

SENATE JOURNAL

Sixty-second Legislature—Second Called Session

AUSTIN, TEXAS, TUESDAY, MARCH 28, 1972

PROCEEDINGS

FIRST DAY

(Tuesday, March 28, 1972)

In obedience to the proclamation of the Honorable Preston Smith, Governor of the State of Texas, the Senate met in the Senate Chamber at the City of Austin, on the twenty-eighth day of March, 1972, at 10:00 o'clock a.m., and was called to order by the President.

Quorum Present

The President directed the Secretary to call the roll of the Senate.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Blanchard

The President announced a quorum of the Senate present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

Leave of Absence

Senator Blanchard was granted leave of absence for today on account of illness on motion of Senator Sherman.

Officers of the Senate

Mrs. Polly Miller was elected as Calendar Clerk replacing Mrs. Arline Morse, resigned.

The President announced that the other duly-elected officers of the Senate named in the Caucus Report for the 62nd Legislature would continue in office for the Second Called Session of the 62nd Legislature.

Standing Committees

The President announced that the Standing Committees of the 62nd Legislature would continue for the Second Called Session of the 62nd Legislature.

Proclamation

by the
Governor of the State of Texas

The President laid out the following Proclamation from the Governor:

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Under the provisions of Article IV, Section 8, of the Constitution of the State of Texas, I, Preston Smith, Governor of the State of Texas, do hereby call a Special Session of the 62nd Legislature to be convened in the City of Austin, commencing at 10:00 a.m., the Twenty-eighth day of March, 1972, for the following purposes:

(1) To enact necessary legislation for the State of Texas to comply with Title I of the Federal Highway Beautification Act of 1965.

(2) To enact necessary legislation for the operation and adequate governmental financing of the party primary elections on May 6, 1972, and June 3, 1972, and future primary elections.

The Secretary of State will take notice of this action and will notify the Members of the Legislature.

(Seal)

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 25th day of March, A. D., 1972.

PRESTON SMITH
Governor of Texas

ATTEST:
BOB BULLOCK
Secretary of State

The Proclamation was read and filed with the Secretary of the Senate.

Motion in Writing

Senator Aikin submitted the following Motion in Writing:

Mr. President, I move that the President be authorized to appoint a committee of five (5) members to notify the House that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

The President announced the appointment of the following as a committee to notify the House: Senators Word, Hightower, Wilson, Kothmann and Patman.

Motion in Writing

Senator Aikin submitted the following Motion in Writing:

Mr. President, I move that the President be authorized to appoint a committee of five (5) members to notify the Governor that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

The President announced the appointment of the following as a committee to notify the Governor: Senators Beckworth, Ratliff, Harrington, Brooks and McKool.

Senate Resolution 1

Senator Word offered the following resolution:

BE IT RESOLVED, By the Senate of Texas, that the presiding officer be authorized to appoint a committee of three (3) members to be known as the "Friendship Committee" to arrange and assign parking space on

the Capitol Grounds for the members and such elected officers of the Senate as it may determine.

The resolution was read and was adopted.

Senate Concurrent Resolution 1

By unanimous consent, Senator Moore offered the following resolution:

S. C. R. No. 1—Proposing an amendment to the Constitution of the United States relative to equal rights of women.

MOORE
BROOKS
KENNARD
BATES
KOTHMANN
AIKIN
MAUZY
BRIDGES
McKOOL
HERRING
JORDAN
SCHWARTZ
WATSON

The resolution was read and was referred to the committee on Transportation.

Senate Resolution 2 (Caucus Report)

Senator Aikin offered the following resolution:

Honorable Ben Barnes, Lieutenant Governor, Senate of Texas, Austin, Texas

Sir: At a caucus held in the office of the Senate attended by 25 members of the Senate, the following recommendations were made, to wit:

The following officers were elected to serve for the Second Called Session of the 62nd Legislature at the will of the Senate, and at the salaries set opposite their name:

Secretary of the Senate, Charles Schnabel, \$2,136.00 per month.

Journal Clerk, Minnie Meier, \$968.00 per month.

Sergeant-at-Arms, Tommy Townsend, \$1,125.00 per month.

Doorkeeper, Charlie Jones, \$600.00 per month.

Chaplain, W. H. Townsend, \$600.00 per month.

Calendar Clerk, Polly Miller, \$800.00 per month.

Enrolling Clerk, Bea Lewis, \$968.00 per month.

Staff Services Clerk, Mrs. John Draper, \$968.00 per month.

All officers and employees appointed by this caucus shall hold their office of employment for the duration of the Second Called Session of the 62nd Legislature.

It is recommended that the Lieutenant Governor and the Secretary of the Senate each be permitted to name secretarial staff and assistants at salaries designated by the Lieutenant Governor and the Administration Committee respectfully. The parliamentarian, Frank Elliott, named by the Lieutenant Governor, shall receive \$968.00 per month.

It is further recommended that the President of the Senate has exclusive appointment of a sufficient number of custodians, messengers, pages, elevator operators, porters and other employees as in his judgment may be necessary. The President of the Senate is also authorized to designate any member of the Senate or Senate staff to attend official meetings of the Council of State Governments, or other national governmental organization during the Second Called Session of the 62nd Legislature while in Special Session. Actual and necessary expenses are hereby authorized as reimbursement for such trips.

It is further recommended that each Senator shall be permitted to employ secretarial and other office staff at a maximum payroll of \$4,500.00 per month under the following classification schedule:

Title	Class Number	Group	Salary and Step Range
Administrative Secretary	0138	09	630(5) - 651(6) - 673(7)
Administrative Technician I	1501	08	571(5) - 610(6) - 630(7)
Administrative Technician II	1502	11	719(5) - 743(6) - 768(7)
Administrative Technician III	1503	15	906(3) - 968(5) - 1034(7)
Information Specialist I	1892	14	794(1) - 820(2) - 848(3)
Secretary III	0135	07	534(5) - 552(6) - 571(7)
Secretary II	0133	05	468(5) - 484(6) - 500(7)
Stenographer I	0126	04	438(5) - 453(6) - 468(7)
Clerk Typist II	0106	04	384(1) - 397(2) - 410(3)
Clerk I	0051	02	337(1) - 348(2) - 360(3)
Messenger	0011	02	384(5) - 397(6) - 410(7)

The names of such employees as are not employed directly in a Senators office shall be referred to an assignment committee hereinafter provided for and such committee shall be authorized to select employees from such list. The appointed officers of the Senate may select, subject to the approval of the Administration Committee, employees to fill such key

positions as may be authorized by said committee. All such employees shall be designated in a classified position as determined by the Administration Committee.

It is further recommended that the President of the Senate be authorized to name a committee of five, such committee shall be designated as an Assignment Committee for the purpose of assigning employees as herein authorized and the committee be authorized to select sufficient additional employees to be assigned by it when and where needed.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the names of his office staff; that he also file with the Chairman of the Assignment Committee aforesaid the names of the employees selected, together with his or her post office address.

The Lieutenant Governor, Senators and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be permitted to subscribe for 4 newspapers to be paid out of the contingent fund, be allowed the stationery and postage needed by them respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express

charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that not to exceed 750 Journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except 175 Journals shall be furnished the members of the House.

It is further recommended that the State Library be furnished 75 copies of the daily Journal.

