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
Anderson
Armour
Atwell
Baker
Hallman
Bartram
Baum
Bell
Bishop
Blaine
Blanchard
Bowers
Boysen
Brashear
Bristow
Bryan
Bullock
Burkett
Byrd
Chapman
Cloud
Coll
Conley
Core
Cotter
Cowen
Cox
Cromwell
Day
de la Garza
Dewey
Dufilho
Dunn
Elliot
Ellis
Engel
Ferry
Foyd
Foreman
Forrest
Glass
Glusing
Green
Haie
Harrington
Healy
Heflin
Heitman
Puckett
Ramsey
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schram
Schwartz
Schwartz
Seegars
Seigel
Shackelford
Shannon of Erath
Shannon of Harris
Shepherd
Sheridan
Sherrell
Slack
Smith
Smith
Smith
Singleton
Smith
Spradley
Spruill
Springer
Richardson
Stewart
Storey
Strickland
Strom
Sudderth
Sutton
Takahashi
Terrill
Tharmond
Tindall
Thrapp
Thurmond
of Galveston
of Washington
of Waller
Watson
Welch
Wheeler
White
Wilson of Young
Wilson of Potter
Winfree
Wohlford
Wooley
Yeager
Zbranek

A quorum of the House was announced present.

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

“Forgive us, O God, that we are so anxious in all we say and do, to have the approval of men, forgetting that it is Thy approval, that brings peace of mind and a clear conscience. Make it clear that Thou art writing the record that one day will be read by the Judge of all the universe. We need to remember that in Integrity, is goodness. We pray for Thy grace and Thy help to be better. Through Jesus Christ our Lord.—Amen.”

MESSAGE FROM THE GOVERNOR

The Speaker read before the House and read the following message from the Governor:

March 13, 1957

To the Members of the Fifty-fifth Legislature:

In my first message to the Legislature on January 17, I respectfully submitted for your consideration as an emergency matter the establishment of a State Law Enforcement Commission for non-political, non-partisan investigations of charges of
misconduct on the part of any State official or employee and to study means of crime prevention and improvements in law enforcement.

Since that time I have come to feel even more strongly that legislation of this nature is vital to the welfare of our State and to the program of good government advanced by this Legislature and this administration.

For this reason, and in order that bills may be introduced on the subject during this, the second sixty days of the session, as provided in the Constitution, I hereby resubmit the foregoing subject for emergency consideration in accordance with Section 5 of Article III of the Constitution.

PRICE DANIEL,
Governor of Texas.

MESSAGE FROM THE SENATE
Austin, Texas March 13, 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. B. No. 214, Relating to beer manufacturers licenses; and declaring an emergency.

S. B. No. 222, Creating the Texas Insurance Board; and declaring an emergency.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

INTRODUCTION OF HOUSE BILL NO. 854
Mr. Day asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 854.

There was no objection offered and it was so ordered.

IN RECOGNITION OF THE SIXTH AND SEVENTH GRADES OF THE OAK HILL SCHOOL, TRAVIS COUNTY, TEXAS
Mr. Jones offered the following resolution:

H. S. R. No. 250

WHEREAS, The Sixth and Seventh Grade Students of the Oak Hill School, Travis County, Texas, accompanied by their Principal, Mr. O. J. Faught, were visiting in the State Capitol on the twelfth day of March, 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.

JONES, SANDAHL, FOREMAN.

The resolution was adopted.

IN RECOGNITION OF THE SIXTH GRADE STUDENTS OF THE I. W. POPIHAN SCHOOL OF DEL VALLE, TEXAS
Mr. Jones offered the following resolution:

H. S. R. No. 251

WHEREAS, The Sixth Grade Students of the I. W. Popham School of Del Valle, Texas, accompanied by their teacher, Mr. Skrivanek, were visiting in the State Capitol on the eleventh day of March, 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 Class.

The resolution was adopted.

CONGRATULATING DR. JESSIE GIVENS OF BOWIE, TEXAS

IN RECOGNITION OF THE SIXTH AND SEVENTH GRADES OF THE OAK HILL SCHOOL, TRAVIS COUNTY, TEXAS
Mr. Fenoglio offered the following resolution:

H. S. R. No. 252
Whereas, Dr. Jessie Givens has distinguished herself as a fine doctor and a worthy citizen in her forty-seven years of practice in Bowie; and

Whereas, This beloved woman finished Hawing Medical School at Chicago in 1910 and she has been serving the people of Bowie and Montague County over since. She first called on her patients in a horse drawn buggy. She was the belle of the community and was the official sponsor of the "Firemen’s Parade" and queen of the New Orleans 1913 reunion of the Fifth Brigade, United Confederate Veterans organization; and

Whereas, She is an accomplished artist and her many oil paintings and wood engravings decorate her home. She is a life member of Boys Ranch in Amarillo; and

Whereas, Her most worthy life brings to mind the comforting promise in the Book of Saint Matthew in the Holy Bible, "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me", now, therefore, be it

Resolved, That the House of Representatives congratulates Dr. Jessie Givens on her beautiful life and wishes her continued good health and happiness.

