APPENDIX

REPORT OF THE COMMITTEE ON ENGRADED BILLS

Austin, Texas, January 11, 1962
Hon. James A. Turman, Speaker of the House of Representatives.

Mr. Cannon requested to be recorded as voting "nay" on the motion to adjourn until 11:00 o'clock a.m. next Monday.

H. G. WELLS, Chairman.

STANDING COMMITTEE REPORTS

The following Committees filed favorable reports on a bill and resolutions, as follows:

Conservation and Reclamation: H. B. No. 12.
Rules: H. S. R. No. 15, H. S. R. No. 45.
State Affairs: H. C. R. No. 6, S. C. R. No. 4.

SEVENTH DAY
(Monday, January 15, 1962)

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
Adams of Lubbock
Adams of Titus
Ahmed
Allen
Andrews
Atwell
Bailey
Banfield, Mrs.
Barlow
Barrow
Bartram
Bass
Berry
Blalock
Boyzom
Bridges
Buchanan
Burgess
Butler
Caldwell
Cannon
Carrier
Chapman
Cole of Harris
Cole of Hunt
Collins
Cook

or parts of laws in conflict; to provide for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
self, lest thou also be tempted. Bear ye one another's burdens, and so fulfil the law of Christ. For if a man think himself to be something, when he is nothing, he deceiveth himself. But let every man prove his own work, and then shall he have rejoicing in himself alone, and not in another. For every man shall bear his own burden.” Galatians 6:1-6.

Father, as we pray for Thy guidance and help, we know that Thou dost not intend prayer to be a substitute for work. Help us to know we are expected to do our part, for Thou hast made us not puppets but persons with minds to think and wills to resolve. Make us willing to think and think hard, clearly and honestly, guided by Thy voice within us and in accordance with the light Thou hast given us.

Help us to pray in the knowledge that it all depends on Thee. Help us to work as if it all depended on us. May our greatest concern be to please Thee. In Jesus' Name we pray.—Amen.”

LEAVE OF ABSENCE GRANTED

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

Mr. Lary for today, on motion of Mr. Shannon.

HOUSE BILL NO. 11 ON SECOND READING

Mr. Cotten moved that all the necessary rules be suspended for the purpose of taking up and considering this time House Bill No. 11, and that after the consideration of H. B. No. 11, the House proceed to the consideration of the regular order of business on the calendar.

The motion prevailed by the necessary two-thirds vote.

The Speaker laid before the House, on its second reading and passage to engrossment,
signating the provisions, procedures, and purposes for the expenditures of such appropriations; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. No. 11 by deleting Section 1 thereof and inserting in lieu thereof the following:

Section 1. There is hereby appropriated from the General Revenue Fund the sum of $220,000 for the salaries, wages, per diem, and other expenses of members, officers and employees of the Texas House of Representatives for the Third Called Session of the Fifty-seventh Legislature. Expenditures from the appropriation made by this section shall be subject to the provisions and procedures set forth in Chapter 1 (H. B. No. 1), Acts, 1961, Fifty-seventh Legislature, Regular Session. It is further provided that any unobligated balances remaining at the end of such Third Called Session in the appropriation made by this section of this Act, may be expended for necessary interim expenses of the House of Representatives of the Fifty-eighth Legislature or for such other purposes as are stipulated by Article VI of Senate Bill No. 1, Acts, 1961, Fifty-seventh Legislature, First Called Session.

Mr. Cotten moved that further consideration of H. B. No. 11 be postponed until 11:30 o'clock a.m. today.

The motion prevailed without objection.

INTRODUCTION OF MISS ANITA KOOP

In accordance with the provisions of H. B. No. 30, inviting Miss Anita Koop to appear before the House of Representatives at 10:30 a.m. today, Miss Koop and party were seated on the Speaker's rostrum.

The Speaker recognized the Honorable John Huebner who presented Mr. J. Harold West, President of the Texas Farm Bureau.

Mr. West addressed the House and presented Mr. and Mrs. Arnold Koop, parents of Miss Anita Koop.

Mr. West then introduced Miss Anita Koop, "1962 Queen of The Texas Farm Bureau."

Miss Koop addressed the House briefly.

MESSAGE FROM THE SENATE

Austin, Texas, January 15, 1962
Hon. James A. 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. B. No. 7, Creating a conservation and reclamation district; and declaring an emergency.

S. B. No. 9, Validating under certain conditions proceedings relating to the adoption of home rule charters; and declaring an emergency.

S. B. No. 15, Authorizing certain cities to issue revenue bonds; and declaring an emergency.

S. B. No. 19, Creating a Court of Domestic Relations for Tarrant County, Texas; and declaring an emergency.

S. B. No. 22, Creating Alice Water Authority; and declaring an emergency.

S. B. No. 26, Relating to and fixing minimum and maximum salaries of the official shorthand reporter for the 109th Judicial District of Texas and the 83rd Judicial District of Texas; and declaring an emergency.

S. B. No. 30, Providing the mode of election of certain school trustees; and declaring an emergency.

S. B. No. 21, Creating Brazoria County Road District No. 26 of Brazoria County, Texas; and declaring an emergency.

S. B. No. 32, Re-establishing and re-creating Angleton Drainage District of Brazoria County, Texas; and declaring an emergency.
S. B. No. 33, Re-establishing and re-creating Velasco Drainage District of Brazoria County, Texas; and declaring an emergency.

S. C. R. No. 8, Granting Dr. Ellis Carp permission to see the Texas State Board of Examiners in Optometry.

S. C. R. No. 10, Concerning the celebration of Football Champions Appreciation Day.

The Speaker laid before the House, as postponed business, for consideration at this time, H. B. No. 11.

The bill was read second time on this morning.

The House resumed consideration of Committee Amendment No. 1, offered on this morning by Mr. Cotten.

