January 19, 1962

HOUSE JOURNAL

ELEVENTH DAY

(Friday, January 19, 1962)

The House met at 10:30 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:

Robert E. Roberts of Hill
Robert M. Roberts of Wichita
R. S. Ross of Strain
Stanley Rosen of Thurmund
Samuel Sandahl of Townsand
William Schram of Trevino
Edward Shannon of Tunnel
John Shipley of Ward
James Slack of Wells
Samuel Smith of Bexar
E. B. Splinman of Wheatley
James Springer of Wilson
Willie Stewart of Galveston

Absents

Adams of Titus
Bryant
Nurse of Wood

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

Mr. McGoppin for today, on motion of Mr. Quilliam.
Mr. Jamison for today, on motion of Mr. Niemeyer.
Mr. Moore for today, on motion of Mr. Osborn.
Mr. Latimer for today, on motion of Mr. Glusking.
Mr. Petty for today, on motion of Mr. Parsons.
Mr. McGregor of El Paso for today, on motion of Mr. Kennard.
Mr. James for today, on motion of Mr. Houston.
Mr. Whitfield for today, on motion of Mr. Hitebaer.

A quorum of the House was announced present.

The Invocation was offered by the Reverend Clinton Kersey, Chaplain.

LEAVES OF ABSENCE GRANTED

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

Mr. McGoppin for today, on motion of Mr. Quilliam.
Mr. Jamison for today, on motion of Mr. Niemeyer.
Mr. Moore for today, on motion of Mr. Osborn.
Mr. Latimer for today, on motion of Mr. Glusking.
Mr. Petty for today, on motion of Mr. Parsons.
Mr. McGregor of El Paso for today, on motion of Mr. Kennard.
Mr. James for today, on motion of Mr. Houston.
Mr. Whitfield for today, on motion of Mr. Hitebaer.
Mr. Leaverton for today, on motion of Mr. Pieratt.

Mr. Andrews for today, on motion of Mr. Cotten.

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

Mr. Smith of Jefferson for yesterday and today, on account of illness in his family, on motion of Mr. Harrington.

Mr. Cory for today, on account of serious illness in his family, on motion of Mr. Glushag.

Mr. Barlow was granted leave of absence for today on account of a death in his family, on motion of Mr. Johnson of Bexar.

MESSAGE FROM THE SENATE
Austin, Texas, January 19, 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:

H. C. R. No. 15, In memory of victims of a C-119 plane crash in Canada.

S. C. R. No. 13, Authorizing the Engrossing and Enrolling Clerk of the Senate to make any needed technical, non-substantive changes in S. B. No. 1.

H. B. No. 12, Amending paragraphs (1) through (11), both inclusive, and paragraphs (15) and (16) of Section 1 of Chapter 387, Acts of the 53rd Legislature, Regular Session, 1953, and declaring an emergency. (with amendments)

S. C. R. No. 16, Establishing the Border Conference Committee.

H. B. No. 1, Protecting and preserving dormant deposits and inactive accounts of owners whose whereabouts are unknown to the depositary, and declaring an emergency. (with amendments)

H. B. No. 11, Appropriating from the General Revenue Fund Two Hundred and Twenty Thousand Dollars ($220,000) for the expenses of the Third Called Session of the 56th Legislature, and declaring an emergency. (with amendments)

S. B. No. 36, Placing certain restrictions upon the use of lands adjacent to and waters of Lake Palestine, Blackburn Crossing Dam and Reservoir in Anderson, Cherokee, Henderson and Smith Counties; and declaring an emergency.

S. B. No. 50, Validating orders entered by county judges declaring the inhabitants of certain cities, setting forth the boundaries thereof and the officials of such cities, validating the corporate existence of such cities, and declaring an emergency.

Respectfully,
CHARLES A. SCHINABEL, Secretary of the Senate.

MEMORIAL RESOLUTIONS ADOPTED
H. S. R. No. 106, By Mr. Koliba: In memory of Valentine Chiles.

H. S. R. No. 105, By Mr. Koliba: In memory of Mrs. Irene Anderson.

H. S. R. No. 104, By Mr. Koliba: In memory of Ralph Richardson.

H. S. R. No. 105, By Mr. Koliba: In memory of Mrs. Mamie Johnson.

H. S. R. No. 107, By Mr. Koliba: In memory of Mrs. Christine Adams.

H. S. R. No. 109, By Mr. Nugent: In memory of Mrs. Minnie Jordan Kothmann.

H. S. R. No. 110, By Mr. Nugent: In memory of Mr. Hattie M. Heffernan.

H. S. R. No. 111, By Mr. Watson: In memory of Dewey O. Kimbler.

H. S. R. No. 112, By Mr. Watson: In memory of Mr. Blythe Gay.

H. S. R. No. 112, By Messrs. Jarvis and Tunnell: In memory of Mr. Thomas Hartwell DeLar.

CONGRATULATORY RESOLUTIONS ADOPTED
H. S. R. No. 87, By Mr. Mutecher: To congratulate Miss Carol Lynn Voelkel of Brenham High School.

H. S. R. No. 95, By Messrs. Jones of Travis, Sandahl and Foreman: Recognizing members of the Senior Government Class of St. Mary's Academy.

H. S. R. No. 97, By Mr. Cannan: To congratulate Mr. and Mrs. Clarence Tucker of Lott, Texas.
H. S. R. No. 98, By Mr. Pieratt:  
To welcome the Honorable Henry G. Lehman of Giddings, Texas.

H. S. R. No. 101, By Mr. Koliba:  
To congratulate Mr. and Mrs. O. A. Braden of Bernardo, Texas.

H. S. R. No. 103, By Mr. Koliba:  
To congratulate Mr. and Mrs. Earl H. Rodgers, Jr.

H. S. R. No. 105, By Mr. Koliba:  
To congratulate Mr. and Mrs. Forest R. Foster of Garwood, Texas.


H. B. NO. 63 ORDERED NOT PRINTED

On motion of Mr. Gladden, and by unanimous consent of the House, House Bill No. 63 was ordered not printed.

PROVIDING FOR A COMMITTEE IN REGARD TO USE OF INSECTICIDES, ETC., FOR THE CONTROL OF NOXIOUS WEEDS

Mr. Rapp offered the following resolution:

H. S. R. No. 94

Whereas, On August 8, 1961, during the First Called Session of the 57th Legislature, there was unanimously adopted by the House of Representatives H. S. R. No. 199, requesting a study relative to the use of pesticides, insecticides and chemicals for the control of noxious weeds; and

Whereas, This resolution called upon Texas A. & M. College, through the facilities of its Agricultural Extension Service and Agricultural Experiment Station System, particularly the station at Weslaco, to study the problems involved in the use of pesticides, insecticides and chemicals for the control of noxious weeds, with special attention to their adverse effect on human beings and animal life and vegetation other than that being treated; and

Whereas, It seems desirable that there be coordination and liaison between the personnel conducting this study and the Legislature of the State of Texas; now therefore be it

Resolved, By the House of Representatives of the State of Texas, That the Speaker of the House is hereby authorized to appoint an interim committee of five (5) members to supervise and participate in the research planning and study of the research results, as contemplated by H. S. R. No. 199, First Called Session of the 57th Legislature, concerning the use of pesticides, insecticides and chemicals for the control of noxious weeds; and be it further

Resolved, That the Speaker shall designate the chairman of the committee, and that actual and necessary expenses incurred by members in the discharge of their duties shall be paid from the Legislative Expense Fund of the 57th Legislature; and be it further

Resolved, That, in addition to the matters set forth in the said H. S. R. 199, Texas A. & M. personnel and the House interim committee hereby created be specifically directed to study the matter of advertising and labeling on drums containing pesticides, insecticides and chemicals for the control of noxious weeds; and be it further

Resolved, That the committee be directed to report its findings, together with such recommendations as it may deem desirable, to the Regular Session of the 58th Legislature.