It is further recommended that the Senate request the State Comptroller of Public Accounts, to issue general revenue warrants for payment of the members and employees of the Senate upon presentation of the payroll account signed by the Presiding Officer and the Secretary of the Senate.

It is further recommended that no employee of the Senate shall during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate and they shall not without permission receive any compensation from any person, firm or corporation during their employment by the Senate and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, Members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at eight o'clock a.m., and one o'clock p.m. each day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the Chairman of each standing Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed who shall discharge the duties of said standing Committee, subject to the approval of the Administration Committee.

Be it further resolved, that no employee of the Senate except those whose official duties require them to work upon the floor of the Senate, shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, which when performed, he shall immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have the privileges of the floor during the session of the Senate shall be permitted on the Senate floor for a period of thirty minutes prior to the time the Senate convenes. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such thirty minute period.

Respectfully submitted,
AIKIN
Chairman of the Caucus
HERRING
Secretary of the Caucus

The resolution was read and was adopted.

Senate Concurrent Resolution 2

By unanimous consent, Senator Kennard offered the following resolution:

S. C. R. No. 2—Requesting that Dallas-Fort Worth Turnpike be made a free public highway when bonded indebtedness has been retired.

KENNARD
MAUZY
McKOOL

The resolution was read and was referred to the Committee on Transportation.

Senate Concurrent Resolution 5

By unanimous consent, Senator Sherman offered the following resolution:

S. C. R. No. 5—Extending congratulations to Senator Jack Hightower, on his elevation to Grand Master of the Grand Lodge of Texas.

Whereas, on December 2, 1971, a distinguished statesman and member of the Senate of the State of Texas, the Honorable Jack Hightower of Vernon, received a great tribute from his Masonic brethren when he was elevated to the highest office in Texas Masonry, that of Grand Master of the Grand Lodge of Texas; and

Whereas, Senator Hightower, the son of the late Walter Hightower and Mrs. Floy Hightower of Memphis, was born in Memphis, Hall County, Texas, on September 6, 1926; and

Whereas, He attended school in Memphis and was graduated with honors from the high school there in

1944; just out of high school he served in the United States Navy during World War II from 1944 to 1946; on leaving military service he enrolled in Baylor University, from which he received the B.A. degree in 1949 and the LL.B. degree in 1951; and

Whereas, In 1952, he turned to the political scene and was elected to the Texas House of Representatives without opposition, serving in 1953 and 1954; he was appointed district attorney for the 46th Judicial District in January, 1955, and after running for and being elected to the office, he served with distinction from 1956 until his resignation in December, 1961; and

Whereas, it was in 1964 that Jack Hightower became a member of the Texas Senate, representing the 30th Senatorial District, and he has continued to serve the people of the same district as a member of the 59th, 60th, 61st, and 62nd Legislatures; he has received the acclaim of his colleagues, and was named president pro tempore of the Senate of the 62nd Legislature during its regular session in 1971; he acted as Governor of Texas during the absence from the state of the Governor and the Lieutenant Governor; and

Whereas, As chairman of the Senate Standing Committee on Administration he has brought about many physical improvements in the Senate Chamber and Senate offices which have been conducive to greater efficiency by both his colleagues and employees of the Senate; he is also the present chairman of the Senate Standing Committee on Youth Affairs and is vice-chairman of the Senate Standing Committee on Rules; he is a member of some 13 standing committees of the Senate, and during the current interim is serving his fourth term as a member of the Texas Legislative Council; and

Whereas, He is an outstanding attorney, esteemed by the members of his profession, and is a dedicated worker in his church, the First Baptist Church of Vernon, where he is a deacon and Sunday School teacher; he has also served on the board of directors of the Baptist Standard, official publication of the Baptist General Convention of Texas; he was awarded the degree of LL.D. in May 1971 by Howard Payne College at Brownwood; and

Whereas, A Mason since 1953,

the new Grand Master is a Past Master of Vernon Lodge 655, a past presiding officer of all York Rite Bodies in Vernon, and a Knight of the York Cross of Honor; he is also a 33° Scottish Rite Mason, having received this high honor on December 11, 1971, in the Dallas Scottish Rite; he is a Shriner of Maskat Temple in Wichita Falls and a member of the Red Cross of Constantine; and

Whereas, Further Masonic activities attesting to his leadership and distinctive membership include service as District Deputy Grand Master of the 90th Masonic District in 1961, Grand Orator of the Grand Lodge of Texas, in 1966, and Grand Senior Warden in 1970; and

Whereas, His fellow members of the Texas Legislature hold for this distinguished gentleman and his lovely wife, the former Colleen Ward of Tulia, Texas, a particular warmth and special affection, as they do for the Hightowers' three beautiful young daughters—Ann, Amy, and Alison; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the 62nd Legislature, 2nd Called Session, hereby extend congratulations to Senator Jack Hightower, Grand Master of the Grand Lodge of Texas, and join his family in expressing pride in his accomplishments; and be it further

Resolved, That official copies of this Resolution be prepared for Senator Hightower and the members of his family in token of the high esteem which the Members of the 62nd Legislature hold for him and in recognition of this most recent honor, his elevation to the office of Grand Master of the Grand Lodge of Texas.

SHERMAN

Signed — Lieutenant Governor Ben Barnes; Alkin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Creighton, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Sherman the resolution was adopted.

House Notified

The Committee to notify the House that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Word for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged.

Governor Notified

The Committee to notify the Governor that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Beckworth for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged.

Senate Concurrent Resolution 3

By unanimous consent, Senator Kennard offered the following resolution:

S. C. R. No. 3—Declaring opposition of Texas Legislature to diversion of funds from the Federal Highway Trust Fund.

KENNARD
MAUZY
McKOOOL

The resolution was read and was referred to the Committee on Transportation.

Senate Concurrent Resolution 6

By unanimous consent, Senator Herring offered the following resolution:

S. C. R. No. 6—Providing that all State departments and institutions be closed for a half day on Good Friday, March 31, 1972.

HERRING
SCHWARTZ

The resolution was read and was adopted.

Senate Resolution 9

Senator Harrington offered the following resolution:

Whereas, The Senate of Texas is

honored by the presence of Mr. and Mrs. Hans Matthofer of Kronberg, Germany. Mr. Matthofer is director of education of the Metal Workers Union and a member of the German Parliament, the Bundestag. He is president of the National Foundation which oversees the contributions of the Federal Republic to programs of adult education in the developing countries. He is visiting Texas, conferring with trade union leaders and discussing with them the approaches of German trade unions to workers' legislation and collective bargaining; and

Whereas, We wish to express our appreciation of their interest in the functions of our State government; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

The President recognized Senator Harrington, who introduced Mr. Hans Matthofer as a guest of the Senate, and requested him to address the Senate.

Mr. Matthofer then addressed the Senate, expressing his pleasure at being present in the Senate today.

The President then presented Mrs. Matthofer to the Members of the Senate.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senators McKool and Bernal:

S. B. No. 1, A bill to be entitled "An Act relating to the conduct and financing of primary elections held during the year 1972; making appropriations for financing the elections; and declaring an emergency."

To Committee on Finance.