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

Amend Committee Amendment No. 1 to H. B. 11 by striking out the words "General Revenue Fund" in the first line and substituting the following: "the $1,312,000 appropriated for the House of Representatives in item 2 of Sec. 1 of S. B. No. 1, First Called Session of the 57th Legislature;" and further by adding a new sentence after the first to read as follows: "The appropriation for this second year item for the House of Representatives shall be decreased to $1,092,000.00."

Mr. Cotten moved to table the amendment offered by Mr. Ratcliff to Committee Amendment No. 1.

The motion to table prevailed.

Committee Amendment No. 1 was then adopted.

H. B. No. 11 was passed to engrossment.

HOUSE BILL NO. 11 ON THIRD READING

Mr. Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 11 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas - 116

The Speaker then declared the bill passed to engrossment.

H. B. No. 11 was passed to engrossment.
The Speaker then laid House Bill No. 11 before the House on third reading and final passage. The bill was read third time.

On motion of Mr. Cotton and by unanimous consent of the House, the caption of House Bill No. 11 was ordered amended to conform with the body of the bill.

H. B. No. 11 was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas—119</th>
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<tbody>
<tr>
<td>Adams of Lubbock</td>
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<tr>
<td>Allen</td>
</tr>
<tr>
<td>Andrews</td>
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<tr>
<td>Atwell</td>
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<tr>
<td>Bailey</td>
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<tr>
<td>Barlow</td>
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<td>Bartham</td>
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<td>Bridges</td>
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<tr>
<td>Burgess</td>
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<tr>
<td>Caldwell</td>
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<td>Tunnell</td>
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<td>Ward</td>
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<tr>
<td>Watson</td>
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<tr>
<td>Wells</td>
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<tr>
<td>Wagstaff</td>
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<tr>
<td>Naya-25</td>
</tr>
<tr>
<td>Andrews</td>
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<tr>
<td>Bass</td>
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<tr>
<td>Corby</td>
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<tr>
<td>Fletcher</td>
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<td>Gibbens</td>
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<td>Glasser</td>
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<td>Guffey</td>
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<tr>
<td>Harding</td>
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<td>Harrington</td>
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<tr>
<td>James</td>
</tr>
<tr>
<td>Jamison</td>
</tr>
<tr>
<td>Jarvis</td>
</tr>
</tbody>
</table>

| Naya—25 |
| Berry | Slack |
| Connell | Spilman |
| Curington | Woods |
| McGregor | of McLennan |
| Absent—Excused |
| Lary |

| Absent |
| Adams of Titus | Kendall |
| Bass | Latimer |
| Boren | Miller |
| Collins | Moore |
| Connell | Nugent |
| Cory | Parsons |
| Fletcher | Ratliff |
| Gibbens | Roberts of Hill |
| Guffey | Snead |
| Harding | Struve |
| Harrison | Thurman |
| James | Walker |
| Johnson of Bell | Yesak |

| Naya—25 |
| Berry | Osborn |
| Connell | Spilman |
| McGregor | of McLennan |
| Woods | |
The Speaker announced that H. B. No. 11 was passed subject to the provisions of Section 49A, Article III, of the Constitution.

Mr. Cotten moved to reconsider the vote by which H. B. No. 11 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 2 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment, H. B. No. 2, A bill to be entitled "An Act amending Article 9.25 of Chapter 9, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, and Subsection (4b) of Section 2, Article XX, House Bill No. 8, Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature (Article 7083a), as amended, to provide for the maintenance of Farm-to-Market Roads and to require the expenditure of certain amounts for the construction of newly designated Farm-to-Market Roads; making certain appropriations; providing severability; and declaring an emergency."

The bill was read second time.

RECESS

Mr. McElhany moved that the House recess until 3:00 o'clock p.m. today.

The motion prevailed.

In accordance with the motion to recess, the House, at 12:26 o'clock p.m., took recess until 3:00 o'clock p.m. today.

AFTERNOON SESSION

The Speaker laid before the House, in lieu of H. B. No. 2, on its second reading and passage to third reading, S. B. No. 1, A bill to be entitled "An Act amending Article 9.25 of Chapter 9, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, and Subsection (4b) of Section 2, Article XX, House Bill No. 8, Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature (Article 7083a), as amended, to provide for the maintenance of Farm-to-Market Roads and to require the expenditure of certain amounts for the construction of newly designated Farm-to-Market Roads; making certain appropriations; providing severability; and declaring an emergency."

The bill was read second time on this morning.

Mr. Collins offered the following amendment to the bill:

Amend S. B. 1 by Colson, page 5, on line 24, by striking out the word "with," and inserting after the word "consultation" the following:

"and approval by."

Mr. McElhany moved to table the amendment offered by Mr. Collins.

The motion to table prevailed.

Mr. Cotten offered the following amendment to the bill:

Amend S. B. 1 by adding a new paragraph at the end of Section One as follows:

For the Fiscal year beginning Sept. 1, 1962, and each Fiscal year thereafter the Comptroller shall place
to the credit of the fund known as the County and Road District Highway Fund the additional sum of Seven Million Three Hundred Thousand Dollars ($7,300,000.00); said amount to be provided on the basis of equal monthly payments, which said sum shall be allocated by the Board of County and District Road Indebtedness to all Counties of Texas, not later than Sept. 1, of each year through the Lateral Road Accounts, as provided under the Sub-section (b) of Section 6, of Chapter 324 of the General Fund, Special Laws of the 48th Legislature, Regular Session, 1943, as amended by Section 1 of Chapter 319, Acts of the 50th Legislature, Regular Session, 1947, and which sum shall be allocated and is hereby appropriated from the one-half (½) of the remainder above allowed to be used by the State Highway Dept. for maintenance of Farm to Market Roads.

Mr. McLhany moved to table the amendment offered by Mr. Cotten.

A record vote was requested.

