

HB 1381

HB 1435

HB 1436

HB 1630

HB 1672

HB 1678

HB 1688

HB 1718

HB 1808

HB 1827

 EIGHTY-FOURTH DAY—THURSDAY, MAY 27, 1971

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

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

Mr. Speaker	Cruz	Kaster	Price
Adams	Daniel	Kost	Reed
Agnich	Davis, D.	Kubiak	Salem
Allen, Joe	Davis, H.	Lee	Salter
Allen, John	Denton	Lemmon	Sanchez
Angly	Doyle	Lombardino	Schulle
Atwell	Dramberger	Longoria	Semos
Atwood	Earthman	Lovell	Shannon
Bass, T.	Finnell	McAlister	Sherman
Beckham	Floyd	McKissack	Short
Blanton	Gammage	Mengden	Silber
Blythe	Grant	Moncrief	Simmons
Bowers	Hanna, Joe	Moore, A.	Smith
Boyle	Harding	Murray	Solomon
Braecklein	Harris	Nabers	Spurlock
Braun	Hawkins	Nelms	Stewart
Burgess	Hawn	Neugent, D.	Swanson
Bynum	Haynes	Newton	Tarbox
Caldwell	Head	Nichols	Traeger
Carrillo	Heatly	Niland	Truan
Cates	Hendricks	Nugent, J.	Tupper
Christian	Hilliard	Ogg	Uher
Clark	Holmes, T.	Orr	Vale
Coats	Howard	Parker, C.	Ward
Cobb	Hubenak	Parker, W.	Williams
Cole	Johnson	Poerner	Williamson
Craddick	Jungmichel	Poff	Wyatt

Absent

Allred	Foreman	Kilpatrick	Santiesteban
Baker	Garcia	Lewis	Slack
Bass, B.	Graves	Ligarde	Slider
Bigham	Hale	Moore, G.	Stroud
Calhoun	Hannah, John	Moore, T.	Von Dohlen
Cavness	Holmes, Z.	Moreno	Wayne
Clayton	Hull	Patterson	Wieting
Doran	Ingram	Pickens	Wolff
Farenthold	Jones, D.	Presnal	
Finck	Jones, E.	Rodriguez	
Finney	Jones, G.	Rosson	

Absent-Excused**Golman**

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

Representatives Bigham, Griffith Moore, Farenthold, John Hannah, Rosson, Foreman, Hale, Pickens, Patterson, Clayton, Finney, Rodriguez, Wayne, Cavness, Presnal, Calhoun, Graves, Baker, Von Dohlen, Slider, Wieting, Garcia, and Lewis entered the House and were announced present.

LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence for today on account of important business:

Mr. Golman, temporarily for today, on motion of Mr. Atwell.

COMMITTEE MEETING

Mr. Tom Holmes asked unanimous consent of the House that the Committee on Livestock be permitted to meet at this time.

There was no objection offered.

BILLS AND A RESOLUTION SIGNED BY THE SPEAKER

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

HB 16, Relating to rights in cemetery plot of an individual owner.

HB 136, Relating to jurisdiction of the County Courts at Law of Jefferson County and in certain cases.

HB 253, Relating to the status of retired judges as judicial officers.

HB 280, Relating to reemployment of persons called to active duty with the State Military Forces in an emergency.

HB 534, Relating to the corruption of witnesses or prospective witnesses in official proceedings.

HB 1107, Providing that land may be added to the Harris County Utility District No. 1.

HB 1206, Prescribing compensation for certain county and district officials in certain counties.

HB 1270, Permitting the withdrawal of duplicate or excessive deposits made with the State Treasurer by certain insurance companies under prior or existing statutory provisions.

HB 1622, Relating to compensation of certain county officials in certain counties.

HB 1685, Creating Beaumont Place Utility District of Harris County.

HB 1709, Relating to compensation of employees of the Battleship Texas Commission and its Operating Board.

HB 1746, Creating the constitutional office of criminal district attorney for Collin County.

HB 1792, Relating to compensation to be paid counsel appointed to defend an indigent.

HB 1862, Relating to refunds of moneys paid under certain mineral lease on public lands if production is prevented by governmental action.

HCR 164, Requesting the return of SB 727 to the House.

Representatives Slack and Stroud entered the House and were announced present.

MEMORIAL RESOLUTION ADOPTED

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

HSR 602, by Lemmon: In memory of Dr. Nelson W. Karbach, Jr.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 600, by Smith: Commending James R. Smith, Sr., Chief of Capitol Security.

HSR 604, by Heatly: Congratulating Cherri Rapp of Estelline, Texas.

HSR 605, by Denton: Commending Howard Ball of Waco, Texas.

HCR 182—REFERRED TO COMMITTEE

(To study the feasibility and desirability of constructing and establishing a statewide museum)

Mr. Johnson offered the following resolution:

HCR 182

Whereas, There exists in Texas no statewide museum for the preservation of objects which record the history of the living of all people; and

Whereas, There are many citizens throughout the state who are willing and anxious to assist in establishing a museum for all of the State of Texas without in anywise detracting from the many local and regional museums throughout the state and are willing to contribute their time, objects of history, and financial assistance; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That a joint interim committee of the House and Senate be created to study the feasibility and desirability of constructing and establishing a statewide museum; that the committee be composed of three Members of the House appointed by the Speaker and two Members of the Senate appointed by the Lieutenant Governor; and, be it further

Resolved, That from the contingent expense funds of the House and the Senate equally the members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this resolution and other necessary expenses of operation of the committee shall be paid from the contingent expense funds of the House and Senate equally; and, be it further

Resolved, That the committee shall prepare a budget for the operating expense of said committee which shall be submitted to the Administration Committee of the Senate and the House Administration Committee. Prior approval of the budget by the Administration Committee of the Senate and the House Administration Committee must be obtained before any nonbudgeted expenses may be paid; and, be it further

Resolved, That the committee shall report its findings and recommendations to the 63rd Legislature on its convening in January, 1973; and, be it further

Resolved, That SCR 96, 62nd Legislature, be and is hereby repealed.

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

HSR 598—REFERRED TO COMMITTEE

(Creating a special House interim Committee on the Environmental Protection Act)

Mr. Braun offered the following resolution:

HSR 598

Whereas, Every citizen should be entitled to the protection, preservation, and enhancement of the air, water, land, and all natural resources of the state, and each person has the responsibility to contribute to the protection and enhancement of those natural resources; and

Whereas, There is a widespread feeling among Texans that they are powerless to do anything personally to contribute to the protection and enhancement of the air, water, land, and all natural resources of the state; and

Whereas, One method of insuring the protection, preservation, and enhancement of the natural resources of the state is to give private citizens direct access to the courts of the state for declaratory and equitable relief against the state, any political subdivision thereof, any person, partnership, corporation, association, organization, or other legal entity, as provided in the proposed Environmental Protection Act of 1971 (HB 56); now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, That there is hereby created a special interim study committee, to be named the Committee on the Environmental Protection Act, to study the feasibility and desirability of such a method for the protection of the natural resources of the state; and, be it further

Resolved, That the Speaker of the House shall appoint five Members of the House of Representatives, including one designated as chairman, to serve on the interim study committee; and, be it further

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

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

HSR 601—REFERRED TO COMMITTEE

(Creating a special interim committee to study the city and county jails of the state)

Mr. Joe Allen and Mr. Gammage offered the following resolution:

HSR 601

Whereas, There is a pressing need for improving the facilities and programs used in connection with the confinement of persons accused or convicted of crimes within the state; and

Whereas, The jails of our cities and counties are especially in need of study and improvement; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature of the State of Texas hereby create a special interim committee to study the city and county jails of the state in an effort to investigate possible improvements in both facilities and programs which will insure a maximum effort to rehabilitate these imprisoned persons; and, be it further

Resolved, That the Speaker of the House shall appoint five (5) Members of the House of Representatives, including one designated as chairman, to serve on the interim study committee; and, be it further

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

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January, 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

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

HSR 603—REFERRED TO COMMITTEE

(Creating a special interim committee on the Texas State Banking Industry)

Mr. Lemmon offered the following resolution:

HSR 603

Whereas, The state banking industry provides an invaluable service to the people of Texas as well as being partly responsible for determining the economic atmosphere within the state; and

Whereas, A study of the Texas state banking industry is essential in order to determine needed improvements in the system; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature of the State of Texas, That a special interim committee, to be named the Committee on the Texas State Banking Industry, be created; that the committee shall consist of seven members, three Members of the House of Representatives and four public members with special knowledge and interest in state banking. The Speaker of the House shall appoint all committee members, including one to serve as chairman of the committee; and, be it further

Resolved, That the committee shall study all aspects of the Texas state banking industry for the purposes of (1) determining improvements needed in the Texas Banking Code, (2) providing information to help in upgrading and improving the operation and procedures of the State Banking Department, including the powers and duties of the commissioners, and (3) reviewing the effect or possible effect of bills enacted by the 62nd Legislature which affect the state banking industry; and, be it further

Resolved, That the committee may call upon such state agencies or departments as the committee deems necessary for assistance and advice in the study; and, be it further

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

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January, 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

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

SCR 122—REFERRED TO COMMITTEE

(Memorializing the Congress of the United States to see that the Secretary of Agriculture administers the farm program so the maximum benefits accrue to agricultural producers)

The Speaker laid before the House the following resolution:

SCR 122

Whereas, Texas agriculture, including agribusiness, is the state's largest industry, averaging more than 6.6 billion dollars annually to the Texas economy; and

Whereas, Farm and ranch cash receipts average about 1.3 billion dollars for crops and 1.3 billion dollars for livestock, poultry and their products annually; and

Whereas, Texas ranks third in the nation in total crop and livestock cash receipts; and

Whereas, Federal farm program benefits to Texas agricultural producers amount to in excess of one-half billion dollars annually; and

Whereas, Federal farm program benefits have accrued to the benefit of the Texas economy and to Texas consumers; and

Whereas, Farm programs have enabled farmers to conserve land and water resources and to protect and preserve the environment; and

Whereas, The new farm program, passed by the last session of Congress, known as the 1970 Farm Act, will reduce net farm income to cotton, feed grains, and wheat farmers by a minimum of \$210 million dollars annually, or \$630 million dollars during the three years of the program; and

Whereas, The new farm program will encourage the depletion of the state's water and land resources by encouraging unneeded and wasteful expansion of crop production; and

Whereas, The 1971 farm program is being administered by USDA in such a manner as to move the production of the basic commodities out of the traditional producing areas in Texas to areas in other states that do not have the experience and records to prove that they can produce these commodities efficiently; and

Whereas, The Congress of the United States has the power and the responsibility to amend the farm program to improve it and prevent administrative abuses; now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring, That the Texas Legislature does hereby memorialize the Congress of the United States to exercise its power to amend the 1970 Farm Act in such way as is necessary to remove the dictatorial authority of the Secretary of Agriculture, place minimums under the farm income benefits to be derived from the federal farm program, and restore the parity and supply management devices necessary to make the farm program effective; and, be it further

Resolved, That the Congress of the United States be memorialized to exercise its power to see to it that the Secretary of Agriculture administers the farm program so that maximum benefits accrue to agricultural producers; and, be it further

Resolved, That copies of this resolution be sent to all Members of the Texas delegation of the Congress of the United States, urging them to exert their efforts to further the enactment of amendments to the present farm

bill to improve it and to remove the unnecessarily wide discretionary power of the Secretary of Agriculture which enables him to thwart the intent of Congress.

The resolution was referred to the Committee on State Affairs.

SCR 51—REFERRED TO COMMITTEE

(Granting L. L. Haney and Betty Jo Haney, permission to sue the State of Texas)

The Speaker laid before the House the following resolution:

SCR 51

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

Section 1. Permission is hereby granted to L. L. Haney and wife, Betty Jo Haney, of Cooke County, Texas, to sue the State of Texas and join the State of Texas as a party defendant in certain cause of action No. 70-006, styled L. L. Haney, et ux vs. State of Texas presently pending on the docket of the District Court, 16th Judicial District of Texas, of Cooke County, Texas, said cause being an action for alleged damages to one hundred (100) acres of land in Cooke County, Texas, described in Volume 347, page 2147 Deed Records of Cooke County, Texas, arising out of construction and maintenance of Farm Road 1628 adjacent to said 100-acre tract in August, 1968.

Sec. 2. No liability is admitted on behalf of the State of Texas in the above action, the same being subject to proof by competent evidence.

Sec. 3. The sole purpose of this resolution is to grant permission to L. L. Haney and wife to file such suit and no admission of any type whatsoever, of fact or of law, against the interest of the State of Texas or the State Highway Department is or shall be made by this resolution.

Sec. 4. Nothing contained in this resolution shall be construed as an admission on the part of the State of Texas, the State Highway Department, or any of the department or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity or merit of any allegations or claims, asserted or that may be asserted in such a law suit, but all allegations and claims asserted or that may be asserted in such law suit must be proved as in other suits under the same rules of evidence and the same laws as apply to and govern the trial of other civil cases.

Sec. 5. Nothing herein shall be construed as a waiver of any defenses, of fact as well as of law, that may be asserted by or available to the State of Texas, the State Highway Department, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in such suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on Judiciary.

HCR 119—ADOPTED

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

HCR 119, Petitioning Congress to call a convention for proposing an Amendment to the United States Constitution to prohibit forced bussing of students to achieve racial balance.

The resolution was adopted by the following vote:

Yeas—113

Adams	Earthman	Lemmon	Schulle
Agnich	Finck	Lewis	Semos
Allen, Joe	Finnell	Ligarde	Shannon
Allen, John	Floyd	Lombardino	Sherman
Angly	Foreman	Longoria	Short
Atwood	Gammage	Mengden	Silber
Baker	Grant	Moncrief	Simmons
Bass, B.	Hale	Moore, A.	Slack
Beckham	Hanna, Joe	Moore, T.	Slider
Bigham	Harding	Murray	Smith
Blanton	Hawkins	Nabers	Solomon
Blythe	Haynes	Nelms	Spurlock
Bowers	Head	Newton	Stewart
Braecklein	Heatly	Niland	Swanson
Burgess	Hendricks	Nugent, J.	Tarbox
Bynum	Hilliard	Ogg	Truan
Calhoun	Holmes, T.	Orr	Tupper
Cates	Howard	Parker, C.	Uher
Cavness	Hubenak	Parker, W.	Vale
Christian	Hull	Pickens	Von Dohlen
Clark	Ingram	Poerner	Ward
Clayton	Johnson	Poff	Wayne
Cobb	Jones, G.	Presnal	Wieting
Cole	Jungmichel	Price	Williams
Craddick	Kaster	Rosson	Williamson
Davis, D.	Kilpatrick	Salem	Wyatt
Davis, H.	Kost	Salter	
Doyle	Kubiak	Sanchez	
Dramberger	Lee	Santiesteban	

Nays—8

Braun	Farenthold	Harris	Nichols
Caldwell	Graves	Lovell	Rodriguez

Absent

Allred	Daniel	Holmes, Z.	Neugent, D.
Atwell	Denton	Jones, D.	Patterson
Bass, T.	Doran	Jones, E.	Reed
Boyle	Finney	McAlister	Stroud
Carrillo	Garcia	McKissack	Traeger
Coats	Hannah, John	Moore, G.	Wolff
Cruz	Hawn	Moreno	

Absent-Excused**Golman**

Mr. Blythe moved to reconsider the vote by which HCR 119 was adopted and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. Reed requested to be recorded as voting Nay on the adoption of HCR 119.

REASONS FOR VOTES

I was shown voting No in error on HCR 119. I should be recorded as voting Yes.

Signed: James Lovell

I was shown voting Yes in error on HCR 119, I should be recorded as voting No.

Signed: Carlos F. Truan

I voted No on adoption of HCR 119 because I fear a U.S. Constitutional Convention would place the entire document in jeopardy. The better way of dealing with the problems endangering our neighborhood school system would seem to be that of amending our present constitution through the traditional means.

Signed: Dick Reed

HCR 174—ADOPTED

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

HCR 174, Petitioning Congress to call a convention proposing an Amendment to the United States Constitution to grant freedom of choice plans to schools.

The resolution was adopted by the following vote:

Yeas—114

Adams	Blanton	Cavness	Earthman
Agnich	Blythe	Christian	Finck
Allen, John	Bowers	Clayton	Finnell
Angly	Boyle	Cobb	Floyd
Atwood	Braecklein	Cole	Foreman
Baker	Burgess	Craddick	Grant
Bass, B.	Bynum	Daniel	Hale
Bass, T.	Calhoun	Davis, D.	Hannah, John
Beckham	Carrillo	Davis, H.	Harding
Bigham	Cates	Doyle	Hawkins

Hawn	Lewis	Pickens	Smith
Haynes	Lombardino	Poerner	Solomon
Head	Longoria	Poff	Spurlock
Heatly	Lovell	Presnal	Stewart
Hendricks	McKissack	Price	Swanson
Hilliard	Mengden	Rosson	Tarbox
Holmes, T.	Moncrief	Salem	Traeger
Howard	Moore, A.	Salter	Tupper
Hubenak	Moore, G.	Sanchez	Uher
Hull	Moore, T.	Santiesteban	Von Dohlen
Ingram	Murray	Schulle	Ward
Johnson	Nabers	Semos	Wayne
Jones, G.	Nelms	Shannon	Wieting
Jungmichel	Newton	Sherman	Williams
Kaster	Niland	Short	Williamson
Kost	Nugent, J.	Silber	Wolff
Kubiak	Ogg	Simmons	Wyatt
Lee	Orr	Slack	
Lemmon	Parker, C.	Slider	

Nays—15

Allen, Joe	Denton	Harris	Rodriguez
Braun	Farenthold	Moreno	Truan
Caldwell	Gammage	Nichols	Vale
Clark	Graves	Reed	

Present—Not Voting

Dramberger

Absent

Allred	Finney	Jones, E.	Parker, W.
Atwell	Garcia	Kilpatrick	Patterson
Coats	Hanna, Joe	Ligarde	Stroud
Cruz	Holmes, Z.	McAlister	
Doran	Jones, D.	Neugent, D.	

Absent-Excused

Golman

Mr. Lee moved to reconsider the vote by which HCR 174 was adopted and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

I voted No on adoption of HCR 174, because I fear a U.S. Constitutional Convention would place the entire document in jeopardy. The better way of dealing with the problems endangering our neighborhood school system would seem to be that of amending our present constitution through the traditional means.

Signed: Dick Reed

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 606, by Lombardino: Commending M. H. (Pat) Segner of San Antonio, Texas.

Representatives Santiesteban, Allred, Doran, and Zan Holmes entered the House and were announced present.

HCR 180—ADOPTED

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

HCR 180, Expressing intent of the Legislature regarding the new highway department building.

The resolution was adopted by the following vote:

Yeas—110

Agnich	Doran	Kaster	Rodriguez
Allen, Joe	Dramberger	Kost	Salem
Allen, John	Earthman	Kubiak	Salter
Allred	Farenthold	Lee	Sanchez
Atwell	Finnell	Lemmon	Santiesteban
Atwood	Finney	Lewis	Semos
Bass, B.	Floyd	Ligarde	Shannon
Bass, T.	Gammage	Lombardino	Sherman
Beckham	Garcia	Longoria	Short
Bigham	Grant	McKissack	Silber
Blanton	Graves	Mengden	Simmons
Blythe	Hale	Moncrief	Slack
Bowers	Hannah, John	Moore, A.	Smith
Boyle	Harding	Moore, G.	Solomon
Braecklein	Harris	Murray	Spurlock
Braun	Hawkins	Nelms	Stewart
Burgess	Hawn	Neugent, D.	Stroud
Bynum	Haynes	Nichols	Swanson
Caldwell	Head	Niland	Tarbox
Calhoun	Hendricks	Nugent, J.	Traeger
Carrillo	Hilliard	Ogg	Truan
Cates	Holmes, T.	Orr	Tupper
Christian	Holmes, Z.	Parker, C.	Vale
Clark	Hull	Parker, W.	Williams
Coats	Ingram	Patterson	Wolff
Cole	Johnson	Poff	Wyatt
Daniel	Jones, D.	Presnal	
Denton	Jones, G.	Price	

Nays—27

Adams	Davis, D.	Jungmichel	Slider
Angly	Davis, H.	Lovell	Uher
Baker	Finck	Nabers	Von Dohlen
Cavness	Foreman	Newton	Ward
Clayton	Heatly	Pickens	Wayne
Cobb	Howard	Poerner	Wieting
Craddick	Hubenak	Schulle	

Present—Not Voting

Hanna, Joe

Absent

Cruz	Kilpatrick	Moreno	Rosson
Doyle	McAlister	Reed	Williamson
Jones, E.	Moore, T.		

