The House met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker
Armor
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Boysen
Brasher
Bristow
Bryan
Bullock
Burkett
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Cowie
Cox of Montgomery
Cox of Dallas
Crowe
Day
de la Garza
Dewey
Duff, Miss
Dugas
Dungan
Elliott
Ellis
Fenoglio
Ferrell
Ford
Fosseman
Forysth
Glass
Glasing
Green
Hale
Harrington
Hasty
Helton
Heasley
Hollowell
Holman
Holsen
Hooks
Hosey
Huebner
Huffmann
Huff
Huffman
Hugoe of Grayson
Hutches
Iseaksha Miss
Jackson
Jamison
Johnson
Jones
Joseph
Kelly
Kennard
Kennedy
Kilepa
Koroth
Kothmann
Lattimer
Laurel
Lee
McCoppin
McDonald
McGregor
of El Paso
McNally
Mann
Martin
Matthew
Mays
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parish
Parsons
Patterson
Pipkin
Pool
Pressler
Puckett
Ramsey
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saull
Schram
Schwartz
Schwartz
of Galveston
of Washington
Scelpson
Welch
Shackelford
Shannon of Erath
Shannon
Wilson of Young
of Tarrant
Wilson of Potter
Shaw
Winfrey
Sheridan
Sherrill
Slack
Smith of Hays
Zbranek
Smith of Jefferson

A quorum of the House was announced present.

The Invocation was offered by the Reverend E. C. McDonald, Chaplain, as follows:

"As these Representatives return to this Hall according to their arrangement yesterday, may they have had such wisdom, intelligence and understanding, by the help of the Spirit of God, working through them, that every member of the House, may be ready to join ranks, to bring the greatest good to the greatest number of Texans, who are looking to them for leadership in action. In the name of the great law maker, Christ our Lord.—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Spilman for today on motion of Mr. Shaw.

Mr. Anderson for today on motion of Mr. Jones.
MESSAGE FROM THE SENATE

Austin, Texas, January 29, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

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

S. C. R. 5, Granting permission to B. F. Clark and wife to sue the State.

S. C. R. 8, Granting S. F. Bowser Company, Inc., permission to sue the State.

S. B. 28, Relating to a right-of-way easement to certain land in Wilbarger County, Texas.

S. B. 44, Defining offenses in connection with the furnishing of alcoholic beverages, narcotics, etc., to inmates of the Texas Prison System.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

H. S. R. No. 70

Whereas, The Fifth and Sixth Grade Students of the Casis School of Austin, Texas, accompanied by their teacher, Miss Geneva Corder, were visiting in the State Capitol on the twenty-third day of January, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the workings of their State government; and

Whereas, It is the desire of the House of Representatives of the Fifty-fifth Legislature to commend this group for their interest; now, therefore, be it

Resolved, That they be officially recognized and that a copy of this resolution be forwarded to the Classes.

The resolution was adopted.

TO NAME JOE LEE HENSLEY III AND JAMES ROGERS HENSLEY AS MASCOTS OF THE HOUSE

Mr. Sheridan offered the following resolution:

H. S. R. No. 64

Whereas, By custom we proclaim—As Mascots to this "House of Fame," Those children of our members here. When we all love and hold so dear—Whereas, Joe Lee Hensley's boys—Two brothers who share many joys, Joe Lee, the Third—James Rogers, too, Ages eight and seven, now are due—Much respect and our hearty praise, For all their smiles and winsome ways—Their parents proud, now hold a share, In both their love—beyond compare! Be it resolved, in proper space—These Mascots fine and true, shall grace The panel of the House—to smile With other Mascots, "all the while!"

SHERIDAN, RUSSELL, BELL, SEELIGSON, STRICKLAND, ROTHMANN.

The resolution was referred to the Committee on Rules.
Mr. Sheridan offered the following resolution:

H. S. R. No. 65

Whereas, By custom and design—We choose as Mascots, down the line, Those children of our roster's roll And welcome them into the fold—Whereas, Bob Strickland's daughter young, Who now has reached the age of one—Her full name is, Stephanie Lee. Bestowed upon her, by decree—Is just a tiny lamb—most dear, Quite a treasure, in her first year—And her parents—you may have guessed Are most happy to be so blest!

Be it resolved, We now proclaim—She's our Mascot, In fact and name May she have her rightful place, The panel of the House to grace!

SHERIDAN, RUSSELL, BELL, SEELIGSON, HENSLEY, KOTHMANN.

The resolution was referred to the Committee on Rules.

