SECOND DAY

(Wednesday, January 11, 1961)

The House met at 11:00 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 — Groover
Adams of Lubbock — Goffey
Adams of Titus — Hall
Allen — Harding
Allen — Harrison
Andrews — Hays
Atwell — Healy
Ballman — Hixson
Battleground, Mrs. — Huebner
Barrow — Hughes
Barnes — Hughes of Dallas
Bass — Isacks, Miss
Bettis — James
Blaine — Johnson of Dallas
Blair — Johnson of Bexar
Bridges — Johnson of Bell
Buchanan — Jones of Dallas
Burgess — Jones of Travis
Butler — Kilpatrick
Caldwell — Koliba
Chambers — Koroth
Cole of Harris — Lack
Cole of Hunt — Laimer
Conceiv — LeValle
Cook — Leaverton
Cory — Lewis
Cotten — Longoria
Cowen — McCoppin
Cowley — McEwen
Crate — McGregors
Crews — McGregors of El Paso
Curning — M barkgraf
De Witt, Miss — Martin
Dewey — Miller
Dunagan — Moore
Durberry — Mullen
Ehrie — Murray
Falconchild — Mutchler
Fickler — Nieswender
Floyd — Nuegent
Foreman — Oliver
Garrett — Osborn
Gibbons — Parsons
Gladden — Peary
Glass — Pelfrey
Golding — Pettit
Green — Peet
Phipps — Spilman
Preston — Springer
Price — Stewart
Quillian — Steward
Rapp — of Galveston
Raincliff — of Wichita
Read — Straw
Richardson — Thurmond
Robertson of Hill — Townsend
Robertson of Dawson — Trevino
Rosas — Tunnell
Royster — Walker
Sandahl — Ward
Schramp — Watson
Shannon — Weis
Shipley — Wheatley
Smith — Whitefield
Smith of Bexar — Wilson of Trinity
Smith of Jefferson — Wilson of Potter
Steele — Woods
Spears — Yestak

Absent—Excused
Cannon — Jarvie
Carriker — McLain
Hollowell — Sluder

A quorum of the House was announced present.

The Invocation was offered by the Honorable Henry A. Fletcher of Caldwell County, as follows:

"Omnipotent Father of Heaven, we are grateful to Thee for Thy blessing of this day and as we assemble ourselves together for the purpose of enacting legislation for the benefit of the people of our great state our prayer is that your Divine Spirit would ever guide and direct our efforts and may we always seek Thy heavenly guidance in each and every problem we may face. As we strive to build upon that great and noble foundation laid by our forefathers, may we ever have peace and harmony from Thee for we ask this in the Name of our Lord Jesus."

LEAVES OF ABSENCE GRANTED

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

Mr. Carriker for today on motion of Mr. Jamison.

Mr. Jarvie for today on motion of Mr. Tunnell.

Mr. McLain for today to attend the Southern Regional Educational
Conference, on motion of Mr. Gind- 
den.

Mr. Cannon for today to attend the 
White House Conference on The Aged 
in Washington, D.C., on motion of 
Mr. Wells.

The following Members were grant-
ed leaves of absence as follows:

Mr. Hollowell for today on account 
of illness, on motion of Mr. Pieratt.

Mr. Gilder for today on account of 
a death in his family, on motion of Mr. 
Dewey.

OATH OF OFFICE 
ADMINISTERED

The Speaker stated that the Hon­
able Yale Lary, Representa­tive­
elect of District No. 60, Place 1, of 
Tarrant County, was present and that 
the Constitutional Oath of Office 
would now be administered to him.

Mr. Lary then took the Constitu­
tional Oath of Office as Member of the 
House of Representa­tives of the Fif­
ty-seventh Legislature, the Oath being 
administered by the Honorable James 
A. Turman, Speaker.

HOUSE BILL NO. 1 ORDERED 
NOT PRINTED

Mr. Dewey moved that House Bill 
No. 1 be not printed.

There was no objection offered, and 
it was so ordered.