Absent-Excused

Golman

Mr. Johnson moved to reconsider the vote by which HCR 180 was adopted and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 51 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators McKool, Bernal, Mauzy, Harrington, and Hightower.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

BILLS SIGNED BY THE SPEAKER

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

SB 344, Requiring a license for physical therapists and establishing a Board of Physical Therapy Examiners.

SB 396, Relating to the jurisdiction of the County Court at Law of McLennan County and the County Court of McLennan County.

SB 838, Validating certain contracts, scrip warrants, and time warrants authorized by counties or cities.

SB 948, Relating to the compensation of the official shorthand reporters for the 27th, 146th, and 169th Judicial Districts.

COMMITTEE MEETING

Mr. Tom Holmes asked unanimous consent of the House that the Committee on Livestock be permitted to meet at this time.

There was no objection offered.

HB 416 WITH SENATE AMENDMENTS

Mr. Stewart called up with Senate Amendments for consideration at this time,

HB 416, A bill to be entitled An Act to be known as the "Texas Pawnshop Act", providing definitions, requiring licensing and establishing requirements for licenses, setting license fees, providing for revocation, suspension, surrender and reinstatement of licenses upon certain conditions, providing for examinations, specifying books and records to be kept and authorizing the issuance of regulations, setting documentation requirements, eliminating pledgors' liability, limiting charges, establishing a right to redeem and a minimum redemption period, creating a presumption upon delivery of pawn tickets, providing for lost or destroyed pawn tickets, prohibiting certain practices, establishing penalties and providing for administrative enforcement thereof, repealing inconsistent provisions, providing severability; and declaring an emergency.

On motion of Mr. Stewart, the House concurred in the Senate Amendments to HB 416.

Mr. Stewart moved to reconsider the vote by which the House concurred in the Senate Amendments to HB 416 and to table the motion to reconsider.

The motion to table prevailed.

HB 416—TEXT OF SENATE AMENDMENTS

Amend Section 12 of HB 416 by striking the word "ten" where it appears at line 22 on page 6 of the printed version of said bill, and by striking all of lines 23, 24, 25, 26, 27 and the words "period of time" on line 28, and substituting therefor the following:

" . . . two and one-half percent of the total amount when the total amount is greater than One Hundred Dollars but not in excess of Three Hundred Dollars financed for one month, and one percent of the total amount when the total amount is greater than Three Hundred Dollars financed for one month, with proportionate adjustment for lesser periods of time, and in no case shall the amount financed exceed \$2,500.00."

Amend caption to conform to body of bill.

HB 451 WITH SENATE AMENDMENTS

Mr. Wieting called up with Senate Amendments for consideration at this time,

HB 451, A bill to be entitled An Act relating to the salaries of certain county officials in certain counties; amending Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes), by adding a Section 1C; and declaring an emergency.

On motion of Mr. Wieting, the House concurred in the Senate Amendments to HB 451.

Mr. Wieting moved to reconsider the vote by which the House concurred in the Senate Amendments to HB 451 and to table the motion to reconsider.

The motion to table prevailed.

HB 451—TEXT OF SENATE AMENDMENTS

Amend HB 451 by substituting "8,900 nor more than 9,050" for "8,630 nor more than 9,075" in quoted Section 1C in Section 1 of the bill.

Amend caption to conform to body of bill.

HB 690 WITH SENATE AMENDMENTS

Mr. Cole called up with Senate Amendments for consideration at this time,

HB 690, A bill to be entitled An Act relating to the exemption of land owned by East Texas State University in Hunt County from the computation of local fund assignments under the Foundation School Program; amending Subsection (b) of Section 16.76, Texas Education Code, as amended; and declaring an emergency.

On motion of Mr. Cole, the House concurred in the Senate Amendments to HB 690 by the following vote:

Yeas—138

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

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

Absent-Excused

Golman

HB 690—TEXT OF SENATE AMENDMENTS

Amend HB 690 by striking all below the enacting clause and inserting the following:

Section 1. Subsection (b), Section 16.76, Texas Education Code, as amended, is amended to read as follows:

“(b) In any district containing state university-owned land, state-owned prison land, land in one or more parcels comprising a total area in excess of 7,000 acres used for municipal cooling lakes in the generation of electricity in counties having a population of more than 700,000 according to the last preceding federal census federal-owned forestry land, federal-owned reservoirs, federal-owned recreation areas, federal-owned military reservations, or federal-owned Indian reservations, the amount assigned to a school district shall be reduced in the proportion that the area included in the above named classification bears to the total areas of the district. For purposes hereof, state university owned land is defined to mean and include also state owned land located in Brazos County and devoted to the use of Texas A&M University and land owned by East Texas State University in Hunt County and land owned by Pan American University.

Section 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public

necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Amend caption to conform to body of bill.

SCR 96—ADOPTED
(Mr. Foreman—House Sponsor)

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

SCR 96, Creating a statewide historical museum.

The resolution was adopted.

Mr. Foreman moved to reconsider the vote by which SCR 96 was adopted and to table the motion to reconsider.

The motion to table prevailed.

SCR 118—ADOPTED
(Mr. Clayton—House Sponsor)

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

SCR 118, Directing a study to secure safe drinking water for all Texans.

The resolution was adopted without objection.

HB 1739—CORRECTION AUTHORIZED

Mr. Jim Nugent asked unanimous consent of the House that the Enrolling and Engrossing Clerk be authorized to insert the Members of the Board of Directors in HB 1739 as they were inadvertently omitted.

There was no objection offered and it was so ordered.

SCR 64—ADOPTED
(Mr. Blanton—House Sponsor)

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

SCR 64, Creating the Bicentennial Study Committee.

The resolution was adopted.

HB 955—ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Moncrief submitted the following Conference Committee Report on HB 955:

Austin, Texas, May 27, 1971

The Honorable Ben Barnes,
President of the Senate

The Honorable Gus F. Mutscher,
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and Senate on HB 955, have met and adjusted our differences and beg leave to recommend that HB 955 be passed in the form attached hereto.

Respectfully submitted,

On the part of the House: **Shannon, Chairman**
 Moncrief
 Sherman
 McKissack
 Slack

On the part of the Senate: **Kennard**
 Sherman
 Brooks
 Jordan
 Bernal

HB 955, A bill to be entitled An Act relating to the membership of the board of directors of the Texas Turnpike Authority and the requirement of an annual report; amending Sections 3 and 21, Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953 (Article 6674v, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. Section 3, Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953 (Article 6674v, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 3. There is hereby created an authority to be known as the 'Texas Turnpike Authority,' hereinafter sometimes referred to as the 'Authority.' By and in its name the Authority may sue and be sued, and plead and be impleaded. The Authority is hereby constituted an agency of the State of Texas, and the exercise by the Authority of the powers conferred by this Act in the construction, operation, and maintenance of turnpike projects shall be deemed and held to be an essential governmental function of the state.

"The Board of Directors of the Authority (hereinafter in this Act sometimes called the 'Board') shall be composed of directors, who shall occupy, respectively, places on the Board to be designated as Places 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12. The Directors who will occupy Places 2, 3, 5, 6, 8, 9, 10, 11, and 12 shall be appointed by the governor, by and with the advice and consent of the Senate. Appointed Directors shall serve staggered terms of six (6) years with the terms of one-third of the members expiring on

February 15 of each odd-numbered year. Each Director appointed to fill Places 2, 3, 5, 6, 8, 9, 10, 11, and 12 shall have been a resident of the state and of the county from which he shall have been appointed for a period of at least one (1) year prior to his appointment.

"The members of the Texas State Highway Commission at the time this Act becomes effective are hereby made directors of said Authority and if for any reason said Texas State Highway Commission at such time because of vacancies is composed of less than three (3) members, then the person or persons appointed to fill such vacancies are hereby made directors of said Authority. The Highway Commissioners and their successors in office shall respectively and successively occupy Places 1, 4, and 7 on such Board. Each member of the Texas State Highway Commission shall serve ex officio as a member of the Board of Directors of such Authority. All directors shall serve until their successors have been duly appointed and qualified and vacancies in unexpired terms shall be promptly filled by the governor.

"All members of the Board of Directors shall be eligible for reappointment. All Directors shall have equal status and all Directors shall have a vote. Each member of the Board before entering upon his duties shall take an oath as provided by Section 1 of Article XVI of the Constitution of the State of Texas.

"The Board shall elect one of the directors as chairman and another as vice-chairman, and shall elect a secretary and treasurer who need not be a member of the Board. Seven members of the Board shall constitute a quorum and the vote of a majority of the members present at any meeting shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Board.

"Before the issuance of any turnpike revenue bonds under the provisions of this Act, each Director shall execute a surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000) and the secretary and treasurer shall execute a surety bond in the penal sum of Fifty Thousand Dollars (\$50,000), each surety bond to be conditioned upon the faithful performance of the duties of his office, to be executed by a surety company authorized to transact business in the State of Texas as surety and to be approved by the governor and filed in the office of the Secretary of State. The expense of such bonds shall be paid by the Authority.

"Each appointed Director may be removed by the governor for misfeasance, malfeasance or willful neglect of duty, but only after reasonable notice and public hearing unless the notice and public hearing are in writing expressly waived.

"The members of the Authority shall not be entitled to any additional compensation for their services, but each member shall be reimbursed for his actual expenses necessarily incurred in the performance of his duties. All expenses incurred in carrying out the provisions of this Act shall be payable solely from funds provided under the authority of this Act and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which moneys shall have been provided under the authority of this Act.

"The Legislature imposes on any Director, who may be a member of the State Highway Commission the extra duties required hereunder."

Sec. 2. Section 21, Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953 (Article 6674v, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 21. Each Turnpike Project when constructed and opened to traffic shall be maintained and kept in good condition and repair by the Authority. Each such project shall also be policed and operated by such force of police, toll-takers and other operating employees as the Authority may in its discretion employ. Within its discretion the Authority may make arrangements with the Department of Public Safety for the services of police officers of that Agency.

"All private property damaged or destroyed in carrying out the powers granted by this Act shall be restored or repaired and placed in its original condition as nearly as practicable or adequate compensation made therefor out of funds provided under the authority of this Act.

"All counties, cities, villages and other political subdivisions and all public agencies and commissions of the State of Texas, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant or convey to the Authority at its request, upon such terms and conditions as the proper authorities of such counties, cities, villages, other political subdivisions or public agencies and commissions of the state may deem reasonable and fair and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or appropriate to the effectuation of the authorized purposes of the Authority, including highways and other real property already devoted to public use.

"An action by the Authority may be evidenced in any legal manner, including a resolution adopted by its Board of Directors.

"Any member, agent or employee of the Authority who contracts with the Authority or is interested, either directly or indirectly, in any contract with the Authority or in the sale of any property, either real or personal, to the Authority, shall be punished by a fine of not more than One Thousand Dollars (\$1,000).

"Any person who uses any turnpike project and fails or refuses to pay the toll provided therefor, shall be punished by a fine of not more than One Hundred Dollars (\$100) and in addition thereto the Authority shall have a lien upon the vehicle driven by such person for the amount of such toll and may take and retain possession thereof, until the amount of such toll and all charges in connection therewith shall have been paid.

"On or before the thirty-first day of March in each year the Authority shall make an annual report of its activities for the preceding calendar

year to the Governor and to the Legislature. In making such report, each project shall be listed and reported separately. Each such report shall set forth a complete operating and financial statement covering its operations for each project during the year. The Authority shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants and the cost thereof may be treated as part of the cost of construction or of operation of the Turnpike Project."

Sec. 3. The members of the Board of Directors of the Texas Turnpike Authority holding office on the effective date of this Act continue to hold office for the terms to which they were appointed. The Director appointed to Place 10 holds office for a term expiring February 15, 1973, the Director appointed to Place 11 holds office for a term expiring February 15, 1975, and the Director appointed to Place 12 holds office for a term expiring February 15, 1977.

Sec. 4. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 5. 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. Moncrief moved to suspend all necessary rules and to adopt the Conference Committee Report on HB 955.

The motion prevailed by the following vote:

Yeas—136

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

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

Nays—1

Graves

Absent

Baker	Garcia	Jones, G.	Stroud
Braun	Harris	Ligarde	Wolff
Cruz	Jones, D.	Moore, T.	

Absent-Excused

Golman

Mr. Moncrief moved to reconsider the vote by which the Conference Committee Report on HB 955 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HB 1001—ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Hull submitted the following Conference Committee Report on HB 1001:

Austin, Texas, May 25, 1971

The Honorable Ben Barnes
President of the Senate

The Honorable G. F. (Gus) Mutscher
Speaker of the House of Representatives

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on HB 1001, have met and adjusted our dif-

ferences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

On the part of the House: Cordell Hull, Chairman
 Finney
 Cobb
 Walt Parker
 Tom Holmes

On the part of the Senate: Chet Brooks, Chairman
 Watson
 Wallace
 Kothmann
 Bates

HB 1001, A bill to be entitled An Act relating to the Texas Private Employment Agency Regulatory Board; amending Subsection (d) and (e), Section 3, and Subsection 1 of Section 13 (a), Chapter 245, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 5221a-6, Vernon's Texas Civil Statutes); and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Subsections (d) and (e), Section 3, Chapter 245, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 5221a-6, Vernon's Texas Civil Statutes), are amended to read as follows:

"(d) The Board shall be composed of four members who at the time of their appointment operate an agency which is a part of a multiple-office or franchise operation; five members who at the time of their appointment operate an agency which is a single-office operation. Not more than one person from any one multiple-office or franchise operation may serve on the board simultaneously. For the purpose of this section agencies belonging or subscribing to a referral system shall not be considered as a multiple-office or franchise operation because of such membership in or subscription to such referral service.

"(e) Except for the initial appointees, the members of the board hold office for terms of six years, with the terms of three members expiring on January 31 or each odd-numbered year. In making the initial appointments, the governor shall designate three for terms expiring on January 31, 1971, three for terms expiring on January 31, 1973, and three for terms expiring on January 31, 1975. If any member of the board ceases to own an interest in a private employment agency, he automatically vacates his office, which shall be filled by appointment as in the case of other vacancies."

Section 2. Subsection 1 of Section 13(a), Chapter 245, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 5221a-6, Vernon's Texas Civil Statutes), is amended to read as follows:

"(1) impose any fees for the registration of applicants for employment or any other fee of applicants except for the furnishing of employment referrals which result in the applicant obtaining employment."

Section 3. The members of the Texas Private Employment Agency Regulatory Board holding office on the effective date of this Act shall continue to hold office for the terms to which they were appointed. Upon expiration of the terms of present board members, the governor shall make appointments to fill such vacancies so as to effectuate the ratio of four members of the board from multiple-office or franchise operations and five members of the board from single-office operations.

Section 4. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Mr. Hull moved to suspend all necessary rules and to adopt the Conference Committee Report on HB 1001.

The motion prevailed by the following vote:

Yeas—143

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

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

Absent

Cruz	Sherman	Wayne	Wolff
Neugent, D.			

Absent-Excused

Golman

Mr. Hull moved to reconsider the vote by which the Conference Committee Report on HB 1001 was adopted and to table the motion to reconsider.

The motion to table prevailed.

SB 817—ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Harris submitted the following Conference Committee Report on SB 817:

Austin, Texas, May 25, 1971

Honorable Ben Barnes
President of the Senate.

Honorable Gus Mutscher
Speaker of The House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 817 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

On the part of the Senate: Schwartz
Blanchard
Aikin
Ratliff
Patman

On the part of the House: Ed J. Harris
Joe A. Hubenak
R. C. Nichols
Rex Braun
Neugent

SB 817, An Act providing for the minimum salary of the Judge of County Court No. 1 of Galveston County and County Court No. 2 of Galveston

County; amending Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes); and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Section 11, Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 11. (a) The Judge of the County Court No. 1 of Galveston County shall take the oath of office prescribed by the Constitution, but no bond shall be required of him.

"(b) The Judges of the County Court No. 1 and of the County Court No. 2 shall each be paid an annual salary of not less than the amount paid the County Judge of Galveston County, but in no event more than the amount paid district judges from the General Revenue Fund of the State of Texas. The salary shall be paid to each judge in equal monthly installments out of the General Fund of Galveston County, Texas, by warrants drawn upon the county treasury upon orders of the Commissioners Court of Galveston County, Texas."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said 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. Harris moved to suspend all necessary rules and to adopt the Conference Committee Report on SB 817.

The motion prevailed.

Mr. Harris moved to reconsider the vote by which the Conference Committee Report on SB 817 was adopted and to table the motion to reconsider.

The motion to table prevailed.

SB 818—ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Harris submitted the following Conference Committee Report on SB 818:

Austin, Texas, May 25, 1971

Honorable Ben Barnes
President of the Senate.

Honorable Gus Mutscher
Speaker of The House of Representatives.

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 818 have met

and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

On the part of the Senate: Schwartz
 Blanchard
 Aikin
 Ratliff
 Patman

On the part of the House: Ed J. Harris
 Joe A. Hubenak
 R. C. Nichols
 Rex Braun
 Neugent

SB 818, An Act providing for the minimum salary of the Judge of County Court No. 2 of Galveston County; amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 1970-342, Vernon's Texas Civil Statutes); and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Section 9, Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 1970-342, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 9. The Judge of the County Court No. 2 shall be paid by the Commissioners Court of Galveston County a yearly salary not less than the amount paid the County Judge of Galveston County but in no event more than the amount paid district judges from the General Revenue Fund of the State of Texas. The salary shall be paid out of the general fund of the county in equal monthly installments by warrants drawn upon the county treasury upon orders of the Commissioners Court of Galveston County, Texas."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring a bill to be read on three several days in each House be suspended, and said 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. Harris moved to suspend all necessary rules and to adopt the Conference Committee Report on SB 818.

The motion prevailed without objection.

Mr. Harris moved to reconsider the vote by which the Conference Committee Report on SB 818 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HB 335 WITH SENATE AMENDMENTS

Mr. Grant Jones called up with Senate Amendments for consideration at this time,

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

Mr. Grant Jones moved to suspend all necessary rules and concur in the Senate Amendments to HB 335.

The motion prevailed by the following vote:

Yeas—134

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

Nays—7

Braun	Floyd	Harris	Nugent, J.
Farenthold	Graves	Nichols	

Absent

Cruz	Lovell	Patterson	Sherman
Ligarde	Moore, G.	Rodriguez	

Absent-Excused**Golman****HB 335—TEXT OF SENATE AMENDMENTS**

Amend HB 335 by striking Sec. (f) and all thereafter and entering in lieu thereof the following:

“(f) This Act shall be applicable only to trusts created after the effective date of the Texas Trust Act, and shall not be construed to have any effect on trusts created prior to the effective date of the Texas Trust Act, Acts 1943, 48th Legislature, Page 232, Chapter 148. No provision of this Act shall be construed to alter the intent of any testator or testatrix as expressed in any testamentary instrument whether executed before or after the effective date of such Texas Trust Act and this Act.”

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

Amend caption to conform to body of bill.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HCR 183, by Carl Parker: Commending the famed “Lost Battalion” on the occasion of their 27th Reunion.

HSR 607, by Tupper: Commending Dr. John D. Wilbanks of El Paso, Texas.

COMMITTEE MEETING

Mr. Harding asked unanimous consent of the House that the Committee on Parks and Wildlife be permitted to meet at this time.

There was no objection offered.

