January 30, 1962

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, January 28, 1962

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

Sirs: Your Committee on Enrolled Bills to whom was referred

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

Has carefully compared same and finds it correctly enrolled.

DONALD K. SHIPLEY, Acting Chairman.

Austin, Texas, January 29, 1962

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

Sirs: Your Committee on Enrolled Bills to whom was referred

H. B. No. 77, An Act amending Section 10 of the "Lower Colorado River Authority Act," Chapter 7, Acts of the Forty-third Legislature (1934), page 19, as amended by Chapter 2, Special Laws of the Regular Session of the Forty-sixth Legislature (1939), page 1048, by Chapter 61, Acts of the Regular Session of the Fiftieth Legislature (1949), page 101, and by Chapter 165, Acts of the Regular Session of the Fifty-sixth Legislature (1955), page 532, 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; re-enacting the remainder of said Section 10 without change; containing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

DONALD K. SHIPLEY, Acting Chairman.

Austin, Texas, January 29, 1962

H. C. R. No. 23.

Sirs: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 23.

H. B. No. 77.

EIGHTEENTH DAY

(Tuesday, January 30, 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:

Mr. Speaker Cannon
James Adams of Lubbock Carriker
Adams of Titus Chapman
Allen Alnis Cole of Harris
Alvin Bailey Cole of Hunt
Andrews Collins
Atwell Cook
Bailey Cory
Bartlett, Mrs. Cotten
Barnes Cowen
Bartram Cowles
Bass Cren
Berry Crews
Blaine Curington
Blayse de la Garza
Boyson Dewey
Bridges Duff, Miss
Buchanan Ehrle
Butler Ehrle
Caldwell

The Speaker then announced the following bills sent to the Governor:

H. C. R. No. 17.

H. C. R. No. 23.

H. B. No. 77.
The following Member was granted leave of absence on account of important business:

Mr. Ballman for this morning on motion of Mr. Pieratt.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 197, By Mr. Mullen:
In memory of Jacobo G. Lopez.

H. S. R. No. 199, By Mr. Schram:
In memory of George P. Prewitt.

On the motion of Mr. Jones of Travis, the names of all Members of the House were added to the resolution as signers thereof.

H. S. R. No. 201, By Mr. Glusac:
In memory of Mrs. R. B. Cousins.

MESSAGE FROM THE SENATE
Austin, Texas, January 30, 1967
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. 29, Changing the salary group allocation of certain classified positions; and declaring an emergency.

S. B. No. 59, Allowing each member of the Commissioners Court an adequate motor vehicle; and declaring an emergency.

S. B. No. 74, Amending the Insurance Code (relating to escheat and unclaimed funds); and declaring an emergency.

S. B. No. 92, Excluding certain services by students from the Unemployment Compensation Act; and declaring an emergency.

S. B. No. 94, Providing for improvements in the Capitol Area; and declaring an emergency.

S. B. No. 96, Changing the name of the County Court At Law of Lubbock County; and declaring an emergency.

S. B. No. 97, Providing for the re-organization of the district contingent upon the results of an election for the approval or disapproval.
of certain proposed projects; and
declaring an emergency.
S. B. No. 100, Appropriating the
balance In the Prepaid Funeral Con­
tact Fund to the Department of
Banking; and declaring an emer­
gency.
S. B. No. 101, Creating a Court
of Domestic Relations for Galveston
County, Texas; and declaring an
emergency.
Respectfully,
CHARLES A. SCHNABEL,
Secretary of the Senate.

CONGRATULATORY RESOLUTIONS
ADOPTED
H. S. R. No. 200, By Messrs. Fore­
man, Sandahl and Jones of Travis:
Endorsing Heart Month.
H. S. R. No. 202, By Messrs. Harr­
ington, Smith of Jefferson and Kil­
patrick: Congratulating Father Peter
Parra.
H. S. R. No. 206, By Messrs. John­
son of Bexar, Smith of Bexar, Barlow,
Berry, Alaniz, Esquivel and Roth­
mann: Commending Officer Perry L.
Masden.

RELATIVE TO RECIPIENTS OF
STATE UNEMPLOYMENT COM­
PENSATION
Mr. Kohler offered the following
resolution:
H. S. R. No. 207
Whereas, The State of Texas has
assumed the obligation of adminis­
tering a program of unemployment
insurance as protection of a worker
against short term unemployment;
and
Whereas, We recognize that the
basic tenets of personal integrity
and happiness are inherent in honest,
productive work; but sometimes
economic conditions work to destroy
this personal integrity; and
Whereas, A great majority of our
citizens receiving State and Federal
unemployment compensation would
prefer to earn their own way through
some form of productive activity; now therefore be it
Resolved, That an intermin com­
mittee of five members of the House
of Representatives be appointed by
the Speaker to confer with the Tex­
as Unemployment Commission and
others to consider the possibility of
enacting a program whereby re­
cipients of State unemployment com­
pensation are required to offer their
time and energies to local charitable
and other public works enterprises
which do not compete in the labor
market; and be it further
Resolved, That this committee
report its findings and recomman­
dations in full to the 58th Legislature.
KOHLER,
KORKMAS.
The resolution was referred to the
Committee on Rules.