The motion to table the amendment offered by Mr. Cotten prevailed by the following vote:

Yeas—112
Adams of Lubbock Duff, Miss
Adams of Titus
Allen
Andrews
Atwell
Bailey, Mrs. Bannister
Barnes
Bartram
Berry
Blaine
Bridges
Buchanan
Butler
Caldwell
Canon
Carroll
Carrington
Colt of Harris
Colt of Hunt
Connell
Cook
Corley
Cowen
Cowles
Crain
Crewe
Curtis
de la Garza
Dewey

James
Jarvis
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kendall
Kilpatrick
Kohler
Konib
Korkmas
Kothmann
Lack
Lary
Latimer
Lewis
McGregor
McGregor
McGregor
McGregor
McLynn
Markgraf
Miller
Moore
Moore
Murphy
Muse
Niemeyer
Nugent
Oliver
Osborn
Parsons
Pearcy
Paletter
Pillett

Nays—20
Alanis
Alley
Allman
Atwell
Bailey
Ballman
Barlow
Bass
Boysen
Burgess
Chapman
Collins
Cotten

James
Jarvis
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kendall
Kilpatrick
Kohler
Konib
Korkmas
Kothmann
Lack
Lary
Latimer
Lewis
McGregor
McGregor
McGregor
McGregor
McLynn
Markgraf
Miller
Moore
Moore
Murphy
Muse
Niemeyer
Nugent
Oliver
Osborn
Parsons
Pearcy
Paletter
Pillett

Reason for Vote
I offered this amendment to the Farm to Market Road Bill in an attempt to restore a small amount of the funds for Rural Road Construction which the Governor took away from the rural peoples of this State by his veto of the Farm to Market Road Construction Funds.
This amendment would have given to the counties of this state an amount equal to twice as much as they now receive from the State for the purpose of constructing and maintaining rural roads and purchasing right-of-way.

As an example of the effect of this amendment, the figures below show how all counties of the state would have been affected by this amendment, since each would have received double their present allotment. Certainly the cost of constructing and improving and maintaining and rural roads has increased since the counties were deprived of their one-half of these funds in 1951.

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>appropriation</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bosque</td>
<td>$32,228.64</td>
<td>$64,577.29</td>
</tr>
<tr>
<td>Callahan</td>
<td>$25,729.55</td>
<td>$51,459.10</td>
</tr>
<tr>
<td>Coryell</td>
<td>$39,574.46</td>
<td>$79,148.93</td>
</tr>
<tr>
<td>Eastland</td>
<td>$32,196.04</td>
<td>$64,392.08</td>
</tr>
<tr>
<td>Hidalgo</td>
<td>$105,944.42</td>
<td>$211,988.84</td>
</tr>
<tr>
<td>Hood</td>
<td>$15,530.70</td>
<td>$31,061.40</td>
</tr>
<tr>
<td>Jack</td>
<td>$18,950.72</td>
<td>$37,901.44</td>
</tr>
<tr>
<td>Parker</td>
<td>$27,521.35</td>
<td>$55,042.70</td>
</tr>
<tr>
<td>San Augustine</td>
<td>$17,443.68</td>
<td>$34,886.36</td>
</tr>
<tr>
<td>Shackelford</td>
<td>$15,099.85</td>
<td>$30,199.70</td>
</tr>
<tr>
<td>Hutchinson</td>
<td>$19,400.90</td>
<td>$38,801.80</td>
</tr>
<tr>
<td>Wise</td>
<td>$35,893.53</td>
<td>$71,787.06</td>
</tr>
</tbody>
</table>

James Cotten.

Mr. Carriker offered the following amendment to the bill:

Amend S. B. 1 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Article 9.25 of Chapter 9, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, is hereby amended to read hereafter as follows:

Article 9.25. Enforcement Fund. Allocation of Revenue. Before any diversion or allocation of the motor fuel tax collected under the provisions of this Chapter is made, one per cent (1%) of the gross amount of said tax shall be set aside in the State Treasury in a special fund, subject to the use of the Comptroller in the administration and enforcement of the provisions of this Chapter, and so much of said proceeds of one per cent (1%) of the motor fuel tax paid monthly as may be needed to such administration and enforcement, be and is hereby appropriated for such purpose. Any unexpended portion of said fund so specified shall, at the end of each fiscal year, revert (1) to the Highway Motor Fuel Tax Fund, and (2) to the Funds prescribed in Section (6a) of Article 9, as provided in this Chapter, in proportion to the amounts originally derived from such respective sources. The same shall then be allocated as provided in Article 9.13 of this Chapter and Section (6a) thereof, and in this Article 9.25, in the proportions above prescribed, and each month the Comptroller shall allocate and deposit the net remainder of the taxes collected under the provisions of this Chapter, as follows: One-fourth (1/4) of such tax shall go to, and be placed to the credit of the Available School Fund; one-half (1/2) of such tax shall go to and be placed to the credit of the State Highway Fund for the construction and maintenance of the State Road System under existing laws; and from the remaining one-fourth (1/4) of such tax the Comptroller shall: (a) place to the credit of the County and Road District Highway Fund an amount determined by the Board of County and District Road Indebtedness and certified by the Board to the Comptroller of Public Accounts prior to August 31st each year, for the fis-
cal year beginning September 1st each year, to be required in addition to any and all funds already on hand, for the payment by the Board of the principal, interest and sinking fund requirements for each year, on all bonds, warrants or other legal evidences of indebtedness herebefore issued by counties or defined road districts of this State, which mature on or after January 1, 1933, and as amounts of same were issued for and proceeds have been actually expended in the construction of roads that constituted and comprised a part of the system of designated State highways on September 17, 1932, or which subsequent to such date and prior to January 2, 1939, have been designated a part of the System of State Highways and declared by the Board of County and District Road Indebtedness prior to January 2, 1946, to be eligible to participate in the distribution of the moneys in the County and Road District Highway Fund under the provisions of existing laws; (b) for the fiscal year beginning September 1, 1951, and each fiscal year thereafter, the Controller shall place to the credit of the Fund known as the County and Road District Highway Fund the sum of two Million Dollars ($1,000,000), said amount to be provided on the basis of equal monthly payments, payable on the first day of each calendar month, which sum shall be allocated by the Board of County and District Road Indebtedness to all of the counties of Texas not later than September 15th of each year, through the Lateral Road Account, as provided under Subsection (b) of Section 6 of Chapter 314 of the General and Special Laws of the 48th Legislature, Regular Session, 1943, as amended by Section 1 of Chapter 318, Acts of the 50th Legislature, 1947; and (c) the Comptroller shall place to the credit of the State Highway Fund the remainder of such one-fourth (1/4) of such tax, said amount to be provided on the basis of equal monthly payments, payable on the first day of each calendar month, which sum shall be used by the State Highway Department for the construction and improvement of Farm to Market Roads having the same general characteristics as the roads eligible for construction under Subsection 4b of Article XX of House Bill No. 8, Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature, as amended. During any fiscal year, under the terms of Subsection 4b of Section 5 of House Bill No. 8, Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature, as amended, in which there shall be a valid, effective appropriation of $15,000,000 in the Farm to Market Road Fund to the State Highway Department for the purpose of constructing Farm to Market Roads, the Highway Department may use a portion of the above remainder for the maintenance of Farm to Market Roads, which portion shall not exceed, for the fiscal year beginning September 1, 1953, thirty per cent (30%) of such remainder. Thereafter, for each of the next following fiscal years, the Maintenance Fund participation in such remainder may increase in increments of two per cent (2%) each year as follows:

- Fiscal year beginning September 1, 1954—not to exceed 32%
- Fiscal year beginning September 1, 1955—not to exceed 34%
- Fiscal year beginning September 1, 1956—not to exceed 36%
- Fiscal year beginning September 1, 1957—not to exceed 38%
- Fiscal year beginning September 1, 1958—not to exceed 40%
- Fiscal year beginning September 1, 1959—not to exceed 42%
- Fiscal year beginning September 1, 1960—not to exceed 44%
- Fiscal year beginning September 1, 1961—not to exceed 46%
- Fiscal year beginning September 1, 1962—not to exceed 48%
- Fiscal year beginning September 1, 1963—not to exceed 50%
- Fiscal year beginning September 1, 1964—not to exceed 52%
- Fiscal year beginning September 1, 1965—not to exceed 54%
- Fiscal year beginning September 1, 1966—not to exceed 56%
- Fiscal year beginning September 1, 1967—not to exceed 58%
- Fiscal year beginning September 1, 1968—not to exceed 60%
- Fiscal year beginning September 1, 1969—not to exceed 62%
- Fiscal year beginning September 1, 1970—not to exceed 64%
- Fiscal year beginning September 1, 1971—not to exceed 66%
- Fiscal year beginning September 1, 1972—not to exceed 68%
- Each subsequent year thereafter, the Maintenance Fund participation in such remainder shall not exceed fifty per cent (50%).

The term “maintenance” as used herein means the preserving and keeping of each type of roadsides, structures and facilities in such condition as was possible in its original condition as constructed, or as subsequently improved, and the operation of highway facilities and services to provide satisfactory and safe highway transportation.
All receipts due the Available School Fund which are in the Highway Motor Fuel Tax Fund on August 31st of each fiscal year shall be credited to the Available School Fund on August 31st of each fiscal year.'

Sec. 2. Subsection 4b of Section 2, Article XX, House Bill No. 8, Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature, as amended, is hereby further amended so that it shall hereafter read as follows:

'4b. After the above allocations and payments have been made from such Clearance Fund, beginning with the fiscal year September 1, 1959, and annually thereafter, there is hereby appropriated, allocated, transferred and credited, to a fund to be known as the Farm to Market Road Fund of the State Highway Department of the State of Texas the sum of Fifteen Million Dollars ($15,000,000) per year for the construction of Farm to Market Roads by the State Highway Department within the State of Texas. The transfer, allocation and payment herein provided shall be made in equal installments during the months of April, May, June, July, and August of each fiscal year beginning with the fiscal year starting September 1, 1959, or as funds therefor become available.

'The State Highway Department shall use the funds herein made available in conjunction with other funds available for such purposes as a. The roads shall not be potential additions to the Federal Aid Primary Highway System;
b. The roads shall serve rural areas primarily and shall connect farms, ranches, rural homes and sources of natural resources such as oil, mines, timber, etc., and/or water loading points, schools, churches, and points of public congregation, including community developments and villages;
c. The roads shall be capable of assisting in the creation of economic values in the areas served;
d. The roads shall preferably serve as public school bus routes, or rural free delivery postal routes, or both;
e. The roads shall be capable of early integration with the previously improved Texas Road System and at least one end should connect with a road already or soon to be improved on the State System of Roads.

'To fix the specifications and in determining the expenditures to be made for any section of newly designated Farm to Market Road, the State Highway Department shall take into consideration, and anticipate so far as possible, the type and volume of traffic to which the road will be subjected.

'The above allocation shall be made irrespective of any other Subsection of this Section of this Article, and Subsection (5) of Section 2 of this Article shall not be applicable to the Farm to Market Road Fund.'