(Mr. Shannon in the Chair)

HB 749 WITH SENATE AMENDMENTS

Mr. Pickens called up with Senate Amendments for consideration at this time,

HB 749, A bill to be entitled An Act amending Chapter 494, Section 1, Acts of the 58th Legislature, Regular Session, 1963, as amended by Chapter 137, Section 1, and by Chapter 138, Section 1, Acts of the 61st Legislature, Regular Session, 1969, (compiled as Article 4582b of Vernon's

Texas Civil Statutes) regulating the professions of funeral directing and embalming and the conduct of funeral establishments; providing a severability clause; and declaring an emergency.

Mr. Pickens moved that the House concur in the Senate Amendments to HB 749.

Mr. Kaster moved, as a substitute motion, that the House do not concur in the Senate Amendments to HB 749 and that a Conference Committee be appointed to adjust the differences between the two Houses.

Mr. Pickens moved to table the substitute motion by Mr. Kaster.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—57

Allen, John	Doyle	Jungmichel	Sanchez
Angly	Finck	Longoria	Schulle
Atwell	Floyd	McAlister	Short
Atwood	Foreman	McKissack	Slack
Baker	Hale	Nabers	Slider
Beckham	Hannah, John	Nelms	Solomon
Blanton	Harding	Newton	Traeger
Boyle	Hawkins	Nugent, J.	Von Dohlen
Burgess	Hawn	Ogg	Wayne
Bynum	Head	Parker, C.	Williams
Calhoun	Heatly	Patterson	Williamson
Cavness	Hendricks	Pickens	Wyatt
Clark	Hubenak	Poerner	
Davis, D.	Jones, D.	Rosson	
Davis, H.	Jones, G.	Salem	

Nays—78

Adams	Dramberger	Lemmon	Salter
Agnich	Farenthold	Lewis	Semos
Allen, Joe	Finnell	Lombardino	Sherman
Allred	Grant	Lovell	Silber
Bass, B.	Graves	Mengden	Simmons
Bass, T.	Hanna, Joe	Moncrief	Smith
Bigham	Harris	Moore, A.	Spurlock
Blythe	Haynes	Moore, G.	Stewart
Bowers	Hilliard	Moore, T.	Stroud
Braecklein	Holmes, T.	Moreno	Swanson
Braun	Holmes, Z.	Murray	Tarbox
Caldwell	Howard	Neugent, D.	Truan
Cates	Ingram	Nichols	Tupper
Christian	Johnson	Niland	Uher
Clayton	Jones, E.	Orr	Vale
Coats	Kaster	Poff	Ward
Cobb	Kilpatrick	Presnal	Wieting
Cole	Kost	Price	Wolff
Craddick	Kubiak	Reed	
Denton	Lee	Rodriguez	

Present—Not Voting

Earthman

In The Chair

Shannon

Absent

Carrillo	Doran	Garcia	Parker, W.
Cruz	Finney	Hull	Santiesteban
Daniel	Gammage	Ligarde	

Absent-Excused

Golman

(Speaker in the Chair)

The substitute motion to not concur in the Senate Amendments to HB 749 and to appoint a Conference Committee then prevailed by the following vote:

Yeas—74

Agnich	Doran	Ingram	Reed
Allen, Joe	Dramberger	Johnson	Rodriguez
Allred	Farenthold	Jones, E.	Salem
Bass, T.	Finnell	Kaster	Semos
Bigham	Finney	Kilpatrick	Shannon
Blythe	Floyd	Kubiak	Sherman
Braecklein	Gammage	Lee	Silber
Braun	Garcia	Lemmon	Smith
Caldwell	Grant	Lewis	Spurlock
Carrillo	Graves	Ligarde	Stewart
Cates	Hale	Moncrief	Truan
Christian	Hanna, Joe	Moore, A.	Tupper
Clark	Harris	Moore, G.	Vale
Coats	Haynes	Moreno	Ward
Cobb	Hilliard	Neugent, D.	Wieting
Cole	Holmes, T.	Niland	Williams
Craddick	Holmes, Z.	Poff	Wolff
Cruz	Howard	Presnal	
Denton	Hull	Price	

Nays—64

Adams	Boyle	Finck	Hubenak
Allen, John	Burgess	Foreman	Jones, D.
Angly	Bynum	Hannah, John	Jones, G.
Atwell	Calhoun	Harding	Jungmichel
Atwood	Cavness	Hawkins	Lombardino
Baker	Clayton	Hawn	Longoria
Beckham	Daniel	Head	McAlister
Blanton	Davis, D.	Heatly	McKissack
Bowers	Doyle	Hendricks	Moore, T.

Murray	Orr	Sanchez	Swanson
Nabers	Parker, C.	Santiesteban	Tarbox
Nelms	Parker, W.	Schulle	Traeger
Newton	Pickens	Short	Uher
Nichols	Poerner	Slack	Von Dohlen
Nugent, J.	Rosson	Slider	Wayne
Ogg	Salter	Solomon	Wyatt

Present—Not Voting

Earthman	Mengden
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Absent

Bass, B.	Kost	Patterson	Stroud
Davis, H.	Lovell	Simmons	Williamson

Absent-Excused

Golman

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

HB 474, By Sherman: Relating to the governance, operation, support, and maintenance of The University of Texas System and the component institutions of The University of Texas System; providing intent of the Act; providing for severability; and declaring an emergency. (with amendments)

HCR 138, By Heatly, et al: Resolving that the Legislature finds that the proper function of all levels of government in this state is to aid private economy and prevent governmental competition in certain areas.

I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee Report on HB 384 by viva voce vote.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 814 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Schwartz, Mauzy, Wilson, Bernal, and McKool.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 513, SCR 8, and SCR 9, by viva voce vote.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HB 452 ON SECOND READING

Mr. Orr moved that all necessary rules be suspended to take up and consider at this time, HB 452.

The motion prevailed.

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

HB 452, A bill to be entitled An Act establishing a state policy for the environment, to require state agencies and subdivisions to comply herewith, to provide for the establishment of an Office of Environmental Quality, and enacting other provisions relating to the subject; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend HB 452 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. This Act may be cited as the 'Texas Environmental Quality Act of 1971.'

Sec. 2. The purposes of this Act are: To declare a state policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; and to enrich the understanding of the ecological systems and natural resources important to the state.

Sec. 3. (a) The Legislature, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the State of Texas, in cooperation with Federal and local governments and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the state government and all agencies, officials and political subdivisions thereof, including all counties, municipalities, districts, authorities and other entities created by state law, hereinafter referred to as 'agencies and subdivisions,' to use all practicable means, consistent with other essential considerations of state and national policy, to improve and

coordinate their plans, functions, programs, and resources to the end that the State of Texas may:

(1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) Assure for all persons in this state safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) Preserve important historic, cultural, and natural aspects of our state heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities;

(6) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Legislature recognizes that each person has a fundamental right to enjoy a healthful environment and that each person, as well as the state, and each agency and subdivision thereof has a responsibility to contribute to the preservation and enhancement of the environment.

Sec. 4. The Legislature authorizes and directs that, to the fullest extent possible: (1) Regulations, and public laws of the State of Texas shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies and subdivisions of the state shall:

a. Utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's environment;

b. Identify and develop methods and procedures which will insure that presently unquantified environmental amenities and values may be given appropriate consideration as a part of the decision making process, along with economic and technical considerations;

c. Include in every recommendation or report on proposals for legislation and other actions significantly affecting the quality of the human environment, hereinafter known as 'environmental actions,' a detailed statement by the responsible official on

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. Prior to make any detailed statement, the responsible official shall consult with and obtain the comments of any federal or state agency or subdivision which has jurisdiction by law or special expertise with respect to any environmental impact involved. As soon as possible, and in any event at least sixty days in advance of beginning any environmental actions, copies of such statement and the comments and views of the appropriate federal, state, and local agencies which are authorized to develop and enforce environmental standards, shall be made available to the governor, the Parks and Wildlife Department and to the public, and shall accompany the proposal;

d. Study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

e. Make available to counties, municipalities, institutions and individuals, advice and information useful in restoring, maintaining and enhancing the quality of the environment;

f. Initiate and utilize ecological information in the planning and development of resource oriented projects; and

g. Assist the Parks and Wildlife Department, hereafterwards referred to as the 'Department' in carrying out its duties and responsibilities as established by this Act.

Sec. 5. Not later than September 1, 1972, all agencies and political subdivisions of the state government shall review their present statutory authority, administrative regulations, current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purpose and provisions of this Act and shall report in writing to the Parks and Wildlife Department and to the governor, such measures as may be necessary to bring their authority, regulations, policies and procedures into conformity with the intent, purposes, and procedures set forth in this Act. The Parks and Wildlife Commission, hereafterwards referred to as the 'Commission,' and for reasonable cause shown, may extend the period established by this section. The Commission may direct the Department to hold a public hearing to determine the progress on the report required by this section, or to determine the reasons why the report cannot be timely filed. All such reports, when received, shall be indexed and filed in the offices of the Parks and Wildlife Department and made available for public inspection.

Sec. 6. In the event any agency or political subdivision fails to comply with Section 4 or Section 5 hereof, any relevant environmental action by such agency or subdivision shall be voidable, and in the event legal action is prosecuted thereupon, the court having jurisdiction over such matter shall render an appropriate injunction against such action until such time as the court may determine that compliance with the provisions of this Act have been adequately shown.

Sec. 7. Nothing in Section 4 or Section 5 shall in any way affect the existing or future statutory obligations of any state agency or subdivision: (1) To comply with criteria or standards of environmental quality,

(2) to coordinate or consult with any other state or federal agency or subdivision, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other state or federal agency or subdivision.

Sec. 8. The purposes and policies set forth in this Act are supplementary to those set forth in existing statutory authorizations of state agencies and subdivisions, except that when conflicts exist, the purposes and policies set forth herein shall control.

Sec. 9. The governor shall transmit to the Legislature in each regular session beginning January 31, 1972, an Environmental Quality Report (hereinafter referred to as the 'report') which shall set forth (1) the status and conditions of the major natural, man-made, or altered environmental classes of the state, including but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in the quality management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the state; the adequacy of available natural resources for fulfilling human and economic requirements of the state in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities of federal, state and local governments, and of nongovernmental entities or individuals, with particular reference to their effect on the environment, conservation, development, and utilization of natural resources and (5) his program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

Sec. 10. The Parks and Wildlife Department shall be charged with the administration of this Act. The Executive Director shall appoint such officers and employees as the Legislature shall authorize by the General Appropriations Act. In addition, the Department may employ and fix the compensation of such experts and consultants as may be necessary for carrying out the functions prescribed under this Act.

Sec. 11. It shall be the duty of the Department:

(1) To assist and advise the governor in the preparation of the Environmental Quality Report required by Section 9;

(2) To gather timely and authoritative information concerning the conditions and trends in the quality of the environment, both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in this Act, and to compile and submit to the governor studies relating to such conditions and trends;

(3) To review and appraise the various programs and activities of the state in the light of the policy set forth in this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the governor with respect thereto;

(4) To develop and recommend to the governor policies to foster and promote the improvement of the environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the state;

(5) To conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(6) To document and define changes in the natural environment, including the plant and animal systems and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(7) To report at least once each year to the governor on the state and condition of the environment;

(8) To make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the governor may request; and

(9) To prosecute or maintain court action independently of the Attorney General of Texas, or to refer to the Attorney General of Texas with a request to prosecute, court action against any state agency, subdivision, official thereof, or other person or entity which shall fail to comply with any provision of this Act or which shall engage in any action under any project or program which is not in compliance with this Act.

(10) To participate in the receipt of any Federal assistance funds which may be available or which may hereafterwards become available, either independently or in conjunction with any other state agency or political subdivision, for any or all purposes set out by the provisions of this Act.

(11) To receive any grant, gift or bequest from any source for any purpose and on any conditions not inconsistent with the provisions of this Act, except that the Department shall publicly and timely announce the sources of such grants, gifts, or bequests which, when received and accepted, shall be regarded as contributions for use of the State of Texas for scientific, research, educational and benevolent purposes and all such transfers shall be without tax to the donor.

(12) To direct public hearings be held on any matter relating to the duties and purposes expressed in this Act, and it may appoint hearing officers as necessary to conduct such hearings. When there appears evidence to support a suspected violation of the provisions of this Act, the Executive Director may direct that subpoenas be issued to compel attendance at such hearings.

(13) The Parks and Wildlife Commission may promulgate and adopt all reasonable rules and regulations it may deem necessary, not inconsistent with the purposes of this Act.

Sec. 12. In exercising its powers, functions, and duties under this Act, the Department shall:

1. Consult with such representatives of science, industry, agriculture,

labor, conservation organizations, federal, state and local governments, and other groups, as it deems advisable; and

2. Utilize, to the fullest extent possible, the services, facilities, and information (including statistical information) of public and private agencies, organizations, and individuals, in order that duplication of effort and unnecessary expenses may be avoided.

Sec. 13. This Act shall be supplementary to existing statutes, administrative and regulatory procedures provided by law.

Sec. 14. If any section, subsection, paragraph, sentence, clause, phrase, or word in this Act, or application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining portions of this Act, and the Legislature hereby declares it would have passed such remaining portions despite such invalidity.

Sec. 15. 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. Coats offered the following amendments to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HB 452, Section 11.(9) by striking the words "prosecute or maintain court action independently of the Attorney General of Texas, or to" and by inserting after the phrase "with a request to prosecute" the following phrase:

"or maintain".

Amend Committee Amendment No. 1 to HB 452, Section 4 (c) (v) by inserting in the last sentence thereof after the phrase, "shall be made available", the following word:

"simultaneously".

The amendments were severally adopted without objection.

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

Amend Committee Amendment to HB 452 by striking all of Sections 10, 11 and 12.

Mr. Orr moved to table the above amendment.

The motion to table prevailed.

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

Amend Section 2 of Committee Amendment No. 1 of HB 452 by striking it and replacing as follows:

"Sec. 2. The Legislature declares it to be the policy of the state, in cooperation with federal and local governments to use all practical means and measures to restore and maintain environmental quality for the welfare of the people of Texas."

The amendment was adopted without objection.

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

Amend Section 5 of Committee Amendment No. 1 to HB 452 by striking the section and replacing it as follows:

"Sec. 5. Not later than September 1, 1972, all agencies of the state shall review their present statutory authority, administrative regulations, current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purpose and provisions of this Act and shall report in writing to the governor such measures as may be necessary to bring their authority, regulations, policies and procedures into conformity with the intent, purposes and procedures set forth in this Act."

Mr. Orr moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—106

Adams	Finck	Kilpatrick	Price
Agnich	Finnell	Kost	Reed
Allen, Joe	Finney	Kubiak	Rodriguez
Allred	Floyd	Lee	Salem
Angly	Foreman	Lemmon	Salter
Atwell	Gammage	Lewis	Sanchez
Bass, B.	Grant	Ligarde	Santiesteban
Bass, T.	Graves	Lombardino	Schulle
Bigham	Hale	Longoria	Semos
Blanton	Hanna, Joe	Lovell	Shannon
Bowers	Hannah, John	McKissack	Sherman
Boyle	Harding	Mengden	Simmons
Braecklein	Harris	Moncrief	Slack
Braun	Hawkins	Moore, A.	Slider
Bynum	Hawn	Moore, G.	Smith
Caldwell	Head	Moore, T.	Solomon
Calhoun	Heatly	Moreno	Spurlock
Carrillo	Hendricks	Nelms	Stewart
Clark	Hilliard	Neugent, D.	Stroud
Coats	Holmes, T.	Newton	Swanson
Cobb	Holmes, Z.	Nichols	Truan
Cole	Howard	Niland	Tupper
Craddick	Hubenak	Ogg	Vale
Cruz	Hull	Orr	Wolf
Denton	Ingram	Parker, C.	Wyatt
Earthman	Johnson	Poerner	
Farenthold	Kaster	Presnal	

Nays—35

Allen, John	Davis, D.	Murray	Tarbox
Atwood	Davis, H.	Nabers	Traeger
Baker	Doyle	Nugent, J.	Uher
Beckham	Dramberger	Patterson	Von Dohlen
Burgess	Garcia	Pickens	Ward
Cates	Jones, D.	Poff	Wayne
Cavness	Jones, E.	Rosson	Wieting
Christian	Jungmichel	Short	Williamson
Clayton	McAlister	Silber	

Present—Not Voting

Blythe	Parker, W.
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Absent

Daniel	Haynes	Jones, G.	Williams
Doran			

Absent-Excused

Golman

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 362, SCR 108, SB 520, SB 953, and SB 694 by viva voce vote.

The Senate has reconsidered the vote by which the Conference Committee Report was adopted on SB 442 by viva voce vote.

The Senate adopted a new Conference Committee Report on SB 442 by a vote of 30 Yeas and 0 Nays.

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

HB 1884, By Solomon: Creating Delta County Municipal Utility District; and declaring an emergency.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SJR 29 by 29 Yeas, 1 Nay.

Respectfully,
 CHARLES A. SCHNABEL
 Secretary of the Senate

BILLS AND A RESOLUTION SIGNED BY THE SPEAKER

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

HB 43, Relating to the tuition fee charged students enrolled at state-supported institutions of higher education and to the classification of certain students as residents and nonresidents.

HB 332, Permitting the Parks and Wildlife Department to prescribe rules applying to propagation in captivity of protected species.

HB 423, Relating to the registration of the promoters of certain outdoor music festivals and to the issuance of permits for such festivals.

HB 467, Creating Greens Public Utility District.

HB 468, Relating to the maximum salaries of elected officials and county employees in certain counties.

HB 516, Defining the term "eligible city" as any incorporated city which owns and operates a toll bridge over the Rio Grande River.

HB 609, Creating Bilma Public Utility District.

HB 646, Authorizing cooperation and contracts among political subdivisions and agencies of this state.

HB 665, Relating to the area of operation of a county or regional housing authority.

HB 743, Defining the term "eligible junior college district".

HB 858, Amending the Texas Uniform Limited Partnership Act.

HB 1015, Authorizing the conveyance of certain portions of land situated in the Big Bend National Park by the Texas Land Office to the United States.

HB 1327, Relating to the sale of imperfect safety glass for motor vehicles.

HB 1539, Relating to the liability of volunteer firemen and volunteer fire departments for damage done to private property.

HB 1754, Relating to allowance for traveling expenses and automobile depreciation for county judges and county commissioners in certain counties.

HCR 175, Directing the House Enrolling Clerk to make certain corrections in HB 1081.

HB 452—(Consideration continued)

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

Amend Committee Amendment No. 1 to HB 452 by striking all of Section 6.

Mr. Coats moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—81

Agnich	Farenthold	Lee	Presnal
Allen, Joe	Finck	Lemmon	Price
Allred	Finney	Lewis	Reed
Angly	Floyd	Ligarde	Rodriguez
Atwell	Foreman	Lombardino	Salem
Bass, B.	Gammage	Longoria	Santiesteban
Bass, T.	Grant	Lovell	Semos
Bigham	Graves	McKissack	Shannon
Blanton	Hale	Mengden	Sherman
Boyle	Hannah, John	Moncrief	Smith
Braecklein	Harris	Moore, G.	Solomon
Braun	Hawn	Moore, T.	Spurlock
Caldwell	Head	Moreno	Stroud
Calhoun	Hendricks	Nelms	Swanson
Clark	Hilliard	Neugent, D.	Truan
Coats	Holmes, Z.	Newton	Vale
Cole	Howard	Nichols	Williams
Craddick	Hubenak	Niland	Wolff
Cruz	Hull	Ogg	
Daniel	Jones, D.	Parker, C.	
Denton	Kilpatrick	Patterson	

Nays—65

Adams	Doyle	Kubiak	Simmons
Allen, John	Dramberger	McAlister	Slack
Atwood	Earthman	Moore, A.	Slider
Baker	Finnell	Murray	Stewart
Beckham	Garcia	Nabers	Tarbox
Blythe	Hanna, Joe	Nugent, J.	Traeger
Bowers	Harding	Orr	Tupper
Burgess	Hawkins	Parker, W.	Uher
Bynum	Heatly	Pickens	Von Dohlen
Carrillo	Holmes, T.	Poerner	Ward
Cates	Ingram	Poff	Wayne
Cavness	Johnson	Rosson	Wieting
Christian	Jones, E.	Salter	Williamson
Clayton	Jones, G.	Sanchez	Wyatt
Cobb	Jungmichel	Schulle	
Davis, D.	Kaster	Short	
Davis, H.	Kost	Silber	

Absent

Doran Haynes

Absent-Excused

Golman

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

Amend HB 452 by amending Committee Amendment No. 1 by striking all of Sec. 4, Subsection C on page 3 and Sec. 5 on page 4.

