I of the Texas Liquor Control Act, any qualified political subdivision holding such election must have been in existence for at least three years (3) and must have at least one hundred (100) registered voters at the time of the application for a petition seeking an election to legalize the sale of alcoholic beverages of one or more of the various types. It is further understood that whenever the words "incorporated city or town" are used in this Act in relation to a local option election, the term refers to a "qualified" incorporated city or town as hereby defined. These restrictions shall not apply to any city or town that was incorporated prior to December 1, 1970.

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—86

Agnich	Coats	Golman	Lemmon
Allen, Joe	Cobb	Hale	Lewis
Atwell	Craddick	Harris	Lombardino
Atwood	Davis, D.	Hawn	Longoria
Bass, T.	Doran	Haynes	Lovell
Bigham	Doyle	Hilliard	McKissack
Blanton	Dramberger	Hubenak	Mengden
Blythe	Earthman	Johnson	Moncrief
Bowers	Farenthold	Jones, E.	Moore, T.
Boyle	Finck	Jungmichel	Moreno
Braecklein	Finney	Kaster	Nelms
Braun	Floyd	Kilpatrick	Newton
Bynum	Foreman	Kost	Niland
Carrillo	Gammage	Kubiak	Ogg
Clark	Garcia	Lee	Parker, C.

Parker, W.	Schulle	Swanson	Von Dohlen
Pickens	Semos	Tarbox	Wieting
Poerner	Shannon	Traeger	Williams
Rodriguez	Silber	Truan	Wolff
Salem	Simmons	Tupper	Wyatt
Sanchez	Spurlock	Uher	
Santiesteban	Stroud	Vale	

Nays—42

Adams	Cole	Holmes, Z.	Poff
Allen, John	Daniel	Howard	Price
Allred	Davis, H.	Ingram	Reed
Angly	Denton	Jones, D.	Rosson
Bass, B.	Finnell	Jones, G.	Short
Beckham	Grant	McAlister	Solomon
Burgess	Hanna, Joe	Moore, A.	Stewart
Calhoun	Hannah, John	Nabers	Ward
Cates	Head	Nugent, J.	Williamson
Cavness	Heatly	Orr	
Christian	Hendricks	Patterson	

Absent

Graves	Hull	Slack	Smith
Harding			

Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Committee Amendment No. 1 to SB 346 by striking Section 27 beginning on line 17 of page 36 and ending on line 37 of page 36 of said Committee Amendment No. 1 to SB 346.

Mr. Cobb moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—98

Agnich	Blanton	Clark	Farenthold
Allen, Joe	Blythe	Coats	Finck
Allen, John	Bowers	Cobb	Finney
Angly	Boyle	Craddick	Floyd
Atwell	Braecklein	Davis, H.	Foreman
Atwood	Braun	Doyle	Gammage
Bass, T.	Carrillo	Dramberger	Garcia
Bigham	Cavness	Earthman	Golman

Hale	Lemmon	Pickens	Stroud
Hanna, Joe	Lewis	Poerner	Swanson
Harris	Lombardino	Price	Traeger
Hawn	Longoria	Reed	Truan
Haynes	McKissack	Rodriguez	Tupper
Hilliard	Mengden	Salem	Uher
Holmes, Z.	Moncrief	Sanchez	Vale
Hubenak	Moore, T.	Santiesteban	Von Dohlen
Hull	Moreno	Schulle	Ward
Johnson	Nelms	Semos	Wieting
Jones, E.	Niland	Shannon	Williams
Jungmichel	Nugent, J.	Short	Wolf
Kaster	Ogg	Silber	Wyatt
Kilpatrick	Orr	Simmons	
Kost	Parker, C.	Slack	
Lee	Patterson	Spurlock	

Nays—36

Adams	Cole	Hendricks	Nabers
Allred	Daniel	Howard	Newton
Bass, B.	Davis, D.	Ingram	Parker, W.
Beckham	Denton	Jones, D.	Poff
Burgess	Finnell	Jones, G.	Rosson
Bynum	Grant	Kubiak	Solomon
Calhoun	Hannah, John	Lovell	Stewart
Cates	Head	McAlister	Tarbox
Christian	Heatly	Moore, A.	Williamson

Absent

Doran	Graves	Harding	Smith
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Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

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

Amend Committee Amendment No. 1 to SB 346, Second Printing, by striking the phrase "two (2) years" wherever it appears in the quoted Subsection (1) of the quoted Section 11 in Section 4 of the bill and substituting the phrase "five (5) years."

Mr. McKissack moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—62

Agnich	Finck	Lombardino	Shannon
Allen, Joe	Gammage	Longoria	Silber
Angly	Garcia	McKissack	Simmons
Atwell	Golman	Moncrie	Slack
Bigham	Hale	Moore, T.	Spurlock
Blanton	Harris	Moreno	Stroud
Boyle	Haynes	Nelms	Swanson
Braecklein	Hilliard	Niland	Tarbox
Braun	Hull	Ogg	Truan
Carrillo	Johnson	Parker, C.	Tupper
Clark	Jungmichel	Pickens	Vale
Coats	Kaster	Reed	Williams
Doyle	Kilpatrick	Salem	Wolff
Dramberger	Kost	Santiesteban	Wyatt
Earthman	Lemmon	Schulle	
Farenthold	Lewis	Semos	

Nays—63

Adams	Craddick	Howard	Parker, W.
Allen, John	Daniel	Hubenak	Patterson
Allred	Davis, D.	Ingram	Poerner
Atwood	Davis, H.	Jones, D.	Poff
Bass, B.	Denton	Jones, E.	Price
Beckham	Doran	Jones, G.	Rodriguez
Blythe	Finnell	Kubiak	Rosson
Bowers	Finney	Lee	Short
Burgess	Floyd	Lovell	Solomon
Bynum	Foreman	McAlister	Stewart
Calhoun	Grant	Mengden	Uher
Cates	Hanna, Joe	Moore, A.	Von Dohlen
Cavness	Hannah, John	Nabers	Ward
Christian	Head	Newton	Wieting
Cobb	Hendricks	Nugent, J.	Williamson
Cole	Holmes, Z.	Orr	

Absent

Bass, T.	Harding	Heatly	Smith
Graves	Hawn	Sanchez	Traeger

Absent-Excused

Baker	Hawkins	Murray	Salter
Caldwell	Holmes, T.	Neugent, D.	Sherman
Clayton	Ligarde	Nichols	Slider
Cruz	Moore, G.	Presnal	Wayne

The vote of the House was taken on adoption of the Poerner amendment to Committee Amendment No. 1 and the vote was announced Yeas 63, Nays 67.

A verification of the vote was requested and was granted.

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

Yeas—63

Adams	Cole	Holmes, Z.	Orr
Allen, John	Craddick	Howard	Patterson
Allred	Daniel	Ingram	Poerner
Angly	Davis, H.	Jones, D.	Poff
Atwood	Denton	Jones, E.	Price
Bass, B.	Earthman	Jones, G.	Rodriguez
Beckham	Finck	Kubiak	Rosson
Blythe	Finnell	Lee	Short
Bowers	Finney	Lemmon	Solomon
Burgess	Foreman	Lovell	Stewart
Bynum	Grant	McAlister	Uher
Calhoun	Hanna, Joe	Mengden	Von Dohlen
Cates	Hannah, John	Moore, A.	Ward
Cavness	Head	Nabers	Wieting
Christian	Heatly	Newton	Williamson
Cobb	Hendricks	Nugent, J.	