By Senator McKool:

S. B. No. 2, A bill to be entitled "An Act relating to the conduct and financing of primary elections for nomination of candidates by political parties; the procedures for making nominations by other methods; the organization, officers, conventions, and other affairs of political parties; non-partisan or independent candidacy in

elections held by counties, cities, and other political subdivisions; and related matters; containing penal provisions; amending, revising, and rearranging all of Chapter 13 (Sections 179 through 236), Texas Election Code (Articles 13.01 through 13.59, Vernon's Texas Election Code); also amending the Texas Election Code as follows: amending Subsection (d) of Section 15 (Article 3.01), Subsections (b) and (c) of Section 22 (Article 3.08), Section 1 of Section 32a (Article 4.10), Paragraph (5), Subdivision 1a of Section 37 (Article 5.05), Subsection (3) of Section 51a (Article 5.19a), Subsections (b) and (e) of Section 58 (Article 6.02), Section 61e (Article 6.05e), Sections 3 and 10 of Section 79 (Article 7.14), Paragraph (c), Subdivision 5 of Section 80 (Article 7.15), Section 104 (Article 8.22), Section 106 (Article 8.24), Section 107 (Article 8.25), Paragraph (1), Subsection (a) of Section 111b (Article 8.29b), Section 112 (Article 8.30), and Paragraph (a), Subdivision 2 of Section 166a (Article 9.38a); adding Paragraphs (e) and (f), Subdivision 1 of Section 61c (Article 6.05c); and declaring an emergency."

To Committee on Privileges and Elections.

By Senators Wallace, Bernal, Schwartz, Jordan, McKool, Kennard and Mauzy:

S. B. No. 3, A bill to be entitled "An Act providing for the preservation and enhancement of scenic beauty of lands bordering certain public highways; providing for the control and regulation of outdoor advertising and certain junkyards and automobile graveyards by the Texas Highway Commission; providing for the establishment of a Texas Highway Beautification Fund in the State Treasury; and declaring an emergency."

To Committee on Transportation.

Senate Bill 1 Ordered Advance Printed

On motion of Senator Aikin and by unanimous consent, S. B. No. 1 was ordered advance printed for Committee consideration.

The bill will not be otherwise printed following Committee consideration.

Senate Bill and Resolutions Ordered Advance Printed

On motion of Senator Bates and by

unanimous consent, S. B. No. 3, S. C. R. No. 1, S. C. R. No. 2 and S. C. R. No. 3 were ordered advance printed.

The bill and resolutions will not be otherwise printed following Committee consideration.

Senate Resolution 20

Senator Schwartz offered the following resolution:

Be It Resolved, That the Rules of the Senate of the 62nd Legislature, Regular Session, as adopted by the Senate on January 12, 1971, and as published in the manual of the 62nd Legislature, be adopted as the permanent rules of the Senate of the 62nd Legislature, Second Called Session.

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Blanchard

Senate Resolution 23

Senator Grover offered the following resolution:

Be it Resolved, by the Senate of the 62nd Legislature, 2nd Called Session, That Senate Rule No. 36 be amended by adding a period after the word "printed," where it first appears in the first sentence and striking the remaining language in the first sentence.

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Bernal
Bates	Bridges
Beckworth	Brooks

Christie	Mauzy
Connally	McKool
Creighton	Moore
Grover	Patman
Hall	Ratliff
Harrington	Schwartz
Harris	Sherman
Herring	Snelson
Hightower	Wallace
Jordan	Watson
Kennard	Wilson
Kothmann	Word

Absent—Excused

Blanchard

Senate Resolution 24

Senator Grover offered the following resolution:

Be it Resolved, by the Senate of the 62nd Legislature, 2nd Called Session, That Senate Rule No. 100 be amended by adding the following sentence at the end of Rule No. 100:

"No floor report of a bill shall be made in lieu of a Committee hearing."

The resolution was read and adopted by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Blanchard

Senate Resolution 25

Senator Grover offered the following resolution:

Be it Resolved, by the Senate of the 62nd Legislature, 2nd Called Session, That Senate Rule No. 109 be amended by adding a new sentence at the end of the second paragraph be-

ginning after the words, "district or section of the state.", to wit:

"Only bills deemed strictly local shall be considered by the Senate on the Local Calendar and the objection of one Member of the Senate shall cause any bill to be removed from said Local Calendar."

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Blanchard

Senate Concurrent Resolution 8

By unanimous consent, Senator Schwartz offered the following resolution:

S. C. R. No. 8—Providing for the Joint Rules of the Senate and House of Representatives.

Be it Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that

Section 1. The following Joint Rules be, and are hereby, adopted as the Joint Rules of the 62nd Legislature, Second Called Session, subject to the conditions herein provided.

JOINT RULES OF THE TWO HOUSES

NOTICE OF CONVENING

1. At the convening of any new session of the Legislature, Regular or Called, each House shall proceed with its own organization and shall give notice to the other House as soon as it is organized and ready to conduct business.

2. Each House shall record in its Journal on the day and at the time of the event the fact: (1) that it gave notice to the other House that it had completed its own organization, and (2) that it received notice

from the other House that such other House had completed its organization.

3. Each House shall give notice to the Governor that it has completed its organization and is ready to conduct business, and the fact of such notice shall be recorded in its Journal on the day and at the time of the event.

COMMUNICATIONS BETWEEN THE TWO HOUSES

4. When a message is sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the doorkeeper, and shall be respectfully communicated to the chair by the person delivering the same. The same ceremony shall be observed when a message is sent from the House of Representatives to the Senate.

5. All messages between the Houses relating to the passage or rejection of any bills, resolutions, or other matter shall be on paper and properly addressed to the presiding officer of the House to which the message is sent, and shall be under the signature of the Secretary of the Senate or the Chief Clerk of the House, as the case may be. All such messages shall be printed in full in the Journal of the House receiving same.

6. In the transmission of a bill or resolution from one House to the other, such bill or resolution shall be accompanied by all papers upon which such bill or resolution is founded.

7. When a bill, joint resolution or concurrent resolution has been defeated in the Senate or in the House (or defeated in a committee of either House), the Secretary of the Senate or the Chief Clerk of the House, as the case may be, shall immediately notify the other House of the defeat of said bill or resolution and transmit a copy of the caption of such defeated bill or resolution.

JOINT SESSIONS OF THE TWO HOUSES

8. The two Houses may be convened in Joint Session by the passage of a concurrent resolution.

9. In all Joint Sessions, the Senate will meet with the House in the Hall of the House at the hour fixed for such session. The Speaker of the House will preside. The President of the Senate shall take a seat to the right of the Speaker, and the Senators shall take seats in front of the

Speaker's desk. The President shall call the Senate to order and ascertain the presence of a quorum. The Speaker shall call the House to order and ascertain the presence of a quorum. The Speaker shall then proceed to lay before the Joint Session whatever matter the Joint Session was convened to consider.

10. When the Joint Session has completed the business for which it was convened, the President shall retire the Senate to its Chamber or take such other action as may have been previously authorized by the Senate. The Speaker shall then have the House stand at ease until the Senate retires or take such other action as may have been previously authorized by the House.

ELECTIONS BY JOINT VOTE OF THE TWO HOUSES

11. In all elections by joint vote of the two Houses of the Legislature, the Senate, upon invitations, will meet with the House in its Hall at the agreed hour. The Speaker of the House will preside. The President of the Senate shall take a seat to the right of the Speaker, and the Senators shall take seats in front of the Speaker's desk. The names of the Senators shall then be called alphabetically, after which the names of the Representatives shall be called in like manner, and if a quorum of both Houses answer to their names, the two Houses will proceed with the business for which they have met. The President of the Senate shall first call for nominations by Senators, and the Speaker of the House shall then call for nominations by Representatives. Nominations being made, the names of the Senators shall be called by the Secretary and their votes recorded by him. The names of the Representatives shall then be called by the Clerk, and their votes recorded by him, and the result shall be handed to and announced by the Speaker. Should a majority be required to elect, and no person receives a majority, the voting shall be repeated until an election is made. After the conclusion of the election for which the two Houses have met in Joint Session, the Senate shall retire to its Chamber, and the result of the joint vote shall be entered in the Journal of each House.