Sec. 3. There is hereby appropriated to the State Highway Department from the Farm to Market Road Fund for the fiscal year beginning September 1, 1962 the sum of Fifteen Million Dollars ($15,000,000), together with any balances in the Farm to Market Road Fund on hand at the beginning of said year, said amount shall be allocated to the State Highway Department for the purpose of building Farm to Market Roads as prescribed by Chapter 51, Acts, Fifty-first Legislature, Regular Session of the State of Texas, as amended by Acts, 1949, 51st Legislature, Regular Session, Chapter 51, page 86, as amended; after the above allocations and payments have been made from such Clearance Fund, beginning with the fiscal year September 1, 1959, and annually thereafter, there is hereby appropriated, allocated, transferred and credited, to a fund to be known as the Farm to Market Road Fund of the State Highway Department of the State of Texas the sum of Fifteen Million Dollars ($15,000,000) per year for the construction of Farm to Market Roads by the State Highway Department within the State of Texas. The transfer, allocation and payment herein provided shall be made in equal installments during the months of April, May, June, July, and August of each fiscal year beginning with the fiscal year starting September 1, 1959, or as funds therefor become available.

'The State Highway Department shall use the funds herein made available in conjunction with other funds available for such purposes as a. The roads shall not be potential additions to the Federal Aid Primary Highway System;
b. The roads shall serve rural areas primarily and shall connect farms, ranches, rural homes and sources of natural resources such as oil, mines, timber, etc., and/or water loading points, schools, churches, and points of public congregation, including community developments and villages;
c. The roads shall be capable of assisting in the creation of economic values in the areas served;
d. The roads shall preferably serve as public school bus routes, or rural free delivery postal routes, or both;
e. The roads shall be capable of early integration with the previously improved Texas Road System and at least one end should connect with a road already or soon to be improved on the State System of Roads.

'To fix the specifications and in determining the expenditures to be made for any section of newly designated Farm to Market Road, the State Highway Department shall take into consideration, and anticipate so far as possible, the type and volume of traffic to which the road will be subjected.

'The above allocation shall be made irrespective of any other Subsection of this Section of this Article, and Subsection (5) of Section 2 of this Article shall not be applicable to the Farm to Market Road Fund.'
...after the above allocations and payments have been made from such
Clearance Fund beginning with the
fiscal year September 1, 1959, and
annually thereafter, there is hereby
appropriated, allocated, transferred
and credited, to a fund to be known
as the Farm to Market Road Fund
of the State Highway Department
of the State of Texas the sum of
Fifteen Million Dollars ($15,000,000),
per year for the construction of Farm
to Market Roads by the State High-
way Department within the State of
Texas, provided, however, that for
the fiscal year beginning September 1,
1962, only the amount to be trans-
ferred and credited to the Farm
to Market Road Fund shall be Eleven
Million Five Hundred Thousand Dol-
ars ($11,500,000). The transfer,
allocations and payments herein pro-
vided shall be made in equal install-
ments during the months of April,
May, June, July, and August of each
fiscal year beginning with the fiscal
year starting September 1, 1959, or
as funds therefor become available.

The State Highway Department
shall use the funds herein made
available to the Farm to Market
Road Fund in conjunction with other
funds available for such purposes
so that not less than Twenty-three
Million Five Hundred Thousand Dol-
ars ($23,500,000) for the fiscal year
beginning September 1, 1962 and
Twenty-five Million Dollars ($25,-
000,000) for each fiscal year there-
after shall be used for the construc-
tion of additional miles of newly
designated Farm to Market Roads,
meaning roads in rural areas includ-
ing feeder roads, secondary roads,
school bus routes, rural mail routes,
milk routes, etc., and not a part of
the designated State Highway System
or the designated Primary Federal
Aid Highway System.

These funds shall be expended on
a system of roads selected by the
State Highway Department after
consultation with the County Com-
missioners Courts of the counties of
Texas relative to the most needed
improved rural roads in the coun-
ties involved. The selections shall
be made in a manner to ensure
an equitable and judicious distribu-
tion of funds and work among the several
counties of the State.

The general characteristics of the
roads to be selected are as follows:
a. The roads shall not be potential additions to the Federal Aid Primary Highway System;

b. The roads shall serve rural areas primarily and shall connect farms, ranches, rural homes and sources of natural resources such as oil, minerals, timber, etc., and/or water loading points, schools, churches and points of public congregation, including community developments and villages;

c. The roads shall be capable of assisting in the creation of economic values in the areas served;

d. The roads shall preferably serve as public school bus routes, or rural free delivery postal routes, or both;

e. The roads shall be capable of early integration with the previously improved Texas Road System and at least one end should connect with a road already or soon to be improved on the State System of Roads.

In fixing the specifications and in determining the expenditures to be made for any section of newly designated Farm to Market Road, the State Highway Department shall take into consideration, and anticipate as far as possible, the type and volume of traffic to which the road will be subjected.

The above allocation shall be made irrespective of any other subsection of this Section of this Article, and Subsection (5) of Section 2 of this Article shall not be applicable to the Farm to Market Road Fund.

Sec. 3. There is hereby appropriated to the State Highway Department from the Farm to Market Road Fund for the fiscal year beginning September 1, 1962, the sum of Twelve Million Five Hundred Thousand Dollars ($12,500,000), together with any balances in the Farm to Market Road Fund on hand at the beginning of said year. Said amount shall be allocated to the State Highway Department for the purpose of building Farm to Market Roads as prescribed by Chapter 51, Acts, 51st Legislature, Regular Session, 1949. (Senate Bill No. 247) and amendments thereto; and it is further provided that any balances on hand in the Farm to Market Road Fund may be carried over from month to month and used for the purposes prescribed by said Act.

The appropriation from the Farm to Market Road Fund for the fiscal year beginning September 1, 1961, contained in the General Appropriations Act (Senate Bill No. 1) passed by the 57th Legislature, 1st Called Session, 1961, and the appropriation made in the above paragraph shall be construed to be 'current biennial appropriations' for the purpose of Subsection (5) of Section 2, Article 3, Chapter 194, Acts of the 47th Legislature, Regular Session, 1941, as amended and none of the moneys in the Farm to Market Road Fund shall be transferred to the General Revenue Fund during the biennium beginning September 1, 1961.