Nays—67

Mr. Speaker	Floyd	Longoria	Semos
Agnich	Gammage	McKissack	Shannon
Allen, Joe	Garcia	Moncrief	Silber
Atwell	Golman	Moore, T.	Simmons
Bass, T.	Hale	Moreno	Slack
Bigham	Harris	Murray	Spurlock
Blanton	Hawn	Nelms	Stroud
Boyle	Haynes	Niland	Swanson
Braecklein	Hilliard	Ogg	Tarbox
Braun	Hull	Parker, C.	Traeger
Carrillo	Johnson	Parker, W.	Truan
Clark	Jungmichel	Pickens	Tupper
Coats	Kaster	Reed	Vale
Doran	Kilpatrick	Salem	Williams
Doyle	Kost	Sanchez	Wolf
Dramberger	Lewis	Santiesteban	Wyatt
Farenthold	Lombardino	Schulle	

Absent

Davis, D.	Harding	Hubenak	Smith
Graves			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

By unanimous consent, the House dispensed with the verification of those voting Yea.

The Speaker stated the Poerner amendment failed of adoption by the above vote.

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

Amend Committee Amendment No. 1 to SB 346, Second Printing, by striking the phrase "eighteen (18) months" in line 53, page 34, and substituting the phrase "two (2) years."

Mr. Ogg moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—94

Agnich	Earthman	Lewis	Sanchez
Allen, Joe	Farenthold	Lombardino	Santiesteban
Angly	Finck	Longoria	Schulle
Atwell	Floyd	McKissack	Semos
Atwood	Foreman	Mengden	Shannon
Bass, T.	Gammage	Moncrief	Silber
Beckham	Garcia	Moore, T.	Simmons
Bigham	Golman	Moreno	Slack
Blanton	Hale	Murray	Spurlock
Blythe	Harris	Nelms	Stroud
Bowers	Haynes	Newton	Swanson
Boyle	Hilliard	Niland	Tarbox
Braecklein	Holmes, Z.	Nugent, J.	Traeger
Braun	Hubenak	Ogg	Truan
Bynum	Hull	Orr	Tupper
Carrillo	Johnson	Parker, C.	Uher
Clark	Jones, E.	Parker, W.	Vale
Coats	Jungmichel	Patterson	Von Dohlen
Cobb	Kaster	Pickens	Wieting
Craddick	Kilpatrick	Poerner	Williams
Davis, D.	Kost	Reed	Wolff
Doran	Kubiak	Rodriguez	Wyatt
Doyle	Lee	Rosson	
Dramberger	Lemmon	Salem	

Nays—35

Adams	Cole	Heatly	Nabers
Allen, John	Daniel	Hendricks	Poff
Allred	Davis, H.	Howard	Price
Bass, B.	Denton	Ingram	Short
Burgess	Finnell	Jones, D.	Solomon
Calhoun	Grant	Jones, G.	Stewart
Cates	Hanna, Joe	Lovell	Ward
Cavness	Hannah, John	McAlister	Williamson
Christian	Head	Moore, A.	

Absent

Finney	Harding	Hawn	Smith
Graves			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a Section _____ to read as follows:

Section _____. Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code), is amended by adding a Subsection 6c, to read as follows:

"6c. Notwithstanding any provision of this Section, in no case shall the annual fee for a Private Club Registration Permit be less than the fee for a Mixed Beverage Permit."

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—99

Agnich	Dramberger	Lemmon	Sanchez
Allen, Joe	Earthman	Lewis	Santiesteban
Angly	Farenthold	Lombardino	Schulle
Atwell	Finck	Longoria	Semos
Atwood	Finney	McKissack	Shannon
Bass, T.	Floyd	Mengden	Short
Bigham	Foreman	Moncrief	Silber
Blanton	Gammage	Moore, A.	Simmons
Blythe	Garcia	Moore, T.	Slack
Bowers	Golman	Moreno	Spurlock
Boyle	Hale	Murray	Stroud
Braecklein	Harris	Nelms	Swanson
Braun	Hawn	Newton	Tarbox
Bynum	Haynes	Niland	Traeger
Calhoun	Hilliard	Nugent, J.	Truan
Carrillo	Holmes, Z.	Ogg	Tupper
Cavness	Hubenak	Orr	Uher
Clark	Hull	Parker, C.	Vale
Coats	Johnson	Parker, W.	Von Dohlen
Cobb	Jones, E.	Patterson	Ward
Craddick	Jungmichel	Pickens	Wieting
Davis, D.	Kilpatrick	Poerner	Williams
Davis, H.	Kost	Reed	Wolff
Doran	Kubiak	Rodriguez	Wyatt
Doyle	Lee	Salem	

Nays—28

Adams	Cole	Heatly	McAlister
Allen, John	Daniel	Hendricks	Nabers
Allred	Denton	Howard	Poff
Bass, B.	Finnell	Ingram	Rosson
Beckham	Grant	Jones, G.	Solomon
Burgess	Hannah, John	Kaster	Stewart
Cates	Head	Lovell	Williamson

Absent

Christian	Hanna, Joe	Jones, D.	Smith
Graves	Harding	Price	

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by striking the word "knowingly" in line 1, page 23.

Mr. Simmons moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—95

Agnich	Earthman	Lee	Reed
Allen, Joe	Farenthold	Lemmon	Rodriguez
Angly	Finck	Lewis	Salem
Atwell	Finney	Lombardino	Sanchez
Atwood	Floyd	Longoria	Santiesteban
Bass, T.	Foreman	Lovell	Schulle
Bigham	Gammage	McAlister	Semos
Blanton	Garcia	McKissack	Shannon
Blythe	Golman	Moncrief	Short
Bowers	Hale	Moore, A.	Silber
Boyle	Harris	Moore, T.	Simmons
Braecklein	Hawn	Moreno	Slack
Braun	Haynes	Murray	Spurlock
Bynum	Hilliard	Nabers	Stroud
Calhoun	Holmes, Z.	Nelms	Swanson
Carrillo	Hubenak	Newton	Truan
Clark	Hull	Niland	Tupper
Coats	Johnson	Nugent, J.	Uher
Cobb	Jones, E.	Ogg	Vale
Craddick	Jones, G.	Parker, C.	Von Dohlen
Davis, D.	Jungmichel	Parker, W.	Williams
Davis, H.	Kaster	Pickens	Wolff
Doyle	Kilpatrick	Poerner	Wyatt
Dramberger	Kost	Price	

Nays—35

Adams	Cole	Hendricks	Rosson
Allen, John	Daniel	Howard	Solomon
Allred	Denton	Ingram	Stewart
Bass, B.	Finnell	Jones, D.	Tarbox
Beckham	Grant	Kubiak	Traeger
Burgess	Hanna, Joe	Mengden	Ward
Cates	Hannah, John	Orr	Wieting
Cavness	Head	Patterson	Williamson
Christian	Heatly	Poff	

Absent

Doran	Graves	Harding	Smith
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Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346, Second Printing, by substituting "eighteen (18)" for "sixteen (16)" on page 26, line 37.