12. If a quorum of either House shall fail to attend a Joint Session, or absent themselves therefrom with-

out the permission of such House, the members of the House so wanting a quorum shall have the right to compel the attendance of the absentees in accordance with its own rules; and, after a reasonable time, if a quorum is not obtained, the Joint Session may be adjourned by the vote of a majority of the members of either House, which vote shall be taken by the presiding officer of either House, on the motion of any one of its members, without debate.

13. If no choice shall have been made on the first ballot or vote, at any time thereafter the Joint Session may be adjourned, with or without naming another day for meeting, by a vote of a majority of either House, on the motion of any one of its members, without debate.

CONSIDERATION OF BILLS

14. When any Senate bill shall be reached upon the calendar or shall be before the Senate for consideration, it shall be the duty of the President to give the place of such bill on the calendar to any House bill which has been referred to and reported from a committee of the Senate, and which is substantially the same as said Senate bill, or to lay such House bill before the Senate to be considered in lieu of such Senate bill.

15. On calendar Wednesday and Thursday only of each week, House bills and House joint resolutions shall be taken up and considered in the Senate until disposed of; and in case a House bill should be pending at adjournment on Thursday, it shall go over to the succeeding calendar Wednesday as unfinished business; provided, however, this rule as to such pending business at adjournment on calendar Thursday may be suspended by a two-thirds vote of the Senate to permit the continued consideration of such pending business.

16. When any House bill shall be reached upon the calendar or shall be before the House for consideration, it shall be the duty of the Speaker to give the place of such bill on the calendar to any Senate bill which has been referred to and reported from a committee of the House, and which is substantially the same as said House bill, or to lay such Senate bill before the House to be considered in lieu of such House bill.

17. On calendar Wednesday and Thursday only of each week, Senate

bills and Senate joint resolutions shall be taken up and considered in the House until disposed of; and in case a Senate bill should be pending at adjournment on Thursday, it shall go over to the succeeding calendar Wednesday as unfinished business; provided, however, this rule as to such pending business at adjournment on calendar Thursday may be suspended by a two-thirds vote of the House to permit the continued consideration of such pending business.

18. No bill shall be considered, unless it has first been referred to a committee and reported thereon, and no bill shall be passed which has not been presented and referred to and reported from a committee at least three days before the final adjournment of the Legislature (Constitution, Article III, Section 37). No vote shall be taken upon the passage of any bill within the last twenty-four hours of the session, unless it be to correct an error therein.

19. In reckoning the time within which a bill has been introduced, the date of its first introduction in either House shall govern.

20. In order to assure the continuation of financial support of existing state services through the consideration and passage of the General Appropriations Bill, it shall not be in order during the first 120 days of the regular session for the respective presiding officer to lay before either House of the Legislature, or for either House or any committee thereof, to consider, prior to the consideration, passage and certification by the Comptroller of the General Appropriations Bill, any bill which directly or indirectly:

1. Appropriates money from the State Treasury;

2. Prevents any money from entering the State Treasury;

3. Transfers, diverts or appropriates money in the State Treasury from one fund to another fund except from a special fund into the General Fund; or

4. Requires certification of the Comptroller under Article 3, Section 49a, of the Constitution.

The provisions of this Rule shall not apply to any bills appropriating money for:

1. The payment of expenses of the Legislature;

2. The payment of judgments against the State; or

3. Any emergency matter when requested by the Governor in a formal message to the Legislature.

The General Appropriations Bill shall be reported to the Senate by its Finance Committee and to the House by its Appropriations Committee not later than the seventieth calendar day of the Regular Session.

FORM OF BILLS

21. To enable members of the Legislature to understand more fully and more easily the nature and legal effect of matters under consideration, all bills and resolutions shall conform to the following requirements:

(a) If a bill or resolution proposes to amend an existing portion of the Constitution, a statute, or a legislative rule, the complete text of the existing portion of such constitution, statute or rule shall be quoted in full.

(b) Language to be added to the existing portion of the Constitution, statute or rule shall be inserted in its appropriate place in the text thereof and shall be underlined.

(c) Language to be deleted from the existing portion of the Constitution, statute or rule shall be typed in solid capital letters and enclosed in parentheses.

(d) If the language to be added is to replace a part of the existing text, the new language shall precede the existing text which is being replaced.

(e) If a portion of a word is being changed (such as correcting capitalization, spelling or punctuation), the entire word shall be replaced. Such word shall first be inserted correctly and underlined, followed by the word as it appears in existing text, then typed in solid capital letters and enclosed in parentheses.

22. If the proposal to amend an existing portion of the Constitution, a statute or a legislative rule involves a complete redraft of the entire text thereof, to the extent that it would confuse rather than clarify to show additions and deletions, the foregoing rule will not apply; however, the presiding officer of the group having such proposal under consideration shall strictly construe the foregoing rule to achieve the purposes thereof.

23. Compliance with the foregoing two rules shall be required at all stages of the legislative process except in the engrossing and enrolling of the bill or resolution, when the

underlining and the deleted text shall be omitted.

CONFERENCE COMMITTEES

24. When a bill or resolution passed by one House is amended in the other House, and the originating House fails to concur in the amendments, the disagreement shall be resolved by a motion in the originating House not to concur and to request the appointment of a conference committee. Prompt notice of action on such motion shall be given to the other House and included in such notice shall be the names of those named by the presiding officer of the originating House as members of the conference committee. Upon the receipt of such request for a conference committee, the receiving House shall promptly act thereon by motion to grant or not to grant a conference committee. If the motion to grant prevails, such notice shall include the names of the members of the conference committee named by the presiding officer of the receiving House, whereupon the conference committee shall be officially constituted and authorized to proceed with the business for which it was created.

25. In all conferences between the Senate and the House by committee, the number of committeemen from each House shall be five (5), and all votes on matters of difference shall be taken by each committee separately, and it shall require a majority of each committee to determine the matter in dispute. Reports of conference committees must be signed by a majority of each committee of the conference.

26. The members of the conference committee named by the presiding officer of the originating House shall select one of their number to serve as chairman of the conference committee. The chairman shall fix a time and place for the conference committee to meet and shall give adequate notice thereof to all members of the conference committee. The committee shall meet at the appointed hour, confer freely on the matters in disagreement and apply themselves diligently in an effort to reconcile such differences. All meetings of conference committees shall be open to the public and press.

27. Conference committees shall limit their discussions and their ac-

tions solely to the matters in disagreement between the two Houses. A conference committee shall have no authority with respect to any bill or resolution:

1. To change, alter, or amend text which is not in disagreement;
2. To omit text which is not in disagreement;
3. To add text on any matter which is not in disagreement;
4. To add text on any matter which is not included in either the House or Senate version of the bill or resolution.

This rule shall be strictly construed by the presiding officer in each House to achieve the purposes hereof.