Mr. McIlhany moved to table the amendment offered by Mr. Stewart of Galveston to the amendment offered by Mr. Carriker.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—101

Adams of Titus
Allen
Andrews
Atwell
Bailey
Ballinan
Barlow
Barres
Barram
Bass
Blaine
Blair
Bridges
Burgess
Butte
Caldwell
Carriker
Cole of Harris
Collins
Connell
Cotten
Cowen
Cowee
Crain
Duff, Miss
Duggar
Drake
Estes
Fairchild
Fletcher
Foreman
Gibbons
Giddens
Glass
Gluslng
Green
Guney
Hale
Harding
Haring
Harripton
Haynes
Heaty
Hinson
Hollowell
Huey
Hughes
of Grayson
James
Jamison
Cannon
Carriker
Cole of Harris
Collins
Connell
Cotten
Cowen
Cowee
Crain
Duff, Miss
Duggar
Drake
Estes
Fairchild
Fletcher
Foreman
Gibbons
Giddens
Glass
Gluslng

Nays—3

Allen
Atwell
Barlow

The motion to table prevailed by the following vote:

Yeas—101

Adams of Titus
Allen
Andrews
Atwell
Bailey
Ballinan
Barlow
Barres
Barram
Bass
Blaine
Blair
Bridges
Burgess
Butte
Caldwell
Carriker
Cole of Harris
Collins
Connell
Cotten
Cowen
Cowee
Crain
Duff, Miss
Duggar
Drake
Estes
Fairchild
Fletcher
Foreman
Gibbons
Giddens
Glass
Gluslng
Green
Guney
Hale
Harding
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Harripton
Haynes
Heaty
Hinson
Hollowell
Huey
Hughes
of Grayson
James
Jamison
Cannon
Carriker
Cole of Harris
Collins
Connell
Cotten
Cowen
Cowee
Crain
Duff, Miss
Duggar
Drake
Estes
Fairchild
Fletcher
Foreman
Gibbons
Giddens
Glass
Gluslng

Nays—3

Allen
Atwell
Barlow

The motion to table prevailed by the following vote:

Yeas—101

Adams of Titus
Allen
Andrews
Atwell
Bailey
Ballinan
Barlow
Barres
Barram
Bass
Blaine
Blair
Bridges
Burgess
Butte
Caldwell
Carriker
Cole of Harris
Collins
Connell
Cotten
Cowen
Cowee
Crain
Duff, Miss
Duggar
Drake
Estes
Fairchild
Fletcher
Foreman
Gibbons
Giddens
Glass
Gluslng
Green
Guney
Hale
Harding
Haring
Harripton
Haynes
Heaty
Hinson
Hollowell
Huey
Hughes
of Grayson
James
Jamison
Cannon
Carriker
Cole of Harris
Collins
Connell
Cotten
Cowen
Cowee
Crain
Duff, Miss
Duggar
Drake
Estes
Fairchild
Fletcher
Foreman
Gibbons
Giddens
Glass
Gluslng

Nays—3

Allen
Atwell
Barlow

The motion to table prevailed by the following vote:
Osborn
Parsons
Peary
Petty
Pipkin
Preston
Quilliam
Rapp
Ratcliff
Richardson
Roberts of Hill
Roberts of Dawson
Rosen
Sekram
Shannon

Nays—42

Adams of Lubbock
Kirkman
Bancroft, Mrs.
Bowen
Buchanan
Butler
Chapman
Cole of Hunt
Cook
Cory
Crow
Curlington
de la Garza
Floyd
Garrison
Grover
Hefton
Hughes of Dallas
Inis, Miss
Johnson of Dallas
Johnson of Bell
Jones of Dallas
Kohler
Lanham
Ehris
Price

Slack
Smith of Bexar
Smith of Jefferson
Spranger
Stewart of Wichita
Tharmond
Towsend
Trevino
Tunnell
Walker
Watson
Wheel
Wilson
Wilson
Wood

REASONS FOR VOTE ON STEWART AMENDMENT TO S. B. 1

... State’s Rights Means State’s Responsibility.

Today, January 16, 1962, you, in this House by your vote could have decided whether to stand for State Responsibility, the principle of State’s Rights, or the hypocrisy of merely talking State’s Rights while seeking 100% free Federal Aid. The facts are these:

1. Both Farm-to-Market Bills appropriate $15 million while the Governor has, by written contract, stated, “The State, on behalf of itself, local governments therein and other agencies thereof, agrees to obtain the expenditure of a reasonable amount of the funds of the State, local governments therein and other agencies thereof,”—while no request for even one dollar of state expenditure has been made to this day. This solemn contract by the Governor of the State of Texas with the United States of America is the means by which $2.6 million of 100% Federal Aid is allocated to the political subdivisions of the State of Texas. The State of Texas has taken a pauper’s oath while today, we are appropriating $15 million for roads.

2. The State of Texas is presently receiving $285 million of Federal funds which we spend to operate the government of Texas. Are you proud that we are second only in total millions spent to New York and California? Are you proud that on a per capita basis Texas leads even New York and California in the amount of free Federal money spent by the Legislature of Texas? I am not. Texas, among the six states in the nation receiving the most Federal Aid, was first in per capita Federal aid.

3. My amendment provided re-paying $3.5 million to be spent for State Responsibility to the Federal Government. This would be done by mutual sacrifice of those of us who favor the primary system and to those of us who favor farm-to-market roads. The farm-to-market road minimum would have been reduced by $1.5 million for only the fiscal year of 1962-63 only to $21.6 million. The $1.5 million cut means that in this year would have built 68 miles less of new farm-to-market roads.