RAPP, McILHANY.

The resolution was referred to the Committee on Rules.

CONCERNING THE NAME OF THE NEW UNION CENTER BUILDING AT EAST TEXAS STATE COLLEGE

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

S. C. R. No. 12

Whereas, The students of East Texas State College, Commerce, by popular vote endorsed a proposed new Union Center Building on their campus; and

Whereas, Senate Bill No. 26, Regular Session of the 57th Legislature, authorized the Board of Regents for the State Teachers Colleges of Texas to levy a regular fixed student fee not to exceed $11 per student
for each semester of the long session and not to exceed $5.00 per student for each term of the summer school to be used in the operation, maintenance and improvement of the Union Center Building; and

Whereas, The student at East Texas State College, justifiably proud of this new center and of their role in making it possible, have voted 5 to 1 to name it "The Sam Rayburn Memorial Student Center" in honor and memory of the long-time Speaker of the United States House of Representatives who lived in nearby Bonham; and

Whereas, The Board of Regents for the State Teachers College is empowered to choose the official name of this building; now therefore be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That the Board of Regents for the State Teachers Colleges be urged to follow the wishes of the students for whose benefit this center was constructed and whose financial participation makes its operation and improvement possible and designate the Union Center Building at East Texas State College "The Sam Rayburn Memorial Student Center," thus paying tribute also to the outstanding Texan whose name will be so perpetuated.

The resolution was referred to the Committee on State Affairs.

Mr. Preston moved that all the necessary rules be suspended for the purpose of taking up and considering at this time Senate Concurrent Resolution No. 12. The motion prevailed by unanimous consent.

The resolution was adopted without objection.

CONCERNING THE PRESERVATION OF FORT McKAVETT AS AN HISTORIC SITE AND STATE PARK

Mr. Nugent offered the following resolution:

H. C. R. No. 18

Whereas, A series of forts and camps from the Red River to the Rio Grande was established by the United States after Texas became a state in 1845 as a protection against Indians; and

Whereas, Among these forts, Fort McKavett was established in 1853 in the western part of Menard County, and this Fort of extreme importance was one of the last to stand as a buffer against raids and deprivations of the Indians of West and Northwest Texas; and

Whereas, A number of the original old stone buildings of Fort McKavett still stand and tales of activities and battles of the early days, handed down from the generation which actually experienced them, are still alive in the memories of some few residents of the town of Fort McKavett; and

Whereas, In a few years, recollections will dim and fade away and decay will have brought about the complete destruction which the Indians were unable to accomplish when the Fort was manned by Federal troops and defended by them and the valiant settlers of the area; and

Whereas, Texans of today and those of generations to come have an inspiring heritage in the history of Texas, both those glorious events prior to and leading to Texas Independence and the equally valuable days of early Texas statehood; and

Whereas, Fort McKavett is symbolic of a period in Texas history which has not been so well documented nor so well memorialized as her earlier history and it is the belief of this Legislature that Fort McKavett is deserving of being the subject of an investigation looking toward its preservation as an historic site; now therefore be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the State Parks Board and the State Historical Survey Committee be directed by the Legislature to make a thorough investigation of the possibilities of preserving Fort McKavett as an historic site and State Park in order that its heritage of inspiring events may be preserved in the memory of Texas citizens and that it may stand as a symbol of the spirit of the Texas frontier.

The resolution was referred to the Committee on State Affairs.
RELATIVE TO CERTAIN METHODS OF TAKING FISH

Mr. Preston offered the following resolution:

H. S. R. No. 99

Whereas, Under Article 927 of the Penal Code of Texas, 1925, the legal methods of taking fish are defined; and

Whereas, Said Article also defines illegal methods of taking fish; and

Whereas, “Snagging” or jerking fish (a method of taking fish whereby several hooks are attached to a line and the line is periodically jerked) is not specifically defined by said Article as an illegal method of taking fish; and

Whereas, Said Article does not therefore give adequate notice to persons desiring to employ the “snagging” or jerking method of taking fish that they are committing an offense, if they are in fact committing an offense; and

Whereas, Said method of taking fish is mainly effective only in capturing undesirable rough fish, and does not constitute a threat to the population of game fish; now therefore be it

Resolved, by the House of Representatives of the State of Texas, That the Texas Game and Fish Commission be requested not to arrest or prosecute any person in this State who takes any fish in the above described manner; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to each member, agent and employee of the Game and Fish Commission.

The resolution was referred to the Committee on Game and Fisheries.

TO GRANT PERMISSION TO SUE THE STATE

Mr. de la Garza offered the following resolution:

H. C. R. No. 19

Whereas, Mrs. Annie Lou Stapleton, an individual residing in Hidalgo County, Texas, is the owner of a certain tract of land on Farm to Market Road 418 located in Hardin County, Texas; and

Whereas, The county, in acquiring this property for highway purposes, proceeded in condemnation against the wrong ownership. The condemnation suit was filed on February 23, 1956, and final judgment was dated May 31, 1956, and according to the deed recorded in Volume 203, Page 251, this same property had been previously conveyed to Mrs. Annie Lou Stapleton on September 20, 1955, approximately 5 months prior to the time such condemnation proceedings were filed; and

Whereas, The State of Texas condemned said above described land in the name of Mrs. Clara Gilchrist and the State Highway Department built a highway on said property; and

Whereas, Mrs. Stapleton alleges that she has been unable to get any relief for the taking of the land; and

Whereas, To correct the apparent mistake and obtain a proper adjudication of the property involved it is deemed appropriate to authorize the institution of proper proceedings: now, therefore be it

Resolved by the House of Representatives, the Senate concurring, That Mrs. Annie Lou Stapleton is hereby given permission to sue the State of Texas in any court of competent jurisdiction, in cases such suit be filed, service of citation or any other necessary process shall be made upon the Attorney General of the State of Texas. Either of the parties to the suit shall have the right of appeal, as in other civil cases; and, be it further

Resolved, That the sole purpose of this Resolution is to grant permission to the aforesaid Annie Lou Stapleton to bring suit against the State of Texas, and no admission of liability of the State or of any fact is made in any way by the passage of this Resolution, and it is specifically provided that the facts upon which she seeks to recover must be proved in court as in other civil cases.

The resolution was referred to the Committee on State Affairs.

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:
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By Mr. James:

H. B. No. 70, A bill to be entitled "An Act amending Section 1 of Chapter 442, Acts of the 44th Legislature, Second Called Session, as last amended, which is codified as Article 3881, Vernon's Texas Civil Statutes, to increase the salary or district attorneys in all judicial districts to Ten Thousand Dollars ($10,000); and declaring an emergency."
Referred to the Committee on Judiciary.