(Mr. Slider in the Chair)

Mr. Coats moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—80

Agnich	Denton	Kaster	Patterson
Allen, Joe	Farenthold	Kilpatrick	Presnal
Allred	Finck	Kubiak	Price
Angly	Finnell	Lemmon	Reed
Atwell	Finney	Lewis	Rodriguez
Bass, B.	Foreman	Ligarde	Salem
Bass, T.	Gammage	Lombardino	Sanchez
Bigham	Grant	Longoria	Santiesteban
Blanton	Graves	Lovell	Semos
Boyle	Hale	McKissack	Shannon
Braecklein	Hannah, John	Moore, G.	Sherman
Braun	Harris	Moore, T.	Simmons
Caldwell	Hawn	Moreno	Smith
Calhoun	Hendricks	Nelms	Spurlock
Clark	Holmes, Z.	Newton	Stewart
Coats	Howard	Nichols	Stroud
Cobb	Hubenak	Niland	Truan
Cole	Hull	Ogg	Vale
Cruz	Johnson	Orr	Williams
Daniel	Jones, D.	Parker, C.	Wolff

Nays—64

Adams	Davis, H.	Jones, G.	Schulle
Allen, John	Doyle	Jungmichel	Short
Atwood	Dramberger	Kost	Silber
Baker	Earthman	Lee	Slack
Beckham	Floyd	McAlister	Slider
Blythe	Garcia	Moncrief	Solomon
Bowers	Hanna, Joe	Moore, A.	Swanson
Burgess	Harding	Murray	Tarbox
Bynum	Hawkins	Nabers	Traeger
Carrillo	Haynes	Nugent, J.	Uher
Cates	Head	Parker, W.	Von Dohlen
Cavness	Heatly	Pickens	Ward
Christian	Hilliard	Poerner	Wayne
Clayton	Holmes, T.	Poff	Wieting
Craddick	Ingram	Rosson	Williamson
Davis, D.	Jones, E.	Salter	Wyatt

Absent

Doran	Mengden	Neugent, D.	Tupper
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Absent-Excused

Golman

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

Amend Committee Amendment No. 1, HB 452, by renumbering Section 15 as Section 16 and inserting a new Section 15 to read as follows:

Section 15. All investigations, studies, surveys and research performed under this act on private property shall be with the written consent and approval of the property owner.

(Speaker in the Chair)

A record vote was requested.

The amendment was adopted by the following vote:

Yeas—90

Adams	Dramberger	Kost	Salem
Allen, John	Earthman	Kubiak	Salter
Atwell	Foreman	Lemmon	Sanchez
Atwood	Grant	Lewis	Schulle
Baker	Hale	McAlister	Semos
Beckham	Hanna, Joe	McKissack	Shannon
Blanton	Harding	Moncrief	Sherman
Blythe	Hawkins	Moore, A.	Short
Bowers	Hawn	Moore, G.	Slider
Boyle	Haynes	Murray	Solomon
Braecklein	Head	Nabers	Spurlock
Burgess	Heatly	Newton	Swanson
Bynum	Hendricks	Nugent, J.	Tarbox
Carrillo	Hilliard	Ogg	Traeger
Cates	Holmes, T.	Orr	Tupper
Christian	Hubenak	Parker, W.	Uher
Clayton	Ingram	Patterson	Von Dohlen
Coats	Johnson	Pickens	Ward
Cobb	Jones, D.	Poerner	Wayne
Craddick	Jones, E.	Poff	Wieting
Davis, D.	Jones, G.	Presnal	Williamson
Davis, H.	Jungmichel	Price	
Doran	Kaster	Rosson	

Nays—51

Agnich	Daniel	Kilpatrick	Rodriguez
Allen, Joe	Denton	Lee	Santiesteban
Allred	Farenthold	Ligarde	Silber
Angly	Finck	Lombardino	Simmons
Bass, B.	Finnell	Lovell	Smith
Bass, T.	Finney	Mengden	Stewart
Bigham	Floyd	Moore, T.	Stroud
Braun	Gammage	Moreno	Truan
Caldwell	Garcia	Nelms	Vale
Calhoun	Graves	Nichols	Williams
Cavness	Hannah, John	Niland	Wolff
Clark	Harris	Parker, C.	Wyatt
Cole	Holmes, Z.	Reed	

Absent

Cruz	Howard	Longoria	Slack
Doyle	Hull	Neugent, D.	

Absent-Excused**Golman**

Mr. Poerner moved to reconsider the vote by which the amendment by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

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

HB 452, as amended, was passed to engrossment by the following vote:

Yeas—105

Agnich	Denton	Kilpatrick	Price
Allen, Joe	Doran	Kost	Reed
Allred	Doyle	Kubiak	Salem
Angly	Earthman	Lee	Salter
Atwell	Farenthold	Lemmon	Sanchez
Atwood	Finck	Lewis	Santiesteban
Bass, B.	Finnell	Ligarde	Schulle
Bass, T.	Finney	Lombardino	Semos
Beckham	Floyd	Longoria	Shannon
Bigham	Foreman	Lovell	Sherman
Blanton	Gammage	McKissack	Silber
Blythe	Grant	Mengden	Simmons
Bowers	Hale	Moncrief	Slack
Boyle	Hannah, John	Moore, G.	Smith
Braecklein	Harding	Moore, T.	Spurlock
Bynum	Hawn	Moreno	Stewart
Caldwell	Head	Nelms	Stroud
Calhoun	Hendricks	Neugent, D.	Swanson
Carrillo	Hilliard	Newton	Truan
Clark	Holmes, Z.	Niland	Tupper
Coats	Howard	Ogg	Vale
Cole	Hubenak	Orr	Williams
Craddick	Hull	Parker, C.	Wolff
Cruz	Johnson	Parker, W.	Wyatt
Daniel	Jones, D.	Patterson	
Davis, D.	Jones, E.	Pickens	
Davis, H.	Kaster	Poerner	

Nays—39

Adams	Garcia	Moore, A.	Solomon
Allen, John	Graves	Murray	Tarbox
Baker	Hanna, Joe	Nabers	Traeger
Braun	Harris	Nichols	Uher
Burgess	Hawkins	Nugent, J.	Von Dohlen
Cates	Heatly	Poff	Ward
Cavness	Holmes, T.	Rodriguez	Wayne
Christian	Ingram	Rosson	Wieting
Clayton	Jungmichel	Short	Williamson
Cobb	McAlister	Slider	

Absent

Dramberger Haynes Jones, G. Presnal

Absent-Excused

Golman

Mr. Coats moved to reconsider the vote by which HB 452 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE
HB 452 ON THIRD READING

Mr. Orr moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 452 be placed on its third reading and final passage.

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

Yeas—94

Agnich	Farenthold	Kost	Reed
Allen, Joe	Finck	Kubiak	Salem
Allred	Finnell	Lemmon	Sanchez
Angly	Finney	Lewis	Santiesteban
Atwell	Foreman	Ligarde	Schulle
Bass, B.	Gammage	Lombardino	Semos
Bass, T.	Grant	Longoria	Shannon
Bigham	Hale	McAlister	Sherman
Blanton	Hannah, John	McKissack	Silber
Blythe	Harding	Mengden	Simmons
Boyle	Harris	Moncrief	Slack
Braecklein	Hawn	Moore, A.	Smith
Bynum	Haynes	Moore, G.	Spurlock
Caldwell	Head	Moore, T.	Stewart
Calhoun	Hendricks	Moreno	Stroud
Carrillo	Holmes, Z.	Nelms	Swanson
Clark	Howard	Neugent, D.	Truan
Coats	Hubenak	Niland	Tupper
Cobb	Hull	Ogg	Vale
Cole	Johnson	Orr	Williams
Craddick	Jones, D.	Parker, C.	Wolff
Daniel	Jones, E.	Patterson	Wyatt
Doyle	Kaster	Poerner	
Earthman	Kilpatrick	Price	

Nays—50

Adams	Braun	Davis, D.	Graves
Allen, John	Burgess	Davis, H.	Hanna, Joe
Atwood	Cates	Doran	Hawkins
Baker	Cavness	Dramberger	Heatly
Beckham	Christian	Floyd	Hilliard
Bowers	Clayton	Garcia	Holmes, T.

Ingram	Nichols	Salter	Von Dohlen
Jones, G.	Nugent, J.	Short	Ward
Jungmichel	Parker, W.	Slider	Wayne
Lee	Pickens	Solomon	Wieting
Lovell	Poff	Tarbox	Williamson
Murray	Rodriguez	Traeger	
Nabers	Rosson	Uher	

Absent

Cruz	Denton	Newton	Presnal
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Absent-Excused

Golman

SB 841 ON SECOND READING

Mr. Lombardino moved that all necessary rules be suspended to take up and consider at this time, SB 841.

The motion prevailed.

RECESS

Mr. Hubenak moved that the House recess until 3:15 p.m. today.

The motion prevailed without objection.

The House accordingly, at 1:50 p.m., recessed until 3:15 p.m. today.

AFTERNOON SESSION

The House met at 3:15 p.m. and was called to order by the Speaker.

(Mr. Traeger in the Chair)

HSR 608—REFERRED TO COMMITTEE

(Establishing the Consumer Credit Study Committee)

Mr. Johnson offered the following resolution:

HSR 608

Whereas, The 90th Congress enacted the Federal Truth in Lending Act as part of the Federal Consumer Credit Protection Act and this act was signed by President Lyndon B. Johnson on May 29, 1968; and

Whereas, The Board of Governors of the Federal Reserve System is directed to exempt by regulation credit transactions which it determines are governed by the law of a state whose requirements are substantially similar to those imposed by the federal Act and which state has adequate provision for enforcement; and

Whereas, The National Conference of Commissioners on Uniform State

Laws, after over four years of study, several national hearings on draft bills, and obtaining the comment and advice of state consumer credit commissioners, consumer, banking, small loans, and retailing representatives, promulgated the Uniform Consumer Credit Code; and

Whereas, The Uniform Consumer Credit Code was drafted so as to conform to the Federal Truth in Lending Act and so as to permit a state to obtain exemption from federal regulation; and

Whereas, The Uniform Consumer Credit Code appears to offer the State of Texas an opportunity to improve further its consumer credit laws; now, therefore, be it

Resolved by the House of Representatives, That:

Section 1. The Consumer Credit Study Committee is hereby established, composed of five members-at-large appointed by the governor and five Members of the House of Representatives appointed by the Speaker.

Sec. 2. The consumer credit commissioner and the Texas Legislative Council are hereby requested to provide the study committee with what information and assistance they can in the performance of its task. The study committee may appoint such advisory committees as it deems useful and appropriate.

Sec. 3. The study committee shall first be assembled at the call of the governor. The committee shall then elect from its membership a chairman and a secretary.

Sec. 4. The members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this resolution. The expenses of each Member shall be paid from the contingent expense fund of the House.

Sec. 5. The Consumer Credit Study Committee shall undertake a study of the Uniform Consumer Credit Code, the Texas Consumer Credit Code, the Federal Truth in Lending Act and other relevant laws and regulations and shall report its findings and recommendations in these premises to the governor and the Speaker of the House of Representatives before the convening of the 63rd Legislature.

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

HSR 609—REFERRED TO COMMITTEE

(Designating the Rules Committee as a standing committee to operate during the interim)

Mr. Jim Nugent offered the following resolution:

HSR 609

Whereas, It is essential to the efficient operation of the House of Representatives that the most modern methods of procedure and those most conducive to effective handling of legislation be employed in the conduct of the business of the House; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature of the State of Texas, by this resolution designate the Rules Committee as a standing committee to operate during the interim to consider the total reorganization of internal procedures of the House and prior filing of bills and dissemination of information to the public about measures under consideration and to inquire into and study the national system and outstanding systems operating in other states and nations with the goal of determining and ultimately providing for the State of Texas the most efficient and modern system for handling legislation, the business of the people of Texas; and, be it further

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members and staff members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee and no expenditures shall be made until the budget has been approved. The Chairman of the Rules Committee may designate subcommittees with subcommittee chairmen and shall designate the work to be performed by each such subcommittee. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January, 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on House Administration.

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

SCR 120, By Bernal: Suspending the Joint Rules of the two Houses on SJR 57.

SCR 125, By Harrington: Suspending the Joint Rules of the two Houses to consider SB 1042.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

(Speaker in the Chair)

BILLS AND A RESOLUTION SIGNED BY THE SPEAKER

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

SCR 123, Recalling SB 902 for correction.

SB 168, Relating to optional coverage of certain state and district officers within the Texas County and District Retirement System.

SB 549, Relating to developmental leaves of absence for professional public school personnel.

SB 694, Relating to automobile allowances and expenses for the district clerk and county clerk.

SB 709, Relating to creation of the Texas Ranger Commemorative Commission.

SB 913, Defining the word "premise" in connection with the sale of alcoholic beverages.

SB 918, Authorizing the Board of Regents of the University of Texas System to acquire by donation the facilities of the Houston Speech and Hearing Center.

SB 969, Relating to the residential leases of certain Indian land to members of the Alabama and Coushatta Tribes.

INTRODUCTION OF HB 1888

Mr. Traeger asked unanimous consent to introduce and have placed on first reading HB 1888.

There was no objection offered.

SB 51—REQUEST OF SENATE GRANTED

On motion of Mr. Stroud, the House granted the request of the Senate for the appointment of a Conference Committee on SB 51.

SB 51—APPOINTMENT OF CONFERENCE
COMMITTEE

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on SB 51:

Representatives Stroud, Lemmon, Atwood, Schulle, and Bynum.

SB 841 ON SECOND READING
(Mr. Lombardino—House Sponsor)

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

SB 841, A bill to be entitled An Act creating a Criminal Justice Plan-

ning Fund, providing for costs of courts for said fund, providing for the appropriation and expenditure of said funds, reappropriation of said funds; and declaring an emergency.

The necessary rules to consider had been suspended on today.

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

Mr. Lombardino moved to reconsider the vote by which SB 841 was passed to third reading and to table the motion to reconsider.

The motion to table prevailed.

**MOTION TO PLACE
SB 841 ON THIRD READING**

Mr. Lombardino moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 841 be placed on its third reading and final passage.

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

Yeas—96

Agnich	Davis, H.	Kaster	Poerner
Allred	Denton	Kilpatrick	Presnal
Angly	Dramberger	Kost	Price
Baker	Earthman	Kubiak	Reed
Bass, B.	Farenthold	Lee	Salem
Bass, T.	Finck	Lemmon	Salter
Bigham	Finnell	Lewis	Schulle
Blanton	Finney	Lombardino	Semos
Blythe	Foreman	Lovell	Shannon
Bowers	Gammage	McAlister	Silber
Boyle	Grant	McKissack	Simmons
Braecklein	Hale	Moncrief	Slack
Braun	Hannah, John	Moore, A.	Smith
Bynum	Harris	Moore, G.	Solomon
Caldwell	Haynes	Murray	Spurlock
Calhoun	Head	Nabers	Stewart
Carrillo	Heatly	Neugent, D.	Swanson
Cavness	Holmes, T.	Newton	Tarbox
Christian	Howard	Nichols	Tupper
Coats	Hubenak	Ogg	Uher
Cobb	Hull	Orr	Von Dohlen
Cole	Johnson	Parker, C.	Wayne
Craddick	Jones, E.	Parker, W.	Williams
Cruz	Jones, G.	Patterson	Wolf

Nays—45

Adams	Cates	Floyd	Hilliard
Allen, Joe	Clark	Garcia	Holmes, Z.
Allen, John	Clayton	Graves	Jones, D.
Atwell	Daniel	Hanna, Joe	Jungmichel
Atwood	Davis, D.	Hawkins	Ligarde
Beckham	Doran	Hawn	Longoria
Burgess	Doyle	Hendricks	Mengden

Moreno	Poff	Traeger	Williamson
Nelms	Rosson	Truan	Wyatt
Niland	Sherman	Vale	
Nugent, J.	Short	Ward	
Pickens	Slider	Wieting	

Absent

Harding	Moore, T.	Sanchez	Stroud
Ingram	Rodriguez	Santiesteban	

Absent-Excused

Golman

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

HCR 177, By H. Davis and Heatly: Expressing appreciation to the Honorable Frank C. Erwin for the manner in which he handled the ceremonies of the Lyndon Baines Johnson Library dedication.

SCR 121, By Jordan: Suspending the Joint Rules of the two Houses on SB 289.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 748 by viva voce vote.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HOUSE BILL ON FIRST READING

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

By Traeger:

HB 1888, A bill to be entitled An Act relating to the composition of the 198th Judicial District; amending Subsection (a), Section 3.026, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Judicial Districts.

HB 792 ON SECOND READING

Mr. Bynum moved that all necessary rules be suspended to take up and consider at this time, HB 792.

The motion prevailed without objection.

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

HB 792, A bill to be entitled An Act defining the term "eligible city"; authorizing each eligible city to issue revenue bonds for off-street and on-street parking purposes; providing for the payment and security of said bonds, and liens, pledges, and encumbrances in connection therewith; providing for the additional pledge of taxes to the payment of said bonds and operation and maintenance expenses to the extent revenues are not available; providing for refunding bonds; enacting other provisions relating to the subject; prescribing a severability provision; and declaring an emergency.

The bill was read second time.

Mr. Traeger offered the following committee amendments to the bill:

Committee Amendment No. 1

Amend Section 7 of HB 792 to read as follows:

"Sec. 7. Additional Pledge of Taxes for Operation and Maintenance. The governing body of the eligible city shall make provision in each annual budget for the payment of all operation and maintenance expenses of its off-street parking facilities (hereinafter collectively called the 'required payments'). In preparing the budget, the governing body of the eligible city shall take into consideration the estimated revenues, income and receipts with respect to its off-street and/or on-street parking facilities that will be available for making the required payments over and above all amounts pledged to and required for the payment of the principal, interest, and other amounts in connection with said bonds. To the extent that such revenues, income and receipts are not available at any time to make the required payments, ad valorem taxes of the eligible city may be used to make such required payments, or any necessary part thereof, and the proceeds of an annual ad valorem tax may be pledged to making all or any part of such required payments in the ordinance authorizing the issuance of said bonds. If such annual ad valorem tax is thus pledged it shall be the duty of the governing body of the eligible city, during each year while any of said bonds are outstanding, to compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to make the required payments, or any necessary part thereof; and said tax shall be based on the latest approved tax rolls of the eligible city, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax shall be levied and ordered to be levied against all taxable property within the eligible city for each year while any of said bonds are outstanding; and said tax shall be assessed and collected each such year and used for such purpose to the extent necessary.

Committee Amendment No. 2

Amend HB 792, Section 5, to read as follows:

"Rentals, Rates, and Charges. Each eligible city shall be authorized to

fix and collect fees, rentals, rates, and charges for the occupancy, use and/or availability of all or any of its property, buildings, structures, or other facilities used for off-street and/or on-street parking purposes, or any other related purposes, in such amounts and in such manner as may be determined by the governing body of the eligible city."

Committee Amendment No. 3

Amend HB 792, Section 3 by deleting the period at the end of the paragraph and adding the following:

"or any other related purposes."

Committee Amendment No. 4

Amend HB 792 by striking all above the enacting clause and substituting the following:

A bill to be entitled An Act defining the term "eligible city"; authorizing each eligible city to issue revenue bonds for off-street parking or other related purposes; providing for the payment and security of said bonds, and liens, pledges, and encumbrances in connection therewith; providing for the additional pledge of taxes to the payment of operation and maintenance expenses to the extent revenues are not available; providing for refunding bonds; enacting other provisions relating to the subject; prescribing a severability provision; and declaring an emergency.

The committee amendments were severally adopted without objection.

HB 792, as amended, was passed to engrossment.