TO MAKE STUDY OF POPULATION
DISTRIBUTION IN TEXAS
Mr. Kohler offered the following
resolution:
H. S. R. No. 208
Whereas, The advantages of our
Great State of Texas have attracted
an additional two million citizens
since the 1950 census; and
Whereas, The Congress of the
United States has, as a result of this
increased population, allocated an
additional United States Represent­
ative in Congress to Texas, as re­
quired of them by the Constitution;
and
Whereas, This position of Con­
gressman is now a statewide office
due to the fact that no Congres­
sional redistricting has been under­
taken since the last census; and
Whereas, This situation denies
certain Texas citizens the represen­
tation which they rightfully
deserve; and
Whereas, It is considered to be the
duty and obligation of the 58th Leg­
islature to the ten million citizens
of this State to correct this inequity;
therefore be it
Resolved, That the Speaker ap­
point a five-man committee from
the House of Representatives to
make a comprehensive study of pop­
ulation distribution and prepare a
suggested fair and equitable redis­
stricting plan for Texas; and be it
further
Resolved, That the committee shall have the full cooperation of all offices of this State, including the Texas Legislative Council and be it further

Resolved, That this committee shall make a full and comprehensive report to the House and to the appropriate committee of the House of the Fifty-ninth Legislature with recommendations.

KOHLER, KORKMAS.

The resolution was referred to the Committee on Rules.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Dewey offered the following resolution:

H. C. R. No. 33

Whereas, It is essential that the clerical business of the Session be completed at a reasonable hour in the day rather than far into the morning; and

Whereas, Such can be accomplished only if the sine die adjournment date for this session is set for an hour other than midnight; therefore be it

Resolved, By the House of Representatives, the Senate concurring, that the Third Called Session of the Fifty-seventh Legislature stand adjourned sine die at 6 P.M. on Thursday, February 1, 1962.

The resolution was referred to the Committee on Rules.

SUSPENDING THE JOINT RULES TO CONSIDER S. B. NO. 94 OR H. B. NO. 104

Mr. Foreman offered the following resolution:

H. C. R. No. 32

Be It Resolved by the House of Representatives, the Senate concurring, that the Joint Rules be, and they are hereby, suspended so that either House may take up and consider at any time Senate Bill No. 94 or House Bill No. 104.

FOREMAN, JONES of Travis, SANDAHL.

The resolution was referred to the Committee on Rules.

TO REQUEST CERTAIN STUDY RELATIVE TO SALARIES OF CERTAIN CHIEF ADMINISTRATIVE OFFICIALS

Mr. Dewey offered the following resolution:

H. C. R. No. 31

Whereas, The Fifty-fifth Legislature made provision for a job classification study to provide equal pay for equal work for state employees; and

Whereas, The Fifty-sixth Legislature made provision for continuation of said study; and

Whereas, The Fifty-seventh Legislature implemented the recommendations of the job classification plan which resulted from studies conducted over a period of several years; and

Whereas, The law enacted by the Fifty-seventh Legislature provides for further extension of the classification system into areas not presently covered; and

Whereas, Top administrative positions are not covered by the provisions of the Classification Act of 1961; and

Whereas, There is a growing awareness among Members of the Legislature of the need to conduct a thorough study of the salaries and other compensation of key administrative officials of the State government, to the end that a more fair and equitable salary structure for these positions may also be developed; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, that the Legislative Budget Board be requested to make a thorough and comprehensive study of salaries and other compensation of chief administrative officials and their top assistants, taking into consideration salaries and other emoluments received by such officials, the rates of compensation provided comparable offices in other states, in other governments and in non-governmental fields, and that the results of such study, with specific recommendations thereon, be made available to the Fifty-eighth Legislature, and be it further

Resolved, That the several departments, agencies, institutions, boards and commissions of the State government cooperate fully with the
Legislative Budget Board in its conduct of this study; and, be it further Resolved, That copies of this Resolution be sent to the Acting Chairman of the Legislative Budget Board and the Legislative Budget Director.

DEWEY, McGregor of El Paso.

The resolution was referred to the Committee on Rules.