By Messrs. Dungan, Jamison, Mc Coppin, Burgess, Ward, Bass and Adams of Titus:

H. B. No. 71, A bill to be entitled "An Act providing a minimum monthly salary for the Head-Principal in a 2-year accredited high school district, providing for said monthly salary to be paid for eleven months and declaring an emergency."
Referred to the Committee on Education.

By Mr. Roberts of Hill:

H. B. No. 72, A bill to be entitled "An Act amending Sections 3, 6, 12, 13, 14 and 17, of Senate Bill 44, Acts of the 48th Legislature, Regular Session, 1943, Chapter 204, Page 313, as amended, codified in Vernon's as Article 2338-I, Vernon's Civil Statutes; providing for transfer of certain cases in juvenile courts from the jurisdiction of juvenile courts to the jurisdiction of the other courts in this state; providing that certain delinquent children shall be subject to the penal laws and criminal prosecution the same as if they were adults, prescribing the power, authority and jurisdiction of juvenile courts; prescribing the power, authority and duties of various State agencies handling delinquent children; making other provisions relating thereto; providing a repealing clause; providing a severability clause and declaring an emergency."
Referred to the Committee on Judiciary.

By Messrs. Cole of Hunt and Turman:

H. B. No. 73, A bill to be entitled "An Act validating orders entered by County Judges declaring the inhabitants of certain cities, towns or villages incorporated, setting forth the boundaries thereof and the officers of such cities, towns or villages, validating the corporate existence of such cities, towns or villages and elections herefore held for the election of officials, and validating the acceptance of Title 28, Revised Civil Statutes as amended by such cities, towns and villages; providing that the officials named in such order constituted the officials of such city; enacting other provisions relating to the subject; providing the Act shall not apply to any municipality the validity of which is involved in litigation and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

By Mr. Cannon:

H. B. No. 74, A bill to be entitled "An Act amending Section 513 of the Election Code of the State of Texas (codified as Article 13.84 of Vernon's Texas Election Code), relating to county and precinct conventions; and declaring an emergency."
Referred to the Committee on State Affairs.

SENATE BILLS ON FIRST READING

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

S. B. No. 44 to the Committee on Privileges, Suffrage and Elections.
S. B. No. 18 to the Committee on Education.

HOUSE BILL NO. 11 WITH SENATE AMENDMENTS

Mr. Cotten moved that all necessary rules be suspended for the purpose of concurrence in the Senate Amendments to:

H. B. No. 11, A bill to be entitled "An Act appropriating from the General Revenue Fund One Hundred and Fifty Thousand Dollars for the expenses of the Senate, and Two Hundred and Fifty Thousand Dollars for the expenses of the House of Representatives, for the Third Called Session of the 57th Legislature; designating the provisos, procedures, and purposes for the expenditures of
such appropriations and declaring an "emergency."

The motion to suspend all necessary rules and to concur in the Senate Amendment to H. R. No. 11 prevailed by the following vote.

\[\text{Year}-108\]

\begin{tabular}{ll}
Adams & Johnson of Dallas \\
Atwell & Johnson of Bexar \\
Hall & Johnson of Bell \\
Hallman & Jones of Dallas \\
Harman & Jones of Travis \\
Harram & Kobrich \\
Hershey & Kolbas \\
Hill & Korkman \\
Hoffman & Kohlmann \\
Hubbard & Lack \\
Huber & Lewis \\
Caldwell & Longoria \\
Cannon & McGregor \\
Chamber & McGregor of El Paso \\
Chapman & Melbany \\
Cole of Harris & Markgraf \\
Cole of Hunt & Martin \\
Collins & Murray \\
Cook & Mitchell \\
Cotten & Niemeyer \\
Cowen & Oliver \\
Cox & Parsons \\
Crews & Peery \\
Deaver & Peeler \\
Duff, Miss & Piatt \\
Dungan & Pipkin \\
Eckhardt & Preston \\
Eskridge & Price \\
Fairchild & Quillian \\
Fletcher & Rapp \\
Pflord & Richards \\
Foreman & Richardson \\
Garrison & Roberts of Hill \\
Gladden & Roberts of Dawson \\
Glass & Rosas \\
Glass of Galveston & Rosas \\
Green & Sandahl \\
Green & Schram \\
Gussey & Shannon \\
Hare & Shipley \\
Harding & Stewart \\
Harrington & Stewart of Galveston \\
Hart & Stewart \\
Heady & of Wichita \\
Hollingsworth & Struve \\
Hinson & Thurman \\
Huebner & Thurmond \\
Hughes of Grayson & Treen \\
Hughes of Dallas & Trevino \\
Innske, Miss & Tunnell \\
Jarvis & Walker \\
& Ward \\
Wells & Wilson \\
Wheatley & Yesnak \\
\end{tabular}

\[\text{Nays}-13\]


\begin{tabular}{ll}
Adams of Lubbock & Allen \\
Alred & Kenard \\
Bennett, Mrs. & Miller \\
Cassidy & Nugent \\
Cranmer & Read \\
de la Garza & Watson \\
Gibbons & \\
\end{tabular}

\text{Absent}

\begin{tabular}{ll}
Adams of Titus & Oehmke \\
Burges & Slack \\
Carlington & Silber \\
Ehrle & Smith of Bexar \\
Hollowell & Nelson \\
Lary & Spillman \\
McGregor & Springer \\
of McKinney & Woods \\
\end{tabular}

\[\text{Abstv---Excused}\]

\begin{tabular}{ll}
Andrews & McCoppin \\
Barlow & Moore \\
Cory & Pett \\
James & Ratliff \\
Jamison & Smith of Jefferson \\
Lattimer & Whitfield \\
Leaverton & \\
\end{tabular}

\text{TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 11}

\text{Committee Amendment No. 1}

Amend H. B. No. 11 by deleting Section 1, 2, and 3 and by substituting therefor a new Section 1 to read as shown below, and by renumbering in sequential order the emergency clause.

"Section 1. There is hereby appropriated from the General Revenue Fund the sum of Two Hundred and Twenty Thousand Dollars ($220,000) for the salaries, wages, per diem, and other expenses of Members, officers and employees of the Texas House of Representatives, and the sum of Fifty Thousand Dollars ($50,000) for the salaries, wages, per diem, and other expenses of Members, officers and employees of the Texas Senate, for the Third Called Session of the Fifty-seventh Legislature. Expenditures from the appropriations made herein shall be subject to the provisions and procedures set forth in Chapter 1 (H. R. No. 11, Acts, 1961, Fifty-seventh Legislature, Regular Session.)"

\text{Committee Amendment No. 2}
Delete the caption of H. B. No. 11 and substitute therefor the following:

"A BILL
To Be Entitled
An Act appropriating from the General Revenue Fund $280,000 for the expenses of the House of Representatives and $60,000 for the expenses of the Senate for the Third Called Session of the Fifty-seventh Legislature; designating the purposes, provisions, and procedures for the expenditures of such appropriations; and declaring an emergency."