TO NAME SCOTT FARRAR CLINE AS MASCOT OF THE HOUSE

Mr. Stewart offered the following resolution:

H. S. R. No. 71

Whereas, Scott Farrar Cline, young son of the Honorable William A. Cline, Jr., and Kathleen Cline, is an eligible candidate for the office of Mascot of the Texas House of Representatives where his father, William, is serving the State with honor and distinction; and

Whereas, This boy reflects the fine qualities of his father and the charm and poise of his mother and is the pride and joy of his paternal grandparents, the W. A. Clines, Sr., of Wharton, Texas, and of his maternal grandparents, the A. M. Kimbros of Houston, Texas; and

Whereas, It is the desire of the Texas House of Representatives of the Fifty-fifth Legislature to give honor and recognition to Children of Members of the House; now, therefore, be it

Resolved, That Scott Farrar Cline, be, and he is hereby named Mascot of the House of Representatives and that his photograph be placed with the official mascots; and, be it further

Resolved, That a copy of this Resolution be sent to the young man, and that this House go on record as extending to him its best wishes for his happiness and success during his entire lifetime.

The resolution was referred to the Committee on Rules.

TO GRANT W. H. TAYLOR PERMISSION TO SUE THE STATE

Mr. Glass offered the following resolution:

H. C. R. No. 19

Whereas, W. H. Taylor of Cherokee County, Texas, was injured by inmates at the Rusk State Hospital on April 16, 1955; and

Whereas, W. H. Taylor was an employee of the State at that time, charged with the duty of keeping certain criminally insane inmates at the Rusk State Hospital; and

Whereas, W. H. Taylor's injuries occurred in the course of his employment; and

Whereas, Suit to recover damages against the State of Texas cannot be maintained by W. H. Taylor without permission of the Legislature of the State of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, Senate concurring, That W. H. Taylor is hereby granted permission to bring and maintain suit against the State of Texas in any court of competent jurisdiction in Cherokee County, Texas, at any time within two (2) years after the enactment of this Resolution for damages sustained.

Service of citation in such suit may be made upon the Attorney General of Texas, or the Executive Director of the Board for State Hospitals and Special Schools. It is expressly pro-
vided that nothing herein shall be construed as an admission of liability or of any fact on the part of the State of Texas or of any agency, officer or individual acting for or on behalf of the State of Texas.

GLASS, SADLER.

The resolution was referred to the Committee on State Affairs.

INVITING W. C. "DAN" DANIEL TO ADDRESS A JOINT SESSION OF THE LEGISLATURE

Mr. Cowen offered the following resolution:

H. C. R. No. 29

Whereas, W. C. "Dan" Daniel, National Commander of the American Legion, World War II Navy veteran, has brought recognition to himself in his twelve years of continuous service as a member and officer of the world's largest veterans' organization; and

Whereas, He has served the American Legion as vice-chairman of its National Security Commission, chairman of its National Public Relations Commission and national vice-commander; and

Whereas, He has won the admiration and respect of the State of Texas and it would be a great privilege for the Legislature to hear this distinguished American; now, therefore,

Resolved by the House of Representatives, the Senate concurring, That W. C. "Dan" Daniel be invited to address a Joint Session of the Senate and House of Representatives at 10:30 a. m., March 21, 1957, and that a joint committee of five Members of each House be appointed to escort him to the Joint Session.

COWEN, WHITE, SHANNON of Tarrant, LAUREL, LEE, CONLEY, DEWEY, HOLSTEIN, KOROTHE, KOLJIA, KELLY, WOHLFORD, HOOKS, RAMSEY, MYATT, HUTCHINS, HARRINGTON, MAYS, BYRD, SHACKELFORD, HEITMAN, THURMOND, BLACK, MANN, BASE, PUCKETT, ELLIOTT, CHAPMAN, PATTERSON, COLE, BLAINE, GREEN, MOORE of Tarrant, ATWELL, KOTHMANN, TERRELL, DUGAS, HEATLY, STRICKLAND, PURDY, KILPATRICK, JONES, MULLEN, PARSONS, SCHWARTZ of Galveston, STEWART, GLASS, SMITH of Jefferson, HALE, EARLE, HUFFMAN, FORD, HARTMAN.

The resolution was read and was adopted.

RELATIVE TO H. B. NO. 228

Mr. Huffman asked unanimous consent of the House that House Bill No. 228 be corrected by adding an enacting clause to the bill.