28. Conference committees on appropriations bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. In addition to the limitations contained elsewhere in these rules, a conference committee on appropriations bills shall be strictly limited in its authority as follows:

1. If an item of appropriation appears in both House and Senate versions of the bill, such item must be included in the conference report.
2. If an item of appropriation appears in both House and Senate versions of the bill, and in identical amounts, no change can be made in such item or the amount thereof.
3. If an item of appropriation appears in both House and Senate versions of the bill but in different amounts, no change can be made in the item, but the amount thereof shall be at the discretion of the conference committee, provided that such amount shall not exceed the larger version and shall not be less than the smaller version.
4. If an item of appropriation appears in one version of the bill and not in the other, such item can be included or omitted at the discretion of the conference committee. If the item is included, the amount thereof shall not exceed the sum specified in the version containing such item.
5. If an item of appropriation appears in neither the House nor the Senate version of the bill, such item must not be included in the conference report.

This rule shall be strictly construed by the presiding officer in each House to achieve the purposes hereof.

29. Conference committees on tax bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. In addition to the limitations contained elsewhere in these rules, a conference committee on a tax bill shall be strictly limited in its authority as follows:

1. If a tax item appears in both House and Senate versions of the bill, such item must be included in the conference report.

2. If a tax item appears in both House and Senate versions of the bill, and in identical form and with identical rates, no change can be made in such item or the rate therein provided.

3. If a tax item appears in both House and Senate versions of the bill but at differing rates, no change can be made in the item, but the rate thereof shall be at the discretion of the conference committee, provided that such rate shall not exceed the higher version and shall not be less than the lower version.

4. If a tax item appears in one version of the bill and not in the other, such item can be included or omitted at the discretion of the conference committee. If the item is included, the rate thereof shall not exceed the rate specified in the version containing such item.

5. If a tax item appears in neither the House nor the Senate version of the bill, such item must not be included in the conference report.

This rule shall be strictly construed by the presiding officer in each House to achieve the purposes hereof.

30. Conference committees on reapportionment bills, to the extent possible, shall limit their discussions and their actions to the matters in disagreement between the two Houses. Since the adjustment of one district in a reapportionment bill will inevitably affect other districts therein, the strict rule of construction imposed on other conference committees must be relaxed somewhat when reapportionment bills are involved. Accordingly, the following authority and limitations shall apply only to conference committees on reapportionment bills:

1. The conference committee shall have wide discretion in rearranging all districts to the extent necessary to resolve all differences between the two Houses.

2. Insofar as the actual structure

of the districts is concerned the provisions of Joint Rule 27 shall not apply to conference committees on reapportionment bills.

31. Conference committees on recodification bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. The comprehensive and complicated nature of recodification bills makes necessary the relaxing of the strict rule of construction imposed on other conference committees only to the following extent:

1. If it develops in conference committee that material has been inadvertently included in both House and Senate versions which properly has no place in such recodification, such material may be omitted from the conference report, if by such omission the existing statute thereon is not repealed, altered or amended.

2. If it develops in conference committee that material has been inadvertently omitted from both the House and Senate version which properly should be included if such recodification is to achieve its purpose of being all-inclusive of the statutes being recodified, such material may be added to the conference report, if by such addition the existing statute is merely restated without substantive change in existing law.

32. Limitations imposed on certain conference committees by the provisions of Joint Rules 28, 29, 30 and 31 may be suspended in part, by permission of both Houses, to enable consideration of and action on a specific matter or matters which otherwise would be in violation thereof. Such permission shall be granted only by concurrent resolutions passed by majority vote in each House, with yeas and nays thereon to be recorded in the Journals of the respective Houses. Such concurrent resolutions shall specify in detail: (1) the exact nature of the matter or matters proposed to be considered, (2) the specific limitation or limitations to be suspended thereby, (3) the specific action contemplated by the conference committee thereon, and (4) the reasons why suspension of such limitations is being requested. Permission thus granted shall suspend such limitations only for the matter or matters clearly specified in the resolution, and action of the conference committee shall be in conformity therewith.

33. All conference committee reports on appropriation bills, tax bills, reapportionment bills, and recodification bills must be reproduced and a copy thereof furnished to each member at least forty-eight hours before any action thereon can be taken by either House if convened in Regular Session, or twenty-four hours if convened in a Called Session.

34. All conference committee reports on bills other than appropriation, tax, reapportionment and recodification bills must be reproduced and a copy thereof furnished to each member at least twenty-four hours before any action thereon can be taken by either House; provided, however, that the twenty-four hour delay on action by either House, as herein provided, shall not apply during the last forty-eight hours of any session.

35. Each conference committee report, regardless of its subject matter, must have attached thereto a section by section analysis showing the disagreements which have been resolved by the conference committee. This analysis must show, for each and every disagreement, in parallel columns: (1) the substance of the House version, (2) the substance of the Senate version, and (3) the substance of the recommendation thereon by the conference committee. No action shall be taken by either House on any conference committee report in the absence of such an analysis except by an affirmative vote of two-thirds of the members present, with the yeas and nays thereon to be recorded in the Journal of such House.

36. The presiding officer of each House shall rule out of order any conference committee report made or which is in violation of any of the provisions and limitations contained in the Joint Rules.

37. Each conference committee report, regardless of its subject matter, shall be printed only once in the Journal, such printing to be determined as follows: (1) if the conference committee report involves a House bill, such report shall be printed in the House Journal and not in the Senate Journal; and (2) if the conference committee report involves a Senate bill, such report shall be printed in the Senate Journal and not in the House Journal.

ENROLLING AND SIGNING BILLS

38. After a bill shall have passed

both Houses, it shall be duly enrolled including all proper endorsements, following which it shall be examined by the Joint Legislative Committee on Administration, hereinafter created. The Joint Committee shall carefully compare the enrolled bill with the drafts of such bill as passed by the respective Houses, correct any and all errors made in the enrollment thereof, and report thereon to the respective Houses. Such report shall be accompanied by a copy of the bill and shall, except for local bills, be printed in the Journal of the House in which such bill originated.

39. There is hereby created the Joint Legislative Committee on Administration whose membership shall consist of five members of the Senate named by the President who are also members of the Senate Committee on Rules and five members of the House named by the Speaker who are also members of the House Committee on Enrolled and Engrossed Bills. During the two-year period beginning in the year 1972 and ending January 1974, the chairman of the Senate Committee on Rules shall be chairman and the chairman of the House Committee on Enrolled and Engrossed Bills shall be vice-chairman, of the Joint Committee which positions shall be reversed in the subsequent two-year period in such manner that the chairman of the Joint Committee shall alternately be a member of the Senate for two years and then a member of the House for two years, with the vice-chairman in each instance to be a member of the other House. The Joint Committee shall conduct studies of various phases of legislative administration, such as printing, enrolling and engrossing, and status reporting, to determine the feasibility of joint operation of such facilities, and shall report thereon to the respective Houses from time to time as the occasion warrants. Should joint operation of any facility be provided by the two Houses, such facility shall be under the supervision and control of the Joint Committee. It is further provided that the Joint Committee shall in no way interfere with the operation of the offices or staffs of individual Senators and members of the House of Representatives.

40. If a joint facility for the enrollment of bills is provided, it shall be the duty of such facility to enroll in accurate and correct form all bills

or resolutions passed by both Houses, as well as any resolution passed by a single House which is subject to being enrolled, under such rules and regulations as may be promulgated by the Joint Committee. In the absence of such joint facility, it shall be the duty of the Enrolling and Engrossing Clerk of the House to enroll all bills and resolutions which originate in the House and the duty of the Enrolling and Engrossing Clerk of the Senate to enroll all bills and resolutions which originate in the Senate.