The resolution was adopted.

IN RECOGNITION OF THE EIGHTH GRADE CLASS OF THORNDALE HIGH SCHOOL, THORNDALE, TEXAS

Mr. Yerask offered the following resolution:

H. S. R. No. 253

Whereas, The Eighth Grade Class of Thorndale Junior High School, Thorndale, Texas, accompanied by their sponsor, Mr. Marvin L. Pipkin, were visiting in the State Capitol on the twelfth day of March, 1957; and

Whereas, This fine young group of students with their sponsor were on an educational tour of the State Capitol and the Capital City to observe and learn the workings of their State Government; and

Resolved, That we officially recognize their interest in State Government and that a copy of this Resolution, properly indorsed, bearing the official seal of the House, be forwarded to the Class in recognition of their visit.

The resolution was adopted.

IN RECOGNITION OF THE CIVICS CLASS OF THORNDALE HIGH SCHOOL, THORNDALE, TEXAS

Mr. Yesak offered the following resolution:

H. S. R. No. 254

Whereas, The Civics Class of Thorneale, High School, Thorndale, Texas, accompanied by their sponsor, Mr. Sam Paschall, were visiting in the State Capital on the twelfth day of March, 1957; and

Whereas, This fine young group of students with their sponsor were on an educational tour of the State Capitol and the Capital City 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 we officially recognize their interest in State Government and that a copy of this Resolution, properly indorsed, bearing the official seal of the House, be forwarded to the Class in recognition of their visit.

The resolution was adopted.

IN RECOGNITION OF THE CIVICS CLASS OF CISCO HIGH SCHOOL

Mr. Breahner offered the following resolution:

H. S. R. No. 255

Whereas, The Civics Class of Cisco High School, accompanied by their teacher, Mrs. Lee, were visiting in the State Capitol on the 13th day of March; and

Whereas, These fine young American citizens, who are the future leaders of our State and Nation, were on an educational tour to observe and learn the workings of our State government; and

Whereas, The Texas House of Representatives of the 55th Legislature wishes to commend this fine group
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for their interest and for their desire to learn more of the democratic form of government, which is the foundation of our country and our state; now, therefore, be it

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

The resolution was adopted.

REQUESTING THE TEXAS LEGISLATIVE COUNCIL TO MAKE A STUDY CONCERNING ALL PHYSICALLY HANDICAPPED PERSONS IN TEXAS

Mr. Boysen offered the following resolution:

H. C. R. No. 62

Whereas, There are many children and adults in Texas who are physically handicapped and chronically disabled as a result of disease, accident, affection from birth, or other causes; and

Whereas, The State of Texas provides assistance to only a relatively small proportion of these handicapped citizens through treatment and rehabilitation programs; and

Whereas, Only a few more receive aid through the National Foundation for Infantile Paralysis and other similar and related programs; and

Whereas, There are gaps in various programs available, with the result that it often is impossible for individuals to receive continued assistance until effective rehabilitation is accomplished; and

Whereas, It is the obligation of the State of Texas to aid and reach these physically handicapped and chronically disabled adult and junior citizens so as to provide for each of them, directly or indirectly, an opportunity for a useful and rewarding life; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the Texas Legislative Council be requested to make a study concerning all physically handicapped persons in Texas, both children and adults, as to the number of such persons, treatment facilities available, and possibilities for their vocational training or rehabilitation; and, be it

Resolved, That the study be directed toward evolving some method or program by which the State can provide treatment and rehabilitation for these citizens; and, be it

Resolved, That the Texas Legislative Council be empowered to call upon such State agencies as the State Department of Public Welfare, the Texas Education Agency, the State Department of Health, the Board for Texas State Hospitals and Special Schools, the Texas Employment Commission, the Merit System Council, the Veterans' Affairs Commission, the State Commission for the Blind, and other affected State departments and agencies for assistance in completing this study; and, be it

Resolved, That the Texas Legislative Council be empowered to appoint an Advisory Committee to be composed of physicians and laymen who are actively engaged in the field of rehabilitation; and, be it further

Resolved, That the Texas Legislative Council report to the 54th Legislature concerning the results of its study and recommendations regarding the establishment of a complete program for the treatment and rehabilitation of all physically handicapped and chronically disabled persons in Texas.