HB 792 ON THIRD READING

Mr. Bynum moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 792 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adams	Burgess	Davis, D.	Harding
Agnich	Bynum	Davis, H.	Harris
Allen, Joe	Calhoun	Doyle	Hawkins
Allen, John	Carrillo	Dramberger	Hawn
Allred	Cates	Earthman	Haynes
Angly	Cavness	Farenthold	Head
Atwell	Christian	Finck	Heatly
Atwood	Clark	Finnell	Hendricks
Baker	Clayton	Finney	Hilliard
Bass, B.	Coats	Foreman	Holmes, T.
Beckham	Cobb	Gammage	Holmes, Z.
Bigham	Cole	Garcia	Howard
Blanton	Craddick	Grant	Hubenak
Blythe	Cruz	Hanna, Joe	Hull
Bowers	Daniel	Hannah, John	Johnson

Jones, G.	Moore, G.	Salem	Stewart
Jungmichel	Murray	Salter	Swanson
Kaster	Nabers	Sanchez	Tarbox
Kilpatrick	Nelms	Santiesteban	Traeger
Kost	Neugent, D.	Schulle	Truan
Lee	Newton	Semos	Tupper
Lemmon	Niland	Shannon	Von Dohlen
Lewis	Orr	Sherman	Ward
Lombardino	Parker, C.	Short	Wieting
Longoria	Pickens	Silber	Williams
Lovell	Poerner	Simmons	Wolff
McAlister	Poff	Slack	Wyatt
McKissack	Presnal	Slider	
Moncrief	Price	Solomon	
Moore, A.	Rosson	Spurlock	

Nays—20

Bass, T.	Doran	Ligarde	Reed
Braecklein	Floyd	Mengden	Rodriguez
Braun	Graves	Moreno	Smith
Caldwell	Jones, D.	Nichols	Uher
Denton	Kubiak	Nugent, J.	Vale

Present—Not Voting

Jones, E.

Absent

Boyle	Moore, T.	Patterson	Wayne
Hale	Ogg	Stroud	Williamson
Ingram	Parker, W.		

Absent-Excused

Golman

The Speaker then laid HB 792 before the House on third reading and final passage.

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

Yeas—119

Adams	Carrillo	Dramberger	Harding
Allen, John	Cates	Earthman	Harris
Allred	Cavness	Farenthold	Hawkins
Angly	Christian	Finck	Hawn
Atwell	Clayton	Finnell	Haynes
Baker	Coats	Finney	Head
Bass, B.	Cobb	Floyd	Heatly
Beckham	Craddick	Foreman	Hendricks
Blanton	Cruz	Garcia	Hilliard
Braecklein	Daniel	Grant	Holmes, T.
Burgess	Davis, D.	Graves	Holmes, Z.
Bynum	Denton	Hanna, Joe	Howard
Calhoun	Doran	Hannah, John	Hubenak

Hull	Moreno	Reed	Stewart
Jones, F.	Murray	Rosson	Stroud
Jungmichel	Nabers	Salter	Swanson
Kilpatrick	Nelms	Sanchez	Tarbox
Kost	Neugent, D.	Santiesteban	Traeger
Lemmon	Newton	Schulle	Truan
Lewis	Niland	Semos	Tupper
Ligarde	Nugent, J.	Shannon	Uher
Lombardino	Ogg	Sherman	Vale
Longoria	Orr	Short	Von Dohlen
Lovell	Parker, C.	Silber	Ward
McAlister	Parker, W.	Simmons	Wayne
McKissack	Patterson	Slack	Wieting
Mengden	Pickens	Slider	Williams
Moncrief	Poerner	Smith	Williamson
Moore, A.	Poff	Solomon	Wyatt
Moore, G.	Presnal	Spurlock	

Nays—17

Agnich	Bowers	Gammage	Nichols
Allen, Joe	Braun	Jones, E.	Rodriguez
Atwood	Caldwell	Kaster	
Bigham	Clark	Kubiak	
Blythe	Doyle	Lee	

Absent

Bass, T.	Davis, H.	Johnson	Price
Boyle	Hale	Jones, G.	Salem
Cole	Ingram	Moore, T.	Wolff

Absent-Excused

Golman

SB 768 ON SECOND READING

(Mr. Carl Parker—House Sponsor)

Mr. Carl Parker moved that all necessary rules be suspended to take up and consider at this time, SB 768.

The motion prevailed without objection.

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

SB 768, Amending the Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers Act.

The bill was read second time.

Mr. Carl Parker offered the following amendment to the bill:

Amend SB 768, Second Printing, as follows:

(1) Strike the quoted Subdivision (1) beginning on line 40 of page 1 and substitute the following:

“(1) ‘board’ means the Texas Board of Private Investigators and Private Security Agencies;”.

(2) Renumber Sections 23 and 24, respectively, as Sections 24 and 25 and add a new Section 23 to read as follows:

“Sec. 23. Chapter 610, Acts of the 61st Legislature, 1969, is amended by adding a new Section 11A to read as follows:

“Section 11A. (a) In the conduct of any investigation conducted under the provisions of this Act, the board may issue subpoenas to compel the attendance of witnesses and the production of pertinent books, accounts, records, and documents. The officer conducting a hearing may administer oaths and may require testimony or evidence to be given under oath.

“(b) No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he is properly examined by the officer conducting the hearing. Any person called upon to testify or to produce papers upon any matter properly under inquiry by the board, who refuses to so testify or produce papers upon the ground that his testimony or the production of papers would incriminate him or tend to incriminate him, shall nevertheless be required to testify or to produce papers, but when so required under these objections he is not subject to indictment or prosecution for any transaction, matter, or thing concerning which he truthfully testifies or produces evidence.

“(c) If a witness refuses to obey a subpoena or to give any evidence relevant to proper inquiry by the board, then the board may petition a district court of the county in which the hearing is held to compel the witness to obey the subpoena or to give the evidence. The court shall immediately issue process to the witness and shall hold a hearing on the petition as soon as possible. If the witness then refuses, without reasonable cause or legal grounds, to be examined or to give any evidence relevant to proper inquiry by the board, the court shall punish the witness for contempt.”

The amendment was adopted without objection.

SB 768, as amended, was passed to third reading by the following vote:

Yeas—143

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

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

Absent

Daniel	Ingram	Nugent, J.	Smith
Davis, H.			

Absent-Excused

Golman

SB 768 ON THIRD READING

Mr. Carl Parker moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 768 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—135

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

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

Nays—9

Doran	Graves	Nugent, J.	Poff
Finck	Mengden	Pickens	Vale
Floyd			

Absent

Daniel	Hannah, John	Moore, G.	Rosson
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Absent-Excused

Golman

The Speaker then laid SB 768 before the House on third reading and final passage.

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

Yeas—142

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

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

Absent

Daniel	Hannah, John	Jones, G.	Williamson
Finney	Hawkins		

Absent-Excused**Golman**

Mr. Carl Parker moved to reconsider the vote by which SB 768 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 474 WITH SENATE AMENDMENTS

Mr. Sherman called up with Senate Amendments for consideration at this time,

HB 474, A bill to be entitled An Act relating to the governance, operation, support, and maintenance of The University of Texas System and the component institutions of The University of Texas System; providing that this Act shall be cumulative; providing for severability; and declaring an emergency.

(Mr. Shannon in the Chair)

Mr. Sherman moved to suspend all necessary rules and concur in the Senate Amendments to HB 474.

The motion was lost by the following vote:

Yeas—16

Atwell	Foreman	Moore, A.	Smith
Blanton	Hawn	Schulle	Swanson
Burgess	Kost	Sherman	Ward
Doyle	Lewis	Silber	Wyatt

Nays—103

Adams	Cruz	Hull	Poff
Agnich	Daniel	Jones, E.	Presnal
Allen, Joe	Davis, D.	Kaster	Price
Allen, John	Denton	Kubiak	Reed
Allred	Dramberger	Lee	Rosson
Angly	Earthman	Lemmon	Salem
Atwood	Farenthold	Ligarde	Salter
Baker	Finck	Lombardino	Sanchez
Bass, T.	Finnell	Longoria	Semos
Beckham	Floyd	Lovell	Short
Bigham	Gammage	McAlister	Simmons
Blythe	Garcia	Mengden	Slack
Bowers	Grant	Moncrief	Solomon
Braecklein	Graves	Moore, T.	Spurlock
Braun	Hale	Murray	Stewart
Bynum	Hanna, Joe	Nabers	Tarbox
Caldwell	Harding	Nelms	Truan
Carrillo	Harris	Neugent, D.	Tupper
Cates	Haynes	Newton	Uher
Cavness	Head	Niland	Vale
Christian	Hendricks	Nugent, J.	Von Dohlen
Clark	Hilliard	Orr	Wayne
Coats	Holmes, T.	Parker, C.	Wieting
Cobb	Holmes, Z.	Parker, W.	Williams
Cole	Howard	Pickens	Wolff
Craddick	Hubenak	Poerner	

Present—Not Voting

Nichols Rodriguez

In The Chair

Shannon

Absent

Bass, B.	Hannah, John	Jungmichel	Santiesteban
Boyle	Hawkins	Kilpatrick	Slider
Calhoun	Heatly	McKissack	Stroud
Clayton	Ingram	Moore, G.	Traeger
Davis, H.	Johnson	Moreno	Williamson
Doran	Jones, D.	Ogg	
Finney	Jones, G.	Patterson	

Absent-Excused

Golman

Mr. Sherman then moved to suspend all necessary rules and that the House do not concur in the Senate Amendments and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

HCR 138 WITH SENATE AMENDMENT

Mr. Traeger called up with Senate Amendment for consideration at this time,

HCR 138, Reaffirming belief in the free enterprise system.

On motion of Mr. Traeger, and by unanimous consent, the House concurred in the Senate Amendment to HCR 138.

(Mr. Finnell in the Chair)

HCR 138—TEXT OF SENATE AMENDMENT

Amend HCR 138 by adding the following resolving clause:

"Be it further resolved that this resolution is meant in no way to be critical of the Board of Directors of the Texas Board of Corrections and of the services that they are rendering to other state agencies in this state."

HB 979 ON THIRD READING

Mr. Harding moved that all necessary rules be suspended to take up and consider at this time, HB 979.

The motion prevailed.

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

HB 979, Relating to the organization of a six member Parks and Wildlife Commission.

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

Yeas—122

Adams	Christian	Hale	Kost
Agnich	Clark	Hanna, Joe	Lee
Allen, Joe	Clayton	Hannah, John	Lewis
Angly	Coats	Harding	Ligarde
Atwell	Cobb	Harris	Lombardino
Atwood	Cole	Hawkins	Longoria
Baker	Craddick	Hawn	Lovell
Bass, B.	Cruz	Haynes	McAlister
Beckham	Davis, D.	Hendricks	McKissack
Bigham	Doran	Hilliard	Mengden
Blanton	Doyle	Holmes, T.	Moncrief
Blythe	Dramberger	Holmes, Z.	Moore, A.
Bowers	Earthman	Howard	Moore, G.
Braecklein	Farenthold	Hubenak	Moore, T.
Braun	Finck	Hull	Moreno
Bynum	Finnell	Jones, D.	Murray
Caldwell	Floyd	Jones, E.	Nabers
Carrillo	Gammage	Jungmichel	Nelms
Cates	Garcia	Kaster	Neugent, D.
Cavness	Graves	Kilpatrick	Newton

Nichols	Rodriguez	Slack	Uher
Niland	Rosson	Slider	Vale
Ogg	Salem	Smith	Von Dohlen
Parker, C.	Salter	Solomon	Ward
Parker, W.	Sanchez	Spurlock	Wayne
Patterson	Santiesteban	Stewart	Wieting
Pickens	Schulle	Swanson	Williams
Poerner	Semos	Tarbox	Williamson
Poff	Sherman	Traeger	Wyatt
Fresnal	Silber	Truan	
Reed	Simmons	Tupper	

Nays—14

Allen, John	Davis, H.	Grant	Short
Allred	Denton	Head	Wolff
Bass, T.	Finney	Kubiak	
Burgess	Foreman	Nugent, J.	

Absent

Boyle	Heatly	Jones, G.	Price
Calhoun	Ingram	Lemmon	Shannon
Daniel	Johnson	Orr	Stroud

Absent-Excused

Golman

Mr. Harding moved to reconsider the vote by which HB 979 was passed and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee Report on HB 314 by viva voce vote.

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

HCR 176, By Head: Commending Earl W. Adams, Superintendent, Henderson Public Schools.

HCR 179, By Head: Commending Joseph (Joe) Zeppa of Tyler, Texas.

HCR 181, By Johnson: Commending each of the Family Physicians participating in the "Family Physician of the Day" Program, and Miss Vera Taylor, Registered Nurse.

HB 6, By Joe Allen: Relating to prohibiting the sale or exchange of certain tires; and declaring an emergency. (with amendments)

HB 605, By Atwell: To provide for the registration of all motorboats; and declaring an emergency. (with amendments)

HB 956, By Hull: Creating a Performance Certification Board for mobile homes; and declaring an emergency. (with amendments)

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

(Speaker in the Chair)

SB 584 ON SECOND READING
(Mr. Longoria—House Sponsor)

Mr. Longoria moved that all necessary rules be suspended to take up and consider at this time, SB 584.

The motion prevailed.

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

SB 584, A bill to be entitled An Act permitting a church, religious society, veterans organization, and other nonprofit charitable organizations to conduct lotteries for their benefit; amending Article 654, Penal Code of Texas, 1925; providing for penalties; and declaring an emergency.

The bill was read second time.

Mr. Jim Nugent offered the following amendment to the bill:

Amend SB 584, second reading, by adding a new section properly numbered:

The acts set out in this bill shall only apply on property owned by the operating agency.

The amendment was adopted.

Mr. Salter moved to reconsider the vote by which the above amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

SB 584, as amended, was passed to third reading.

Mr. Longoria moved to reconsider the vote by which SB 584 was passed to third reading and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Cavness, Lemmon, Calhoun, Joe Hanna, Kubiak, Short, Hendricks, Salter, Adams, Christian, Wayne, Nabers, Ward, Howard, Clay-

ton, Poff, John Allen, Head, Cates, Walt Parker, and Wieting requested to be recorded as voting Nay on the passage to third reading of SB 584.

REASONS FOR VOTES

I voted Nay on SB 584 because I am against any kind of gambling bill.

Signed: Wieting

I voted against SB 584 because this bill opened the door for open gambling in Texas.

Signed: E. L. Short

(Mr. Shannon in the Chair)

SB 887 ON SECOND READING (Mr. Patterson—House Sponsor)

Mr. Patterson moved that all necessary rules be suspended to take up and consider at this time, SB 887.

The motion prevailed by the following vote:

Yeas—117

Adams	Farenthold	Lee	Salem
Agnich	Finck	Lemmon	Salter
Allen, Joe	Finnell	Lewis	Sanchez
Allred	Finney	Ligarde	Santiesteban
Angly	Foreman	Lombardino	Schulle
Atwell	Gammage	Longoria	Sherman
Atwood	Grant	Lovell	Short
Baker	Graves	McAlister	Silber
Bass, B.	Hale	McKissack	Simmons
Bass, T.	Hanna, Joe	Moncrief	Slack
Beckham	Hannah, John	Moore, A.	Smith
Bigham	Harding	Moore, G.	Solomon
Blanton	Harris	Moore, T.	Spurlock
Blythe	Hawkins	Moreno	Stewart
Bowers	Hawn	Nabers	Stroud
Braun	Haynes	Nelms	Swanson
Burgess	Head	Neugent, D.	Truan
Caldwell	Hilliard	Newton	Tupper
Carrillo	Holmes, T.	Nichols	Uher
Clark	Holmes, Z.	Nugent, J.	Vale
Coats	Howard	Orr	Ward
Cobb	Hubenak	Parker, C.	Wayne
Cole	Hull	Parker, W.	Wieting
Craddick	Jones, D.	Poerner	Williams
Cruz	Jones, E.	Poff	Williamson
Davis, H.	Jungmichel	Presnal	Wolf
Denton	Kaster	Price	Wyatt
Doyle	Kilpatrick	Reed	
Dramberger	Kost	Rodriguez	
Earthman	Kubiak	Rosson	

Nays—20

Allen, John	Clayton	Johnson	Pickens
Braecklein	Davis, D.	Mengden	Semos
Bynum	Floyd	Murray	Slider
Calhoun	Garcia	Niland	Tarbox
Cates	Heatly	Ogg	Von Dohlen

In The Chair

Shannon

Absent

Boyle	Daniel	Ingram	Patterson
Cavness	Doran	Jones, G.	Traeger
Christian	Hendricks		

Absent-Excused

Golman

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

SB 887, A bill to be entitled An Act relating to creating the office of district attorney for the 26th Judicial District; repealing Article 322a, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

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

SB 887 ON THIRD READING

Mr. Patterson moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 887 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Adams	Braun	Davis, H.	Hawkins
Agnich	Burgess	Denton	Hawn
Allen, Joe	Bynum	Doyle	Haynes
Allred	Caldwell	Dramberger	Head
Angly	Calhoun	Farenthold	Hendricks
Atwell	Carrillo	Finck	Hilliard
Atwood	Cavness	Finnell	Holmes, T.
Baker	Clark	Finney	Holmes, Z.
Bass, B.	Clayton	Foreman	Howard
Bass, T.	Coats	Gammage	Hubenak
Beckham	Cobb	Grant	Hull
Bigham	Cole	Hale	Jones, E.
Blanton	Craddick	Hanna, Joe	Jones, G.
Blythe	Cruz	Hannah, John	Jungmichel
Bowers	Daniel	Harding	Kaster
Boyle	Davis, D.	Harris	Kilpatrick

Kost	Moore, T.	Reed	Stroud
Kubiak	Moreno	Rodriguez	Swanson
Lee	Nabers	Salem	Truan
Lemmon	Nelms	Salter	Tupper
Lewis	Neugent, D.	Santiesteban	Uher
Ligarde	Newton	Schulle	Vale
Lombardino	Nichols	Semos	Von Dohlen
Longoria	Niland	Sherman	Ward
Lovell	Orr	Silber	Wieting
McAlister	Parker, C.	Simmons	Williams
McKissack	Pickens	Slack	Williamson
Mengden	Poerner	Smith	Wolff
Moncrief	Poff	Solomon	Wyatt
Moore, A.	Presnal	Spurlock	
Moore, G.	Price	Stewart	

Nays—17

Allen, John	Floyd	Johnson	Short
Braecklein	Garcia	Murray	Slider
Cates	Graves	Nugent, J.	Tarbox
Christian	Heatly	Ogg	Traeger
Earthman			

In The Chair

Shannon

Absent

Doran	Jones, D.	Patterson	Sanchez
Ingram	Parker, W.	Rosson	Wayne

Absent-Excused

Golman

The Chair then laid SB 887 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Patterson moved to reconsider the vote by which SB 887 was passed and to table the motion to reconsider.

The motion to table prevailed.

COMMITTEE MEETING

Mr. Hubenak asked unanimous consent of the House that the Committee on Business and Marketing Affairs be permitted to meet at this time.

There was no objection offered.

(Speaker in the Chair)

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

SCR 86, By Herring: A resolution to establish a study committee on Traffic Court Reorganization.

HCR 131, By Cavness: Reconstituting the Committee for the Study of Land Use and Environmental Control.

HB 525, By D. Jones: Relating to assessments on agricultural commodities; and declaring an emergency.

HB 1582, By Finney: Relating to allowing private banks doing business in this state to apply and be accepted as state depositories; and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HB 724 ON THIRD READING

Mr. Shannon moved that all necessary rules be suspended to take up and consider at this time, HB 724.

The motion prevailed by the following vote:

Yeas—137

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

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

Nays—6

Calhoun	Hanna, Joe	Nugent, J.	Simmons
Doran	Hawkins		

Absent

Allen, John	Davis, H.	Jones, G.	Moore, A.
Cobb			

Absent-Excused**Golman**

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

HB 724, A bill to be entitled An Act relating to the establishment of a state school in the Fort Worth-Dallas area for the mentally retarded; and declaring an emergency.

The bill was read third time and was passed.