RELATIVE TO THE ORDER OF 
BUSINESS FOR THE REG­
ULAR SESSION

Mr. Cotten offered the following 
resolution:

H. S. R. No. 13

Whereas, At the General Election 
on November 4, 1930, Section 5 of 
Article 3 of the Constitution of 
Texas was amended so as to read as 
follows, to wit:

"The Legislature shall meet every 
two (2) years at such times as may 
be provided by law and at other 
times when convened by the Gov­
ernor. When convened in Regu-
Mr. Korioth moved to reconsider the vote by which H. S. R. No. 13 was adopted and to table the motion to reconsider. The motion to table prevailed.

**TO PROVIDE FOR COMMITTEES**

The Speaker announced the appointment of the following Committee to notify the Senate that the House of Representatives is now organized and ready to transact business:

- Messrs. Niemeyer, Cowles, Dulaney, Haynes, Lack, and Richards

The Speaker announced the appointment of the following Committee to notify the Governor that the House of Representatives is now organized and ready to transact business:

- Messrs. Dunagan, Harvey, Lack, Niemeyer, Richards, Berry, and Cowles.

**COMMITTEE TO NOTIFY THE SENATE**

The Speaker announced the appointment of the following Committee to notify the Senate that the House is now organized and ready to transact business:

- Messrs. Dunagan, Harvey, Lack, Niemeyer, Richards, Berry, and Cowles.

**COMMITTEE TO NOTIFY THE GOVERNOR**

The Speaker announced the appointment of the following Committee to notify the Governor that the House of Representatives is now organized and ready to transact business:

- Messrs. Dunagan, Harvey, Lack, Niemeyer, Richards, Berry, and Cowles.

**Resolution**

H. S. R. No. 14

Be it Resolved by the House of Representatives of the State of Texas, That the Speaker appoint two committees of seven (7) Members each, one to notify the Governor and the other to notify the Senate that the House of Representatives is now organized and ready to transact business.

The resolution was read and was adopted.

**Committee to Notify the Senate**

- Messrs. Niemeyer, Cowles, Dulaney, Haynes, Lack, and Richards

**Committee to Notify the Governor**

- Messrs. Dunagan, Harvey, Lack, Niemeyer, Richards, Berry, and Cowles.
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organized and ready for the transac
tion of business:
Messrs. Eckhardt, Barlow, Haring,
Petty, Ward, Struve and Moore.

PROVIDING FOR CANVASS OF
VOTES CAST FOR GOVERNOR
AND LIEUTENANT
GOVERNOR

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 1

Be it resolved by the Senate of the
State of Texas, the House of Repre
sentatives concurring, That a joint
committee composed of five members
of the Senate and five members of the
House shall be appointed by the
Lieutenant Governor and Speaker,
respectively, to arrange for the can
vass of the votes cast for Gov
ernor and Lieutenant Governor at
the general election held on the first
Tuesday in November, 1960,
and that a Joint Session of the Senate
and House be held in the Hall of
the House of Representatives on
Monday, January 16, 1961, for the
purpose of counting said votes and
receiving the report, and hearing the
declaration of the results of the can
vass.

Be it further resolved, That a joint
committee composed of five Members
of the Senate and five Members of
the House of Representatives also
be appointed by the presiding of
ficers of the respective Houses to
arrange for the inauguration of the
Governor-elect and Lieutenant Gov
ernor-elect as determined by the
canvas of the votes.

The resolution was read and was
adopted.

COMMITTEE TO COUNT VOTES
CAST FOR GOVERNOR AND
LIEUTENANT GOVERNOR

The Speaker announced the ap
pointment of the following Commit
tee on the part of the House to count
the votes cast in the last General
Election for Governor and Lieutenant
Governor: Messrs. Hinson, Yezak,
Hughes of Grayson, Rosas and John
son of Bexar.

COMMITTEE TO ARRANGE
FOR INAUGURATION OF THE GOVER
NOR-ELECT AND LIEUTENANT
GOVERNOR-ELECT

The Speaker announced the ap
pointment of the following Commit
tee to arrange for the inauguration
of the Governor-elect and Lieutenant
Governor-elect: Messrs. Jones of Travi
s, Sandahl, Foreman, Fletcher,
and Schram.