BOYSEN, LAUREL.

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

RECOGNIZING THE DEVELOPMENT AND PROGRESS OF THE RICE INDUSTRY IN TEXAS

Mr. Cline offered the following resolution:

H. C. R. No. 63

Whereas, The Governor of Texas has proclaimed the week of March 16-22 as Rice Week, and

Whereas, Rice is the staff of life for over one-half of the world's population, and

Whereas, Rice has for centuries been known as the complete diet, and

Whereas, Rice can be used in food preparation in over one thousand different ways, and
Whereas, Rice is a major crop in four of our southern states, and
Whereas, Texas being among these four has consistently ranked No. 1, and
Whereas, Much of the development and progress made in the rice industry in Texas and elsewhere has been brought into prominence through the forceful, wise and able leadership of such stalwart citizens as the late Joe E. Broussard and Sons of Beaumont, and R. H. Hancock and Sons of El Campo, all of whom have stood foremost in bringing to the attention of the people of Texas and America the life-giving and nourishing qualities of rice as a food, and
Whereas, Their efforts have been unrelenting since before the turn of the 19th Century in every phase of the rice industry, including growing, milling and distribution.

Now, Therefore, Be It Resolved, by the House of Representatives of Texas, the Senate concurring, that in honor of these distinguished men of the rice industry and others and in acknowledgment of the vital part rice has played in the affairs of mankind all over the world in war and in peace, that we do hereby call upon all Texans and Americans to take full advantage of the life-giving and saving benefits derived by the eating of more rice, personally and as a benefit to a great Texas industry.

CLINE, OLIVER, SMITH of Jefferson, HARRINGTON, KILPATRICK.

The resolution was read and was adopted.

SENATE BILL NO. 86 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 86, Relating to the assignment of judges to other courts in the same administrative district, and declaring an emergency.

The bill was read second time.

(Mr. Bowers in the Chair.)

Mr. Kelly offered the following Committee Amendment to the bill:

Committee Amendment No. 1
Amend S. B. §6, Section 56, by adding after the period the following:
Provided however, after the presentation of a written statement declining such duty for good cause by such district judge, if the presiding judge refuses to relieve the district judge from the assignment, the district judge may, within five days after such refusal, petition the Chief Justice of the Court of Civil Appeals of such district to be relieved from such assignment for good cause, which said Chief Justice may at his discretion grant or refuse.

Speaker in the Chair.
The amendment was adopted.

S. B. No. 86 was then passed to third reading.

SENATE BILL NO. 86 ON THIRD READING

Mr. M育人 moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Anderson Armor de la Garza Day
Armor de la Garza Dewey
Bartram Duff, Miss
Bass Dugan
Bell Erle
Bishop Elliott
Blaine Ellis
Bowers Fancher
Boyken Ferrel
Bradbury Ford
Bristow Forbush
Bryan Forsyth
Ballock Glass
Byrd Glasing
Cline Green
Cloud Haas
Cole Harrington
Conley Healy
Cory Heitman
Cowen Hensley
Cox Hollowell
Crosthwaite Holman
The bill was read third time and was passed by the following vote:

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<tr>
<th>Yeas</th>
<th>133</th>
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<td>Anderson</td>
<td>Jamison</td>
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<td>Armor</td>
<td>Johnson</td>
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<td>House</td>
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Nays—4

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The Speaker then laid Senate Bill No. 6 before the House on third reading and final passage.
On motion of Mr. Myatt and by unanimous consent of the House, the Caption of Senate Bill No. 86 was ordered amended to conform with the body of the bill.

SENATE BILL NO. 30 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 30, Relating to the possession of firearms by persons convicted of certain felonies.