Mr. Moncrief moved to reconsider the vote by which HB 724 was passed and to table the motion to reconsider.

The motion to table prevailed.

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:

HB 78, Making it illegal to willfully and maliciously change, alter or delete any portion of certain public documents for use in a political campaign for public office.

HB 211, Relating to a pilot program to treat persons with various respiratory diseases at the Harlingen State Chest Hospital and San Antonio State Chest Hospital.

HB 227, Relating to the exchange of benches in probate matters between the Judge of the County Court at Law of Cameron County and the Judge of the County Court of Cameron County.

HB 729, Making permanent a temporary size limit on redfish.

HB 1202, Relating to the release of a defendant on personal bond.

HB 1235, Relating to certain exemption from the sales tax.

HB 1267, Authorizing the Board of Managers of hospital districts to convey back to city or county unneeded real estate already conveyed to it for district purposes upon creation of the hospital district.

HB 1721, Permitting the Aransas County Conservation and Reclamation District to construct, etc., a sanitary sewer system.

HB 1779, Relating to the management of community property when one spouse is missing in action or a prisoner of war.

HCR 49, In memory of Dr. Ervin Sewell Perry.

HCR 114, In memory of the Honorable Marvin B. Simpson, Jr.

HCR 166, In memory of Merideth Odell Morton.

HJR 82 WITH SENATE AMENDMENTS

Mr. Clayton called up with Senate Amendments for consideration at this time,

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

Mr. Clayton moved to suspend all necessary rules and that the House do not concur in the Senate Amendments and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

HJR 82—APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on HJR 82:

Representatives Clayton, Jungmichel, Pickens, Niland, and Doran.

INTRODUCTION OF HJR 96

Mr. Grant Jones asked unanimous consent to introduce and have placed on first reading HJR 96.

There was no objection offered.

SB 357—ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Atwell submitted the following Conference Committee Report on SB 357:

Austin, Texas, May 27, 1971

Honorable Ben Barnes,
President of the Senate.

Honorable Gus Mutscher,
Speaker of the House of Representatives.

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 357 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

On the part of the Senate: **Mauzy**
 McKool
 Bernal
 Wallace

On the part of the House: **Atwell**
 Hull
 Spurlock
 Braecklein
 Boyle

SB 357, A bill to be entitled An Act relating to the salaries of purchasing agents in certain counties; amending Subsection (f), Section 1, Chapter 9, Special Laws, page 602, Acts of the 46th Legislature, 1939, as amended; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. Subsection (f), Section 1, Chapter 9, Special Laws, page 602, Acts of the 46th Legislature, 1939, as amended by Section 1, Chapter 24, Acts of the 61st Legislature, Second Called Session, 1969, is amended to read as follows:

"(f) Such agent shall receive as compensation for his services a salary of not less than Five Thousand Dollars (\$5,000) nor more than Twenty-one Thousand Five Hundred Dollars (\$21,500) per year, payable in equal monthly installments. The salary of the county purchasing agent shall be paid out of the General Fund and/or the Road and Bridge Fund of such county by warrants drawn on the county treasurer and shall be set by the Board as designated in Section 1(a) of this Act."

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

Mr. Atwell moved to suspend all necessary rules and to adopt the Conference Committee Report on SB 357.

The motion prevailed by the following vote:

Yeas—137

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

Nays—3

Floyd	Harding	Kubiak
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Absent

Atwell	Hawkins	Jones, G.	Traeger
Braun	Jones, D.	Patterson	Williamson

Absent-Excused

Golman

Mr. Atwell moved to reconsider the vote by which the Conference Committee Report on SB 357 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HB 199 WITH SENATE AMENDMENTS

Mr. Swanson called up with Senate Amendments for consideration at this time,

HB 199, A bill to be entitled An Act relating to the establishment, organization and control of the University of Houston at Clear Lake City; and declaring an emergency.

Mr. Swanson moved to suspend all necessary rules and concur in the Senate Amendments to HB 199.

The motion prevailed.

HB 199—TEXT OF SENATE AMENDMENTS

Amend HB 199 by striking all of subsection (a), Section 4 and substituting in lieu thereof the following:

“(a) There is established a permanent advisory committee consisting of the president, or a representative designated by him, of each tax-supported junior college and community college now existing or hereafter established in Harris, Galveston, Fort Bend, Waller, Montgomery, Liberty, Chambers or Brazoria Counties.”

Amend caption to conform to body of bill.

HB 1042—VOTE RECONSIDERED

Mr. Howard called from the Journal the motion to reconsider the vote by which HB 1042 failed to pass to engrossment on May 22.

The motion to reconsider prevailed by the following vote:

Yeas—80

Adams	Daniel	Ingram	Ogg
Agnich	Davis, D.	Jones, D.	Orr
Allen, John	Davis, H.	Jones, E.	Parker, W.
Angly	Doran	Jones, G.	Patterson
Atwell	Earthman	Kaster	Pickens
Atwood	Finck	Kost	Presnal
Baker	Finney	Kubiak	Price
Bass, B.	Floyd	Lee	Rosson
Blanton	Foreman	Lemmon	Salter
Blythe	Garcia	Lewis	Schulle
Bowers	Hanna, Joe	Lombardino	Short
Burgess	Hannah, John	McAlister	Slider
Bynum	Harding	McKissack	Solomon
Calhoun	Hawkins	Mengden	Swanson
Cates	Hawn	Moore, A.	Tarbox
Cavness	Heatly	Moore, G.	Uher
Christian	Hilliard	Nabers	Ward
Clayton	Holmes, T.	Neugent, D.	Wayne
Cobb	Howard	Niland	Williamson
Craddick	Hubenak	Nugent, J.	Wyatt

Nays—63

Allen, Joe	Gammage	Moore, T.	Sherman
Allred	Grant	Moreno	Silber
Beckham	Graves	Murray	Simmons
Boyle	Hale	Nelms	Smith
Braun	Harris	Newton	Spurlock
Caldwell	Haynes	Nichols	Stewart
Carrillo	Head	Parker, C.	Stroud
Clark	Holmes, Z.	Poerner	Traeger
Coats	Hull	Poff	Truan
Cole	Johnson	Reed	Tupper
Cruz	Jungmichel	Rodriguez	Vale
Denton	Kilpatrick	Salem	Von Dohlen
Doyle	Ligarde	Sanchez	Wieting
Dramberger	Longoria	Santiesteban	Williams
Farenthold	Lovell	Semos	Wolff
Finnell	Moncrief	Shannon	

Present—Not Voting

Braecklein

Absent

Bass, T.	Bigham	Hendricks	Slack
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Absent-Excused

Golman

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 G. Jones, J. Nugent, Pickens, Cobb, and Blanton:

HJR 96, A Joint Resolution proposing an Amendment to Article III, of the Texas Constitution, adding a new Section 65 to establish a commission to set rules of ethics and rules for filing of financial statements for legislators and state officers and officers of the Legislature and to recommend improvements and economy in the Legislative process.

HSR 611—REFERRED TO COMMITTEE

(Creating an interim committee on dental care)

Mr. Cavness offered the following resolution:

HSR 611

Whereas, Dental hygiene and proper dental care are of vital importance to the health and welfare of Texas citizens, many of whom, particularly those in low income groups, have received limited dental treatment or have had access only to inadequate facilities and professional care; and

Whereas, Provisions of SB 246 of the 61st Legislature have given to the Texas State Board of Dental Examiners certain broad rule-making authority concerning the practice of dentistry; and

Whereas, The House of Representatives of the State of Texas recognizes that there is a pressing need for better understanding of dental care and for availability of proper dental treatment to all Texans, regardless of individual economic conditions; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature hereby create a special interim Committee on Dental Care, which shall make a broad study of the availability and efficacy of dental care and treatment for all Texas citizens, and that the committee shall hold hearings and make recommendations to the Texas State Board of Dental Examiners regarding rules and regulations on dental care and treatment; the committee shall also make a full report to the 63rd Legislature; and, be it further

Resolved, That the House of Representatives hereby request the Texas State Board of Dental Examiners not to adopt new rules and regulations with regard to the field of dentistry as described in SB 246 of the 61st Legislature until such time as this special interim committee has had an opportunity to hold hearings and make recommendations; and, be it further

Resolved, That should the Senate of the 62nd Legislature create a similar committee, that the House Committee on Dental Care be authorized to coordinate its activities with those of the Senate committee; and, be it further

Resolved, That the Speaker of the House shall appoint five Members of the House of Representatives, including one designated as chairman, to serve on the interim study committee; and, be it further

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

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that the committee members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

Signed: Cavness, Traeger, Clark, Braun, Nelms, Ogg, and Swanson.

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

HB 1367 ON SECOND READING

Mr. McKissack moved that all necessary rules be suspended to take up and consider at this time, HB 1367.

The motion prevailed by the following vote:

Yeas—99

Agnich	Finney	Longoria	Santiesteban
Allen, Joe	Floyd	McKissack	Schulle
Allen, John	Gammage	Mengden	Semos
Angly	Garcia	Moncrief	Shannon
Atwell	Graves	Moore, A.	Sherman
Bass, T.	Hale	Moore, G.	Silber
Bigham	Hanna, Joe	Moore, T.	Simmons
Blanton	Harding	Moreno	Slack
Blythe	Harris	Murray	Smith
Bowers	Hawn	Nelms	Solomon
Braecklein	Haynes	Neugent, D.	Spurlock
Braun	Hilliard	Newton	Stroud
Bynum	Holmes, T.	Nichols	Swanson
Calhoun	Hubenak	Niland	Tarbox
Carrillo	Hull	Ogg	Traeger
Clark	Johnson	Orr	Truan
Coats	Jones, E.	Parker, C.	Tupper
Craddick	Kaster	Parker, W.	Uher
Cruz	Kilpatrick	Pickens	Vale
Davis, D.	Kost	Poerner	Von Dohlen
Doran	Lee	Presnal	Ward
Dramberger	Lemmon	Reed	Williams
Earthman	Lewis	Rodriguez	Wolff
Farenthold	Ligarde	Salem	Wyatt
Finck	Lombardino	Sanchez	

Nays—42

Adams	Cobb	Head	Price
Allred	Cole	Heatly	Rosson
Baker	Daniel	Hendricks	Salter
Bass, B.	Davis, H.	Jones, G.	Short
Beckham	Denton	Jungmichel	Slider
Burgess	Doyle	Kubiak	Stewart
Caldwell	Finnell	Lovell	Wayne
Cates	Foreman	McAlister	Wieting
Cavness	Grant	Nabers	Williamson
Christian	Hannah, John	Nugent, J.	
Clayton	Hawkins	Poff	

Absent

Atwood	Holmes, Z.	Ingram	Patterson
Boyle	Howard	Jones, D.	

Absent-Excused

Golman

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

HB 1367, A bill to be entitled An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667; providing a severability clause; repealing laws in conflict herewith; and declaring an emergency.

The bill was read second time.

Mr. McKissack offered the following committee amendments to the bill:

Committee Amendment No. 1

Amend HB 1367, first printing, by inserting the following Section 1:

"Section 1. 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 Commission 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 and that a hotel holding a Mixed Beverage Permit may, either by agent or by mechanical device, deliver to the rooms of bona fide guests of such hotel any beverage authorized to be sold by the hotel as Mixed Beverage Permittee."

Committee Amendment No. 2

Amend HB 1367 by striking all above the enacting clause and substituting in lieu thereof the following:

A bill to be entitled An Act relating to the authority of hotels to deliver liquor or authorized beverages to the rooms of bona fide guests; amending Subsection (5), Section 23(a), Texas Liquor Control Act, as amended (Article 666-23a, Vernon's Texas Penal Code); providing for severability; repealing all laws in conflict; and declaring an emergency.

The committee amendments were severally adopted without objection.

HB 1367, as amended, was passed to engrossment.

Mr. McKissack moved to reconsider the vote by which HB 1367 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Salter, Cavness, Wieting, Nabers, Adams, Ward, and

Burgess requested to be recorded as voting Nay on passage to engrossment of HB 1367.

SB 749 ON THIRD READING
(Mr. Ogg—House Sponsor)

The Speaker laid before the House on its third reading and final passage, SB 749, Providing for the preservation and enhancement of scenic beauty of lands bordering certain public highways.

The bill was read third time.

Mr. Ogg and Mr. Boyle offered the following amendment to the bill:

Amend Committee Amendment No. 1 to SB 749 by striking all of the second paragraph of Section 7 of Committee Amendment No. 1 to SB 749 commencing on Line 30, Page 7, of Committee Amendment No. 1 to SB 749 and inserting in lieu thereof the following:

“Nothing in this Act shall apply to any sign or marker informing about the location of underground electric transmission lines, telegraph or telephone properties and facilities or pipelines or to any outdoor advertising and/or a sign or signs erected, located or maintained upon land or premises owned by any city, county or political subdivision or unit of government of the State of Texas notwithstanding any provisions hereof to the contrary.”

The amendment was adopted without objection.

Mr. Ogg offered the following amendments to the bill:

Amend Committee Amendment No. 1, SB 749, by striking the period and inserting a semicolon at the end of Subdivision (6), Subsection (a), Section 4 and adding to Subsection (a), Section 4 a new Subdivision (7) to read as follows:

(7) outdoor advertising which is in conformity with this Act and which was erected before the effective date of this Act.

Amend Subdivision (1), Subsection (d), Section 4, of Committee Amendment No. 1 to SB 749, to read as follows:

(1) lawfully in existence on the interstate or primary systems on the effective date of this Act, except any outdoor advertising lawfully erected before the effective date of this Act which by reason of changes to the designation of the highway or relocation of existing highways becomes nonconforming to this Act is not required to be removed before the fifth year after the effective date of this Act; or

The amendments were severally adopted without objection.

Mr. Smith offered the following amendment to the bill:

Amend the Committee Amendment to SB 749 by striking all of Section 11(A).

The amendment failed of adoption.

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 56 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Word, Hall, Jordan, Hightower, and Watson.

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

HJR 35, By Williams: Proposing an Amendment to the Constitution of the State of Texas.

HCR 183, By C. Parker: Commending the famed "Lost Battalion" on the memorable occasion of their 27th Reunion.

HB 780, By Traeger: Providing that a public school kindergarten may be operated on a half-day basis or a full-day basis at the option of the governing board of the school district; and declaring an emergency. (with amendments)

HB 1671, By Floyd, et al: Relating to state purchasing procedures; and declaring an emergency. (with amendments)

HB 145, By A. Moore, et al: Authorizing and directing the State Board of Insurance to prescribe, adopt, promulgate, and enforce reasonable rules and regulations as to the cancellation and nonrenewal of certain insurance policies; and declaring an emergency.

HB 1567, By Slider: Concerning the provision of a focal point for State Planning and Coordination; and continuing the Governor as the Chief Planning Officer of the State; and declaring an emergency. (with amendments)

HB 694, By A. Moore: Relating to the licensing of certain insurance agents and the license and appointment fees of certain insurance agents; and declaring an emergency.

HB 1265, By Solomon: In relation to a bank as custodian employed by a fiduciary and to property held by such custodian; and declaring an emergency.

HB 636, By A. Moore: Relating to the exemption from insurance laws of reciprocal or inter-insurance exchanges; and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

SB 749—(Consideration continued)

Mr. Smith offered the following amendment to the bill:

Amend the Committee Amendment to SB 749 by adding a new subsection to be known as Subsection 1A, to read as follows:

1A. The legal continuance of this act is contingent on the fulfillment by the Federal Government of their promise to pay to the State of Texas approximately twenty-five million dollars (\$25,000,000) in grants which would not have been made to this state had this bill not been passed.

Should such grants to this state, totaling at least seventy-five percent (75%) of the promised twenty-five million dollars (\$25,000,000), not be made on or before January 1, 1973, this bill shall be null and void.

Mr. Ogg moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—20

Agnich	Coats	Jones, G.	Orr
Angly	Doyle	Ligarde	Price
Boyle	Farenthold	McKissack	Slider
Braun	Harris	Nelms	Tarbox
Cavness	Johnson	Nichols	Wyatt

Nays—123

Adams	Craddick	Head	Moncrief
Allen, Joe	Cruz	Heatly	Moore, A.
Allen, John	Daniel	Hendricks	Moore, G.
Allred	Davis, D.	Hilliard	Moore, T.
Atwell	Davis, H.	Holmes, T.	Moreno
Atwood	Denton	Holmes, Z.	Murray
Baker	Doran	Howard	Nabers
Bass, B.	Dramberger	Hubenak	Neugent, D.
Bass, T.	Earthman	Hull	Newton
Beckham	Finck	Ingram	Niland
Bigham	Finnell	Jones, D.	Nugent, J.
Blythe	Finney	Jones, E.	Parker, C.
Bowers	Floyd	Jungmichel	Parker, W.
Braecklein	Foreman	Kaster	Patterson
Burgess	Gammage	Kilpatrick	Pickens
Bynum	Garcia	Kost	Poerner
Caldwell	Grant	Kubiak	Poff
Calhoun	Graves	Lee	Presnal
Carrillo	Hale	Lemmon	Reed
Cates	Hanna, Joe	Lewis	Rodriguez
Christian	Hannah, John	Lombardino	Rosson
Clark	Harding	Longoria	Salem
Clayton	Hawkins	Lovell	Salter
Cobb	Hawn	McAlister	Sanchez
Cole	Haynes	Mengden	Santiesteban

Schulle	Slack	Truan	Wayne
Semos	Solomon	Tupper	Wieting
Shannon	Spurlock	Uher	Williams
Short	Stroud	Vale	Williamson
Silber	Swanson	Von Dohlen	Wolff
Simmons	Traeger	Ward	

Absent

Blanton	Sherman	Smith	Stewart
Ogg			

Absent-Excused**Golman**

A record vote was requested on the adoption of the Smith amendment.

The Smith amendment was then adopted by the following vote:

Yeas—118

Adams	Earthman	Lemmon	Sanchez
Agnich	Finck	Lewis	Schulle
Allen, John	Finnell	Ligarde	Semos
Allred	Finney	Lombardino	Shannon
Atwell	Floyd	McAlister	Sherman
Atwood	Foreman	Mengden	Short
Baker	Garcia	Moncrief	Silber
Beckham	Grant	Moore, A.	Simmons
Blythe	Hale	Moore, G.	Slack
Braecklein	Hanna, Joe	Moreno	Smith
Burgess	Harding	Murray	Solomon
Bynum	Hawkins	Nabers	Spurlock
Caldwell	Hawn	Neugent, D.	Stewart
Calhoun	Haynes	Newton	Stroud
Carrillo	Head	Niland	Swanson
Cates	Heatly	Nugent, J.	Tarbox
Christian	Hendricks	Orr	Traeger
Clark	Hilliard	Parker, W.	Tupper
Clayton	Holmes, T.	Patterson	Uher
Cobb	Howard	Pickens	Vale
Cole	Hubenak	Poerner	Ward
Craddick	Ingram	Poff	Wayne
Cruz	Jones, D.	Presnal	Wieting
Daniel	Jones, E.	Price	Williams
Davis, D.	Jungmichel	Reed	Williamson
Davis, H.	Kaster	Rodriguez	Wolff
Denton	Kilpatrick	Rosson	
Doran	Kost	Salem	
Dramberger	Kubiak	Salter	

Nays—88

Allen, Joe	Bass, T.	Bowers	Cavness
Angly	Bigham	Boyle	Coats
Bass, B.	Blanton	Braun	Doyle

Farenthold	Johnson	Nelms	Truan
Gammage	Jones, G.	Nichols	Von Dohlen
Graves	Lee	Ogg	Wyatt
Hannah, John	Longoria	Parker, C.	
Harris	Lovell	Santiesteban	
Holmes, Z.	McKissack	Slider	

Absent

Hull	Moore, T.
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Absent-Excused**Golman**

Mr. Smith moved to reconsider the vote by which the amendment by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

SB 749, as amended, was passed by the following vote:

Yeas—126

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

Nays—19

Adams	Hannah, John	Jungmichel	Slider
Burgess	Holmes, T.	Mengden	Wayne
Cobb	Hubenak	Orr	Wieting
Cole	Ingram	Patterson	Wolff
Foreman	Jones, E.	Salter	

Absent

Atwood	Longoria	Rosson
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Absent-Excused

Golman

Mr. Smith moved to reconsider the vote by which SB 749 was passed and to table the motion to reconsider.