There was no objection offered and it was so ordered.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read severally first time and referred to the appropriate Committees, as follows:

By Mr. Baker:

H. B. No. 149, A bill to be entitled "An Act re-enacting and amending Chapter 128, Acts of the 50th Legislature, Regular Session, as amended
by Chapter 206, Acts of the 51st Legislature, Regular Session, as amended by Chapter 250, Acts of the 53rd Legislature, Regular Session; validating with certain exceptions annexation by cities and towns of less than 100,000 inhabitants heretofore made of territories of water control and improvement districts and fresh water supply districts and the taking over the properties and assets of such districts and the assumption of debts and liabilities and obligations by such cities and towns, and bonds issued by such cities and towns to refund district obligations; repealing Chapter 206, Acts of the 61st Legislature, Regular Session, as amended by Chapter 230, Acts of the 53rd Legislature, Regular Session; declaring an emergency.

H. B. No. 270. A bill to be entitled “An Act to amend Section 6 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 39a of Article 4177, Vernon’s Texas Civil Statutes, so as to provide that a court of competent jurisdiction may not be authorized except upon order of the court to provide for attaching to the original birth record an amendment based on a court order of change of name; and declaring an emergency.”

H. B. No. 271. A bill to be entitled “An Act to amend Section 6 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 39a of Article 4177, Vernon’s Texas Civil Statutes, so as to provide that a certificate of stillbirth shall be signed by the physician or midwife in attendance at the stillbirth; and declaring an emergency.”

H. B. No. 274. A bill to be entitled “An Act to amend Article 4590c, Revised Civil Statutes of Texas, 1925, as amended; repealing Article 4590d, Revised Civil Statutes of Texas, 1925; as last amended by Chapter 404, Acts of the 53rd Legislature, Regular Session, and all laws in conflict or inconsistent with this Act, to the extent of such conflict or inconsistency; providing a severability clause; and declaring an emergency.”

H. B. No. 275, A bill to be entitled “An Act to amend the Texas Election Code, by authorizing deposits of fees in the Vital Statistics Fund oftener than at the close of each month, and by providing for a refund of fees where the Bureau cannot render the service for which the fee was paid; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Mr. Cox of Bell:

H. B. No. 273. A bill to be entitled “An Act to amend Section 14 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 47a of Article 4477, Vernon’s Texas Civil Statutes, to provide that the State Registrar, county clerk, or local registrar shall not issue a certified copy disclosing illegitimacy or otherwise disclose illegitimacy unless the issuance of the certified copy of the disclosure is authorized by order of the county court of the county in which the birth, death, or fatal death occurred; to provide that access to certain files based on legitimation, paternity determination, and adoption shall not be authorized except upon order of a court of competent jurisdiction, and to provide for attaching to the original birth record an amendment based on a court order of change of name; and declaring an emergency.”
Code, providing for registration of every voter by party affiliation, if any; prescribing procedure and duties for such registration and voting in primary elections; defining offenses and prescribing penalties necessary and incident thereto; and declaring an emergency.

Referred to the Committee on Privileges, Suffrage and Elections.

By Messrs. Bartram and Strickland:
H. B. No. 276. A bill to be entitled "An Act amending the Texas Business Corporation Act, Chapter 64, Acts 1955, 54th Legislature; said Act being amended by amending Section A of Article 8.15; amending Article 2.19 by adding thereto two additional sections, Section B and Section F; amending Section A of Article 2.22; amending Section C of Article 2.22; amending Section A of Article 2.32; amending Section B and Paragraph (2) of Section C of Article 4.07; amending Article 5.01; amending Article 5.11; amending Section B of Article 5.01; amending Section A of Article 8.14; and amending paragraph 13 of Section A of Article 10.01; containing a partial invalidity clause; and declaring an emergency."

Referred to the Committee on Judiciary.

By Messrs. Sanders, Johnson, Pool, Crosthwait, Atwell, Hughes of Dallas and Sutton:
H. B. No. 277. A bill to be entitled "An Act leasing the Texas Hall of State Building located in the City of Dallas, situated in Fair Park, and a park owned by the City of Dallas; providing conditions of the lease; providing that the State Board of Control shall lease the lease, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Pool:
H. B. No. 278. A bill to be entitled "An Act amending the Insurance Code of Texas, Acts, 1953, Fifty-second Legislature, Chapter 31, General Provision, by adding Article 23.46, providing for the deposit of securities, or the payment of taxes, fines, penalties, etc., as a condition precedent to doing business in this State by insurance companies organized in a State, the laws of which require similar deposits in said State by similar companies organized under the laws of the State of Texas transacting business in said State; enacting other provisions relating to the subject; and further providing for the cancellation or refusal of authority to do business in the State of Texas by insurance companies organized under the laws of States or foreign countries which no not duly recognize the certificates of solvency and good management issued by this State to domestic insurance companies; and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Seeligson:
H. B. No. 279. A bill to be entitled "An Act empowering cities and towns having power to undertake urban renewal projects to issue revenue bonds to finance such projects and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Messrs. Presler, Moore of Harris, Mann, Baker, Cole, Winfree, Heflin and Woolsey:
H. B. No. 280. A bill to be entitled "An Act amending Sections 2 and 3 of House Bill 853, Acts 1949, 51st Legislature, Regular Session, Page 507, Chapter 73, as amended by House Bill 322, Acts 1953, 53rd Legislature, Regular Session, Page 107, Chapter 72, to provide for a Promotion and Development Fund of not more than five percent (5%) of the gross income from operations in each calendar year for Navigation Districts having within its limits a city with a population in excess of 300,000 according to the last preceding Federal census; providing this Act be cumulative of all other laws not in conflict herewith; and declaring an emergency."