HOUSE BILL NO. 12 WITH SENATE AMENDMENTS

Mr. Buchanan moved that all necessary rules be suspended for the purpose of concurring in the Senate Amendments to

H. B. No. 12, A bill to be entitled "An Act amending Paragraphs (1) through (11), both inclusive, and Paragraphs (14) and (15) of Section One (1) of Chapter 367, Acts of the 53rd Leg., Regular Session, 1963; changing the name of the Board of Water Engineers to the Texas Water Commission and prescribing certain duties, powers and functions thereof; providing for the appointment of a Chief Engineer and prescribing his duties, powers and functions; enacting other provisions in regard to the administration of the water resources of the State; providing a savings clause; and declaring an emergency."

The motion to suspend all necessary rules and concur in the Senate Amendments to H. B. No. 12 prevailed by the following vote:

Yeas—118

Nays—1
Nugent Absent

Mr. Hughes of Grayson was granted leave of absence for the remainder of the day on account of important business, on motion of Mr. Eckhardt.

AUTHORIZING CERTAIN CORRECTIONS IN S.B. NO. 1

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

S.C.R. No. 13

Be it Resolved by the Senate, the House of Representatives concurring, That the Engrossing and Enrolling Clerk of the Senate be and is hereby directed to make any needed technical, non-substantive changes in S.B. No. 1 such as correcting the subsection identification, amendment of the caption, etc.

The resolution was adopted without objection.

TO REQUEST CERTAIN STUDY RELATIVE TO PROPOSED OR PROSPECTIVE CHANGES IN THE TEXAS LIMITED SALES, EXCISE AND USE TAX

The Speaker laid before the House for consideration at this time, H.C.R. No. 5, To request certain study relative to proposed or prospective changes in the Texas limited sales, excise and use tax.

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

The resolution was read and was adopted without objection.

TO PROVIDE FOR THE APPOINTMENT OF AN INTERIM COMMITTEE TO WORK IN CONJUNCTION WITH THE SOUTHWEST ANIMAL HEALTH RESEARCH FOUNDATION

The Speaker laid before the House for consideration at this time, H.C.R. No. 8, To provide for the appointment of an interim committee to work in conjunction with the Southwest Animal Health Research Foundation.

The resolution having heretofore been referred to the Committee on...
The resolution was adopted without objection.

GRANTING SAM MCCOLLUM, III, PERMISSION TO SUE THE STATE AND THE VETERANS LAND BOARD

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

H. C. R. No. 13, Granting Sam McCollum, III, permission to sue the State and the Veterans Land Board.

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

The resolution was adopted without objection.

GRANTING CONNECTICUT GENERAL LIFE INSURANCE COMPANY PERMISSION TO SUE THE STATE

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

H. C. R. No. 17, Granting Connecticut General Life Insurance Company permission to sue the State.

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

The resolution was adopted without objection.

PROVIDING FOR THE APPOINTMENT OF THE BORDER CONFERENCE COMMITTEE

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

S. C. R. No. 16

Whereas, The adjoining states of the United States of Mexico and their Federal Government have initiated a far reaching and comprehensive program of city planning, economic development and beautification and desire the cooperation of the sister cities in the United States of America in furthering a joint development program, and
Whereas, The orderly planning and development of this area by the United States of Mexico and the Border States of the United States of America will promote the economic, financial and cultural growth and appreciation of both nations' resources, and
Whereas, The Federal Government of the United States of America has available funds for border planning in the four states of California, Arizona, New Mexico and Texas in a cooperative effort with the United States of Mexico to stimulate this area of mutual accord; Now, Therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives of the State of Texas concurring, That there is hereby established a committee to be known as the Border Conference Committee to make studies of this area of cooperation and development with the United States of Mexico, the states of California, Arizona, New Mexico and the Federal Government of the United States of America, and to report the result of its study to the Governor, the Lieutenant Governor and the Speaker of the House of Representatives, and to determine what may be necessary for the State of Texas to have the advantage of existing financial assistance for the State Regional Metropolitan and County planning. The committee hereby established is to be composed of six members, two to be appointed by the Governor, two to be appointed by the Lieutenant Governor, and two to be appointed by the Speaker of the House of Representatives; and be it further

Resolved, That this committee is hereby authorized to ask for the cooperation and assistance of the various State Departments and City Governments in carrying out the purpose of this Resolution.

The resolution was referred to the Committee on Rules.

HOUSE BILL NO. 8 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 8, A bill to be entitled "An Act making an appropriation out of the General Revenue Fund to the Texas Youth Council for pa...
The bill was read third time and was passed by the following vote:

**Yeas—107**

- Alaniz
- Kennard
- Atwell
- Kilpatrick
- Bailey
- Keliba
- Baltman
- Korkman
- Barnes
- Kohmann
- Bertram
- Lark
- Bass
- Lary
- Berry
- Lewis
- Blaize
- McGregor
- Boyes
- Mullhany
- Bridges
- McLennan
- Butler
- Markgraf
- Caldwell
- Martin
- Cannon
- Miller
- Carrilker
- Mullen
- Chapman
- Murray
- Cole of Harris
- Nutcher
- Cole of Hunt
- Niemeier
- Collins
- Nugent
- Cock
- Oliver
- Cowen
- Osborn
- Cowies
- Peary
- Crews
- Peeler
- Curlington
- Pieratt
- de la Garza
- Pilkilton
- Dewey
- Preston
- Dunnigan
- Qulliam
- Eckhardt
- Rapp
- Esquivel
- Read
- Faulch
- Richards
- Fletcher
- Richardson
- Floyd
- Roberts of Hill
- Foreman
- Roberts of Dawson
- Garrison
- Ross
- Gladden
- Sandahl
- Glass
- Schram
- Green
- Shannon
- Grover
- Shipley
- Guffy
- Smith of Bexar
- Hale
- Stewart
- Harding
- of Galveston
- Harling
- of Wichita
- Hartington
- Stone
- Haynes
- Thurmond
- Hinson
- Townsend
- Hollowell
- Trevino
- Huebner
- Tunnel
- Hughes of Dallas
- Walker
- Inaacks, Miss
- Ward
- Jarvis
- Watson
- Johnson of Dallas
- Wells
- Johnson of Bexar
- Whaley
- Jones of Dallas
- Wilson
- Jones of Travis
- Yezak

**Nays—17**

- Adams of Lubbock
- Hetton
- Allen
- Kohler
- Barrfield, Mrs.
- Longoria
- Buchanan
- Persons
- Council
- Rosson
- Cotton
- Slider
- Crain
- Springer
- Duff, Miss
- Woods
- Gibbens
- Absent

Adams of Tittus
- Price
- Burgess
- Slack
- Ehle
- Seelones
- Heatly
- Spilman
- Johnson of Bell
- Thurman

**Absent—Excused**

- Andrews
- McCoppin
- Barlow
- McGregor
- Cory
- of El Paso
- Hughes
- Moore
- of Grayson
- Petty
- James
- Raitch
- Jamieson
- Smith of Jefferson
- Lalimer
- Whitefield
- Leaverton

The Speaker announced that House Bill No. 8 was passed subject to the provisions of Section 49A, Article III of the Constitution.

**REASON FOR VOTE**

Mr. Gladden moved that all the necessary rules be suspended for the purpose of taking up and considering at this time Senate Bill No. 15.