The motion to table prevailed.

COMMITTEE MEETING

Mr. Carl Parker asked unanimous consent of the House that the Committee on Judicial Districts be permitted to meet at this time.

There was no objection offered.

SB 56—REQUEST OF SENATE GRANTED

Mr. Murray moved that the House grant the request of the Senate for the appointment of a Conference Committee on SB 56.

A record vote was requested.

The motion prevailed by the following vote:

Yeas—91

Adams	Doyle	Johnson	Poff
Allen, Joe	Dramberger	Jones, D.	Price
Allred	Earthman	Jones, G.	Rosson
Angly	Farenthold	Kilpatrick	Salem
Atwell	Finck	Kost	Sanchez
Bass, B.	Foreman	Lewis	Santiesteban
Beckham	Gammage	Ligarde	Schulle
Bigham	Garcia	Lombardino	Semos
Blanton	Grant	Longoria	Shannon
Bowers	Graves	McAlister	Silber
Boyle	Hale	McKissack	Simmons
Braecklein	Hannah, John	Moncrief	Spurlock
Braun	Harding	Moore, A.	Stroud
Bynum	Harris	Moore, G.	Tarbox
Calhoun	Hawkins	Moore, T.	Traeger
Carrillo	Hawn	Murray	Truan
Clark	Haynes	Nabers	Vale
Coats	Heatly	Nelms	Von Dohlen
Craddick	Hendricks	Neugent, D.	Ward
Cruz	Hilliard	Nichols	Williams
Daniel	Holmes, Z.	Ogg	Wolff
Davis, D.	Hubenak	Parker, C.	Wyatt
Denton	Hull	Patterson	

Nays—55

Agnich	Doran	Lemmon	Salter
Allen, John	Finnell	Lovell	Sherman
Atwood	Finney	Mengden	Short
Baker	Floyd	Moreno	Slack
Blythe	Hanna, Joe	Newton	Slider
Burgess	Head	Niland	Smith
Caldwell	Holmes, T.	Nugent, J.	Solomon
Cates	Howard	Orr	Stewart
Cavness	Ingram	Parker, W.	Swanson
Christian	Jones, E.	Pickens	Tupper
Clayton	Jungmichel	Poerner	Uher
Cobb	Kaster	Presnal	Wieting
Cole	Kubiak	Reed	Williamson
Davis, H.	Lee	Rodriguez	

Present—Not Voting

Bass, T.

Absent

Wayne

Absent-Excused

Golman

SB 56—APPOINTMENT OF CONFERENCE
COMMITTEE

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on SB 56:

Representatives Murray, Nabers, Traeger, Grant Jones, and Jim Nugent.

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

SCR 126, By Watson: Directing the Enrolling and Engrossing Clerk of the House of Representatives to make changes in HB 1657.

SCR 127, By Hightower: Directing the Enrolling Clerk of the House to correct HB 156.

HB 275, By Hale, et al: Relating to the establishment, maintenance, support and administration of Texas A&I University at Corpus Christi; and declaring an emergency.

HB 502, By Semos: Relating to providing an exemption from the franchis

tax for certain nonprofit corporations engaged in the business of owning residential property used as cooperative housing; and declaring an emergency.

HCR 180, By Johnson, et al: Requesting that the State Highway Department shall not construct any building on the land bounded by Congress Avenue, Colorado Street, 10th Street and 11th Street in the City of Austin. (with amendment)

SCR 124, By Wallace: That the directors of the Veterans Administration Prosthetic Research Center be urged to consider moving to the Houston area.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

SB 906 ON SECOND READING
(Mr. Tom Holmes—House Sponsor)

Mr. Tom Holmes moved that all necessary rules be suspended to take up and consider at this time, SB 906.

The motion prevailed by the following vote:

Yeas—125

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

Nays—15

Atwood	Floyd	Mengden	Short
Braun	Heatly	Moore, G.	Slider
Craddick	Howard	Rodriguez	Vale
Doran	Ligarde	Rosson	

Absent

Allen, John	Garcia	Jones, G.	Sherman
Christian	Johnson	Kilpatrick	Stewart

Absent-Excused**Golman**

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

SB 906, A bill to be entitled An Act relating to reorganizing the 43rd Judicial District and creating the 235th Judicial District; amending Subdivision 43, Article 199, Revised Civil Statutes of Texas, 1925; amending the Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes); amending Chapter 5, Title 41, Revised Civil Statutes of Texas, 1925, as amended; creating the office of district attorney of the 235th Judicial District; diminishing the jurisdiction of the County Court of Parker County; providing for severability; repealing all laws and parts of laws in conflict; and declaring an emergency.

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

SB 906 ON THIRD READING
(Mr. Tom Holmes—House Sponsor)

Mr. Tom Holmes moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 906 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

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

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

Nays—14

Braun	Graves	Lee	Nugent, J.
Christian	Jones, D.	Mengden	Rodriguez
Doran	Jones, G.	Nichols	Short
Floyd	Kubiak		

Absent

Moore, G.	Stroud
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Absent-Excused

Golman

The Speaker then laid SB 906 before the House on third reading and final passage.

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

Yeas—142

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

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

Nays—5

Braun	Jones, G.	Kubiak	Short
Calhoun			

Absent

McKissack

Absent-Excused

Golman

Mr. Tom Holmes moved to reconsider the vote by which SB 906 was passed and to table the motion to reconsider.

The motion to table prevailed.

**PROVIDING FOR CONSIDERATION OF A LOCAL AND
CONSENT CALENDAR OF SENATE BILLS**

Mr. Jim Nugent moved to suspend all necessary rules and to set a Local and Consent Calendar of Senate Bills for Friday, May 28, at 3:00 p.m.

The motion prevailed without objection.

RECESS

Mr. Blanton moved that the House recess until 8:30 p.m. today.

The motion prevailed without objection.

The House accordingly, at 6:20 p.m., recessed until 8:30 p.m. today.

NIGHT SESSION

The House met at 8:30 p.m. and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

HB 244, By Sanchez, McKissack: Relating to persons not required to obtain a license to fish; and declaring an emergency. (with amendments)

HB 1213, By Clark: Relating to the appointment of the county auditor in certain counties; and declaring an emergency. (with amendments)

SB 289, By Jordan: Creating and establishing a Department of Labor of the State of Texas, etc.; and declaring an emergency.

Respectfully,
 CHARLES A. SCHNABEL
 Secretary of the Senate

HOUSE BILL ON FIRST
 READING

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

By E. Jones:

HB 1889, A bill to be entitled An Act to amend the Harris County Road Law, Acts 1913, Thirty-third Legislature, Special Laws, Chapter 17, page 64, as amended, by amending Section 31-C of said Harris County Road Law, which said Section 31-C was added by Acts, 1947, Fiftieth Legislature, Chapter 205, page 358, amended by Acts, 1953, Fifty-third Legislature, Chapter 385, page 924, Acts, 1959, Fifty-sixth Legislature, Chapter 68, page 120, and Acts 1963, Fifty-eighth Legislature, Chapter 369, page 940; providing a severability clause; and declaring an emergency.

Referred to Committee on Counties.

SB 572 ON SECOND READING
 (Mr. Presnal—House Sponsor)

Mr. Presnal moved that all necessary rules be suspended to take up and consider at this time, SB 572.

The motion prevailed by the following vote:

Yeas—183

Adams	Blanton	Cobb	Finney
Agnich	Boyle	Cole	Floyd
Allen, Joe	Braecklein	Cruz	Foreman
Allen, John	Braun	Daniel	Gammage
Allred	Burgess	Davis, D.	Garcia
Angly	Bynum	Davis, H.	Grant
Atwell	Caldwell	Denton	Graves
Atwood	Calhoun	Doyle	Hale
Baker	Carrillo	Dramberger	Hanna, Joe
Bass, B.	Cates	Earthman	Hannah, John
Bass, T.	Christian	Farenthold	Harding
Beckham	Clayton	Finck	Harris
Bigham	Coats	Finnell	Hawkins

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

Nays—6

Blythe	Clark	Hawn	Uher
Bowers	Craddick		

Present—Not Voting

Spurlock

Absent

Cavness	Ligarde	Santiesteban	Stewart
Doran	Ogg	Sherman	Von Dohlen

Absent-Excused

Golman

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

SB 572, A bill to be entitled An Act amending Section 2 of Chapter 99, Acts of the 51st Legislature, 1949, as amended, relating to age requirements for retirement of judges (compiled as Section 2a of Article 6228b, Title 109, Vernon's Texas Civil Statutes) by adding a new Section known as Section 2(d) immediately following Section 2(c) of Article 6228b, to read as follows, "any person qualified for retirement pay under this Act, shall after attaining the age of sixty (60) years, be qualified for retirement but shall receive reduced benefits from age sixty-five (65) years for early retirement," and declaring an emergency.

The bill was read second time.

Mr. Presnal offered the following amendment to the bill:

Amend SB 572 by striking all below the enacting clause and substituting the following:

Section 1. Section 2 of Chapter 99, Acts of the 51st Legislature, 1949 as amended (compiled as Section 2a of Article 6228b, Title 109, Vernon's Texas Civil Statutes), is amended by adding a new section known as Section 2(d) to read as follows:

"Section 2 (d). Any person qualified for retirement pay under this act, shall after reaching the age of sixty (60) years, if he elects to receive retirement pay prior to reaching sixty-five (65) years of age, be qualified for retirement pay but shall have his benefits reduced from age sixty-five (65) years and his monthly base retirement payments shall be the following percent of the salary being received by a judge of a court of the same classification last served by such person as a judge, based upon his retirement age as follows:

If the retirement age is sixty (60) years, the percent shall be forty (40) percent;

If the retirement age is sixty-one (61) years, the percent shall be forty-one and seven tenths (41.7) percent;

If the retirement age is sixty-two (62) years, the percent shall be forty-three and six tenths (43.6) percent;

If the retirement age is sixty-three (63) years, the percent shall be forty-five and six tenths (45.6) percent;

If the retirement age is sixty-four (64) years, the percent shall be forty-seven and seven tenth (47.7) percent;"

"Section 2 (e). The reduced retirement benefits authorized by Section 1 hereof, shall not apply if said judge retires as authorized by statute, or, is made to retire by the State Judicial Qualification Commission, because of physical or mental illness, but a judge so retiring or made to retire because of mental or physical illness, if he is eligible for retirement pay, shall, regardless of age, be paid retirement benefits on the basis of the percentages provided by Section 1 of Chapter 435, Acts of the 61st Legislature of Texas, 1969 and compiled as Section 2 (a) of Article 6228b, Title 109, Vernon's Texas Civil Statutes."

Section 2. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 3. The fact that the judicial retirement acts of many sister states and the retirement acts of state employees and teachers of this state allow their members to take an early retirement at age fifty-five (55) and sixty (60) years makes it apparent that the inequity existing in the Judicial Retirement Act should be corrected and the judges of this state accorded the same treatment in their retirement act as accorded to judges of other states and state employees and teachers of this state, makes this legislation important, and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the

Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

SB 572, as amended, was passed to third reading.

VOTES RECORDED

Representatives Adams and Nabers requested to be recorded as voting Nay on the passage to third reading of SB 572.

SB 572 ON THIRD READING

Mr. Presnal moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 572 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

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

Nays—10

Allen, John	Craddick	Kubiak	Nugent, J.
Calhoun	Doran	Mengden	Reed
Christian	Floyd		

Present—Not Voting

Spurlock

Absent

Atwood	Howard	Nichols	Rodriguez
Graves	Johnson	Patterson	Von Dohlen
Hilliard	Lovell		

Absent-Excused

Golman

The Speaker then laid SB 572 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Presnal moved to reconsider the vote by which SB 572 was passed and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Presnal, and by unanimous consent, the caption of SB 572 was ordered amended to conform with the body of the bill.

VOTES RECORDED

Representatives Adams and Nabers requested to be recorded as voting Nay on the passage of SB 572.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 610, by Uher: Congratulating Miss Sandra Jane Tomczak on being selected as Miss Wool and Mohair of Texas.

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

HCR 180 WITH SENATE AMENDMENT

Mr. Johnson called up with Senate Amendment for consideration at this time,

HCR 180, Expressing intent of the Legislature regarding the new Highway Department Building.

On motion of Mr. Johnson, the House concurred in the Senate Amendment to HCR 180.

Mr. Johnson moved to reconsider the vote by which the House concurred in the Senate Amendment to HCR 180 and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Cavness, Harold Davis, and Foreman requested to be recorded as voting Nay on the motion to concur in the Senate Amendment to HCR 180.

HCR 180—TEXT OF SENATE AMENDMENT

Amend HCR 180 by striking the resolved clause and substituting therefor the following:

“Resolved by the Senate of the State of Texas, the House of Representatives concurring, That it is the intent of the Legislature that the State Highway Department should reevaluate its plans to construct any building on the site mentioned above and that it should consider that the site might be more acceptably developed, used, and maintained as a park, parking lot, and tourist information center, and that the Old Bakery be utilized as the tourist information center.”

HB 419 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

HB 419, Enacting a new Penal Code setting out general principles, defining offenses, and affixing punishments.

The bill was read second time on May 25 and was postponed until 11:00 a.m. today.

HB 419—LAID ON THE TABLE SUBJECT TO CALL

Mr. Jim Nugent moved that HB 419 be laid on the table subject to call.

There was no objection offered and it was so ordered.

HJR 28—LAID ON THE TABLE SUBJECT TO CALL

Mr. Hubenak moved that HJR 28 be laid on the table subject to call.

There was no objection offered and it was so ordered.

SB 307 ON SECOND READING (Mr. Williamson—House Sponsor)

The Speaker laid before the House, in lieu of HB 938, on its second reading and passage to third reading,

SB 307, A bill to be entitled An Act relating to the seizure of obscene materials and injunctive and other judicial proceedings concerning obscene materials and materials harmful to minors; providing penalties; amending Sections 9 and 13, Article 527, Penal Code of Texas, 1925, as amended; and Sections 4, 6, and Subsection (c) of Section 10 and Subsection (b) of Section 12, Chapter 284, Acts of the 61st Legislature, Regular Session, 1969 (Article 534b, Vernon's Texas Penal Code); and declaring an emergency.

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

Representative Golman entered the House and was announced present.

SB 307 ON THIRD READING

Mr. Williamson moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 307 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

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

Nays—22

Braun	Farenthold	Harris	Nugent, J.
Caldwell	Finney	Jones, D.	Rodriguez
Carrillo	Floyd	Ligarde	Tupper
Cobb	Grant	Longoria	Vale
Doran	Graves	Mengden	
Doyle	Harding	Neugent, D.	

Absent

Calhoun	Hull	Moore, T.	Slack
Cruz			

The Speaker then laid SB 307 before the House on third reading and final passage.

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

Yeas—144

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

Nays—2

Farenthold	Santiesteban
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Absent

Harding	Hull	Slack
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Mr. Williamson moved to reconsider the vote by which SB 307 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 938—LAID ON THE TABLE SUBJECT TO CALL

Mr. Williamson moved that HB 938 be laid on the table subject to call.

There was no objection offered and it was so ordered.

SJR 1—POSTPONED

Mr. Wayne moved that consideration of SJR 1 be postponed until 11:00 a.m., May 28, 1971.

The motion prevailed without objection.

SB 400 ON THIRD READING
(Mr. Salter—House Sponsor)

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

SB 400, Relating to qualifications for license as local recording agent and creating an Agent's Education Advisory Board.

The bill was read third time and was passed.

Mr. Salter moved to reconsider the vote by which SB 400 was passed and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Salter, and by unanimous consent, the caption of SB 400 was ordered amended to conform with the body of the bill.

VOTES RECORDED

Representatives Kubiak and Simmons requested to be recorded as voting Nay on the passage of SB 400.

SB 246 ON THIRD READING
(Mr. Cavness—House Sponsor)

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

SB 246, Relating to the rule-making powers of the Texas State Board of Dental Examiners.

The bill was read third time and was passed.

Mr. Cavness moved to reconsider the vote by which SB 246 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 281—REQUEST OF SENATE GRANTED

On motion of Mr. Daniel, the House granted the request of the Senate for the appointment of a Conference Committee on SB 281.

**SB 281—APPOINTMENT OF CONFERENCE
COMMITTEE**

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on SB 281:

Representatives Daniel, Traeger, Hale, Jungmichel, and Shannon.

**SB 287 ON SECOND READING
(Mr. Haynes—House Sponsor)**

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

SB 287, A bill to be entitled An Act relating to the practice of barbering and the regulation of barbers in this state; amending Chapter 287, Acts of the 57th Legislature, Regular Session, 1961 (Section 9, Article 734a, Vernon's Texas Penal Code, 1925), as amended; amending Section 2, Chapter 746, Acts of the 60th Legislature, Regular Session, 1967 (Section 3, Article 734a, Vernon's Texas Penal Code), as amended; amending Section 13, Chapter 65, Acts of the 41st Legislature, First Called Session, 1929 (Section 13, Article 734a, Vernon's Texas Penal Code, 1925) as amended; amending Section 7, Chapter 746, Acts of the 60th Legislature, Regular Session, 1967 (Section 14, Article 734a, Vernon's Texas Penal Code), as amended, defining terms; providing additional standards and regulations; providing a repealing clause; providing for severability; and declaring an emergency.

The bill was read second time.

Mr. Simmons offered the following amendment to the bill:

Amend SB 287 by adding Subsection A to Sec. 2:

Provided, however, that no person who owns, operates, or manages a barber shop, which has been issued a permit under this Act shall discriminate against any person because of race, sex, creed, color or national origin.

The amendment was adopted without objection.

Mr. Floyd offered the following amendment to the bill:

Amend SB 287, second printing, by striking the words who is a bona fide regular, full time employee on line 24, Page 5 and all of line 25 on Page 5.

The amendment was adopted without objection.

Mr. Floyd offered the following amendment to the bill:

Amend SB 287, second printing, by striking line 60, Page 3, line 142, page 4, and the words "assigned or transferred" on line 3 of page 4.