Referred to the Committee on Commerce and Manufactures.

By Mr. Sadler:
H. B. No. 281. A bill to be entitled "An Act levying an occupation tax on the business of manufacturing in this State and on the business of importing manufactured products into this State, defining certain terms, providing the rate of tax and the method and time of payment; requiring certain records..."
and reports; providing a penalty for failure to pay the tax and authorizing injunctions against manufacturers and importers failing to pay the tax, allocating moneys collected; providing for severability; fixing the effective date; and declaring an emergency.

Referred to the Committee on Revenue and Taxation.

By Mr. Foreman:

H. B. No. 282, A bill to be entitled "An Act amending Article 139a of Senate Bill No. 172, Chapter 421, Acts of Fiftieth Legislature, 1947, as added by Chapter 479, Acts of the Fifty-second Legislature, 1951, to require certain safety equipment on certain vehicles operated upon the highways of this State; providing for repeal of all laws or parts of laws in conflict with this Act to the extent of such conflict, with certain exceptions; and declaring an emergency."

Referred to the Committee on Motor Traffic.

By Mr. Elliott:

H. B. No. 283, A bill to be entitled "An Act amending Chapter 282, Acts of the Fiftieth Legislature of Texas, prescribing qualifications of certain members of Texas State Board of Plumbing Examiners, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Zbranek:

H. B. No. 284, A bill to be entitled "An Act amending Chapter 282, Acts of the Fiftieth Legislature of Texas, Regular Session, 1949, as amended, so as to increase the amount of tax that may be levied and collected in Trinity Bay Conservation District for the purpose of paying the costs of operating said District and maintaining its properties; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Messrs. Ehrle and McLain:

H. B. No. 285, A bill to be entitled "An Act amending Section 13 of Chapter 35, Acts of the Fiftieth Legislature, First Called Session, 1954, relating to the Green Belt Municipal and Industrial Water Authority so as to provide for the exclusion of member cities under certain conditions; providing for the annexion of such territory to the Authority; making other provisions relating to the operation of the Green Belt Municipal and Industrial Water Authority; providing a severability clause, and declaring an emergency."

Referred to the Committee on State Affairs.

HOUSE JOINT RESOLUTION ON FIRST READING

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

By Messrs. Hollowell, Martin, Zbranek, Chapman, Ferrell, McGregor of McLennan, Parsons, Smith of Jefferson, Bass, Jones, Springer, Hooks, Koliba, Myatt, Shackelford, Mann, Mayo, Huffman, Kerchof, Green and Jackson:

H. J. R. No. 24, A Joint Resolution "proposing an Amendment to Article III, Section 8a of the Constitution of the State of Texas, so as to increase the maximum payments per month for Old Age Assistance from State Funds to Twenty Seven ($27.00) dollars per month per recipient and to increase the total amount of State funds for Old Age Assistance, Aid to the Blind, and Aid to Dependent Children payments of Fifty Three Million, Two Hundred Thousand ($53,200,000.00) Dollars per year; providing for the necessary election, form of ballot, publication, proclamation, and holding the election."

Referred to the Committee on Constitutional Amendments.

SENATE BILL ON FIRST READING

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

S. B. No. 28 to the Committee on State Affairs.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice.
thereof and its caption had been read the following resolution:

S. C. R. No. 13, Condemning the U. S. Labor Department for imposing new and harsh minimum acceptable standards for the housing of Mexican National Workers.

ADJOURNMENT

Mr. Talasek moved that the House adjourn until 10:00 o'clock a.m. tomorrow.