The motion prevailed by the necessary two-thirds vote. The Speaker laid before the House on its second reading and passage to third reading.
S. B. No. 19, A bill to be entitled "An Act creating a Court of Domestic Relations for Tarrant County, Texas; fixing the jurisdiction, conforming the jurisdiction of other courts there-to; fixing its term; providing the manner of selection, tenure and compensation of the Judge and other officers of said Court; providing the manner of and grounds for removal of the Judge of said Court; providing for the membership of the Juvenile Board of Tarrant County; providing for appeals to higher courts; providing for the services of certain county and district officers to said Courts; containing a saving clause; and declaring an emergency."

The bill was read second time.

Mr. Gladden moved that further consideration of Senate Bill No. 19 be postponed until 11:50 o'clock a.m. today.

The motion prevailed.

HOUSE BILL NO. 56 ON SECOND READING

Mr. Pipkin moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 56.

The motion prevailed by unanimous consent.

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 56, A bill to be entitled "An Act authorizing establishment of Rehabilitation districts to provide education, training, special services and guidance for handicapped persons; providing for its financing and administration; and declaring an emergency."

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

HOUSE BILL NO. 56 ON THIRD READING

Mr. Pipkin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 56 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Alanis
Allen
Atwell
Bailey
Balman
Baress
Bartram
Bass
Berry
Blaine
Boyense
Bromel
Bridges
Buchanan
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Conseill
Cook
Cotten
Coxen
Cwiles
Crews
Curlington
de la Garza
Dewey
Duff, Miss
Dungan
Ekhardt
Kapitel
Fairchild
Fletcher
Ford
Foreman
Garrison
Gibbons
Gibbs
Gibson
Green
Gruver
Guerrero
Haile
Harrington
Haynes
Heaton
Henson
Hill
Hollowell
Hughes of Dallas
Ibarria, Miss
Johnson of Bexar
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick

Kollba
Korkmas
Lacy
Lewis
Longoria
McGregor
McLetty
Marksraf
Martin
Miller
Mullen
Murray
Mutchler
Niemeyer
Olliver
Osborn
Parsons
Pearcy
Peeler
Poiriart
Pipkin
Preston
Price
Quilliam
Rapp
Richards
Richardson
Roberts of Hill
Roberts of Dawson
Rosen
Sandahl
Scharm
Shannon
Shipley
Smith of Bexar
Spltman
Spragge
Stewart
of Galveston
Stewart
Strawn
of Wichita
Thurmond
Townsend
Trevino
Tunnell
Walker
Watson
Westlaw
Wheeler
Wilson
Woods
Yeak

Noes—0
January 19, 1962

HOUSE JOURNAL

Nays—7

Adams of Lubbock
Banfield, Mrs.
Crain
Haring

Absent

Adams of Titus
Burman
Ehrle
Gladden
Harding
Huebner
Johnson of Dallas

Absent—Excused

Andrews
Barlow
Cole of Harris
Cory
Hughes
of Grayson
James
Jamison
Latimer

Yeas—124

Adams of Lubbock
Allen
Bailey
Ballman
Banfield, Mrs.
Barnes
Bartram
Bass
Berry
Blaine
Boyce
Bridges
Buchanan
Bulger
Caldwell
Cannons
Carroll
Chapman
Cole of Hunt
Collins
Connell
Cook
Cotten
Cowen
Cowles
Crain
Crews

Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick
Kilburn
Kohler
Kollas
Korkmas
Kothmann
Lack
Larry
Lewis
Longoria
McGregor
McKee
McKnight
McNairy
McGregor of El Paso
Buhler
Snelson
Thurman

Yeas—1

Haring

Absent

Adams of Titus
Burman
Ehrle
Rice
Slack
Slider
Snelson
Thurman

Absent—Excused

Andrews
Barlow
Cole
Cory
Duff
Dungan
Duxan

Mr. Cole of Harris was granted leave of absence for the remainder of the day, on motion of Mr. Springer, on account of important business.

LEAVE OF ABSENCE GRANTED

Mr. Cole of Harris was granted leave of absence for the remainder of the day, on motion of Mr. Springer, on account of important business.
COMMITTEE MEETING

Mr. Cotten asked unanimous consent of the House that the Committee on Appropriations be permitted to meet at this time.

There was no objection offered.

HOUSE BILL NO. 44 ON SECOND READING

Mr. Huebner moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 44.

The motion prevailed by unanimous consent.

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

H. R. No. 44, A bill to be entitled "An Act making an appropriation from the General Revenue Fund to the Unemployment Compensation Clearance Account, Fund No. 936, for the purpose of reimbursing the Unemployment Compensation Clearance Account for warrants voided and erroneously transferred to the credit of the General Revenue Fund; and declaring an emergency."

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

HOUSE BILL NO. 44 ON THIRD READING

Mr. Huebner moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 44 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—119

Adams of LubbockCaldwell
Alanis
Allen
Atwell
Bailey
Baldman
Barnes
Bartram
Bass
Berry
Blaine
Boyden
Bridges
Buchanan
Butler

Nay—4

Banfield, Mrs.
Barrett
Bennett
Bent

Druff, Miss
Dungan
Duvall
Eakins
Eccles
Falmouth
Faulk
Ford
Foreman
Garrison
Gibbons
Gladden
Glass
Glasz
Green
Grover
Guthery
Hale
Harding
Harrington
Haynes
Healy
Heflin
Hines
Howard
Huebner
Hughes of Dallas
Isacks, Miss
Johnson of Dallas
Johnson of Bexar
Jones of Dallas
Jones of Travis
Kannard
Kilpatrick
Kohler
Kolb
Korkmas
Kothmann
Lack
Lary
Lewis
Longoria
McGregor of McLennan
McIlhany
Mackraf
Martin

Mills
Mullen
Murphy
Mutch
Niemeyer
Oliver
Osborn
Parrish
Peary
Pooler
Perritt
Potter
Price
Quilliam
Rapp
Read
Richards
Richardson
Roberts of Bexar
Roberts of Dallas
Rosa
Rosen
Sandahl
Schram
Shannon
Shipley
Smith of Bexar
Springer
Stewart
of Galveston
Stewart
of Wichita
Strake
Struve
Thurmond
Townsend
Trevino
Tunnell
Walker
Wells
Wheatley
Wilson
Woods
Yexak

Nugent

Absent

Andrews
Barlow
Barlow
of Grayson
Colley
Cory

Hughes
of Grayson
James
James

Absent—Excused
The Speaker then laid House Bill No. 44 before the House on third reading and final passage.

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

<table>
<thead>
<tr>
<th>Yeas</th>
</tr>
</thead>
<tbody>
<tr>
<td>127</td>
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</tbody>
</table>

The Speaker announced that H. B. No. 44 was passed subject to the provisions of Section 49A, Article III of the Constitution.

Mr. Johnson of Bell was granted leave of absence for the remainder of the day, on motion of Mr. Price, on account of important business.

The Speaker moved that H. B. No. 52 be taken up and considered at this time.

Mr. Bailey moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 52.

The motion prevailed by unanimous consent.