4. There is no such thing as free money. Not only must Texas taxpayers pay for all spending, but the Federal government quite possibly will recoup this $3.5 million from State highway funds in some such manner as they recouped the ex-
January 15, 1962 HOUSE JOURNAL 119

cess $75,000 spent by Commissioner White in 1954 as they did noted in the letter of December 21 by DeWitt Greer which reads in part as follows:

"The Texas Highway Department hereby protests this and other diversion of its funds as discussed in your letter of December 14, 1961. The funds used in these relocation projects were drawn from the State Highway fund, which is a special fund, created by an amendment to the Constitution of the State of Texas, for use solely in the construction and maintenance of a system of State highways.

The Texas Highway Department had no part in the 1954 Hay Program nor are its funds properly obligated for that purpose. It is urgently requested that the Federal agencies responsible for this diversion of our funds rescind such action and that our previous vouchers be paid in full."

In this Legislature we have lived up to our State Responsibilities by establishing medical care for the aged, by the Hale-Aikin bill, improvements in higher education and most importantly, by providing the State taxes to pay for State's Rights. These are significant and similar to what other states have done.

Today the State of Texas standing alone could have begun to change the course of increasing dependence on Federal Aid. We could have started a new trend of State's Responsibility for State's Rights. Texas would have been the first State to repay the Federal Government to resume our State Responsibilities.

This should have been an historic day. The majority wanted 98 miles of road and 100% Federal Aid more than State's Rights.

This is the way State's Rights end—

Not with a BANG, but a motion to table.

MACO STEWART.

REASON FOR VOTE

I voted for motion to table the amendment by Stewart of Galveston because this amendment involves a quite general principle, which I believe needs to be considered in its proper perspective and not limited or directed only to our Farm-to-Market Road Program.

JIM MARKGRAF.

REASON FOR VOTE

Reason for voting not to table Stewart Amendment to Carricker substitute for S. B. No. 1:

This vote I cast to repay Federal Government for federal aid received for Hurricane Carla damage.

PAUL FLOYD.

Mr. Slack moved to table the amendment offered by Mr. Carricker. A record vote was requested.

The motion to table the amendment by Mr. Carricker prevailed by the following vote:

Yeas—121

Adams of Lubbock Floyd
Adams of Titus Foreman
Allen Garrison
Allen Gibbs
Atwell Glass
Banfield, Mrs. Green
Barlow Grover
Barrow
Bastrop Hale
Bass Harding
Berry Harrington
Blaine Haynes
Boggs Healy
Broiles Heiston
Buchanan Hinson
Butler Hollowell
Caldwell Huchens
Cole of Harris Hughes of Dallas
Cole of Hunt Isaacks, Miss
Connell James
Cook Jamison
Cory Jarvis
Cowen Johnson of Dallas
Crowe Johnson of Bexar
Cowles Johnson of Bell
Crews Jones of Dallas
Crews Jones of Travis
Crain Kenzard
Crawford Kilpatrick
Crowe Kohler
Cromartie Korkmas
Crosby Kothmann
Criner Lack
Crews Lary
Fletcher Latimer

This is the way State's Rights end—

This is the way State's Rights end—

This is the way State's Rights end—

Not with a BANG, but a motion...
Mr. Carriker offered the following amendment to the bill:

Amend S. B. 1 in paragraph 2 on page 5 under "4b" by changing the words and figures, twenty-three million dollars ($23,000,000) to twenty-five million dollars ($25,000,000).

**CARRIKER, JIM MARKGRAF.**

A record vote was requested on the motion to table.

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The motion to table prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>116</th>
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<tbody>
<tr>
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<td>Lewis</td>
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<td>McCoppin</td>
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<td>Stewart</td>
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<td>Hughes of Dallas</td>
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<td>James</td>
<td>Tharmond</td>
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<td>Townsend</td>
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<td>Johnson of Dallas</td>
<td>Tunnell</td>
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Bailey  
Burgess  
Cannon  
Carriker  
Collins  
Cory  
Cotten  
Cowen  
Dewey  
Duff, Miss  
Gladden  
Haring  
Healy  
Hinson  
Hughes  

Nays—32

Adams of Titus  
Allen  
Andrews  
Atwell  
Bailey  
Bandfield, Mrs.  
Barlow  
Barnes  
Bartram  
Bass  
Berry  
Blaine  
Boyson  
Buchanan  
Burgess  
Butler  
Callwell  
Cannon  
Carriker  
Chapman  
Cole of Harris  
Cole of Hunt  
Glaging  
Green  
Grover  
Guay  
Hale  
Harding  
Haring  
Harrington  
Haynes  
Healy  
Heflin  
Henson  
Hollowell  
Huebner  
Hughes  
Hughes of Grayson  
Hughes of Dallas  
Isaacs, Miss  
James  
Jamison  
Johnson of Dallas  
Johnson of Bexar  
Johnson of Bell  
Jones of Dallas  
Jones of Travis  
Kendall  
Kilpatrick  
Kloiber  
Korkmas  
Kothmann  
Lock  
Lary  
Lattimer  
Leaverton  
Lewis  
Longoria  
McCoppin  
McGregor  
McGregor of McLennan  
McGregor of El Paso  
McHaffey  
Markgraf  
Martin  
Miller  
Moore  
Mullen  
Murray  
Mitchel

ye  
Niemeyer  

Nays—4

Adams of Lubbock  
Ballman  

Absent

Cook  

The bill was read third time and was passed.
Mr. Dewey moved to reconsider the vote by which S. B. No. 1 was passed and to table the motion to reconsider.

The motion to table prevailed.

The Speaker announced that Senate Bill No. 1 was passed subject to the provisions of Section 49A, Article 3 of the Constitution.

RECORD OF VOTE

Mr. Cannon requested to be recorded as voting “Aye” on the passage of S. B. No. 1.

REASON FOR VOTE

The sales tax bill contained a clause in it which allowed the farm-to-market road money to revert back into the general revenue fund. This emergency situation was one of the reasons for this called session. All of the bills on this subject cut back on the farm road program. We must try to keep this cut to a very minimum.