EXTENDING TO APRIL 1, 1961,
THE LEGISLATIVE COMMIT
TEE TO STUDY THE PROBLEMS
OF THE AGED

The Speaker laid before the House for consideration at this time:

S. C. R. No. 2

Whereas, The Legislative Commit
tee to Study the Problems of the
Aged of Texas was created by the
56th Legislature, under authority of
Senate Concurrent Resolution No.
32, and said Resolution directed the
committee to conduct studies and to
make its recommendations to the 57th
Legislature on the special problems
of the aged in matters of, but not
limited to, mental and physical
health, housing, family relations, em
ployment, income, rehabilitation, re
creation and education; and

Whereas, Said Committee has partici
pated in the comprehensive survey
program of the Governor's Commit
tee for the White House Confer
ence on Aging, and within a short time
said Legislative Committee will make
its report of recommendations to the
57th Legislature as directed; and

Whereas, Certain members of the
Legislative Committee are Texas
delegates to the White House Con
ference on Aging, which has been
called pursuant to an Act of the
Congress of the United States to
climax a year of study and citizens'
conferences in all of the states in
the nation for the purpose of re
commending to government at all
levels and to organizations and
private citizens a course of remedial
action to meet the social and eco
nomic challenges posed by the great
ly increased number of elderly citizens
of our country; and

Whereas, Continued functioning of
the said Legislative Committee is
Resolved, by the Senate of the State of Texas, the House of Representatives of the State of Texas concurrently, that the authority of the said Legislative Committee to Study Problems of the Aged be extended to April 1, 1961, for the purpose of serving as a clearing house for exchange of information on aging between the State of Texas and other governmental bodies and interested persons and organizations, both in and out of the State of Texas: and be it further

Resolved, That said Committee shall be constituted in the same manner as provided under Senate Concurrent Resolution No. 32 of the 56th Legislature, as follows: Five (5) members of the Senate, to be appointed by the President of the Senate: Five (5) Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and Five (5) outstanding citizens to be appointed by the Governor of Texas; and be it further

Resolved, That the members serving on the committee as of January 1, 1961, pursuant to S. C. R. No. 32 of the 56th Legislature, R.S., shall continue to serve on the committee until their successors have been appointed; and be it further

Resolved, That the members of the Legislature, when traveling on official business for said Legislative Committee in or out of the State of Texas, shall be entitled to reimbursement for their actual and necessary expenses, provided especially that they shall be entitled to said reimbursement of expenses incident to their participation in the White House Conference on Aging, January 9 through 12, 1961, in Washington, D.C.; and be it further

Resolved, That said committee is empowered to effect its own organization and to adopt such procedure as the committee may deem necessary; and to elect its own chairman and other officers, and said committee is hereby authorized to request special reports and information from all governmental agencies which it may deem necessary; and said committee is authorized within the limits of any appropriation made to employ necessary help to carry out the purposes of this resolution.

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

MESSAGE FROM THE SENATE
Austin, Texas, January 11, 1961
Hon. James Turman, 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. No. 3, In memory of Fred Farrel Florence.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate.

RELATIVE TO DRAWING OF PLACES FOR THE INTRODUCTION OF HOUSE BILLS AND JOINT RESOLUTIONS

Mr. McGregor of McLennan offered the following resolution:

H. S. R. No. 15

Be it Resolved that the Chief Clerk be directed to prepare for the drawing of places for the introduction of bills and joint resolutions, and that said drawing be held in the presence of the House; and be it further

Resolved, That all bills and joint resolutions introduced prior to 6 p.m., Friday, January 20, 1961, be numbered in accordance with said drawing, and thereafter numbering will be in accordance with time of introduction.

The resolution was read and was adopted.

GOVERNOR NOTIFIED

The Committee appointed to notify the Governor that the House of Representatives is now organized and ready for the transaction of business was announced at the Bar of the House, and being admitted reported that they had so notified the Governor.
SENATE NOTIFIED

The Committee appointed to notify the Senate that the House of Representatives is now organized and ready for the transaction of business, was announced at the Bar of the House, and being admitted reported that they had so notified the Senate.

HOUSE BILL NO. 1 ON SECOND READING

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

H. B. No. 1, A Bill to be entitled "An Act fixing the salaries, per diem and mileage of Members of the Legislature, pursuant to the provisions of Section 24 of Article III of the Constitution of Texas; creating a Legislative Expense Fund; providing for the expenses of the Fifty-seventh Legislature, Regular Session, 1961, as amended prior to the effective date of this Act and House Bill 11, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, prior to the effective date of this Act; appropriating all monies in the Legislative Expense Fund for the expenses of the Fifty-seventh Legislature and the unpaid expenses of the Fifty-sixth Legislature; providing a repealing clause; providing a severability clause; and declaring an emergency.