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

SENATE BILL NO. 30 ON THIRD READING

Mr. Holman moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—129

Anderson
Armor
Atwell
Baker
Bartram
Bass
Bell
Bishop
Blaine
Boers
Boyce
Bristow
Bryan
Bullock
Byrd
Chapman
Cline
Clend
Cole
Conley
Cory
Cox
Crosthwaite
Day
del Gava
Dewey
Duff, Miss
Dugan
Ehrle
Elliot
Ellis
Ferrell
Ford
Foreman
Forsyth
Glass
Glussing
Green
Green
Haley
Heflin
Holliman
Huntley
Hughes
Hughes of Dallas
Hutches
Hutches
Jackson
Jackson
Johnson
Jones
Joseph
Kelly
Kemsaid
Kilpatrick
Kirkwood
Kothmann
Lafler
Laurel
Lee
McCoppin
McDonald
Bowers
Boansen
of McLennan
Brash
of McGregor
Bryan
of El Paso
McKinney
Mann
Martin
Matthew
Moore of Harris
Moore of Tarrant
Mullen
Oliver
Osborn
Parish
Patterson
Phipps
Pool
Presler
Puckett
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schram
Schwartz
of Galveston
Seeligson
Shackelford
Shannon
of Brazos
Shannon
of Tarrant
Shaw
Sherrill
Shack
Smith of Hays
Smith of Jefferson
Smith of Potter
Smith of Young
Spillman
Springer
Stewart
Storey
Strickland
Sudderth
Talasek
Thurmond
Turner
Thurmond
Turner
Turner
Walling
Watson
Welch
Welcher
Wilson of Young
Wilson of Potter
Winfrey
Weltford
Woolsey
Yesak
Zbranek
Zbranek
of McLennan
McGregor
McGregor
of El Paso
McKinney
Mann
Martin
Matthew
Moore of Harris
Moore of Tarrant
Mullen
Oliver
Osborn
Parish
Patterson
Phipps
Pool
Presler
Puckett
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schram
Schwartz
of Galveston
Seeligson
Shackelford
Shannon
of Brazos
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of Tarrant
Shaw
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Shack
Smith of Hays
Smith of Jefferson
Smith of Potter
Smith of Young
Spillman
Springer
Stewart
Storey
Strickland
Sudderth
Talasek
Thurmond
Turner
Thurmond
Turner
Turner
Walling
Watson
Welch
Welcher
Wilson of Young
Wilson of Potter
Winfrey
Weltford
Woolsey
Yesak
Zbranek
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Ballman
Blanchard
Burkett
Cotten
Fenoglio
Harrington
Kennedy
Kollba

Absent

Brashier
Jamison
Murray

The Speaker then laid Senate Bill No. 30 before the House on third reading and final passage.

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

Yeas—125

Anderson
Armor
Baker
Bartram
Bass
Bishop
Bowers
Boysen
Bullock
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Cowen
Coz
Cromwell
Day
de la Garza
Dewey
Duff, Miss
Dungan
Ehrie
Eills
Fenoglio
Ferrell
Ford
Foreman
Forsyth
Glass
Glunz
Green
Hale
Harrington

Nays—14

Ballman
Blanchard
Burkett
Cotten
Fenoglio
Harrington
Kennedy
Kollba

Nays—10

Ballman
Blanchard
Burkett
Cotten
Harrington
Kennedy
Kollba

Mr. Joseph moved that the constitutional rule requiring bills to be
read on three several days be sus­
pended and that Senate Bill No. 149 
be placed on its third reading and 
final passage. 

The motion prevailed by the fol­
lowing vote:

<table>
<thead>
<tr>
<th>Yeas</th>
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<tbody>
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<td>Anderson</td>
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<td>Dewey</td>
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<td>Duff, Miss</td>
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The bill was read third time and 
was passed by the following vote:

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<td>138</td>
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</table>
The bill was read second time.

Mr. Heatly moved that further consideration of Senate Bill No. 225 be postponed until 4:00 o'clock p. m., July 4, 1968.

Mr. Heatly offered the following amendment to the bill:

Amendment No. 1

To amend Senate Bill No. 225 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 41 of Article I of the Texas Liquor Control Act, as last amended by Chapter 326, Acts of the 48th Legislature, 1943, and being Article 666-41 of Vernon's Texas Penal Code, is hereby amended to read as follows:

"Section 41. Any person who violates any provision of this Act for which a specific penalty is not provided shall be guilty of a misdemeanor, and upon conviction shall be fined not less than One Hundred Dollars ($100.00) nor more than One Thousand Dollars ($1,000.00), or shall be confined in the county jail for not more than one (1) year, or both. Any person who has been convicted of a misdemeanor offense of selling or possessing for the purpose of sale any alcoholic beverage in violation of this Act, and who shall thereafter sell or possess for the purpose of sale any alcoholic beverage in violation of this Act shall be guilty of a felony, and upon conviction shall be fined not less than Five Hundred Dollars ($500.00) nor more than Five Thousand Dollars ($5,000.00), or shall be imprisoned in the State penitentiary for not more than five (5) years, or both.