41. After examination and report, each bill shall be signed in the respective Houses, first by the presiding officer of the House in which the bill originated and then by the presiding officer of the other House, in accordance with Article 8, Section 38, of the Texas Constitution.

42. After a bill shall have been signed in each House, it shall be presented by the Joint Committee to the Governor for his consideration and action. The Joint Committee shall report the day of presentation to the Governor, which event and date thereof shall be entered in the Journal of the House in which the bill originated.

43. Unless and until a joint facility for the enrollment of bills is provided, the duties and responsibilities herein imposed on the Joint Committee shall be exercised and performed by the Senate Committee on Rules in the case of bills originating in the Senate, and by the House Committee on Enrolled and Engrossed Bills in the case of bills originating in the House.

44. All orders, resolutions and votes which are to be presented to the Governor for his approbation shall also be enrolled, examined and signed in the same manner as bills, and shall be presented in the same manner and by the same committee as provided in the case of bills.

ADJOURNMENTS

45. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that where the Legislature may be sitting (Constitution, Article 3, Section 17).

46. Consent for the adjournment of either or both Houses for more than three days shall be evidenced by a concurrent resolution passed by a majority vote in both Houses prior

to the time such period of adjournment shall begin.

47. Each session of the Legislature shall adjourn sine die at the time fixed therefor by the Constitution of Texas unless an earlier date or time shall be determined by concurrent resolution passed by a majority vote in both Houses, in which event the date and time fixed by such resolution shall govern.

48. When the time arrives for sine die adjournment, each House shall give notice to the other that it has completed its labors and stands ready to adjourn sine die, and the fact of such notice shall be recorded in the Journals of the respective Houses.

49. When the time arrives for sine die adjournment, each House shall give notice to the Governor that it has completed its labors and stands ready to adjourn sine die, and the fact of such notice shall be recorded in the Journals of the respective Houses.

SUSPENDING THE JOINT RULES

50. Except as otherwise provided herein, no provision contained in the Joint Rules shall be suspended except by concurrent resolution passed by both Houses by a two-thirds vote of the members present and voting in each House, with the yeas and nays on each such vote to be recorded in the Journals of the respective Houses.

Sec. 2. Due to practical difficulties in the transition to new procedures, Joint Rules 21, 22, and 23 shall not be mandatory until the regular session of the 63rd Legislature; thereafter, to be in full force and effect.

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Blanchard

Senate Resolutions on First Reading

By Senator Mauzy:

S. R. No. 26—Affirming action of Lieutenant Governor in assigning three Senate Interim Study Committees to work in studying problems of public school financing.

To Committee on Finance.

By Senator Mauzy:

S. C. R. No. 9—Providing for the creation of a Senate Interim Committee to Study Urban Education.

To Committee on Finance.

By Senator Hall:

S. C. R. No. 10—Declaring Legislative intent with regard to the adoption of House Joint Resolution 61 with respect to a constitutional revision commission.

To Committee on Constitutional Amendments.

By Senator Hall:

S. C. R. No. 11—Granting permission to L. L. Haney and wife, Betty Jo, to sue the State.

To Committee on Jurisprudence.

Election of President Pro Tempore for Second Called Session of the Sixty-second Legislature

The President announced the election of a President Pro Tempore as the next order of business.

Senator Mauzy nominated Senator Barbara Jordan as President Pro Tempore for the Second Called Session of the Sixty-second Legislature.

Senators Herring, Hightower, Schwartz, Creighton, Harrington, Aikin, Bates, Hall, Brooks, Wallace, Bernal, McKool, Kennard, Patman and Grover seconded the nomination of Senator Jordan.

There being no further nominations, the President announced the appointment of the following as Tellers to take up and count the ballots: Senators Hightower and Wallace.

The ballots were taken up and counted and the President announced that Senator Jordan received 29 votes with 1 present not voting for Presi-

dent Pro Tempore of the Second Called Session of the Sixty-second Legislature and declared her duly elected.

The President appointed Senators Brooks, Wallace, Aikin, Kennard and Wilson to escort Senator Jordan to the President's Rostrum.

Senator Jordan was administered the Constitutional Oath of Office by the President of the Senate as President Pro Tempore of the Second Called Session of the Sixty-second Legislature. The President then presented President Pro Tempore Jordan to the Senate.

President Pro Tempore Jordan addressed the Senate, expressing her appreciation and stated that whatever the future might hold for her no honor could ever compare with this highest honor the Senate of Texas can bestow on any member. She further stated that as Presiding Officer of the Senate she would be firm and fair.

Recess

On motion of Senator Aikin the Senate at 11:35 o'clock a.m. took recess until 1:30 o'clock p.m. today.

After Recess

The President Pro Tempore called the Senate to order at 1:30 o'clock p.m. today.

At Ease

The President Pro Tempore announced at 1:35 o'clock p.m. the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 3:35 o'clock p.m.

Senate Resolution 27

By unanimous consent, Senator Aikin offered the following resolution:

Whereas, The Senate of the State of Texas notes the absence from the Senate Chamber of the Senator from Lubbock H. J. "Doc" Blanchard; and

Whereas, The Senator is recovering from serious heart surgery in Galveston's John Sealy Hospital and is

unable to join us at the State Capitol in Austin; and

Whereas, We desire to wish Senator Blanchard best wishes on a speedy recovery and convey to him our sincere gratitude for the fine service he has given to the State of Texas; and

Whereas, The Second Called Session of the 62nd Legislature is crippling along without the strong backbone and support from the Senator from Lubbock; now, therefore, be it

Resolved, That his absence is recognized and deeply felt by all members of this body and that this body sincerely hopes that the Senator will soon return to his role as Senator.

AIKIN HIGHTOWER

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Bernal, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Aikin the resolution was adopted.

Senate Concurrent Resolution 13

By unanimous consent, Senator Aikin offered the following resolution:

S. C. R. No. 13, Inviting The Honorable Preston Smith to address a Joint Session of the Texas Legislature.

Whereas, The Honorable Preston Smith, Governor of Texas, desires to deliver a message in person to the 2nd Called Session of the 62nd Legislature; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the two Houses meet in Joint Session at 10 a.m. in the Hall of the House of Representatives on March 29th to hear the Governor's message.

The resolution was read and was adopted.

Co-Author of Senate Concurrent Resolution 1.

On motion of Senator Moore and by unanimous consent, Senator Watson will be shown as Co-Author of S. C. R. No. 1.

Senate Notified

A committee from the House appeared at the Bar of the Senate and Representative Floyd for the committee announced that the House of Representatives was organized and ready to transact business.

Memorial Resolutions

S. R. No. 6—By Senator Brooks: Memorial resolution for Anthony Russo (amended).

S. R. No. 8—By Senators Brooks and Jordan: Memorial resolution for Roy A. Hutchins.

S. R. No. 11—By Senator Watson: Memorial resolution for Dr. Aubrey L. Goodman.

S. R. No. 14—By Senator Watson: Memorial resolution for Sam Wood.

S. R. No. 15—By Senator Watson: Memorial resolution for Claude H. Thompson.

S. R. No. 16—By Senator Watson: Memorial resolution for E. Shelby Winfree.

S. R. No. 17—By Senator Watson: Memorial resolution for Mrs. John F. (Herma) Sheehy.

S. R. No. 19—By Senator Watson: Memorial resolution for Mrs. Cecil Anne Kennedy.

Welcome and Congratulatory Resolutions

S. R. No. 3—By Senator Mauzy: Extending congratulations to The Dallas Cowboy Football Club.

S. R. No. 4—By Senator Mauzy: Extending congratulations to Mustangs of Roosevelt High School of Dallas, the 1972 AAAA State Champions.