Mr. Doyle moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—95

Agnich	Craddick	Holmes, Z.	Moore, T.
Allen, Joe	Davis, D.	Hubenak	Moreno
Allen, John	Doran	Hull	Murray
Angly	Doyle	Jones, E.	Nelms
Atwell	Dramberger	Jones, G.	Newton
Atwood	Earthman	Jungmichel	Niland
Bass, T.	Farenthold	Kaster	Nugent, J.
Bigham	Finck	Kilpatrick	Ogg
Blanton	Finney	Kost	Orr
Bowers	Floyd	Lee	Parker, C.
Boyle	Foreman	Lemmon	Parker, W.
Braecklein	Gammage	Lewis	Patterson
Braun	Garcia	Lombardino	Pickens
Bynum	Golman	Longoria	Poerner
Calhoun	Hale	Lovell	Reed
Carrillo	Harris	McKissack	Rodriguez
Cates	Hawn	Mengden	Salem
Cavness	Haynes	Moncrief	Sanchez
Coats	Hilliard	Moore, A.	Santiesteban

Schulle	Slack	Traeger	Wieting
Semos	Spurlock	Truan	Williams
Shannon	Stroud	Tupper	Wolff
Silber	Swanson	Uher	Wyatt
Simmons	Tarbox	Von Dohlen	

Nays—30

Adams	Davis, H.	Hendricks	Rosson
Allred	Denton	Howard	Short
Bass, B.	Finnell	Ingram	Solomon
Beckham	Grant	Jones, D.	Stewart
Burgess	Hanna, Joe	Kubiak	Ward
Christian	Hannah, John	McAlister	Williamson
Cole	Head	Nabers	
Daniel	Heatly	Poff	

Absent

Blythe	Graves	Johnson	Smith
Clark	Harding	Price	Vale
Cobb			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a Section _____ to read as follows:

Section _____. Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code), is amended by adding a Section 2-a to read as follows:

"Section 2-a. It is a violation of this Act for an officer or employee of the state or any of its political subdivisions to own a financial interest of any kind in the permit, license, business, or premises of an establishment for which a license or permit has been issued under this Act."

Mr. Slack moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—94

Agnich	Atwood	Blythe	Braun
Allen, Joe	Bass, T.	Bowers	Bynum
Angly	Bigham	Boyle	Calhoun
Atwell	Blanton	Braecklein	Carrillo

Cates	Harris	McKissack	Schulle
Cavness	Hawn	Mengden	Shannon
Clark	Haynes	Moncrief	Short
Coats	Hilliard	Moore, A.	Silber
Cobb	Hubenak	Moreno	Simmons
Craddick	Hull	Murray	Slack
Davis, D.	Johnson	Nelms	Spurlock
Doran	Jones, D.	Newton	Stroud
Doyle	Jones, E.	Niland	Swanson
Dramberger	Jungmichel	Nugent, J.	Tarbox
Earthman	Kaster	Ogg	Traeger
Farenthold	Kilpatrick	Parker C.	Truan
Finck	Kost	Parker, W.	Tupper
Finney	Lee	Pickens	Vale
Floyd	Lemmon	Poerner	Von Dohlen
Foreman	Lewis	Rodriguez	Williams
Gammage	Lombardino	Rosson	Wolff
Garcia	Longoria	Salem	Wyatt
Golman	Lovell	Sanchez	
Hale	McAlister	Santiesteban	

Nays—35

Adams	Denton	Howard	Price
Allen, John	Finnell	Ingram	Reed
Allred	Grant	Jones, G.	Solomon
Bass, B.	Hanna, Joe	Kubiak	Stewart
Beckham	Hannah, John	Moore, T.	Uher
Burgess	Head	Nabers	Ward
Christian	Heatly	Orr	Wieting
Cole	Hendricks	Patterson	Williamson
Davis, H.	Holmes, Z.	Poff	

Present—Not Voting

Semos

Absent

Daniel Graves Harding Smith

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a Section 28 to line 38, page 36, and by renumbering the remaining sections, to read as follows:

“Section 28. Section 17, Article I, Texas Liquor Control Act, as amended

(Article 666-1, et seq., Vernon's Texas Penal Code), is amended by adding a Subsection (38) to read as follows:

(38) The granting of volume discounts on the sale of liquor by a wholesaler to a package store or by a package store to a holder of a Private Club Registration Permit or Mixed Beverage Permit is prohibited. The term "volume discount," as used in this subsection, means the sale of liquor in amounts of more than one individual container at a lower rate per individual container than the rate at which single individual containers of the same brand and type of liquor are sold.

Mr. Ogg moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—101

Agnich	Earthman	Lemmon	Sanchez
Allen, Joe	Parenthold	Lewis	Santiesteban
Allen, John	Finck	Lombardino	Schulle
Angly	Finney	Longoria	Semos
Atwell	Floyd	Lovell	Shannon
Atwood	Foreman	McAlister	Short
Bass, T.	Gammage	McKissack	Silber
Beckham	Garcia	Mengden	Simmons
Blanton	Golman	Moncrief	Slack
Blythe	Hale	Moore, A.	Spurlock
Bowers	Hanna, Joe	Murray	Stroud
Boyle	Harris	Nelms	Swanson
Braecklein	Hawn	Newton	Tarbox
Braun	Haynes	Niland	Traeger
Bynum	Hilliard	Nugent, J.	Truan
Carrillo	Hubenak	Ogg	Tupper
Cavness	Hull	Orr	Uher
Clark	Johnson	Parker, C.	Vale
Coats	Jones, D.	Parker, W.	Von Dohlen
Cobb	Jones, E.	Pickens	Ward
Craddick	Jungmichel	Poerner	Wieting
Davis, D.	Kaster	Poff	Williams
Davis, H.	Kilpatrick	Price	Wolff
Doran	Kost	Rodriguez	
Doyle	Kubiak	Rosson	
Dramberger	Lee	Salem	

Nays—25

Adams	Cole	Holmes, Z.	Reed
Allred	Denton	Howard	Solomon
Bass, B.	Finnell	Ingram	Stewart
Bigham	Grant	Moore, T.	Williamson
Burgess	Head	Moreno	
Cates	Heatly	Nabers	
Christian	Hendricks	Patterson	

Absent

Calhoun	Graves	Harding	Smith
Daniel	Hannah, John	Jones, G.	Wyatt

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a new section to read as follows:

Section ____ Subsection A, Section 21-1/8, Article I, Texas Liquor Control Act, as added by Section 17, Chapter 38, Acts of the 61st Legislature, Regular Session, 1969 (Article 666-21-1/8, Vernon's Texas Penal Code), is amended to read as follows:

"A. The power granted to the Texas Liquor Control Board by Section 21, Article I, Texas Liquor Control Act, as heretofore amended, the same being that provision codified as Article 666-21 of Vernon's Texas Penal Code, to relax the provisions requiring the affixing of a stamp or stamps on each bottle or container of liquor at the time of 'first sale' as means of payment of the taxes levied, is hereby clarified and restricted to the extent that such power shall hereafter be exercised in conformity with the following provisions:

"1. Unless the Board by specific order requires the payment of taxes by the affixing of stamps to bottles or containers, any holder of a permit authorizing the importation into this state of any liquor, other than ale or malt liquor, shall pay the tax or taxes levied thereon by the laws of this state by the reporting system under bond in compliance with the following provisions:

"(a) The Board shall require of each holder of a permit authorizing the importation into this state of liquor a bond or bonds executed by the permit holder as principal and a surety company duly qualified and doing business in this state as surety, and said bond or bonds shall be made payable to the State of Texas and conditioned as the Board may require and approved by the Attorney General of Texas as to form. Said bond or bonds shall be in such amount as will adequately protect the State of Texas against the anticipated tax liability of the principal during any six (6) weeks' period.

"(b) The tax on liquor, other than ale or malt liquor, imported into this state, shall become due and payable and shall be paid by the permit holder on or before the 15th day of the month following that month in which the liquor was imported into this state.

"(c) The tax shall be computed in accordance with the applicable provision or provisions in Section 21, Article I, Texas Liquor Control Act, and remittance therefor made payable to the State Treasurer shall be due at the office of the Texas Liquor Control Board in Austin, Travis County,

Texas, on or before the 15th day of the month due less two percent (2%) of the amount due which shall be withheld by the permit holder for the keeping of records, furnishing of bonds, and properly accounting for the remittance of the tax due; provided, however, that no allowance shall be granted or permitted when the tax is delinquent at the time of payment.

“(d) Such sworn statements of taxes due as may be required by the Board, and remittances therefor made payable to the State Treasurer, shall be forwarded to the Board each month not later than the due date set out herein. All such remittances shall be turned over by the Board to the State Treasurer for allocation in conformity with the terms of Section 46, Article I, Texas Liquor Control Act.