The term 'specific penalty' as used in this Section means and refers only to a penalty which might be imposed as a result of a criminal prosecution."

Sec. 2. The fact that the penalties provided by the present law are not sufficient to effectively deter violations of the Liquor Control Act creates an emergency and an imperative public necessity that the con-
House Journal

House Journal

• Unusual rule requiring bill to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act takes effect and be in force from and after its passage, and it is so enacted.

Mr. Croathwait raised a point of order on further consideration of the amendment by Mr. Heatly on the ground that the amendment is not germane to the bill.

Mr. Hollellow offered the following amendment to the bill: Amend S.B. 226 by striking out the enacting clause.

Mr. Croathwait moved to table the amendment by Mr. Hollellow.

A record vote was requested on the motion to table.

The motion to table prevailed by the following vote: Yeas—127

A record vote was requested on the motion to postpone S.B. No. 215. The motion by Mr. Hollellow to postpone S.B. No. 215 was lost.

Mr. Sudderth offered the following amendment to the bill: S.B. No. 215

Amend S.B. 215 by striking everything below the enacting clause and substituting in lieu thereof the following:

Section 1, Article 1, Chapter 111, Act II of the Texas Legislature, Second Called Session, 1955, as amended, is amended by adding a new section to...
be known as Section 17b and is to read as follows:

"Section 17b. (1) No person shall sell intoxicating liquor, beer or wine in a grocery store or food market. 
(2) A person who violates Section 17b shall be fined not less than Two Hundred Fifty Dollars ($250.00) nor more than One Thousand Dollars ($1,000.00) or imprisoned not less than thirty (30) days nor more than six months, or such person shall be both fined and imprisoned as provided by this Section."

Section 2. All laws or parts of law, local, general or special, insofar as they conflict with any provisions of this Act are hereby expressly repealed.

Section 3. The fact that selling intoxicating liquor, beer or wine in a grocery store or food market is an unwholesome practice creates an emergency and an Imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that this Act take effect and be In force from and after Its passage, and It Is so enacted.

Mr. Crosthwait raised a point of order on further consideration of the amendment by Mr. Sudderth at this time on the ground that it is not germane to the bill.

The Speaker sustained the point of order.

Mr. Crosthwait moved the previous question on the passage of Senate Bill No. 225 to third reading and the main question was ordered.

S. B. No. 225 was then passed to third reading.

MOTION TO PLACE SENATE BILL NO. 225 ON THIRD READING

Mr. Boyzen moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 225 be placed on its third reading and final passage.

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

<table>
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<th>Yeas</th>
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</table>

Yeas—Anderson, McDonald; Atwell, McGregor; Baker of McLennan; Barton, McGregor; Bass of El Paso; Bell, McLemore; Blain, Mana; Bowens, Matthew; Boyzen, Maya; Brashear, Moore of Harris; Bristow, Moore of Tarrant; Bryan, Mullen; Bullock, Murray; Byrd, Oliver; Cline, Patterson; Cole, Pipkin; Cory, Puckett; Cowen, Ramsey; Cox, Russell; Crosthwait, Sadler; de la Garza, Sandahl; Dugas, Sanders; Dungan, Schwartz; Elliott of Galveston, Schwartz; Ellis, of Washington; Ford, Seeligson; Foreman, Shackelford; Glass, Shappley; Glusing, Shannon of Erath; Green, Shannon of Tarrant; Hale, Sheridan; Hellin, Sherrill; Hensley, Slack; Heisten, Smith of Hays; Hooks, Smith of Jefferson; Hovey, Spillman; Huebner, Stewart; Huffman, Storey; Huffor, Strickland; Hughes of Grayson, Stroman; Hughes of Dallas, Tahseek; Hutchins, Terrell; Isakke, Miss Thurmond; Jackson, Tunnell; Jamison, Turman; Jones, Walling; Kennard, Watson; Kennedy, Welch; Kilpatrick, Wheeler; Koliba, White; Koroth, Winfree; Kohmann, Woflbord; Laurel, Woolsey; Lee, Yeak; McCoppin, Zbranek; Nays—34

Yeas—Armor, Bligh; Railman, Blanchard
Mr. Boysen moved to reconsider the vote by which S. B. No. 225 passed to third reading and to table the motion to reconsider. The motion to table prevailed.

MESSAGE FROM THE SENATE
Austin, Texas, March 13, 1967

I

"Amend Section 2 of S. B. No. 257 by adding the following at the end of Subsection (4) of Section 23, Article I, Chapter 467, Acts of 44th Legislature, 2nd Called Session, 1935, added by Section 31 of Chapter 448, Acts of 45th Legislature, Regular Session, 1937"

"It is further provided that no person under twenty-one (21) years of age or who is intoxicated under the influence of an intoxicating beverage shall be allowed or permitted at any time to import or bring into the State of Texas any liquor in any amount whatsoever."