I voted against the Senate version of the sales tax bill and therefore, I was not a party to this plan to diminish the rural road program; however, I feel a deep obligation to work toward restoring as much of the program as is possible. I voted against the motion to adjourn this session sine die, feeling that we should stay here and try to work out a good farm road program. I am voting for this bill and hope that we will continue to build and maintain good farm roads. For this reason, I cast my vote yes on S. B. 1.

MAX D. CARRIKER.

REASONS FOR VOTE

My reason for voting for the Slack and Senator Colson Road Bill is that after sending copies to all of the County Judges in my district, they, through their President, Harry Taylor, endorsed same. Mr. J. H. West, President of the Texas Farm Bureau also endorsed same, along with the Texas Good Roads Association and the Highway Commission. I felt that this was the best Bill that we could possibly get in this special session. All of those above named organizations being vitally interested in the farm-to-market road program endorsing same would seem to be an expression that it is the best Bill available.

W. S. (Bill) Keating, George H. Cook.

RELATIVE TO H. B. No. 2

Mr. McIlhany moved that House Bill No. 2 be laid on the table subject to call.

There was no objection offered and it was so ordered.

TO INVITE MR. M. O. (JACK) GRIFFITH TO BE INTRODUCED TO THE HOUSE OF REPRESENTATIVES

Mr. Read offered the following resolution:

H. S. R. No. 64

WHEREAS, On February 10, 1960, M. O. (Jack) Griffith, a Big Spring truck driver for the Eagle Transport Company, was named Texas' Most Outstanding Driver of the Year for 1960; and

WHEREAS, His selection as the recipient of this outstanding award was but the beginning for Jack Griffith, as he was named "Texas Driver of the Year" and presented the certificate for this honor; he then received the coveted award as the trucking industry's national "Driver of the Year for 1961" for his quick thinking and prompt action in aiding seven people injured in a head-on collision of two automobiles near Sterling City in August, 1960. His selection for this honor gave Texas the distinction of being the first State ever to have two men named national "Driver of the Year" in consecutive years; and

WHEREAS, Mr. Griffith attributes his having driven two million accident-free miles in the past twenty-five years to his theory of "defensive driving." He states it simply as...
being courteous and cooperative with all drivers; and

Whereas, Mr. Griffith is the father of five children and is also a grandfather. He is a Sunday School teacher and a member of the Board of Deacons of the Northside Baptist Church in Big Spring. He has conducted junior baseball programs for the area young people; and

Whereas, In recognition of the importance of highway traffic safety to all of the citizens of Texas and the entire Nation it is the desire of the House of Representatives to call special attention to the valuable and outstanding record of achievement of Jack Griffith; now, therefore, be it

Resolved by the House of Representatives, Fifty-seventh Legislature, Third Called Session, That we commend Mr. M. O. Griffith for his thoughtfulness to others and his example for the people of his community and State, and that we invite Mr. Griffith to be introduced to the House of Representatives on Tuesday, January 16, 1962.

READ, KILPATRICK.

The resolution was referred to the Committee on Rules.

COMMITTEE MEETING

Mr. Smith of Jefferson asked unanimous consent of the House that the Committee on Rules be permitted to meet at this time.

There was no objection offered.

TO INVITE MR. M. O. (JACK) GRIFFITH TO BE INTRODUCED TO THE HOUSE OF REPRESENTATIVES

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

H. S. R. No. 64, To invite Mr. M. O. (Jack) Griffith to be introduced to the House of Representatives.

The resolution having heretofore been referred to the Committee on Rules and reported favorably by the Committee.

The resolution was adopted without objection.

APPENDIX

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, January 11, 1962
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. C. R. No. 6, granting permission to Bernice Crowder to sue the State of Texas and the State Highway Commission.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS. Chairman.

STANDING COMMITTEE REPORTS

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

Agriculture: S. B. No. 1.
Appropriations: H. B. No. 11.
Rules: H. R. No. 64.

EIGHTH DAY
(Tuesday, January 16, 1962)

The House met at 11:00 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
Adams of Titus
Allen
Andrews
Atwell
Balkman
Bazfield, Mrs.
Barlow
Bartram
Bass
Berry
Blaine
Boyson
Bridges
Buchanan
Butler
Caldwell
Canon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Colton
Connell

Haynes
Healy
Heflin
Hinson
Hollowell
Huebner
Hughes of Grayson
Hughes of Dallas
Isaacks, Miss
James
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick
Koch
Kolbas
Korkmas
Kothmann
Lack
Lary
Lattimer
Leaverton
Lewis
Longoria
McCoppin
McGregor
McGregor of McLennan
McGregor of El Paso
McIlhany
Markgraf
Martin
Miller
Moore
Mullen
Murray
Mutschler
Niemeyer
Nugent
Oliver
Osborn
Parsons

Pearcy
Pettit
Pettit
Pipkins
Presley
Price
Quiggin
Rapp
dread
Richards
Richardson
Roberts of Hill
Roberts of Dawson
Rosen
Rosen
Rosen
Sendahl
Schramp
Shannon
Shipley
Slack
Slader
Smith of Bexar
Smith of Jefferson
Snelson
Spline
Springer
Stewart
Stewart of Galveston
Stewart of Wichita
Stowe
Thurmond
Townsend
Trevino
Turnell
Walker
Ward
Wason
Weiss
Wiley
Whitefield
Wilson
Woods
Yesak

Absent—Excused

cory

de la Garza

A quorum of the House was announced present.

The Invocation was offered by the Reverend Clinton Kersey, Chaplain, as follows:

"Almighty God, thank Thee for the bounties of this day, for the opportunity of serving others. Help us to be thankful for all Your blessings; health, wealth and above all..."