“(e) If any permit holder, in computing and paying the tax due, through oversight, mistake, error, or miscalculation, has paid more tax than is legally due, the permit holder who paid such excess tax shall be entitled to a refund thereof, and a claim for such refund may be made at the time and in the manner prescribed by the Board or Administrator, and such excess tax shall be refunded to the permit holder who has paid the same, or credit may be allowed on future tax payment. Refunds for overpayments of tax may be made by the Board from the revenues derived from the collection of the tax before the same has been allocated, and so much of such funds as may be necessary is hereby appropriated for that purpose.

“(f) The permit holder shall report to the Board each receipt of shipment of liquor, other than ale and malt liquor, for sale within this state, under the provisions of this Act, and shall prepare and furnish any such further information and such reports as may be required by rules and regulations of the Board.

“(g) In any suit brought to enforce the collection of any tax owed by a permit holder, a certificate by the Board or Administrator showing the deficiency shall be prima facie evidence of the levy of tax or the delinquency of the amount of tax and penalty set forth therein and compliance by the Board with all provisions of this Act in relation to the computation and levy of the tax.

“2. It is not intended that the tax levied in Section 21 of Article I of the Texas Liquor Control Act shall be collected on liquor shipped out of this state for consumption outside this state or sold aboard ship for ship's supplies, and the Board shall provide forms for obtaining exemption from or credit for such taxes and shall provide by rule and regulation for equitable and final disposition of any tax credit brought about by such payment of any such unintended or excess tax.

“3. Every Wholesaler's Permit holder converting to payment of taxes by the reporting system under bond as specified in paragraph 1 above, shall on the effective date of this Act or at such date as may be specified by the Board, render and submit to the Texas Liquor Control Board at Austin, Travis County, Texas, a true and correct inventory of all liquors, other than ale or malt liquor, within his possession, setting forth in detail the size of the containers and the quantity thereof and stating therein whether or not stamps have been affixed to the containers. The inventory shall also contain a statement as to the number of stamps which the permit holder may have on hand which have not been affixed to bottles or containers. The sworn inventory shall be rendered upon a form to be prescribed and

furnished by the Texas Liquor Control Board. The value of any unused stamps may be refunded by the Board in the same manner as refunds are made under the circumstances specified in Section 45(d) of Article I of the Texas Liquor Control Act."

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—84

Agnich	Earthman	Kost	Rodriguez
Allen, Joe	Farenthold	Lee	Salem
Angly	Finck	Lemmon	Sanchez
Atwell	Finney	Lewis	Santiesteban
Atwood	Foreman	Lombardino	Schulle
Bass, T.	Gammage	Longoria	Semos
Bigham	Garcia	McKissack	Shannon
Blanton	Golman	Mengden	Silber
Blythe	Hale	Moncrief	Simmons
Bowers	Harris	Moore, A.	Slack
Boyle	Hawn	Moore, T.	Spurlock
Braecklein	Haynes	Moreno	Stroud
Braun	Hilliard	Murray	Swanson
Bynum	Holmes, Z.	Nelms	Tarbox
Carrillo	Hubenak	Niland	Traeger
Clark	Hull	Nugent, J.	Tupper
Coats	Johnson	Ogg	Vale
Cobb	Jones, E.	Orr	Von Dohlen
Davis, D.	Jungmichel	Parker, C.	Williams
Doyle	Kaster	Pickens	Wolff
Dramberger	Kilpatrick	Poerner	Wyatt

Nays—45

Adams	Daniel	Howard	Rosson
Allen, John	Davis, H.	Ingram	Short
Allred	Denton	Jones, G.	Solomon
Bass, B.	Doran	Kubiak	Stewart
Beckham	Finnell	McAlister	Truan
Burgess	Floyd	Nabers	Uher
Calhoun	Grant	Newton	Ward
Cates	Hanna, Joe	Parker, W.	Wieting
Cavness	Hannah, John	Patterson	Williamson
Christian	Head	Poff	
Cole	Heatly	Price	
Craddick	Hendricks	Reed	

Absent

Graves	Jones, D.	Lovell	Smith
Harding			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presna	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a new section properly numbered and reading as follows; and renumber subsequent sections:

Section 28. Subparagraph (4) and (a) thereunder of Section 15½, Article I of the Texas Liquor Control Act (Art. 666-15½ of VAPC as amended in 1943, 48th Regular Session, SB 117, ch. 325, Sec. 14, p. 523) are hereby amended so as to hereafter read as follows:

“(4). It shall be unlawful for any person holding a Nonresident Seller’s Permit, or for any officer, director, agent or employee thereof, or for any affiliate, whether corporate or by management, direction or control to:

“(a). Hold or have an interest in the permit, business, assets or corporate stock of any person authorized to import liquor into this state for the purpose of resale; provided that such restrictions shall not apply when the holder is a Texas corporation holding a Manufacturer’s License and a Brewer’s Permit acquired prior to April 1, 1971; and provided that such restrictions shall not be applicable to any such interest acquired on or before January 1, 1941.”

The amendment was adopted without objection.

Mr. Golman moved the previous question.

The motion was seconded.

The motion for the previous question was lost by the following vote:

Yeas—47

Agnich	Davis, D.	Kaster	Parker, C.
Allen, Joe	Dramberger	Kilpatrick	Sanchez
Angly	Floyd	Kost	Santiesteban
Atwell	Garcia	Lemmon	Schulle
Bigham	Golman	Lewis	Semos
Blanton	Grant	Lombardino	Silber
Boyle	Hanna, Joe	Lovell	Simmons
Braecklein	Harris	McKissack	Slack
Braun	Hawn	Moore, A.	Stroud
Bynum	Haynes	Nelms	Swanson
Carrillo	Hilliard	Niland	Vale
Coats	Jungmichel	Ogg	

Nays—82

Adams	Doran	Jones, G.	Rodriguez
Allen, John	Doyle	Kubiak	Rosson
Allred	Earthman	Lee	Salem
Atwood	Farenthold	Longoria	Shannon
Bass, B.	Finck	McAlister	Short
Bass, T.	Finnell	Mengden	Solomon
Beckham	Finney	Moncrief	Spurlock
Blythe	Foreman	Moore, T.	Stewart
Bowers	Gammage	Moreno	Tarbox
Burgess	Hannah, John	Murray	Traeger
Calhoun	Head	Nabers	Truan
Cates	Heatly	Newton	Tupper
Cavness	Hendricks	Nugent, J.	Uher
Christian	Holmes, Z.	Orr	Von Dohlen
Clark	Howard	Parker, W.	Ward
Cobb	Hubenak	Patterson	Wieting
Cole	Hull	Pickens	Williamson
Craddick	Ingram	Poerner	Wolff
Daniel	Johnson	Poff	Wyatt
Davis, H.	Jones, D.	Price	
Denton	Jones, E.	Reed	

Present---Not Voting

Hale

Absent

Graves Harding Smith Williams

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a new section to read as follows:

Section____ Section 21, Article I, Texas Liquor Control Act (Article 666-21, Vernon's Texas Penal Code), as amended, is amended to read as follows:

"Section 21.

"There is hereby levied and imposed on the first sale in addition to the other fees and taxes levied by this Act the following:

"(a) A tax of \$2.17 per gallon on each gallon of distilled spirits, providing the maximum tax on any package of distilled spirits shall be \$.139.

"(b) A tax of \$.132 on each gallon of vinous liquor that does not contain over 14 percent alcohol by volume.

“(c) A tax of \$.264 on each gallon of vinous liquor containing more than 14 percent and not more than 24 percent of alcohol by volume.

“(d) A tax of \$.330 on each gallon of artificially carbonated and natural sparkling vinous liquor.