The amendment was adopted.

S. B. No. 257 was then passed to third reading.

SENATE BILL NO. 257 ON THIRD READING

Mr. Thurmond moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 257 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—120

Yeas—120

Anderson
Atwell
Baker
Ballman
Bass
Bell
Bishop
Blaine
Boysen
Bryant
Byrd
Cline
Cloud
Cole
Corby
Cox
Crockett
Day
de la Garza
Dewey
Du Quesne
Dugan
Ehrle
Ellis
Ellis
Fenoglio
Ferrell
Ford
Forsyth
Green
Hale
Heflin
Hensley
Holman
Holstein
Hooks
Hosey
Huddmer
Hufman
Huff
Hughes of Dallas
Isaacks, M.
Jackson
Jamison
Jones
Kelly
Kilpatrick
Koliba
March 13, 1957  HOUSE JOURNAL  863

The Speaker then laid Senate Bill No. 257 before the House on third reading and final passage.

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

Yeas--123
Anderson  Kothmann
Armor  Laurel
Atwell  Lee
Baker  McCoppin
Bass  McDonald
Bell  McGregor
Bishop  of McLennan
Blaine  McGregor
Bowers  of El Paso
Boyson  McLennan
Brasher  Mann
Burks  Martin
Burks  Matthew
Byrd  Maya
Chapman  Moore of Harris
Cline  Moore of Tarrant
Cloud  Mulven
Cole  Murray
Conley  Myatt
Cory  Oliver
Cowan  Osborn
Cox  Parish
Crow  Patterson
Day  de la Garza
Dewey  Pipkin
Dewey  Pool
Dewey  Puckett
D Пард  MIS
Dugas  Richardson
Dungan  Russell
Ehrie  Sanders
Ellis  Schram
Penegio  Schwartz
Perry  of Galveston
Pearl  Schwartz
Ford  of Washington
Gussing  Seeligson
Green  Shackelford
Hale  Shannon of Erath
Heflin  Shannon
Hensley  of Tarrant
Holman  Shaw
Holstein  Sherman
Hooks  Sherrill
Hosey  Smith of Hays
Huebner  Smith of Jefferson
Huffman  Spilmann
Huffor  Spilmann
Hughes of Grayson  Stewart
Hughes of Dallas  Storey
Hutchins  Strickland
Isaacks, Miss  Stroman
Jackson  Talasek
Jamison  Thurmond
Johnson  Tunnell
Jones  Turman
Kennon  Walling
Kilpatrick  Watson
Kolbas  Welch
Koroth  Wheeler

Nays--22

Absent
Bristow  Healy
Chapman  Hutchins
Conley  Sutton

Korioth  Schwartz
Kothmann  Schwartz
Laurel  of Galveston
Lee  Seeligson
McCoppin  Shackelford
McGregor  Shannon of Erath
McGregor  of McLennan
Mcilhany  Sherrill
Martin  Smith of Hays
Matthew  Smith of Jefferson
Mays  Spilmann
Moore of Harris  Springer
Moore of Tarrant  Stewart
Nolen  Storey
Murray  Strickland
Nyatt  Tafasek
Oliver  Thurmond
Parish  Tunnell
Parsons  Turman
Patterson  Walling
Pool  Watson
Puckett  Watch
Ramey  White
Richardson  Wilson of Young
Russell  Wilson of Poitier
Sandahl  Winnie
Sanford  Wolfeford
Saul  Woolsey
Schram  Zerweck

KoUba  Welch
Korloth  Wheeler

The Speaker then laid Senate Bill No. 257 before the House on third reading and final passage.