Mr. Haynes moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—65

Adams	Doyle	Kubiak	Sanchez
Allen, Joe	Farenthold	Ligarde	Santiesteban
Allen, John	Finnell	Longoria	Schulle
Allred	Foreman	McAlister	Shannon
Angly	Gammage	Mengden	Sherman
Atwood	Grant	Murray	Short
Bass, B.	Hale	Nelms	Smith
Bass, T.	Hannah, John	Neugent, D.	Stewart
Beckham	Harris	Newton	Stroud
Braun	Hawkins	Nichols	Truan
Carrillo	Haynes	Parker, C.	Vale
Cavness	Head	Pickens	Ward
Clark	Hendricks	Reed	Wieting
Cruz	Hubenak	Rodriguez	Williams
Daniel	Johnson	Rosson	
Davis, H.	Jungmichel	Salem	
Denton	Kilpatrick	Salter	

Nays—79

Agnich	Doran	Kost	Presnal
Atwell	Dramberger	Lee	Price
Baker	Earthman	Lemmon	Semos
Bigham	Finck	Lewis	Silber
Blanton	Finney	Lombardino	Simmons
Blythe	Floyd	Lovell	Slack
Bowers	Garcia	McKissack	Slider
Boyle	Graves	Moncrief	Solomon
Braecklein	Hanna, Joe	Moore, A.	Spurlock
Bynum	Hawn	Moore, G.	Swanson
Caldwell	Heatly	Moreno	Tarbox
Calhoun	Hilliard	Nabers	Traeger
Cates	Holmes, T.	Niland	Tupper
Christian	Holmes, Z.	Nugent, J.	Uher
Clayton	Howard	Ogg	Von Dohlen
Coats	Hull	Orr	Wayne
Cobb	Ingram	Parker, W.	Williamson
Cole	Jones, D.	Patterson	Wolff
Craddick	Jones, E.	Poerner	Wyatt
Davis, D.	Kaster	Poff	

Absent

Burgess	Harding	Jones, G.	Moore, T.
Golman			

The Floyd amendment failed of adoption by the following vote:

Yeas—61

Agnich	Dramberger	Lee	Silber
Baker	Earthman	Lemmon	Simmons
Blythe	Finck	Lewis	Slack
Bowers	Finney	Lombardino	Slider
Braecklein	Floyd	Moncrief	Spurlock
Bynum	Garcia	Moore, A.	Tarbox
Caldwell	Grant	Newton	Traeger
Calhoun	Graves	Niland	Uher
Cates	Hanna, Joe	Ogg	Von Dohlen
Christian	Heatly	Orr	Wayne
Clayton	Hilliard	Parker, W.	Williamson
Cobb	Howard	Pickens	Wolff
Cole	Hull	Poerner	Wyatt
Craddick	Ingram	Poff	
Davis, D.	Jones, E.	Price	
Doran	Kost	Rosson	

Nays—80

Adams	Doyle	Kilpatrick	Rodriguez
Allen, Joe	Farenthold	Kubiak	Salem
Allen, John	Finnell	Ligarde	Salter
Allred	Foreman	Longoria	Sanchez
Angly	Gammage	Lovell	Santiesteban
Atwell	Golman	McAlister	Schulle
Bass, B.	Hale	McKissack	Semos
Bass, T.	Hannah, John	Mengden	Shannon
Beckham	Harris	Moore, T.	Short
Bigham	Hawkins	Moreno	Smith
Boyle	Hawn	Murray	Solomon
Braun	Haynes	Nabers	Stewart
Carrillo	Head	Nelms	Stroud
Cavness	Hendricks	Neugent, D.	Swanson
Clark	Holmes, Z.	Nichols	Truan
Coats	Hubenak	Nugent, J.	Tupper
Cruz	Johnson	Parker, C.	Vale
Daniel	Jones, D.	Patterson	Ward
Davis, H.	Jungmichel	Presnal	Wieting
Denton	Kaster	Reed	Williams

Absent

Atwood	Burgess	Holmes, T.	Moore, G.
Blanton	Harding	Jones, G.	Sherman

Mr. Truan offered the following amendment to the bill:

Amend SB 287, Second Printing, Page 2, line 1 by deleting the word "Board" and substituting therefor the following words: "Texas Education Agency."

The amendment was adopted without objection.

Mr. Simmons offered the following amendment to the bill:

Amend SB 287, second printing, by striking the words "personal" and "management" on page 2, line 58.

The amendment was adopted.

Mr. Simmons moved to reconsider the vote by which the amendment by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

COMMITTEE MEETING

Mr. Grant Jones asked unanimous consent of the House that the Committee on Urban Affairs be permitted to meet at this time.

There was no objection offered.

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

There was no objection offered.

SB 287—(Consideration continued)

The vote of the House was taken on passage to third reading of SB 287 and the vote was announced Yeas 68, Nays 73.

A verification of the vote was requested and was granted.

(Mr. Ogg in the Chair)

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

Yeas—64

Adams	Doyle	Kubiak	Salem
Allen, Joe	Finnell	Ligarde	Santiesteban
Allen, John	Foreman	Longoria	Shannon
Allred	Gammage	Lovell	Short
Angly	Grant	McAlister	Smith
Bass, B.	Hale	Moncrief	Solomon
Beckham	Hannah, John	Murray	Stewart
Boyle	Harris	Nabers	Stroud
Braun	Hawkins	Nelms	Swanson
Calhoun	Haynes	Neugent, D.	Truan
Carrillo	Head	Nichols	Tupper
Clark	Hendricks	Parker, C.	Vale
Coats	Hubenak	Patterson	Ward
Cruz	Johnson	Presnal	Wieting
Daniel	Jungmichel	Rodriguez	Williams
Davis, H.	Kilpatrick	Rosson	Williamson

Nays—64

Agnich	Bowers	Christian	Denton
Atwood	Braecklein	Clayton	Doran
Baker	Bynum	Cobb	Dramberger
Bass, T.	Caldwell	Cole	Earthman
Blanton	Cates	Craddick	Farenthold
Blythe	Cavness	Davis, D.	Finck

Finney	Jones, E.	Niland	Semos
Floyd	Kaster	Nugent, J.	Sherman
Garcia	Kost	Ogg	Silber
Graves	Lee	Pickens	Simmons
Hanna, Joe	Lemmon	Poerner	Spurlock
Hawn	Lewis	Poff	Tarbox
Hilliard	McKissack	Price	Uher
Holmes, T.	Mengden	Reed	Von Dohlen
Howard	Moore, A.	Salter	Wolff
Jones, D.	Moore, T.	Schulle	Wyatt

Absent

Atwell	Holmes, Z.	Moore, G.	Sanchez
Bigham	Hull	Moreno	Slack
Burgess	Ingram	Newton	Slider
Golman	Jones, G.	Orr	Traeger
Harding	Lombardino	Parker, W.	Wayne
Heatly			

The Chair stated that SB 287 failed to pass to third reading by the above vote.

LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence for the remainder of today on account of illness in the family:

Mr. Lombardino on motion of Mr. Poerner.

(Speaker in the Chair)

COMMITTEE MEETING

Mr. Blanton asked unanimous consent of the House that the Committee on Resolutions and Interim Activities be permitted to meet at this time.

There was no objection offered.

SB 265 ON SECOND READING
(Mr. Carl Parker—House Sponsor)

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

SB 265, A bill to be entitled An Act amending the employers' liability and workmen's compensation laws of this state; amending Section 20, of Article 8306, Revised Civil Statutes of Texas, 1925, to include injuries caused as the result of repetitious mental or physical traumatic activities extended over a period of time and further providing for the coverage of all occupational diseases that arise out of and in the course of employment which cause damage or harm to the physical structure of the body; specifically repealing Sections 25, 26 and 27 of Article 8306, Revised Civil Statutes of Texas; providing for a savings clause; repealing all laws in conflict; and declaring an emergency.

The bill was read second time.

Mr. Carl Parker offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend SB 265 by striking out of all of SB 265 below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 20, of Article 8306, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

'Section 20. Wherever the terms "Injury" or "Personal Injury" are used in the Workmen's Compensation Laws of this state, such terms shall be construed to mean damage or harm to the physical structure of the body and such diseases or infections as naturally result therefrom. The terms "Injury" and "Personal Injury" shall also be construed to mean and include "Occupational Diseases", as hereinafter defined. Whenever the term "Occupational Disease" is used in the Workmen's Compensation Laws of this state, such term shall be construed to mean any disease arising out of and in the course of employment which causes damage or harm to the physical structure of the body and such other diseases or infections as naturally result therefrom. An "Occupational Disease" shall also include damage or harm to the physical structure of the body occurring as the result of repetitious physical traumatic activities extending over a period of time and arising in the course of employment; provided, that the date of the cumulative injury shall be the date disability as caused thereby. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where such diseases follow as an incident to an occupational disease or injury as defined in this section.'

"Section 2. Sections 25, 26 and 27 of Article 8306, Revised Civil Statutes of Texas, 1925, as amended, are hereby repealed.

"Section 3. As respects claims for injury sustained prior to the effective date of this act, no incoate, vested, matured, existing or other rights, remedies, powers, duties, or authority, either of any employee or legal beneficiary, or of the board, or of the association, or of any other person shall be in any way affected by any of the amendments or repeals herein made to the original law hereby amended or repealed, but all such rights, remedies, powers, duties and authority shall remain and be in force as under the original law just as if the amendments or repeals hereby adopted had never been made, and to that end it is hereby declared that as respects such injuries occurring prior to the effective date of this Act, said original law is not repealed, but the same is, and shall remain in full force and effect as to all such rights, remedies, powers, duties and authority; and further this Act insofar as it adopts the law of which it is an amendment is a continuation thereof, and only in other respects a new enactment.

"Section 4. If any section, paragraph or provision of this Act be declared unconstitutional or invalid for any reason, such holding shall not in any manner affect the remaining sections, paragraphs or provisions of this Act, but the same shall remain in full force and effect.

"Section 5. It is the express intent of the Legislature in enacting this Act that nothing contained in this Act shall ever be deemed or considered to limit or expand recovery in cases of mental trauma accompanied by physical trauma.

"Section 6. All laws or parts of laws in conflict herewith are expressly repealed to the extent of such conflict.

"Section 7. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The committee amendment was adopted without objection.

SB 265, as amended, was passed to third reading.

SB 265 ON THIRD READING

Mr. Carl Parker moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 265 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

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

Nays—11

Bynum	Davis, D.	Moore, G.	Von Dohlen
Christian	Doran	Nugent, J.	Wieting
Clayton	Floyd	Short	

Absent

Atwell	Holmes, Z.	Jones, G.	Slider
Finney	Hull	McKissack	Tupper
Harding	Johnson	Moreno	Wayne
Heatly	Jones, D.	Sanchez	

Absent-Excused**Lombardino**

The Speaker then laid SB 265 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Carl Parker moved to reconsider the vote by which SB 265 was passed and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Carl Parker, and by unanimous consent, the caption of SB 265 was ordered amended to conform with the body of the bill.

VOTES RECORDED

Representatives Jungmichel, Wieting, and Ward requested to be recorded as voting Nay on the passage of SB 265.

SB 989 ON SECOND READING
(Mr. Cobb—House Sponsor)

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

SB 989, A bill to be entitled An Act relating to modifying the insurance coverage requirements of the Texas Motor Vehicle Safety-Responsibility Act and the amount of property damage necessitating a report under the provisions of that Act; amending Sections 1 and 4, Subsections (a) and (c) of Section 5, and Subsection (b) of Section 21, Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Mr. Pickens offered the following amendment to the bill:

Amend SB 989, Section 3, to read as follows:

"Sec. 3. Section 5, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes), is amended to read as follows:

"(a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this state which has resulted in bodily injury or death, or

damage to the property of any one person of at least Two Hundred Fifty Dollars (\$250), the Department has made a finding of fault and does not have on file evidence satisfactory to it that the person who would otherwise be required to file security under Subsection (b) of this Section has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the Department shall determine the amount of security which shall be sufficient in its judgment, and in no event less than Two Hundred Dollars (\$200) to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each operator or owner.

“(b) The Department shall, within sixty (60) days after the receipt of such report of a motor vehicle accident, subject to the provisions set out in (c) below, suspend the license and all registrations of each operator and owner of a motor vehicle found to be at fault in such accident and if such operator or owner is a nonresident the privilege of operating a motor vehicle within this state, and the privilege of the use within this state of any motor vehicle owned by him unless such operator, owner or operator and owner shall deposit security in the sum so determined by the Department and in no event less than Two Hundred Dollars (\$200), and unless such operator and owner shall give proof of financial responsibility. It shall be the duty of the Department to make finding of fault, and for this purpose it may consider the report of the investigating officer, the accident reports of all parties involved and any affidavits of persons having knowledge of the facts. Notice of such determination by the Department shall be mailed by certified mail, return receipt requested, or served personally on such person to the affected operator's and owner's last known address as shown by the records of the Department. Proof of such mailing shall be deemed sufficient notice hereunder. The notice shall specify that the license to operate a motor vehicle and registration, or nonresidence operating privilege if a nonresident, of the person so notified is subject to suspension and shall be suspended unless such person, within twenty (20) days after the mailing of such notice by the Department shall establish that the provisions of this Section are not applicable to him, and that he has previously furnished such information to the Department, or that he was not at fault in such accident. Such notice shall also recite therein that the person to whom such notice is addressed is entitled to a hearing as provided in this Act if a written request for a hearing is made within twenty (20) days after the mailing of said notice. Such person's license registration, or nonresidence operating privilege will not be suspended pending the outcome of such hearing. If, after such hearing, the Department finds that such person was at fault in the accident, such person may appeal such finding as provided in Section 2(b). Upon the expiration of such twenty (20) day period without a request for a hearing having been made, the license registration or nonresidence operating privilege of any person who does not within that time establish that the provisions of this Section are not applicable to him, shall be suspended unless and until such person shall comply with the provisions of this Act.

“Notice of such suspension shall be sent by the Department to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security and the necessity for proof of financial responsibility. Where erroneous information is given the Department with respect to the matters set forth in Subdivisions 2, 3, and 4 of Subsection (c) of this Section, it shall take ap-

propriate action as hereinbefore provided, within sixty (60) days after receipt by it of correct information with respect to said matters.

"Determination of fault by the Department shall in no way affect the outcome of any civil suit for damages, nor shall such determination be introduced in evidence in any way in any such suit.

"(c) This Section shall not apply under the conditions stated in Section 6 nor:

"1. To the operator or owner of a motor vehicle whom the Department finds to be free from any fault for such accident;

"2. To such operator or owner if such owner had in effect at the time of such accident a motor vehicle liability policy with respect to the motor vehicle involved in such accident;

"3. To such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident a motor vehicle liability policy or bond with respect to his operation of motor vehicles not owned by him;

"4. To any person employed by the government of the United States, when such person is acting within the scope or office of his employment;

"5. To such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the Department, covered by any other form of liability insurance policy or bond; nor

"6. To any person qualifying as a self-insurer under Section 34 of this Act, or to any person operating a motor vehicle for such self-insurer.

"No such policy or bond shall be effective under this Section or under Section 7 unless issued by an insurance company or surety company authorized to write motor vehicle liability insurance in this state, except that if such motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy, or the most recent renewal thereof, such policy or bond shall not be effective under this Section unless the insurance company or surety company if not authorized to do business in this state shall execute a power of attorney authorizing the Department to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident; providing, however, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than Ten Thousand Dollars (\$10,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than Twenty Thousand Dollars (\$20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than Five Thousand Dollars (\$5,000) because of injury to or destruction of property of others in any one accident. The policy or bond may exclude coverage of the first Two Hundred Fifty Dollars (\$250) of liability for bodily injury to or death of any one person in any one accident, and, subject to that exclusion for one person, may exclude coverage for the first Five Hundred Dollars (\$500) of liability for the bodily injury to or death of two (2) or more persons in any one accident and may exclude coverage

for the first Two Hundred Fifty Dollars (\$250) of liability for the injury to or destruction of property of others in any one accident.

"7. Wherever the word 'bond' appears in this Section or this Act, it shall mean a bond filed with and approved by the Department of Public Safety."

"8. Fault as used herein for the purpose hereof shall mean a reasonable possibility of a judgment being rendered against an owner or operator as a result of the motor vehicle accident."

The amendment was adopted without objection.

SB 989, as amended, was passed to third reading.

SB 989 ON THIRD READING

Mr. Cobb moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 989 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—130

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

Nays—5

Doran	Jones, D.	Mengden	Nugent, J.
Graves			

Present—Not Voting

Davis, H.

Absent

Atwell	Heatly	Moreno	Sanchez
Bass, B.	Holmes, Z.	Nabers	Slider
Bynum	Ligarde	Nichols	
Harding			

Absent-Excused

Lombardino

The Speaker then laid SB 989 before the House on third reading and final passage.

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

Yeas—130

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

Present—Not Voting

Cavness	Hilliard	Lemmon	Orr
Davis, H.	Jones, E.		

Absent

Atwell	Harding	Jones, G.	Pickens
Christian	Heatly	Ligarde	Sanchez
Cobb	Holmes, Z.	Moreno	Slider

Absent-Excused

Lombardino

Mr. Cobb moved to reconsider the vote by which SB 989 was passed and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Cobb, and by unanimous consent, the caption of SB 989 was ordered amended to conform with the body of the bill.

REASON FOR VOTE

I voted Present and Not Voting on SB 989 because I have a direct personal interest in the casualty insurance business. I do not believe SB 989 is a workable bill, but I did not feel I should vote because of the personal interest.

Signed: Don Cavness

HB 1310—LAID ON THE TABLE SUBJECT TO CALL

Mr. Jim Nugent moved that HB 1310 be laid on the table subject to call.

There was no objection offered and it was so ordered.

HCR 184—REFERRED TO COMMITTEE

(Creating an Interim Committee on the Penal Code of Texas)

Mr. Calhoun and Jim Nugent offered the following resolution:

HCR 184

Whereas, After 5 years of study by the State Bar Committee on Revision of the Penal Code, a proposed revision of the Texas Penal Code was finally presented to the 62nd Legislature in January, 1971; and

Whereas, The proposed revision of the Texas Penal Code has encountered widespread opposition to many of the changes which it would make in the present penal laws of Texas; and the public is deeply interested in the proposed changes and a detailed study should be given to each section by Members of the Legislature to insure that all changes are in the best interest of the citizens of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the

Senate concurring, That the 62nd Legislature hereby create a special interim Committee on the Penal Code of Texas; the committee shall study and educate the public in the proposed revision of the Texas Penal Code in depth and determine (1) the relative merits and hazards of adopting the proposed revision, (2) possible changes to insure that the new Penal Code effectively protects the best interests of the citizens of Texas, and (3) any other related matter which the committee shall deem significant in making a comprehensive report to the Legislature upon the problems mentioned in this resolution; and, be it further

Resolved, That the committee shall be composed of twelve members: six Members of the House of Representatives appointed by the Speaker of the House and six Senators appointed by the Lieutenant Governor. The committee shall elect one of its members to serve as chairman; and, be it further

Resolved, That from the Expense Fund of the House and the Contingent Expense Fund of the Senate equally, the members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this resolution, and other necessary expenses of operation of the committee shall be paid from the Expense Fund of the House and the Contingent Expense Fund of the Senate equally; and, be it further

Resolved, That the committee shall prepare a budget for the operating expense of said committee which shall be submitted to the House Administration Committee and the Senate Committee on Administration, and no expenditure shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee and the Senate Committee on Administration; and, be it further

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

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January, 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Criminal Jurisprudence.

RECESS

Mr. Braun moved that the House recess until 10:30 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 11:05 p.m., recessed until 10:30 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Appropriations: HCR 180, SB 972

Congressional and Legislative Districts: HB 783.

Conservation and Reclamation: HB 1886, HB 1887, SCR 118.

Constitutional Amendments: HJR 95, HCR 174, SJR 23.

Criminal Jurisprudence: SB 301.

Engrossed and Enrolled Bills: Correctly Engrossed—HB 559. Correctly Enrolled—HB 16, HB 22, HB 43, HB 71, HB 73, HB 132, HB 136, HB 211, HB 227, HB 253, HB 263, HB 280, HB 332, HB 423, HB 439, HB 460, HB 463, HB 466, HB 467, HB 514, HB 516, HB 534, HB 576, HB 609, HB 665, HB 729, HB 743, HB 858, HB 878, HB 892, HB 1015, HB 1107, HB 1161, HB 1202, HB 1206, HB 1235, HB 1251, HB 1267, HB 1270, HB 1321, HB 1327, HB 1379, HB 1539, HB 1606, HB 1627, HB 1685, HB 1709, HB 1714, HB 1721, HB 1746, HB 1754, HB 1812, HCR 61, HCR 150, HCR 160, HCR 161, HCR 163, HCR 164, HCR 167.

Judicial Districts: HB 1888.

Judiciary: HCR 104, SB 66.

Liquor Regulation: HB 1367, SB 1012.

Livestock: HSR 594, SB 1031.

Parks and Wildlife: SB 1011.

Resolutions and Interim Activities: HSR 567, HSR 569, HSR 570, HSR 571, HSR 572, HSR 573, HSR 578, HSR 579, HSR 581, HSR 583, HSR 591.

Rules: HSR 14, HSR 333, HSR 560.

State Affairs: SB 306.

SENT TO THE GOVERNOR

May 26, 1971

HB 22

HB 132

HB 144

HB 212

HB 439

HB 460

HB 461

HB 591

HB 602

HB 735

HB 764

HB 827

HB 936

HB 1161

HB 1380

HB 1383

HB 1386

HB 1401

HB 1406

HB 1407

HB 1409

HB 1418

HB 1479

HB 1492

HB 1535

HB 1606

HB 1607

HB 1618

HB 1654

HB 1684

HB 1705

HB 1714

HB 1752

HB 1766

HCR 61

HCR 150

HCR 160

HCR 161

HCR 163

HCR 167

HCR 168

 EIGHTY-FOURTH DAY (continued)—FRIDAY, MAY 28, 1971

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

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

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