“(e) A tax of \$.660 on each gallon of vinous liquor containing alcohol in excess of 24 percent by volume.

“(f) A tax of \$.165 on each gallon of malt liquor containing alcohol in excess of four percent by weight.

“The term ‘first sale’ as used in Article I of this Act shall mean and include the first sale, possession, distribution, or use in this state of any and all liquor refined, blended, manufactured, imported into, or in any other manner produced or acquired, possessed, or brought into this state.

“The tax herein levied shall be paid by affixing a stamp or stamps on each bottle or container of liquor. Said stamps shall be affixed in strict accordance with any rule or regulation promulgated in pursuance of this Act; provided, however, any holder of a permit as a retail dealer as that term is defined herein shall be held liable for any tax due on any liquor sold on which the tax has not been paid.

“It shall be the duty of each person who makes a first sale of any liquor in this state to affix said stamps on each bottle or container of liquor and to cancel the same in accordance with any rule and regulation of the Commission. The Commission shall have power to relax the foregoing provision when in its judgment it would be impracticable to require the affixing of such stamp on the bottle or container, irrespective of any other provision of this Act. And any person, persons, or association who violates any portion of this Section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year. Every holder of a permit authorizing the wholesaling of liquor, upon receipt of a shipment of liquor for sale within this state, under the provisions of this Act, shall prepare and furnish such information and such reports as may be required by rules and regulations of the Commission. Any person authorized to export liquor from this state having in his possession any liquor intended for shipment to any place without the state, shall keep such liquors in a separate compartment from that of liquors intended for sale within the state so that the same may be easily inspected and shall attach to each such package of liquor so intended for shipment without the state a stamp of the kind and character that shall be required by proper rule or regulation denoting that the same is not intended for sale within the state. When such liquors are so kept and so stamped, no tax on account thereof shall be charged. For defraying the expenses thereof, a charge of twenty-five cents (25¢) shall be made for every such stamp, except that a charge of ten cents (10¢) shall be made for each such stamp placed on vinous or malt liquors of twenty-four percent (24%) alcoholic content or less. All such permittees authorized to transport liquor beyond the boundaries of this state shall furnish to the Commission duplicate copies of all invoices for the sale of such liquors, within twenty-four (24) hours after such liquors have been removed from their place of business.”

Mr. McKissack moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—90

Agnich	Earthman	Kubiak	Salem
Allen, Joe	Farenthold	Lee	Sanchez
Allen, John	Finck	Lemmon	Santiesteban
Angly	Finney	Lewis	Schulle
Atwell	Floyd	Lombardino	Semos
Atwood	Foreman	Longoria	Shannon
Bass, T.	Gammage	McKissack	Silber
Blanton	Garcia	Mengden	Simmons
Blythe	Golman	Moncrief	Slack
Bowers	Hale	Moreno	Spurlock
Boyle	Hanna, Joe	Murray	Stewart
Braecklein	Harris	Newton	Stroud
Braun	Hawn	Niland	Swanson
Bynum	Haynes	Nugent, J.	Traeger
Calhoun	Hilliard	Ogg	Truan
Carrillo	Holmes, Z.	Orr	Tupper
Coats	Hubenak	Parker, C.	Uher
Cobb	Hull	Parker, W.	Vale
Craddick	Johnson	Patterson	Von Dohlen
Davis, D.	Jones, E.	Pickens	Wolff
Doran	Jungmichel	Poerner	Wyatt
Doyle	Kilpatrick	Reed	
Dramberger	Kost	Rodriguez	

Nays—89

Adams	Cole	Howard	Poff
Allred	Daniel	Ingram	Rosson
Bass, B.	Davis, H.	Jones, D.	Short
Beckham	Denton	Kaster	Solomon
Bigham	Finnell	Lovell	Tarbox
Burgess	Grant	McAlister	Ward
Cates	Hannah, John	Moore, A.	Wieting
Cavness	Head	Moore, T.	Williams
Christian	Heatly	Nabers	Williamson
Clark	Hendricks	Nelms	

Absent

Graves	Jones, G.	Price	Smith
Harding			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a Section_____ to read as follows:

Section_____. Paragraph (c), Subsection 1, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code), is amended to read as follows:

"(c) 'Pool System' shall mean that system of liquor storage where all members of the pool participate equally in the purchase of all alcoholic beverages and the replacement of all alcoholic beverages is paid for by moneys assessed and collected in advance from each member equally. Such pool system shall be legal only in an area in which the sale of mixed beverages is legal."

Mr. Doran moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—76

Agnich	Dramberger	Lee	Salem
Allen, John	Finck	Lewis	Sanchez
Atwell	Finney	Lombardino	Santiesteban
Atwood	Floyd	Longoria	Schulle
Blanton	Foreman	McAlister	Semos
Blythe	Garcia	McKissack	Shannon
Bowers	Golman	Moncrief	Silber
Boyle	Hale	Moore, A.	Simmons
Braecklein	Hanna, Joe	Murray	Slack
Calhoun	Hawn	Niland	Spurlock
Cavness	Haynes	Nugent, J.	Stroud
Christian	Hilliard	Ogg	Swanson
Coats	Hubenak	Orr	Tarbox
Cobb	Hull	Parker, C.	Traeger
Craddick	Johnson	Parker, W.	Truan
Davis, D.	Jones, D.	Patterson	Tupper
Davis, H.	Jungmichel	Pickens	Uher
Doran	Kilpatrick	Poerner	Von Dohlen
Doyle	Kost	Poff	Wyatt

Nays—55

Adams	Bynum	Gammage	Jones, E.
Allen, Joe	Carrillo	Grant	Jones, G.
Allred	Cates	Hannah, John	Kaster
Angly	Clark	Harris	Kubiak
Bass, B.	Cole	Head	Lemmon
Bass, T.	Daniel	Heatly	Lovell
Beckham	Denton	Hendricks	Mengden
Bigham	Earthman	Holmes, Z.	Moore, T.
Braun	Farenthold	Howard	Moreno
Burgess	Finnell	Ingram	Nabers

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Nelms	Rodriguez	Stewart	Williams
Newton	Rosson	Vale	Williamson
Price	Short	Ward	Wolff
Reed	Solomon	Wieting	

Absent

Graves	Harding	Smith
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Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment Number 1 to SB 346, Section 10, quoted Section 15a(a) by deleting all words on line "8" after the word county and inserting the following:

"a fee equal to three-fourths ($\frac{3}{4}$) of the state fee; one fourth ($\frac{1}{4}$) to remain with the county and one half ($\frac{1}{2}$) to be allocated to the school districts in the county on a per pupil basis as of January 1 of each year; and the city or town wherein the licensed premises are located shall have the power to levy and collect a fee not to exceed one-fourth ($\frac{1}{4}$) of the state fee, but no other fee or tax shall be levied by either."

(Mr. Jungmichel in the Chair)

Mr. Hale moved to table the above amendment.

A record vote was requested.