The motion by Mr. Talasek prevailed and the House accordingly, at 10:27 o'clock a.m., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

The Reverend E. C. McDonald, Chaplain, offered the Benediction, as follows:

"Our Father as the House of Representatives have adjourned for the day, grant that the God of all Grace, may so dwell in their hearts and consciences as they think of the plan and work of tomorrow, that there may be patience and respect, even if their plans were not altogether accepted by the House. In the name of Christ. Amen."

The following Committees have filed favorable reports on Bills, as follows:


State Affairs: H. B. No. 4 and H. B. No. 166.
In Memory of

Frank McLain

Mr. Heitman offered the following resolution:

H. S. R. No. 66, In Memory of Frank McLain.

Whereas, On December 24, 1956, The State of Texas lost a worthy citizen in the passing of Frank McLain in Nacogdoches; and

Whereas, He was born in Nacogdoches on June 26, 1903, the son of William Robert McLain and Alice Lilly McLain. He was married to Miss Frances Love on July 16, 1927. He was a member of the Masonic Lodge; and

Whereas, In the Book of Saint John in the Holy Bible is the comforting promise, "Peace I leave with you, my peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid"; and

Whereas, He is survived by bis widow, Mrs. Frances Love McLain, Nacogdoches; one daughter, Mrs. Ray Lee, Nacogdoches; two sisters, Mrs. Sam Gentry, Lubbock, and Mrs. G. C. Collins, San Antonio; two brothers, Mathis and John McLain, both of Nacogdoches; one grandchild, Debra Ann Lee, Nacogdoches; now, therefore, be it

Resolved, That the Texas House of Representatives pay him tribute with a copy of this Resolution, that a House Journal page be set aside in his memory, and that when the House adjourns this day it do so in loving respect to him.

The resolution was unanimously adopted by a rising vote.
In Memory of
Mr. C. P. "Bud" Long

Mr. Heitman offered the following resolution:

H. S. R. No. 67, In Memory of Mr. C. P. "Bud" Long.

Whereas, On February 20, 1955, the City of Nacogdoches and the State of Texas lost an esteemed citizen in the passing of Mr. C. P. "Bud" Long; and

Whereas, Mr. Long was born on July 3, 1899, in Rusk County, the son of Mollie Fulgum and Charles P. Long. He was married January 15, 1921 to Clara Bass Long. He had lived in Nacogdoches for thirty-seven years. He was a retired barber, farmer and rancher; and

Whereas, In the Book of Saint John in the Holy Bible is the comforting promise, "In my Father's house are many mansions: if it were not so, I would have told you!"; and

Whereas, He is survived by his widow, Mrs. Clara Bass Long, Nacogdoches; one daughter, Mrs. Nelma Rusche, Galena Park; four sisters, Miss Lela Long and Mrs. Jim Moore, both of Garrison, Mrs. H. E. Moore, Alvin; Mrs. N. W. Dorsey, Sr., Houston; one brother, Walter Long, Houston; now, therefore, be it

Resolved, That the Texas House of Representatives pay him tribute with a copy of this resolution, that a House Journal page be set aside in his memory, and that when the House adjourns this day it do so in loving respect to him.

The resolution was unanimously adopted by a rising vote.
In Memory of

Mr. John G. Stofer

Mr. Cory offered the following resolution:
H. S. R. No. 68, In Memory of Mr. John G. Stofer.

Whereas, On January 24, 1957, the City of Victoria and the State of Texas lost an esteemed citizen in the passing of Mr. John G. Stofer; and

Whereas, Mr. Stofer was an active leader in civic affairs in his community. He was a senior partner in the law firm of Stofer, Proctor, Houchins and Anderson. His legal work was instrumental in starting the Victoria Barge Canal linking his area with the Intercoastal Waterway. He served as president of the Victoria County Welfare Board, director and general counsel of Victoria Bank and Trust Company, and president and director of Victoria Federal Savings and Loan Association; and

Whereas, He was born at Mount Sterling, Kentucky, on July 16, 1905. He spent his early childhood in Galveston. He moved to Victoria in 1929 after receiving his law degree from The University of Texas; and

Whereas, He is survived by his widow, Mrs. Mary Austin Stofer, of Victoria; his mother, Mrs. Betty Ratliff Stofer, of Houston; one daughter, Terry Stofer, of Victoria; two sons, Preston Austin Stofer and James N. Stofer, both of Victoria; and two grandchildren; now, therefore, be it

Resolved, That the Texas House of Representatives pay him tribute with a copy of this Resolution, that a House Journal page be set aside in his memory, and that when the House adjourns this day it do so in loving respect to him.

The resolution was unanimously adopted by a rising vote.