The bill was read second time.

Mr. Bartram offered the following amendment to the bill:

Amend House Bill No. 1 by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. Pursuant to the provisions of Section 24 of Article III of the Constitution of Texas, Members of the Legislature shall receive an annual salary of Three Thousand Two Hundred Dollars ($3,200) per year and a per diem of Twelve Dollars ($12.00) per day for the first One Hundred and Twenty Dollars ($120.00) and Two Fifty Cents ($2.50) per day for each additional Twenty Dollars ($20.00) derived from the net revenues collected pursuant to the provisions of House Bill 11, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, Chapter 9, providing for the deposit into the Legislative Expense Fund, the sum of One Million Six Hundred Thousand Dollars ($1,600,000) derived from the net revenues received from fees and charges collected pursuant to the provisions of House Bill 20, Acts of the Forty-seventh Legislature, Regular Session, 1941, Chapter 7, as amended, as heretofore provided in House Bill 20, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended prior to the effective date of this Act, and House Bill 11, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, prior to the effective date of this Act, appropriating all monies in the Legislative Expense Fund for the expenses of the Fifty-seventh Legislature and the unpaid expenses of the Fifty-sixth Legislature; providing a repealing clause; providing a severability clause; and declaring an emergency."

Mr. Dewey moved to table the amendment by Mr. Bartram.

A record vote was requested on the motion to table and was granted.
The motion to table prevailed by the following vote:

Yeas-96
Adams of Titus
Alaniz
Bailey
Ballman
Barlow
Bass
Berry
Blaine
Bridges
Buchanan
Burgess
Caldwell
Chapman
Coles of Harris
Coles of Hunt
Collins
Connell
Cory
Cowles
Dewey
Dungan
Edhardt
Fitch
Fletcher
Foreman
Gladden
Glas
Glasing
Green
Guffey
Harding
Harrington
Haynes
Hibson
Hughes of Galveston
Issac, Mose
James
Jarnson
Johnson of Bexar
Johnson of Bell
Jones of Travis
Kennard
Kilpatrick
Kilbys
Kerchoff
Lack
Lary
La Vallee
Leaverton
Nays-45
Adams of Lubbock
Bartram
Andrews
Atwell
Bastie, Mrs.
Barnes
Barnes
Latimer
Crain
Crowe
Cushing
de la Garza
Duff, Miss
Ebrie
Floyd
Garrison
Gibbons
Groves
Haring
Hart
Huebner
Hughes of Dallas
Johnson of Dallas
Jones of Dallas

Present—Not Voting
Hale
Absent—Excused
Cannon
Carroll
Hollowell
Slater

PAIRED
Mr. Hale (present), who would vote "yea", with Mr. Jarvis (absent) who would vote "nay".

House Bill No. 1 was then passed to engrossment.

HOUSE BILL NO. 1 ON THIRD READING

Mr. Dewey moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-114
Adams of Titus
Alaniz
Andrews
Atwell
Bastie, Mrs.
Barnes
Barnes
Coles of Harris
Coles of Hunt
Connell
Cory
Cowles
Crews
Cusworth
Dillow
Duenas
Ernst
Webb
Wells
Wheatley
Williams
Wolff
Wyatt
Yzaguirre
The Speaker then laid House Bill No. 1 before the House on third reading and final passage.

The bill was read third time.

Mr. McGregor of McLennan offered the following amendment to the bill:

Amend H. B. No. 1, Sec. 6 by striking everything from Sec. 6 after the period on line 61, page 2.

The amendment was lost.