(Speaker in the Chair)

The motion to table prevailed by the following vote:

Yeas—95

Agnich	Cavness	Golman	Jungmichel
Allen, John	Coats	Hale	Kaster
Angly	Cobb	Hanna, Joe	Kilpatrick
Atwell	Craddick	Hawn	Kost
Atwood	Davis, D.	Haynes	Lee
Bass, T.	Davis, H.	Hilliard	Lemmon
Bigham	Doran	Holmes, Z.	Lewis
Blanton	Dramberger	Howard	Lombardino
Blythe	Earthman	Hubenak	Longoria
Bowers	Farenthold	Hull	Lovell
Boyle	Finck	Ingram	McAlister
Braecklein	Finney	Johnson	McKissack
Bynum	Floyd	Jones, D.	Moncrief
Calhoun	Foreman	Jones, E.	Moore, A.
Carrillo	Garcia	Jones, G.	Moreno

Murray	Pickens	Short	Traeger
Nabers	Poerner	Silber	Truan
Newton	Rosson	Simmons	Tupper
Niland	Salem	Slack	Uher
Nugent, J.	Sanchez	Solomon	Vale
Ogg	Santiesteban	Spurlock	Von Dohlen
Orr	Schulle	Stroud	Wolff
Parker, C.	Semos	Swanson	Wyatt
Parker, W.	Shannon	Tarbox	

Nays—35

Adams	Clark	Harris	Price
Allen, Joe	Cole	Head	Reed
Allred	Daniel	Heatly	Rodriguez
Bass, B.	Denton	Hendricks	Stewart
Beckham	Doyle	Kubiak	Ward
Braun	Finnell	Moore, T.	Wieting
Burgess	Gammage	Nelms	Williams
Cates	Grant	Patterson	Williamson
Christian	Hannah, John	Poff	

Absent

Graves	Harding	Mengden	Smith
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Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Section 8 of Committee Amendment No. 1 to SB 346 by striking the second sentence of the quoted Subsection (22) and substituting the following:

"The annual fee for a Mixed Beverage Permit issued for an establishment which, according to the findings or regulations of the fire department or fire marshal exercising authority over the establishment, has a seating capacity of not more than one hundred (100) persons, is Two Thousand Dollars (\$2,000) for the original permit, One Thousand Dollars (\$1,000) for the first annual renewal, and Two Hundred Fifty Dollars (\$250) for each subsequent annual renewal. In all other cases the annual state fee is Two Thousand Dollars (\$2,000) for the original permit, One Thousand Five Hundred Dollars (\$1,500) for the first annual renewal, One Thousand Dollars (\$1,000) for the second annual renewal, and Five Hundred Dollars (\$500) for each subsequent annual renewal."

Mr. Jungmichel moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—111

Adams	Denton	Jones, G.	Rosson
Agnich	Doyle	Jungmichel	Salem
Allen, John	Dramberger	Kaster	Sanchez
Allred	Earthman	Kilpatrick	Santiesteban
Angly	Finck	Kost	Schulle
Atwell	Finnell	Kubiak	Semos
Bass, B.	Floyd	Lee	Shannon
Bass, T.	Foreman	Lemmon	Short
Beckham	Gammage	Lewis	Silber
Bigham	Garcia	Lombardino	Simmons
Blanton	Golman	McAlister	Slack
Blythe	Grant	McKissack	Solomon
Bowers	Hale	Mengden	Spurlock
Boyle	Hanna, Joe	Moncrief	Stewart
Braecklein	Hannah, John	Moore, A.	Stroud
Burgess	Hawn	Moore, T.	Swanson
Bynum	Haynes	Murray	Tarbox
Carrillo	Head	Nabers	Traeger
Cates	Heatly	Nelms	Tupper
Cavness	Hendricks	Newton	Uher
Clark	Hilliard	Niland	Von Dohlen
Coats	Holmes, Z.	Nugent, J.	Ward
Cobb	Howard	Ogg	Wieting
Cole	Hubenak	Orr	Williams
Craddick	Hull	Parker, C.	Williamson
Daniel	Ingram	Parker, W.	Wolff
Davis, D.	Jones, D.	Pickens	Wyatt
Davis, H.	Jones, E.	Price	

Nays—18

Atwood	Farenthold	Moreno	Rodriguez
Braun	Harris	Patterson	Truan
Calhoun	Johnson	Poerner	Vale
Christian	Longoria	Poff	
Doran	Lovell	Reed	

Absent

Allen, Joe	Graves	Harding	Smith
Finney			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a section to read as follows:

Section _____. Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code), is amended by adding a Section 3b, to read as follows:

"Section 3b. Certificate Required. (a) No person may be employed by an establishment operated under a Mixed Beverage Permit in a position which requires him to be present in a portion of the licensed premises ordinarily frequented by customers unless he is first issued a certificate by the Department of Public Safety which certifies that the holder has not been convicted of a felony in the five-year period preceding its issuance.

"(b) The Department of Public Safety shall issue a certificate to any applicant who, according to the records of the Department and any other information available to the Department, meets the requirements of this section. Every sheriff and police department in the state is directed to cooperate with the Department in carrying out its duties under this section.

"(c) The Department shall prescribe forms for application for a certificate and for the form of the certificate itself. The form of the certificate shall, as much as possible, be similar to the form of a driver's license. The certificate shall include a photograph of the holder; his name and address; his driver's license number, if any; and such other identifying data as the Director of the Department of Public Safety or his designated representative may prescribe.

"(d) Every application shall be accompanied by a fee of One Dollar and Fifty Cents (\$1.50), which shall be retained regardless of whether the person qualifies for a certificate. All fees received shall be credited to a special fund which shall be used exclusively for the administration of this section.

"(e) The Director of the Department of Public Safety, or his designated representative, may prescribe reasonable rules and regulations relating to the issuance of certificates.

"(f) It is a violation of this Act for an employee to be present on the licensed premises of a mixed beverage establishment while on duty, in an area ordinarily frequented by customers, without a valid certificate in his possession, or for a person to employ a person to work in a mixed beverage establishment in an area ordinarily frequented by customers if the employee does not possess a valid certificate.

"(g) A certificate, once issued, continues to be valid as long as the holder is not convicted of a felony. If the certificate should be lost or mislaid, the holder may apply for a duplicate. The fee for a duplicate is the same as the fee for an original certificate. If a holder of a certificate is convicted of a felony, he shall forfeit his certificate to the Department of Public Safety, and failure to do so is a violation of this Act."

Mr. Hull moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

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Yeas—63

Agnich	Hale	McAlister	Schulle
Atwell	Hanna, Joe	McKissack	Semos
Bass, T.	Hawn	Moncrief	Shannon
Bigham	Haynes	Moore, A.	Silber
Blanton	Hilliard	Moore, T.	Simmons
Boyle	Hubenak	Newton	Slack
Braecklein	Hull	Niland	Spurlock
Bynum	Johnson	Nugent, J.	Stroud
Carrillo	Jones, D.	Ogg	Swanson
Cavness	Jungmichel	Orr	Traeger
Coats	Kaster	Parker, C.	Tupper
Doyle	Kilpatrick	Parker, W.	Von Dohlen
Floyd	Kost	Pickens	Ward
Foreman	Lemmon	Salem	Wolff
Garcia	Lewis	Sanchez	Wyatt
Golman	Lombardino	Santiesteban	

Nays—65

Adams	Cole	Head	Poerner
Allen, Joe	Craddick	Heatly	Poff
Allen, John	Daniel	Hendricks	Price
Allred	Davis, D.	Holmes, Z.	Reed
Angly	Davis, H.	Howard	Rodriguez
Atwood	Denton	Ingram	Rosson
Bass, B.	Doran	Jones, E.	Short
Beckham	Dramberger	Jones, G.	Solomon
Blythe	Earthman	Kubiak	Stewart
Bowers	Farenthold	Lee	Truan
Braun	Finck	Longoria	Uher
Burgess	Finnell	Lovell	Vale
Calhoun	Finney	Mengden	Wieting
Cates	Gammage	Murray	Williamson
Christian	Grant	Nabers	
Clark	Hannah, John	Nelms	
Cobb	Harris	Patterson	

Absent

Graves	Moreno	Tarbox	Williams
Harding	Smith		

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

The Rodriguez amendment to Committee Amendment No. 1 failed of adoption by the following vote:

Yeas—51

Adams	Cates	Harris	Poerner
Allen, John	Christian	Head	Poff
Allred	Cole	Holmes, Z.	Price
Angly	Craddick	Howard	Reed
Atwood	Daniel	Ingram	Rodriguez
Bass, B.	Denton	Jones, E.	Rosson
Beckham	Dramberger	Kubiak	Short
Bigham	Earthman	Lee	Stewart
Blythe	Finck	Longoria	Uher
Bowers	Finnell	Lovell	Ward
Braun	Finney	Mengden	Wieting
Burgess	Grant	Moore, T.	Williamson
Calhoun	Hannah, John	Nabers	

Nays—71

Agnich	Garcia	McAlister	Semos
Allen, Joe	Golman	McKissack	Shannon
Atwell	Hale	Moncrief	Silber
Bass, T.	Hanna, Joe	Moore, A.	Simmons
Blanton	Hawn	Murray	Slack
Boyle	Haynes	Nelms	Spurlock
Braecklein	Hilliard	Newton	Stroud
Bynum	Hubenak	Niland	Swanson
Carrillo	Hull	Nugent, J.	Tarbox
Cavness	Johnson	Ogg	Traeger
Clark	Jones, D.	Orr	Truan
Coats	Jungmichel	Parker, C.	Tupper
Davis, D.	Kaster	Parker, W.	Vale
Doyle	Kilpatrick	Pickens	Von Dohlen
Farenthold	Kost	Salem	Williams
Floyd	Lemmon	Sanchez	Wolff
Foreman	Lewis	Santiesteban	Wyatt
Gammage	Lombardino	Schulle	

Absent

Cobb	Graves	Hendricks	Patterson
Davis, H.	Harding	Jones, G.	Smith
Doran	Heatly	Moreno	Solomon

Absent-Excused

Baker	Hawkins	Neugert, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SE 346, Second Printing on Page 34 by striking the language beginning on Line 49 and ending on Line 58 and substituting the following:

"Section 40-B. In order to qualify under the terms of this Act to hold a local option election to legalize the sale of liquor as authorized under Section 40 of Article I of the Texas Liquor Control Act, any qualified political subdivision holding such election must have been in existence for at least two (2) years and must have at least one hundred (100) registered voters at the time of application for a petition seeking an election to legalize the sale of alcoholic beverages of one or more of the various types. Such political subdivision, to qualify hereunder, shall include substantially all of the area encompassed by such subdivision at the time of its creation and may include any and all other areas legally annexed by or added to such subdivision since its creation.

Mr. McKissack moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—82

Agnich	Earthman	Kubiak	Schulle
Allen, Joe	Finney	Lee	Semos
Allen, John	Floyd	Lemmon	Shannon
Atwell	Foreman	Lewis	Silber
Atwood	Gammage	Lombardino	Simmons
Bass, T.	Garcia	Longoria	Slack
Bigham	Golman	McKissack	Spurlock
Blanton	Hale	Mengden	Stroud
Bowers	Hanna, Joe	Moncrief	Swanson
Boyle	Harris	Moreno	Traeger
Braecklein	Hawn	Nelms	Truan
Braun	Haynes	Niland	Tupper
Bynum	Hilliard	Ogg	Uher
Carrillo	Hubenak	Orr	Vale
Clark	Hull	Parker, C.	Von Dohlen
Coats	Johnson	Parker, W.	Wieting
Cobb	Jones, E.	Poerner	Williams
Craddick	Jungmichel	Rodriguez	Wolff
Davis, D.	Kaster	Salem	Wyatt
Doyle	Kilpatrick	Sanchez	
Dramberger	Kost	Santiesteban	

Nays—46

Adams	Davis, H.	Jones, D.	Poff
Allred	Denton	Jones, G.	Price
Angly	Farenthold	Lovell	Reed
Bass, B.	Finck	McAlister	Rosson
Beckham	Finnell	Moore, A.	Short
Burgess	Grant	Moore, T.	Solomon
Calhoun	Hannah, John	Murray	Stewart
Cates	Head	Nabers	Tarbox
Cavness	Heatly	Newton	Ward
Christian	Hendricks	Nugent, J.	Williamson
Cole	Holmes, Z.	Patterson	
Daniel	Howard	Pickens	

Absent

Blythe	Graves	Ingram	Smith
Doran	Harding		

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a Section _____ to read as follows:

Section ____ Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code), is amended by adding a Subsection 5a to read as follows:

"5a. No Private Club Registration Permit may be issued to a club which does not have at least one hundred (100) members who reside in the county in which the premises of the club are located."

Signed: Short and Rosson

Mr. McKissack moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—76

Agnich	Davis, D.	Kost	Salem
Allen, Joe	Doran	Lee	Sanchez
Angly	Doyle	Lemmon	Santiesteban
Atwell	Floyd	Lewis	Schulle
Atwood	Foreman	Lombardino	Semos
Bass, T.	Gammage	Longoria	Shannon
Beckham	Garcia	McKissack	Silber
Blanton	Golman	Moncrief	Simmons
Blythe	Hale	Moore, A.	Slack
Bowers	Hanna, Joe	Moreno	Spurlock
Boyle	Hawn	Murray	Stroud
Braecklein	Haynes	Nelms	Swanson
Braun	Hilliard	Newton	Truan
Bynum	Hubenak	Niland	Tupper
Calhoun	Hull	Ogg	Vale
Carrillo	Johnson	Orr	Von Dohlen
Clark	Jungmichel	Parker, C.	Williams
Coats	Kaster	Patterson	Wolff
Craddick	Kilpatrick	Pickens	Wyatt

Nays—53

Adams	Earthman	Jones, D.	Reed
Allen, John	Farenthold	Jones, E.	Rodriguez
Allred	Finck	Jones, G.	Rosson
Bass, B.	Finnell	Kubiak	Short
Bigham	Finney	Lovell	Solomon
Burgess	Grant	McAlister	Stewart
Cates	Hannah, John	Mengden	Tarbox
Cavness	Harris	Moore, T.	Uher
Cobb	Head	Nabers	Ward
Cole	Heatly	Nugent, J.	Wieting
Daniel	Hendricks	Parker, W.	Williamson
Davis, H.	Holmes, Z.	Poerner	
Denton	Howard	Poff	
Dramberger	Ingram	Price	

Absent

Christian	Harding	Smith	Traeger
Graves			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

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

Amend Committee Amendment No. 1 to SB 346 by adding a Section _____ to read as follows:

Section _____. Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code), is amended by adding a Subsection 5a to read as follows:

"5a. No Private Club Registration Permit may be issued to a club which does not have at least fifty (50) members who reside in the county in which the premises of the club are located."

Signed: Short and Rosson.

Mr. McKissack moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—49

Agnich	Boyle	Clark	Doyle
Allen, Joe	Braecklein	Coats	Foreman
Atwell	Braun	Cobb	Garcia
Blanton	Carrillo	Craddick	Golman

Hale	Kost	Murray	Slack
Harris	Lee	Ogg	Spurlock
Hawn	Lemmon	Parker, C.	Stroud
Haynes	Lewis	Pickens	Swanson
Hubenak	Lombardino	Salem	Tupper
Hull	Longoria	Santiesteban	Von Dohlen
Jungmichel	McKissack	Schulle	
Kaster	Moncrief	Semos	
Kilpatrick	Moore, A.	Shannon	

Nays—80

Adams	Davis, H.	Johnson	Price
Allen, John	Denton	Jones, D.	Reed
Allred	Doran	Jones, E.	Rodriguez
Angly	Dramberger	Jones, G.	Rosson
Atwood	Earthman	Kubiak	Short
Bass, B.	Farenthold	Lovell	Silber
Bass, T.	Finck	McAlister	Simmons
Beckham	Finnell	Mengden	Solomon
Bigham	Finney	Moore, T.	Stewart
Blythe	Gammage	Moreno	Tarbox
Bowers	Grant	Nabers	Traeger
Burgess	Hanna, Joe	Nelms	Truan
Bynum	Hannah, John	Newton	Uher
Calhoun	Head	Niland	Vale
Cates	Heatly	Nugent, J.	Ward
Cavness	Hendricks	Orr	Wieting
Christian	Hilliard	Parker, W.	Williams
Cole	Holmes, Z.	Patterson	Williamson
Daniel	Howard	Poerner	Wolff
Davis, D.	Ingram	Poff	Wyatt

Absent

Floyd	Harding	Sanchez	Smith
Graves			

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

The amendment by Mr. Rosson and Mr. Short to Committee Amendment No. 1 was adopted.