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

Yeas--123
Anderson  Kothmann
Armor  Laurel
Atwell  Lee
Baker  McCoppin
Bass  McDonald
Bell  McGregor
Bishop  of McLennan
Blaine  McGregor
Bowers  of El Paso
Boyson  McLennan
Brasher  Mann
Burks  Martin
Burks  Matthew
Byrd  Maya
Chapman  Moore of Harris
Cline  Moore of Tarrant
Cloud  Mulven
Cole  Murray
Conley  Myatt
Cory  Oliver
Cowan  Osborn
Cox  Parish
Crow  Patterson
Day  de la Garza
Dewey  Pipkin
Dewey  Pool
Dewey  Puckett
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Dugas  Richardson
Dungan  Russell
Ehrie  Sanders
Ellis  Schram
Penegio  Schwartz
Perry  of Galveston
Pearl  Schwartz
Ford  of Washington
Gussing  Seeligson
Green  Shackelford
Hale  Shannon of Erath
Heflin  Shannon
Hensley  of Tarrant
Holman  Shaw
Holstein  Sherman
Hooks  Sherrill
Hosey  Smith of Hays
Huebner  Smith of Jefferson
Huffman  Spilmann
Huffor  Spilmann
Hughes of Grayson  Stewart
Hughes of Dallas  Storey
Hutchins  Strickland
Isaacks, Miss  Stroman
Jackson  Talasek
Jamison  Thurmond
Johnson  Tunnell
Jones  Turman
Kennon  Walling
Kilpatrick  Watson
Kolbas  Welch
Koroth  Wheeler

Nays--22

Absent
Bristow  Healy
Chapman  Hutchins
Conley  Sutton

Korioth  Schwartz
Kothmann  Schwartz
Laurel  of Galveston
Lee  Seeligson
McCoppin  Shackelford
McGregor  Shannon of Erath
McGregor  of McLennan
Mcilhany  Sherrill
Martin  Smith of Hays
Matthew  Smith of Jefferson
Mays  Spilmann
Moore of Harris  Springer
Moore of Tarrant  Stewart
Nolen  Storey
Murray  Strickland
Nyatt  Tafasek
Oliver  Thurmond
Parish  Tunnell
Parsons  Turman
Patterson  Walling
Pool  Watson
Puckett  Watch
Ramey  White
Richardson  Wilson of Young
Russell  Wilson of Poitier
Sandahl  Winnie
Sanford  Wolfeford
Saul  Woolsey
Schram  Zerweck

KoUba  Welch
Korloth  Wheeler
The Speaker then laid House Bill No. 14 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Moore of Harris moved to reconsider the vote by which H. B. No. 14 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 17 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 17, A bill to be entitled "An Act concerning the profession of psychology, requiring certification of psychologists, establishing the State Board of Examiners of Psychologists, making an appropriation and declaring an emergency."

The bill was read third time and was passed.

Mr. Schwartz of Galveston moved to reconsider the vote by which H. B. No. 17 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 57 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 57, A bill to be entitled "An Act amending Article 602, Penal Code of Texas, 1925, and adding a new Article to be numbered Article 602-A, so as to define what shall constitute willfully deserting, neglecting or refusing to provide for the support and maintenance of a wife in necessitous circumstances and to define what shall constitute willfully deserting, neglecting or refusing to provide for the support and maintenance of one's child or children under sixteen years of age, fixing a penalty; providing that a second conviction for a like offense and conviction for deserting and leaving the state shall be a felony; providing for severance of any part of this Act held invalid; and declaring an emergency."

The bill was read third time and was passed.

Mr. Cline moved to reconsider the vote by which H. B. No. 57 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

I wish to be recorded as voting "no" on the final passage of H. B. No. 57 for the reason that I do not believe we should lower the penalty for such a serious offense.

do la GARZA.

HOUSE BILL NO. 37 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 37, A bill to be entitled "An Act amending Article 602, Penal Code of Texas, 1925, and adding a new Article to be numbered Article 602-A, so as to define what shall constitute willfully deserting, neglecting or refusing to provide for the support and maintenance of one's child or children under sixteen years of age, fixing a penalty; providing that a second conviction for a like offense and conviction for deserting and leaving the state shall be a felony; providing for severance of any part of this Act held invalid; and declaring an emergency."

The bill was read second time and was passed.
H. B. No. 37, A bill to be entitled "An Act amending Article I of the Texas Liquor Control Act by adding a new section, designated as Section 17b, to require medication of bay rum and similar preparations which are sold or offered for sale at retail in this State; making violation a misdemeanor and providing a penalty; providing for severability; and declaring an emergency."

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

Mrs. Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—133**


**Nays—4**

Blanchard  Bowers  Boysen  Brashear

The Speaker then laid House Bill No. 37 before the House on third reading and final passage.

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

**Yeas—133**


**Nays—4**

Blanchard  Bowers  Boysen  Brashear

The Speaker then laid House Bill No. 37 before the House on third reading and final passage.
Mr. Martin moved to reconsider the vote by which H. B. No. 37 was passed and to table the motion to reconsider.

The motion to table prevailed.