House Bill No. 1 was passed by the following vote:

**Yeas—114**

- Adams of Titus
- Allen
- Atwell
- Bartram
- Bynum
- Butler
- Cash
- de la Garza
- Grover
- Healy
- Johnson of Dallas
- Jones of Dallas
- Lastimosa
- McGregor of McLennan
- Bailey

**Nays—27**

- Adams of Lubbock
- Miller
- Allen
- Atwell
- Bartram
- Bynum
- Butler
- Cash
- de la Garza
- Grover
- Healy
- Johnson of Dallas
- Jones of Dallas
- Lastimosa
- McGregor of McLennan
- Bailey

- Bankhead
- Mullen
- Murray
- Mutscher
- Niemeier
- Peeler

- Absent—Excused
- Adams of Titus
- Allen
- Atwell
- Bartram
- Bynum
- Butler
- Cash
- de la Garza
- Grover
- Healy
- Johnson of Dallas
- Jones of Dallas
- Lastimosa
- McGregor of McLennan
- Bailey

- Bankhead
- Mullen
- Murray
- Mutscher
- Niemeier
- Peeler
DRAWING FOR PLACES OF INTRODUCTION OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS

Upon direction of Speaker Turman, and in accordance with the provisions of H. B. No. 15, places were drawn for the introduction of House Bills and House Joint Resolutions by the Members of the House.

CONCERNING PARKING SPACES FOR CARS IN THE CAPITOL GROUNDS

Upon direction of Speaker Turman, numbers were drawn for parking spaces in the Capitol Grounds for the cars of the Members of the House of Representatives.

MEMORIAL RESOLUTION

H. S. R. No. 12, By Mr. LaValle, In Memory of Dr. Walter McCemy.

ADJOURNMENT

Mr. Lewis moved that the House adjourn until 10 o'clock a.m. tomorrow.

The motion prevailed.

The Benediction was offered by the Honorable B. H. Dewey, Jr., as follows:

"Our Father, we thank Thee for the Members of this House and for our many blessings. We ask Thy blessing for all the people of this State. We trust that our actions today meet with Thy approval. Dismiss us with Thy blessing. In Christ's name we ask it. Amen."

The House accordingly, at 1:21 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

COMMITTEE REPORT

The Temporary Committee on Appropriations has filed a favorable report on H. B. No. 1.

REPORT OF THE COMMITTEE ON ENGBROSSED BILLS

Austin, Texas January 10, 1961

Honorable James A. Turman, Speaker of the House of Representatives:
Sir: Your Committee on Engrossed Bills to whom was referred H. C. R. No. 1, In Memory of Uncle Henry Blair.

Has carefully compared same and finds it correctly engrossed.

TONY KORIOTH, Chairman

THIRD DAY
(Thursday, January 12, 1961)

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
Adams of Lubbock
Alaiz
Allen
Andrews
Atwell
Bailey
Ballman
Bankhead, Mrs.
Barnes
Barrow
Bartram
Bass
Berry
Blaine
Booze
Bridges
Buchanan
Burgess
Butler
Caddell
Cole of Harris
Cole of Hunt
Collins
Cooke
Cory
Corwell
Cowen
Cowles
Crain
Crow
Cunnington
de la Garza
Dewey
Duff, Miss
Duane
Eckhardt
Ehrl
Fairchild

McGurger of McAllen
McGurger of El Paso
Markgraf
Martin
Miller
Mullen
Murray
Natcher
Nichols
Olmeyer
Oliver
Osborn
Parsons
Perry
Pfeifer
Piersatt
Pipkin
Preston
Price
Quilliam
Rapp
Booth
Bead
Richards
Richardson
Roberts of Hill
Roberts of Dawson
Romas
Rosen
Rosen

Sandahl
Schram
Shannon
Shipley
Smith
Smith of Bexar
Smith of Jefferson
Snelson
Spenos
Spelman
Springer
Stewart
of Galveston
Stewart of Wichita
Struve
Thurman
Thurmond
Townsend
Terriño
Tunell
Walker
Ward
Watson
Weils
Wheatley
Winder
Wilson of Potter
Wong
Wright
Xerex

A quorum of the House was announced present.

The Invocation was offered by the Honorable Murray Watson, Jr., of McLennan County, as follows:

"Let us pray: Our most gracious Heavenly Father, we are thankful for the many blessings of life which Thou has given us. Forgive us of our sins and shortcomings and as we prepare for today's labor, be with us and guide us. Let the things we do be pleasing to Thee. Bless the Members of this Legislature and their families. In Christ's name we pray.

-Amen.-"

LEAVES OF ABSENCE GRANTED

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