S. R. No. 5—By Senator Mauzy: Extending congratulations to David W. Carter High School of Dallas, the 1971 AAAA State Semi-finalist in football.

S. R. No. 7—By Senators Creighton and Mauzy: Extending welcome to Texas Rangers of the American League on their move to Arlington, Texas.

S. R. No. 10—By Senator Watson: Extending congratulations to R. H. (Ray) Linam on selection as East Texan of the Month for November, 1971.

S. R. No. 12—By Senator Watson: Extending congratulations to Harley Berg on his selection to "Outdoorsman Hall of Fame."

S. R. No. 13—By Senator Snelson: Extending welcome to Girl Scout Troop 122 Cadettes of Midland.

S. R. No. 18—By Senator Watson: Commending Mrs. Marilyn Hoster for her many accomplishments and outstanding service.

S. R. No. 21—By Senator Watson: Extending congratulations to Dr. Hubert M. Dawson on his distinguished record of service to the people of Texas.

S. R. No. 22—By Senator Watson: Commending John Mann Gardner, II, for his dedicated efforts to restore train service for his fellow citizens in McGregor.

Adjournment

On motion of Senator Aikin the Senate at 3:41 o'clock p.m. adjourned until 9:55 o'clock a.m. tomorrow.

In Memory of Houston Harte

Senator Snelson offered the following resolution:

(Senate Concurrent Resolution 4)

Whereas, On March 13, 1972, the citizens of San Angelo and all the State of Texas were deeply saddened by the loss of an eminent and beloved compatriot, Mr. Houston Harte, who died at the age of 79; and

Whereas, Mr. Harte gained outstanding stature and prominence as a newspaper journalist and publisher, and his innumerable contributions to many different facets of the state's growth and development earned him the sincere respect and admiration of all those who knew him; and

Whereas, He was born January 12, 1893 at Knob Noster, Missouri, and attended public schools there, enrolling next in the University of Missouri and graduating in 1915 with a journalism degree. In 1917 during World War I, Mr. Harte enlisted in the Army and served until 1918, when he was discharged with the rank of captain in the infantry; and

Whereas, Thereafter he traveled to Texas to buy the San Angelo Standard newspaper, which was up for sale at the time. His new venture was left long enough for a return trip to Missouri, where he was married to Caroline Isabel McCutcheon on March 26, 1921, and the newlyweds moved to Texas to begin their life together; and

Whereas, Mr. Harte acquired interests in newspapers across the state and the nation, and in conjunction with Mr. Bernard Hanks, founded and developed Harte-Hanks Newspapers, Inc., which currently includes 19 newspapers in six states with a total circulation of more than 600,000 and a television station; and

Whereas, In building these vast newspaper holdings, he never lacked in journalism excellence or quality of his publications, and in 1931 the University of Missouri journalism school awarded him a medal of merit for distinguished service to journalism. In 1935, he was elected to the board of directors of the Associated Press, serving in that capacity until 1943; and

Whereas, The contributions he made toward the civic, economic, and governmental growth of San Angelo and Texas are incalculable; among them are using his persuasion and influence to get a branch of the Regional Agricultural Credit Corporation and to reopen San Angelo National Bank during the difficult depression years. He was instrumental in keeping Goodfellow Air Force Base operating at San Angelo. He added to the cultural entertainment and education for his home city by sponsoring appearances of musical greats and engaging roadshows of Broadway hits throughout the years. He cultivated state politicians and successfully asked their aid in getting a four-year college for San Angelo. He built a highly successful trucking business, successfully invested in the West Texas Oil Industry, and was one of the organizers of the Western Reserve Life Insurance Company; and

Whereas, He has received countless honors and awards for his outstanding achievements; in May 1970 he learned the future east-west thoroughway in San Angelo would be named the Houston Harte Expressway. In October, 1971, a new building on the Angelo State University campus was named the Houston Harte University Center. In 1957, he was named San Angelo "Citizen of the Year" and received the Headliner's Club award as "Outstanding Texas Publisher." In 1969, the Petroleum Hall named Mr. Harte to be its latest member for his objective oil news reporting. He was a former director of the Texas Industrial Commission, president of the local Board of City Development as well as the West Texas Chamber of Commerce. He served as president of the local Boy Scout Council and chairman of the Community Chest campaign, among a myriad of other civic and religious organizations; and

Whereas, His works and his deeds are too numerous to be completely recorded, but his name, his acts, and his legend will never be forgotten by those whose lives he touched in so many ways; and

Whereas, He is survived by his beloved wife of 50 years; two sons, Edward H. Harte of Corpus Christi and Houston H. Harte of San Antonio; and seven grandchildren; now, therefore be it

Resolved, That on this day the Senate of the 62nd Legislature (Second Called Session) of the State of Texas, the House of Representatives concurring, does so honor the memory of Mr. Houston Harte and extends sympathy to the members of his family; and be it further

Resolved, That copies of this Resolution be prepared, under the Seal of the Senate, and presented to members of Mr. Harte's family as a tribute to his memory; and, when the Senate adjourns this day, it so do in his memory.

SNELSON

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Bridges, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Snelson the resolution was adopted by a rising vote of the Senate.

In Memory of Francis A. (Frank) Miskell

Senator Kennard offered the following resolution:

(Senate Concurrent Resolution 7)

Whereas, Citizens of Austin and The University of Texas community, and Members of the Texas Legislature were greatly saddened by the untimely death, at the age of 47, of one of their most distinguished friends and fellow citizens, Francis A. (Frank) Miskell, on Sunday, December 12, 1971; and

Whereas, At the time of his death, this dedicated public servant was director of state affairs for The University of Texas System, a position in which he had excelled since assuming his duties in July, 1970; and

Whereas, A native of New York City, Mr. Miskell held a B.S. degree from North Texas State University and had completed graduate work leading to the master's degree in government from The University of Texas at Austin; he had served as a graduate assistant in the Department of Government; and

Whereas, Mr. Miskell taught in the Ganado Independent School district in 1949-50; he was the author or co-author of numerous articles in the area of taxation, the small loan business, and municipal annexation; and

Whereas, Frank Miskell joined the staff of the Texas Legislative Council in 1953, where he worked for 10 years doing research, drafting legislation and advising the Texas Legislature; he did much of the work which led to the adoption of Texas' small loan and consumer protection laws; and

Whereas, In 1962, he joined the staff of Governor John Connally serving as an administrative assistant; in 1963 he became the commissioner of the Office of Regulatory Loans and served in that position until 1967, when the Legislature enacted the Texas Consumer Credit Code; Governor Connally then named Frank Miskell as the first commissioner of the Office of Consumer Credit; and

Whereas, Known as an able and vigorous administrator, Frank Miskell, as much as any one individual could have been, was responsible for cleaning up the small loan industry in Texas; he not only helped draft the legislation which put the small loan industry under State regulation in 1963, but he also provided hardnosed leadership in strictly enforcing the Regulatory Loan Act and the Texas Consumer Credit Code while serving as the regulatory loan commissioner and consumer credit commissioner; and