**CONGRATULATING THE BUNA COUGARS ON WINNING THE STATE CHAMPIONSHIP IN BASKETBALL**

Mr. Shackelford offered the following resolution:

H. S. R. No. 256

Whereas, In the Piney Woods of East Texas, boys learn their basketball by shooting at bushel basket rims on pine trees, and

Whereas, These boys become the best basketball players in the State of Texas, and

Whereas, During regular season play Buna defeated the State champions of class Double A, and

Whereas, The Buna Cougars have won the State Championship in class Double A; therefore, be it

Resolved, by the Texas House of Representatives, that congratulations be extended to the winningest team in the State of Texas—the Buna Cougars who have won sixty-six (66) consecutive games; and, be it further

Resolved, That a copy of this resolution be sent to each member of the team, and one to their fine coach, Cotton Robinson.

The resolution was read and was adopted.

**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. McLain:

H. B. No. 855, A bill to be entitled "An Act authorizing County Commissioners Courts to fix the compen-
sation of constables at any reasonable sum not to exceed Eight Thousand and Eight Hundred Dollars ($8,800.00), and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Lee:
H. B. No. 853, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Ector County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; containing a severability clause; and declaring an emergency."

H. B. No. 854, A bill to be entitled "An Act to close the season as to deer in Commissioners Precinct No. 1, in Lee County, Texas, until January 1, 1961; and declaring an emergency."

Referred to the Committee on the Judiciary.

By Mr. Sherrill:
H. B. No. 855, A bill to be entitled "An Act creating the State Law Enforcement Commission, providing for its membership, organization, investigations, research, reports and other duties, powers, and functions; making other provisions in regard thereto; providing for conferences of grand jury members from each Supreme Judicial District and their functions; providing penalties for willful failure to obey any process, answer any question, or produce any papers as required by this Act without invoking any applicable legal or constitutional right; providing a severability clause; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

BILLS ON FIRST READING

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

S. B. No. 129 to the Committee on Judiciary.

S. B. No. 214 to the Committee on Liquor Regulation.

S. B. No. 221 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 enrolled resolution:

H. C. R. No. 61, Suspending the Joint Rules in order to consider H. B. No. 135 at any time.
Mr. Baker moved that the House recess until 10:00 o'clock a. m. tomorrow.

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

"O God Thou hast said, 'He that dwellest in the secret place of the most High, shall abide in the shadow of the Almighty.' Dwelling in the shadow of the Almighty, we are submerged in this happy and powerful relationship, which gives us faith and confidence of knowing and doing His perfect will and thus of doing the best for our people of Texas. Thank God for the privilege life gives us. God forbid that we should substitute our own will and way, for He is the way, the truth and the life. Grant us grace and power to walk in His way—Through Christ our Lord.—Amen."

The motion to recess prevailed and the House accordingly, at 12:00 o'clock p. m. took recess until 16:00 o'clock a. m. tomorrow.

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills as follows:

- Criminal Jurisprudence: H. B. No. 39, H. B. No. 537
- Insurance: S. B. No. 112
- Judiciary: H. B. No. 176, H. B. No. 124, H. B. No. 375
- Motor Traffic: H. B. No. 282
- Privileges, Suffrage and Elections: H. B. No. 108
- State Hospitals and Special Schools: H. B. No. 88

The Committee on Criminal Jurisprudence has filed an adverse report on H. B. No. 36.
In Memory of

Second Lieutenant Harvey Emil Holub

Mr. Koliba offered the following resolution:

H. S. R. No. 249, In Memory of Second Lieutenant Harvey Emil Holub.

Whereas, On March 2, 1957, the City of Schulenburg and the State of Texas lost a courageous citizen in the untimely passing of Second Lieutenant Harvey Emil Holub in the crash of a military airplane; and

Whereas, He was born January 28, 1935, in Schulenburg. He attended Saint Rose Catholic School, Schulenburg High School and the University of Texas. He enlisted in the United States Air Force and received his commission and his wings in 1956. He was stationed at March Air Force Base in California at the time of his death. He was a member of Saint Rose Catholic Church, Saint Rose Sodality, Knights of Columbus. As a Boy Scout he received the Ad Altare Del Medal and he served Saint Rose Church as an altar boy; and

Whereas, He is survived by his parents, Mr. and Mrs. Emil Holub, and one sister, Joyce, all of Schulenburg; 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"; now, therefore, be it

Resolved, That the House of Representatives pays tribute in this Resolution, that a page in the House Journal be set aside in his memory, and that when the House adjourns this day it do so in loving respect to Second Lieutenant Harvey Emil Holub.

The resolution was unanimously adopted by a rising vote.