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

"An Act validating all school districts, including all types of junior and regional college districts, together with the boundaries and..."
names thereof; validating the creation, abolition, and conversion of all such school districts, and all changes in boundaries in all such school districts; validating the annexion of territory and the divorcement or separation from municipal control in all municipally controlled school districts; validating the annexation of territory and the divorcement or separation from municipal control in all municipally controlled school districts; validating all bonds, bond taxes, maintenance taxes, and bond assumptions and the elections authorizing same, of and in all school districts, including all types of junior and regional college districts; providing this Act shall not be construed as validating any boundary change made or attempted to be made by any ex parte order, resolution, or other Act of the Board of Trustees of any school district; providing that this Act shall have no application to litigation now pending questioning the validity of matters hereby validated, or to proceedings now pending before the County Boards of Education, State Commissioner of Education, or the State Board of Education, or to any districts which have been declared invalid by certain courts, or to districts which may have been established and later returned to original status, providing such litigation or proceedings are ultimately determined against the validity of matters hereby validated; providing a saving clause; and declaring an emergency.

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

**HOUSE BILL NO. 52 ON THIRD READING**

Mr. Bailey moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
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<tr>
<th>Yeas—111</th>
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<tbody>
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<td>Adams</td>
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<td>Atwell</td>
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<td>Bailey</td>
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<td>Banfield, Mrs.</td>
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<td>Barnes</td>
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<td>Duff, Miss</td>
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<td>Hinson</td>
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<td>Hollowell</td>
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<td>Isaacs, Miss</td>
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<td>Johnson of Dallas</td>
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<td>Jones of Dallas</td>
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<td>Jones of Travis</td>
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<td>Kennard</td>
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<td>Nay—9</td>
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<td>Cotten</td>
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<td>de la Garza</td>
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<td>Hughes of Dallas</td>
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<td>Absent</td>
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<td>Adams of Lubbock</td>
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<td>Aden of Titus</td>
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<td>Crews</td>
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<td>Green</td>
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<td>Huskisson</td>
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</tbody>
</table>
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Absent—Excused

Andrews  Leaverton
Barlow   McCoplin
Cory    McGregor of El Paso
Hughes  Moore
James   Ratliff
Jamison Smith of Jefferson
Johnson of Bell  Whitfield

The Speaker then laid House Bill No. 52 before the House on third reading and final passage.
The bill was read third time and was passed by the following vote:

Yeas-117

Price  Stewart of Wichita
Quilliam  Strawn
Rapp   Townsend
Richards  Townsend
Richardson  Townsend
Robertson of Hill  Travino
Roberts of Dawson-Turnell
Ross  Walker
Rosson  Ward
Sandahl  Watson
Schram  Wells
Shannon  Wheatley
Shiplay  Wilson
Slider  Woods
Smith of Galveston  Smith

Nays-8

Adams of Lubbock  Parsons
Adams of Titus  Parsons
Atwood  Phipkin
de la Garza  Read
Longoria  Spilman

Miller  Present—Not Voting

Miller  Absent

Absent

Adams of Lubbock  Parsons
Adams of Titus  Parsons
Atwood  Phipkin
de la Garza  Read
Longoria  Spilman

Abseent—Excused

Price  Stewart of Wichita
Quilliam  Strawn
Rapp   Townsend
Richards  Townsend
Richardson  Townsend
Robertson of Hill  Travino
Roberts of Dawson-Turnell
Ross  Walker
Rosson  Ward
Sandahl  Watson
Schram  Wells
Shannon  Wheatley
Shiplay  Wilson
Slider  Woods
Smith of Galveston  Smith

Amend S. B. No. 19, Section 2, by striking the words "the total
salary paid judges of the district
courts of Tarrant County' and inserting in lieu thereof the words 'the
total salary paid the Judge of the
11th District Court of Tarrant Coun-
ty.'

The amendment was adopted with-
out objection.

S. B. No. 19 was passed to third
reading.

SENATE BILL NO. 19 ON THIRD
READING

Mr. Gladden moved that the con-
stitutional rule requiring bills to be
read on three several days be sus-
pended and that Senate Bill No. 19
be placed on its third reading and
final passage.

The motion prevailed by the fol-
lowing vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>120</th>
</tr>
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<tbody>
<tr>
<td>Adams</td>
<td>Lubbock</td>
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<td>Allen</td>
<td>Frenn</td>
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<td>Giddens</td>
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<td>Bailey</td>
<td>Gladden</td>
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<td>Hallman</td>
<td>Glass</td>
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<td>Harms</td>
<td>Gladding</td>
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<td>Bartram</td>
<td>Green</td>
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<td>Blaine</td>
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<td>Hartung</td>
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<td>Buchanan</td>
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<td>Hugo</td>
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<td>Curtiss</td>
<td>Korkmas</td>
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<td>de la Garza</td>
<td>Kothmann</td>
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<td>Dewey</td>
<td>Lack</td>
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<td>Duff, M.</td>
<td>Mank</td>
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<tr>
<td>Duncan</td>
<td>Lary</td>
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<td>Edgell</td>
<td>Lewis</td>
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<td>Ehrle</td>
<td>McGregor</td>
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<td>Esquivel</td>
<td>McElhany</td>
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<tr>
<td>Fairchild</td>
<td>McFarland</td>
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<tr>
<td>Fletcher</td>
<td>Markgraf</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Nays</th>
<th>6</th>
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</thead>
<tbody>
<tr>
<td>Banfield, M.</td>
<td>Jarrett</td>
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<tr>
<td>Hollowell</td>
<td>Nugent</td>
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<td>Issacks, M.</td>
<td>Parceus</td>
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<tr>
<td>Absent</td>
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<tr>
<td>Adams of Titus</td>
<td>Slider</td>
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<tr>
<td>Burgess</td>
<td>Sable</td>
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<tr>
<td>Black</td>
<td>Tumble</td>
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<tr>
<td>Absent—Excused</td>
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<tr>
<td>Andrews</td>
<td>Leaven</td>
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<td>Barlow</td>
<td>McCoppin</td>
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<tr>
<td>Cole of Harris</td>
<td>McGregor</td>
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<tr>
<td>Cory</td>
<td>El Paso</td>
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<td>Hughes</td>
<td>Moore</td>
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<td>Hughes of Grayson</td>
<td>Petty</td>
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<td>James</td>
<td>Ratcliff</td>
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<tr>
<td>Jamison</td>
<td>Smith</td>
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<tr>
<td>Johnson</td>
<td>Bell</td>
</tr>
<tr>
<td>Latimer</td>
<td>Whitefield</td>
</tr>
</tbody>
</table>

The Speaker then laid Senate Bill
No. 19 before the House on third
reading and final passage.

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>126</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams of Lubbock</td>
<td>Bartram</td>
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<tr>
<td>Allen</td>
<td>Bass</td>
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<tr>
<td>Atwell</td>
<td>Blake</td>
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<tr>
<td>Bailey</td>
<td>Boyse</td>
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<tr>
<td>Ballman</td>
<td>Bridges</td>
</tr>
<tr>
<td>Banfield, M.</td>
<td>Buchanan</td>
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<tr>
<td>Barney</td>
<td>Butler</td>
</tr>
</tbody>
</table>
On motion of Mr. Gladden, H. B. No. 63 was laid on the table subject to call.