Whereas, He was widely known for his honesty and fairness, a man greatly respected by the law-abiding citizens and officials of this State and greatly feared by those whose operations flaunt the law; and

Whereas, Frank Miskell joined the staff of The University of Texas System in 1970 as director of state affairs, a position in which he worked closely with the Members of the Legislature and state agencies on university matters; his knowledge and understanding of state government achieved in a career of over 18 years of state service made this man an invaluable addition to the university community; and

Whereas, Mr. Miskell held memberships in Pi Sigma Alpha, the honorary government fraternity, the American Political Science Association, the American Society for Public Administration and the International Association of Consumer Credit Administrators; and

Whereas, The passing of this untiring servant of the people of Texas is a great loss not only to his family and many friends but also to the Members of the Texas Legislature and to the people of Texas; the efforts of individuals such as Frank Miskell contribute greatly to the efficient workings of the Legislature and to the proper implementation of laws protecting the interests of the people of Texas; and

Whereas, Frank Miskell was a leading administrator and public servant, but he was also a man of great understanding and compassion; he was a loving husband and father whose life was an inspiration to those around him at home and in his community; and

Whereas, He is survived by his wife; one son, Kevin Miskell of Austin; and one daughter, Mrs. Susan Grotevant, who lives in California; and

Whereas, It is appropriate that the Texas Legislature and all the people of Texas pay tribute to this outstanding citizen for his many contributions to his community and state, and extend sympathy to his family; now, therefore, be it

Resolved by the Senate of the 62nd Legislature, 2nd Called Session, the House of Representatives concurring, That this Resolution stand in memory of Francis A. (Frank) Miskell, distinguished citizen and dedicated public servant; and, be it further

Resolved, That official copies of this Resolution be prepared for the members of his family as an expression of deepest sympathy from the Legislature of the State of Texas.

KENNARD
MOORE

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Jordan, Kothmann, Mauzy, McKool, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Kennard the resolution was adopted by a rising vote of the Senate.

In Memory of
Former Senator
George "Cotton" Moffett

Senator Hightower offered the following resolution:

(Senate Concurrent Resolution 12)

Whereas, People throughout the State of Texas were saddened to hear of the death of George "Cotton" Moffett, renowned former veteran Member of the Texas Senate, on January 4, 1972, at the age of 76; and

Whereas, Destined to serve as a Member of the Texas Legislature longer than anyone else prior to the time of his retirement in 1965, he was born the son of Frank Lee Moffett, a colorful Hardeman County pioneer, and Ina Farrington Moffett, on November 20, 1895, on a farm near Chillicothe; and

Whereas, He spent his youth on his parents' farm and attended a one-room county school until his last year in high school; after being graduated from Chillicothe High School in 1911, he went to Texas A&M University, where he received a bachelor of science degree with a major in animal husbandry in 1916; and

Whereas, Senator Moffett was true to "the spirit of Aggieland" from his college days on and, after serving in the United States Army Air Corps during World War I, returned to his native soil to begin managing a large wheat and cotton farm; he was to continue in this pursuit, in addition to his other activities, for half a century; and

Whereas, He also embarked on a successful business career, including banking, oil development, and an automobile agency, before being elected in 1980 to the House of Representatives of the 42nd Legislature; and

Whereas, After serving in the House for four terms, he was elected to the State Senate in 1938, thus becoming the first native of his Northwest Texas senatorial District to serve in that capacity; upon his voluntary retirement from political life in January 1965, he had compiled what was an all-time record of 34 years of continuous service in the Texas Legislature; and

Whereas, During his political career, Senator Moffett served as chairman of every major Senate committee and sponsored important legislation dealing with agriculture, livestock, oil and gas, education, apportionment, and veterans' benefits; and

Whereas, In the area of farming and ranching in particular, he authored bills pertaining to soil conservation, feed control, insecticide control, and research for the marketing and further development of cotton and its by-products, thereby earning him the nickname "Cotton"; and

Whereas, Senator Moffett was the author of more constitutional amendments than any other member of the Legislature; among them was the amendment providing for the erection of new state office buildings and two veterans land amendments; and

Whereas, It was largely due to his efforts that Midwestern University at Wichita Falls was made a four-year, state-supported college, and he was a member of the board of regents of that institution at the time of his death; and

Whereas, In addition to his long and active service in the Texas Legislature, Senator Moffett played a vital role in the fraternal life of this state; a 38rd Degree Mason, he held most of the offices in Masonry, including, in 1955, the office of Grand Master of the Grand Lodge of Texas, A.F. & A.M.; the Masonic Grand Lodge of Texas conducted his burial at the State Cemetery in Austin; and

Whereas, He was also active in the American Legion and was a charter member and first president of the Chillicothe Lions Club; and

Whereas, Senator Moffett's passing is a great loss, not only to his family and to his political and fraternal colleagues, but to the innumerable farmers, ranchers, veterans, students, and other Texans who benefited from his dedicated efforts in the Legislature; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the 62nd Legislature, 2nd Called Session, pay tribute to the memory of former Texas State Senator George "Cotton" Moffett and extend sympathy to the members of his family: to his wife, Ruth, to his daughter, Joy Eaton; to his son, Frank; and to his grandchildren; and, be it further

Resolved, That official copies of this Resolution be prepared for the members of his family as an expression of sympathy from the Texas Legislature, and that when the Senate and House of Representatives adjourn this day, they do so in memory of an esteemed former colleague, Senator George Moffett, and in recognition of his many contributions to the well-being of the people of this state.

HIGHTOWER
AIKIN

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hightower the resolution was adopted by a rising vote of the Senate.

In Memory of

The Honorable Will Smith

Senator Harrington offered the following resolution:

(Senate Concurrent Resolution 14)

Whereas, On March 18, 1972, the State of Texas lost one of its most esteemed citizens and dedicated public officials with the death of Representative Will Smith of Beaumont; and

Whereas, Representative Smith was first elected to the Texas House in 1942; he served in that capacity continuously except for a brief period in the 1950's; he was one of two House members ever to serve more than eleven terms; and

Whereas, He was named "Dean of the Texas House" in 1971 in recognition of twelve terms of service; he was to run unopposed in the 1972 primary and general elections for his thirteenth term; and

Whereas, He served on many major committees in the House of Representatives and was chairman of the House Office Committee. He was chairman of the House Governmental Affairs and Efficiency Committee at the time of his death; and

Whereas, He was sponsor of several special education bills and was cited for efficiency and economy in the Capitol office building project; he provided support in establishing the Beaumont State Center for Human Development and the Beaumont School for the Deaf; and

Whereas, It is the desire of the Senate to recognize the distinguished citizenship and public service of Representative Will Smith and pay tribute to him; now, therefore, be it

Resolved, By the Senate of the State of Texas, that its sympathy be and it is hereby extended to his brother, James G. Smith; his sisters, Mrs. Dan Haley and Mrs. Clarence Bourque, of Beaumont, with whom we share the tragedy of loss at the untimely death of our beloved friend; and, be it further

Resolved, That copies of this Resolution be prepared for the members of his family and that when the Legislature adjourns today, it do so in memory of Representative Will Smith.

HARRINGTON

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harris, Herring, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Harrington the resolution was adopted by a rising vote of the Senate.