Committee Amendment No. 1, as amended, to SB 346 was then adopted.

On motion of Mr. Hale, and by unanimous consent, the caption of SB 346 was ordered amended to conform with the body of the bill.

SB 346, as amended, was passed to third reading by the following vote:

Yeas—83

Agnich	Farenthold	Lee	Santiesteban
Allen, Joe	Finck	Lemmon	Schulle
Angly	Finney	Lewis	Semos
Atwell	Floyd	Lombardino	Shannon
Atwood	Foreman	Longoria	Silber
Bass, T.	Gammage	McKissack	Simmons
Blanton	Garcia	Mengden	Slack
Blythe	Golman	Moncrief	Spurlock
Bowers	Hale	Moreno	Stroud
Boyle	Harris	Murray	Swanson
Braecklein	Hawn	Nelms	Traeger
Braun	Hilliard	Newton	Truan
Bynum	Holmes, Z.	Niland	Tupper
Carrillo	Hubenak	Ogg	Uher
Clark	Hull	Orr	Vale
Coats	Johnson	Parker, W.	Von Dohlen
Craddick	Jones, E.	Pickens	Wieting
Doran	Jungmichel	Poerner	Williams
Doyle	Kaster	Reed	Wolff
Dramberger	Kilpatrick	Rodriguez	Wyatt
Earthman	Kost	Salem	

Nays—44

Adams	Cole	Howard	Parker, C.
Allen, John	Daniel	Ingram	Patterson
Allred	Davis, D.	Jones, D.	Poff
Bass, B.	Davis, H.	Jones, G.	Price
Beckham	Denton	Kubiak	Rosson
Bigham	Finnell	Lovell	Short
Calhoun	Grant	McAlister	Solomon
Cates	Hanna, Joe	Moore, A.	Stewart
Cavness	Hannah, John	Moore, T.	Tarbox
Christian	Haynes	Nabers	Ward
Cobb	Head	Nugent, J.	Williamson

Present—Not Voting

Burgess Heatly Hendricks

Absent

Graves Harding Sanchez Smith

Absent-Excused

Baker	Hawkins	Neugent, D.	Sherman
Caldwell	Holmes, T.	Nichols	Slider
Clayton	Ligarde	Presnal	Wayne
Cruz	Moore, G.	Salter	

PAIRED

Mr. Burgess (present), who would vote Nay, with Mr. Griffith Moore (absent), who would vote Yea.

Mr. Heatly (present), who would vote Nay, with Mr. Sanchez (absent), who would vote Yea.

Mr. Hendricks (present), who would vote Nay, with Mr. Sherman (absent), who would vote Yea.

Mr. Hale moved to reconsider the vote by which SB 346 was passed to third reading and to table the motion to reconsider.

The motion to table prevailed.

ADJOURNMENT

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

The motion prevailed without objection.

The House accordingly, at 7:50 p.m., adjourned until 11:00 a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

Engrossed and Enrolled Bills: Correctly engrossed—HB 97, HB 186, HB 242, HB 369, HB 556, HB 581. Correctly enrolled—HB 32, HB 226, HB 302, HB 368, HB 378, HB 420, HB 926, HCR 70.

Judiciary: HB 370.

Rules: HSR 336.

Urban Affairs: HB 402, HB 646, HB 815, SB 325.

SENT TO THE GOVERNOR
April 16, 1971

HB 32

HB 63

HB 146

HB 226

HB 302

HB 368

1976

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HB 378

HB 420

HB 494

HB 496

HB 555

HB 722

HB 926

HCR 70

In Memory of the Honorable
Marvin B. Simpson, Jr.

Mr. Shannon offered the following resolution:

HCR 114

Whereas, The entire State of Texas suffered a great loss on Monday, April 12, 1971, with the untimely death of Tarrant County Criminal Court Judge Marvin B. Simpson, Jr., a former Member of the Texas House of Representatives; and

Whereas, Judge Simpson, who died at the age of 55, had served Tarrant County and the State of Texas in many capacities; before becoming Judge of Tarrant County Criminal Court No. 3, a position to which he was appointed and subsequently elected following the death of Judge R. Wright Armstrong, Jr., Judge Simpson served for eight years as Tarrant County Judge; he had served three terms in the Texas House of Representatives, beginning in 1941; he had also served as a corporation court judge and as a member of the Birdville School Board; and

Whereas, Of his entire three decades of public service, Judge Simpson often remarked that he considered his most important accomplishment the favorable vote which resulted in the \$16.5 million bond issue for the construction of the Tarrant County Convention Center and Turnpike Stadium; he had campaigned vigorously for the center during his tenure as county judge, believing it necessary to bring Fort Worth to a competitive position with other Texas cities for convention business; and

Whereas, As Judge Simpson presided over Commissioners Court for the last time in 1966, County Auditor J. M. "Star" Williams turned to him and said: "One of the biggest things ever to happen in Tarrant County—the convention center—is something you had a lot to do with"; and

Whereas, The judge also took pride in his part in organizing a loosely-knit group of municipal officials to solve common problems; he was interested in countywide sewerage and waste disposal systems and helped start a pension program for county workers; and

Whereas, Judge Simpson, whose residence at the time of his death was in Richland Hills, was a Fort Worth native; he was graduated from North Dallas High School and attended both Texas Christian University and The University of Texas at Austin before graduating from the law school of Cumberland University in Tennessee; and

Whereas, He opened his law practice in Fort Worth, but during World War II, he closed his office to serve as a Lieutenant in the U.S. Maritime Service; and

Whereas, Judge Simpson won the Democratic nomination for county judge in July 1958, but when County Judge Gus Brown resigned in August of that year, Judge Simpson was named by the Commissioners Court to take the post before his own elective term began on January 1, 1959; in January 1967, he entered private law practice, but when R. Wright Armstrong, Jr., Judge of County Criminal Court No. 3, died, he was appointed to that position by the Commissioners Court after finishing first in a Fort Worth-Tarrant County Bar Association preferential poll; and

Whereas, This notable civic leader was also recommended to Governor John Connally by Arlington Mayor Tom Vandergriff for the position of administrative assistant to apprise the Governor of problems encountered by county government, but his appointment as county criminal judge was made before action was taken on the suggestion; and

Whereas, Judge Simpson was the first man in the Fort Worth area in more than three decades to achieve the top-ranking male position in the Order of the Eastern Star; he was named Worthy Grand Patron for 1965-1966 of the Grand Chapter of Texas at the 84th Grand Session of the OES; and

Whereas, The Texas Legislature wishes to commend the life of service of a former colleague and illustrious public servant, Judge Marvin B. Simpson, Jr., and to extend condolences to the members of his family: to his wife; his son, Marvin B. Simpson III, of Norman, Oklahoma; his two daughters, Mrs. Herbert Allred and Mrs. Jimmie Shannon, both of Fort Worth; and to his four grandchildren; 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 pay tribute to Judge Marvin B. Simpson, Jr., a man

well-known and highly respected for his dedication to his community, his state, and his country; and, be it further

Resolved, That official copies of this Resolution be prepared for the members of his family, and that when the two Houses of the 62nd Legislature adjourn this day, they do so in tribute to and in memory of Judge Marvin B. Simpson, Jr.

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

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

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