GRANTING MRS. ANNIE LOU STAPLETON PERMISSION TO SUE THE STATE

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

The resolution was adopted without objection.

SENATE 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 Committees, as follows:

S. B. No. 50 to the Committee on Municipal and Private Corporations.

S. B. No. 36 to the Committee on Game and Fisheries.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following Message from the Governor:

January 19, 1962

To The Members of The 57th Legislature, Third Called Session:

As additional subjects for your consideration, I herewith submit the following legislation involving disposition of State-owned property:
1. Return of approximately 1,300 acres known as Camp Hulen in Mata­gerda County to the City of Palacios, in view of the abandonment of the use for which the property was given to the State. Palacios citizens acquired this land in 1924 for the 36th Division of the Texas National Guard to be used as a permanent camp site, but Camp Hulen was discontinued as a training site after World War II and there are no plans to utilize it as such in the future. The City of Palacios was especially hard hit by Hurricane Carla and is in need of this abandoned site for industrial development. The Adjutant General concurs in this recommendation provided part or all of the revenue from any future sale by Palacios shall go to the State Armory Board.

2. Authority for Southwest Texas State College to exchange certain State-owned land for property owned by the United States.

3. Authority for the State Parks Board to convey to the City of Mineral Wells certain land previously deeded to the city for limited purposes in 1961.

4. Conveyance of certain portions of the beds and banks of the Pecos and Devils Rivers underlying the Amistad Reservoir, on application of the United States Section, International Boundary and Water Commission.

In addition to these matters, I submit these subjects:

1. Discretionary authority for a juvenile court to refer to district court those juvenile offenders 16 and over who are charged with major crimes such as murder. This was a recommendation of the Texas Law Enforcement Study Commission in 1959, and was contained in House Bill 181 passed by the House during the Regular Session.

2. An emergency appropriation to Prairie View A. & M. College for replacement of supplies, materials and equipment damaged or lost by fire January 9, 1962.

3. Authority for payroll deductions for investment in a county or political subdivision Employees Credit Union.

4. Authority for State-chartered banks to make real estate loans up to 75% of appraised value. The present limit is 66 2/3%, and the State Banking Commissioner recommends an increase to keep pace with new regulations for National banks.

5. Correction or clarification of election laws by: allowing payment of poll tax in the county of residence at the time of payment, without changing other residence requirements for voting in the county; providing runoff in special elections to fill vacancies in the Legislature; amending Article 13.08a of the Election Code relating to counties of more than one million population; amending Articles 7.14 and 12.20 of the Election Code pertaining to voting machines and other voting equipment.

Respectfully submitted,
PRICE DANIEL
Governor

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. Caldwell:
H. B. No. 76. A bill to be entitled "An Act creating a Court of Domestic Relations in and for Brazoria County; providing powers, duties, jurisdiction and administration; and declaring an emergency."
Referred to the Committee on Judiciary.

By Mr. Berry:
H. B. No. 76. A bill to be entitled "An Act amending the Election Code of Texas, enacted by Chapter 493, Acts of the 52nd Legislature, Reg­ular Session, 1951, substituting a new article providing for special elections for State Representative and State Senator; and that election of such offices be by majority vote, prescribing procedures for holding such election, canvassing votes, making returns, and certification of election; amending Section 2 of Article 12a of the Election Code of Texas, codified as Section 2 of Article 12a of Article 119, Vernon's Texas Election Code, so as to increase the filing fee of candidates in special elections for the office of Representative and Senator of the Legislature, and Congressmen-at-Large; amending Section 4 of Article 12a of the Election Code of Texas, codified as Section..."
4 of Article 4.10, Vernon's Texas Election Code so as to require party designation on the ballot; amending Section 18.6a of the Election Code of Texas, added by Section 1 of Chapter 494, Acts of the 55th Legislature, Regular Session, 1957, codified as Article 12.09a, Vernon's Texas Election Code, so as to permit the county executive committee of certain counties to require of candidates for the office of Representative or Senator of the Legislature, to pay amounts not to exceed Three Hundred Dollars ($300) as a prerequisite to the placing of their names upon the ballot in a primary election; amending Article 111 of Chapter 492, Acts of the 52nd Legislature, Regular Session, 1951, codified as Article 12.32, Vernon's Texas Election Code, as to determination of the number of signatures required for referendum in certain instances; and declaring an emergency.

Referred to the Committee on Privileges, Suffrage and Elections.

By Messrs. Foreman, Sandahl and Jones of Travis:

H. B. No. 77, A bill to be entitled "An Act amending Section 10 of the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the 43rd Legislature (1934), page 20, as amended by Chapter 2, Special Laws of the Regular Session of the 44th Legislature (1935), page 1048, by Chapter 61, Acts of the Regular Session of the 45th Legislature (1941), page 101, and by Chapter 165, Acts of the Regular Session of the 54th Legislature (1955), page 122, and by Chapter 257, Acts of the Regular Session of the 56th Legislature (1959), page 708, so as to authorize the Lower Colorado River Authority to sell bonds to the United States of America, or to any agency or corporation created or designated by the United States of America; to acquire, install, or construct, and to operate a steam plant located within the boundaries of the District to serve the area now being served by Lower Colorado River Authority; and providing rights and powers of bondholders in event of default; reenacting the remainder of said Section 10 without change; containing a severability clause; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. McIlhany:

H. B. No. 78, A bill to be entitled "An Act amending Section 14(1) of Chapter 327, Acts of the 41st Legislature, Regular Session, 1929, as amended, relating to the definition of a motor carrier; and declaring an emergency."

Referred to the Committee on Motor Traffic.

By Mr. Wilson:


Referred to the Committee on Municipal and Private Corporations.

By Messrs. Kilpatrick, Smith of Jefferson and Harrington:

H. B. No. 80, A bill to be entitled "An Act amending Section 24 of Article 79 of the Election Code of the State of Texas (Section 24 of Article 71, Vernon's Texas Election Code), relating to election officers in counties in which elections are...
conducted by the use of voting machines; changing the provisions relating to the method of appointment and rate of pay of the presiding officer and clerks for each election precinct, and the number of clerks which may be appointed; providing for severability; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Jones of Dallas:

H. B. No. 81, A bill to be entitled "An Act to amend Section 2, Article 4 of Chapter V of Chapter 97, Acts of the 46th Legislature, Regular Session, 1943, as amended, codified as Section 2 of Article 548-904, Vernon's Texas Civil Statutes, relating to the conditions upon which state banks may make loans upon security of real estate or invest funds in obligations secured by real estate, so as to liberalize the limitation of percentage of appraised value of residential 'real estate' which may be included in the total 'net balance' owing upon the indebtedness secured by such lien; repealing conflicting laws; and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Bartram and Mr. Fletcher:

H. B. No. 82, A bill to be entitled "An Act authorizing the exchange and conveyance of certain state-owned realty for certain realty owned by the United States; describing by metes and bounds the realty authorized to be exchanged; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Jones of Dallas:

H. B. No. 83, A bill to be entitled "An Act amending Sections 1, 2, 3, subsection (c) of Section 4, and Section 5 of Chapter 603, Acts of the Fifty-First Legislature, Regular Session, 1949 (Article 6300-3, Vernon's Annotated Texas Statutes), so as to provide for a Voluntary Payroll Investment Plan by officers and employees of the State of Texas or of any County or other political subdivision or municipal corporation therein in Credit Unions organized by said officers and employees; creating an Employees Credit Union Investment Account; empowering the head of any State Department or the disbursing officer of any County or other political subdivision or municipal corporation in the State of Texas to withhold portions of the salary or other compensation of officers or employees when duly authorized in writing by such officers or employees for the benefit of such officers and employees in Employees Credit Unions; providing that the Comptroller or disbursing officer shall issue and the Treasurer of the State or Treasurer of any County or other political subdivision or municipal corporation of the State of Texas shall pay a proper warrant which shall be used for the purpose of investing in such Employees Credit Unions for the account of such officers or employees when authorized so to do in writing; providing that such authorization to make such investment may be terminated; providing that any money not expended in such investment upon termination of such authorization shall be returned to the officer or employee from whom it has been withheld: providing that the head of any State Department or disbursing officer shall not be liable under any bond required of him as such official; and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Messrs. Floyd, Grover, Garrison, Cole of Harris, Shiplay, and Miller:

H. B. No. 84, A bill to be entitled "An Act amending Article 15.08a of the Texas Election Code, providing for increased assessments for candidates for the office of State Senator and State Representative in counties having a population of 1,000,000 or more; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Messrs. Floyd, Miller, Grover, Cole of Harris, Shiplay, Garrison, Whitfield and Kirkhardt:

H. B. No. 85, A bill to be entitled "An Act to authorize the trustees of independent school districts having fewer than one hundred seventy-five thousand (175,000) inhabitants according to the last official scholastic census, whether created by general law or special Act, in counties having a population of move
than one million two hundred thousand (1,200,000), according to the last preceding federal census, to fix the date of election of such trustees on the first Saturday in April or on the first Saturday in October as the trustees by official Resolution may provide; to authorize the trustees of such independent school districts in said counties to provide by Resolution for the election of trustees by a majority vote and to provide for a second election in the event no candidate receives such vote at the first election; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Peeler:

H. B. No. 86, A bill to be entitled "An Act relating to poll taxes and the payment thereof; amending Article 2.01 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, and Sections 41 and 75 of the Election Code of the State of Texas (Articles 5.08 and 7.10, Vernon’s Texas Election Code); redefining the persons liable for the portion of the state poll tax levied for the benefit of the free schools and for the portion levied for general revenue purposes; clarifying and fixing the time and place for payment; requiring certain information relative to fulfillment of residence requirements on poll tax receipts and lists of qualified voters; providing that no county shall levy a poll tax, but authorizing each county to levy a fee for collecting the state tax, and providing for disposition of the county fees; providing a savings clause; and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Thurmond and de la Garza:

H. B. No. 87, A bill to be entitled "An Act to amend Chapter 483, Page 902, 51st Legislature, Acts 1949 as amended by Chapter 324, Section 1, Page 841, 54th Legislature, Acts 1955, Revised Civil Statutes of Texas, compiled as Article 5248g, Vernon’s Annotated Civil Statutes, to provide for the granting by deed executed by the Governor of the State of Texas to the United States of certain portions of the beds and banks of the Pecos and Devils Rivers for the purposes of storage and flood control projects in accordance with the functions of the International Boundary and Water Commission, United States and United Mexican States; and declaring an emergency."

Referred to the Committee on Federal Relations.

ADJOURNMENT

Mr. Oliver moved that the House adjourn until 11:00 o’clock a.m. next Monday, in memory of Robert E. Lee.

The motion prevailed.

The Benediction was offered by the Reverend Clinton Kersey, Chaplain.

In accordance with the motion to adjourn, the House, at 12:40 o’clock p.m., adjourned until 11:00 o’clock a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

Appropriations: H. B. No. 10.

Game and Fisheries: H. B. No. 28 and H. B. No. 30.


State Affairs: H. C. R. No. 19.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, January 18, 1962

Hon. James A. Turman, Speaker of the House of Representatives.

Sir:

Your Committee on Engrossed Bills to whom was referred H. B. No. 8, A bill to be entitled "An Act to amend Chapter 483, Page 902, 51st Legislature, Acts 1949 as amended by Chapter 324, Section 1, Page 841, 54th Legislature, Acts 1955, Revised Civil Statutes of Texas, compiled as Article 5248g, Vernon’s Annotated Civil Statutes, to provide for the granting by deed executed by the Governor of the State of Texas to the United States of certain portions of the beds and banks of the Pecos and Devils Rivers for the purposes of storage and flood control projects in accordance with the functions of the International Boundary and Water Commission, United States and United Mexican States; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 18, 1962
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your committee on Engrossed Bills to whom was referred H. B. No. 39, A bill to be entitled "An Act amending paragraph (c) of Section 2 of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, 1929, as amended (compiled as Article 6676-2, Vernon's Texas Civil Statutes), so as to provide that owners of certain construction machinery used for certain purposes and under certain conditions although required to register shall pay an annual registration fee of Five Dollars ($5) instead of the regular registration fee; and declaring an emergency."

has carefully compared same and finds it correctly engrossed.

H. G. Wells, Chairman.

TWELFTH DAY
(Monday, January 22, 1928)

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 Collins
Adams of Lubbock Connell
Adams of Titus Cook
Allen Cory
Allen Cottam
Andrews Crews
Atwell Cowles
Balfour Craim
Ballman Crews
Bailey Wells
Banfield, Mrs. Curlington
Barnes Dewey
Bartram Duff, Mls
Bass Duncan
Berry Eckhardt
Blake Ehrle
Blair Esquivel
Boyd Fairchild
Buchanan Fletcher
Burgess Floyd
Butler Forem
Butler Garrison
Bullock Gibbons
Carroll Gladden
Chapman Glass
Cook of Harris Glenn
Cook of Hunt Green

Glover Osborn
Guffey Parsons
Hale Pearcy
Harling Peeler
Haring Petty
Harrington Picket
Harrington Preston
Harrington Price
Hinson Quilliam
Hollowell Rapp
Hoesner Ratliff
Hughes Read
Hughes of Dallas Richardson
Hughes of Dallas Roberts of Hill
Isaacs, Miss Roberts of Dawson
Jarrard Roscoe
Johnson of Dallas Sandahl
Johnson of Bexar Schram
Jones of Dallas Shannon
Jones of Travis Shipley
Kilpatrick Slick
Kohler Slider
Kolba Smith of Bexar
Korkmas Smith of Jefferson
Korthaunt Spilman
Lack Springer
Lary Stewart
Leaverton of Galveston
Lewis Stewart
Longoria of Wichita
McChoppin Struve
McGregor Thermold
McGregor Townend
of El Paso Trevino
McKinney Tunnell
Markgraf Walker
Martin Ward
Miller Watson
Moore Wells
Mullen Wheeler
Murray Whitfield
Mutersch Wilson
Nemmers Woods
Nugent Yesak
Oliver Yates

Absent—Excused

Healy Latimer
James Pieratt
Johnson of Bell Richards
Kennard Shelton

A quorum of the House was announced present.

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

"Heavenly Father, by Thy Grace we become more aware of our limitations and weaknesses; Help us to not mistake humility for an inferti-