AUTHORIZING THE BOARD OF CONTROL TO REMOVE CERTAIN FURNISHINGS FROM THE GOVERNOR'S MANSION

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

S. C. R. No. 23

Whereas, It is imperative that certain repairs be made in the Governor's Mansion, including repairs to the heating and air conditioning equipment and ducts, which will necessitate extended closing of portions thereof to public visitation; and

Whereas, The "Sam Houston Room" with its furnishings are priceless heritages of our freedom and provide the greatest attraction for tourists and visitors, and in order that these tourists and visitors may be enabled to continue to view such furnishings, it is deemed appropriate that the furnishings be removed to the unoccupied "Period" room adjoining the lobby of the Archives and Library Building for continued public display. Now, Therefore, Be It Resolved, by the Senate of Texas, the House of Representatives concerning, that the Board of Control be, and it is hereby authorized and directed to remove the furnishings in the Sam Houston Room of the Governor's Mansion to the Archives and Library Building for appropriate uninterrupted display for public viewing.

The resolution was referred to the Committee on Rules.

HOUSE BILL NO. 17 WITH SENATE AMENDMENTS

Mr. Walker; called up with Senate Amendments for consideration at this time.

H. B. No. 17, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as Dayton Drainage District; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing an severability clause; and declaring an emergency."

On motion of Mr. Walker, the House concurred in the Senate Amendments by the following vote:

Yeas-149
Adams of Lubbock Glusing
Adams of Titus Green
Alsvis Grover
Allen Andrew Hale
Atwell Harding
Bailey Harling
Ballman Harrington
Barfield Mrs. Haynes
Barnes Healy
Barron Hinson
Berry Hollowell
Blaln Hughes
Brown Mrs. Grayson
Butler Miss Huxley of Dallas
Callow Miss Jarvis
Carringer Johnson of Dallas
Carriker Johnson of Bexar
Chapman Johnson of Travis
Cole of Harris Jones of Dallas
Cole of Hunt Jones of Travis
Collins Kennard
Connell Kilpatrick
Cory Kohler
Craw Miss Koliba
Crain Korkmas
Crews Kothmann
Curington Lack
de la Garza Lary
Dewey Leaverton
Duff Miss Lewis
Dunning Longoria
Eckhardt McCoppin
Ehrle McGregor
Enquist McNeill
Fairchild of McLennan
Floyd McGregor
Foreman of El Paso
Garrison Gibbons
Gibbs Gladden
Glass Glase
TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 17

Senate Amendment No. 1
Amend Section 1 of House Bill No. 17 by striking out all of the paragraph beginning with the words “Thence southerly” and inserting in lieu thereof the following:

“Thence southerly along the West bank of the Trinity River passing the Northeast corner of the said Liberty Town Tract North League, same being the Northeast corner of the Liberty Town Tract South League and continuing along the West bank of the Trinity River to the Southeast corner of said Liberty Town Tract South League, same being the Northeast corner of the Elizabeth Munson Survey a point for corner;

Thence West along the North boundary line of the Elizabeth Munson Survey to the intersection with the Eastery bank of Day Lake, a point for corner;

Thence in a Southerly direction with the meanders of the East bank of Day Lake to the intersection of the South boundary line of the said Elizabeth Munson Survey, a point for corner;”

Senate Amendment No. 2
Amend caption to conform to body of bill.

REQUESTING THE GOVERNOR TO SUBMIT THE SUBJECT OF THE REVISION OF THE MERIT RATING PLAN RELATIVE TO “SAFE DRIVING INSURANCE PLAN”

The Speaker laid before the House for consideration at this time, H. S. R. No. 96, Relative to requesting the Governor to submit the subject of the revision of the merit rating plan relative to “Safe Driving Insurance Plan.”

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

Mr. Cotten raised a point of order on further consideration of H. S. R. No. 96 at this time on the ground that the hour for the consideration of the special order has arrived.

The Speaker sustained the point of order.

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. 29 to the Committee on Appropriations.
S. B. No. 69 to the Committee on Counties.
S. B. No. 74 to the Committee on Insurance.
S. B. No. 93 to the Committee on State Affairs.
S. B. No. 94 to the Committee on State Affairs.
S. B. No. 95 to the Committee on Counties.
S. B. No. 97 to the Committee on Conservation and Reclamation.
S. B. No. 99 to the Committee on Appropriations.
S. B. No. 100 to the Committee on Education.
S. B. No. 101 to the Committee on Judiciary.

COMMITTEE MEETING

Mr. McGregor of El Paso asked unanimous consent of the House that the Committee on Education be permitted to meet at this time.

There was no objection offered.

SENATE BILL NO. 3 ON SECOND READING

The Speaker laid before the House a special order on its second reading and passage to third reading.

S. B. No. 3, A bill to be entitled "An Act making certain appropriations out of the General Revenue Fund to the State Highway Department for advertising tourist attractions in Texas and to the Texas Youth Council for additional parole supervisors and officers and operating expenses; out of the unexpended balances in the Special Mineral Lease Fund to the Department of Corrections for emergency purposes; out of the State Building Fund to the State Building Commission for renovation and repair of the San Jacinto Monument; 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 Senate Bill No. 3 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Moneys heretofore appropriated out of the State Game and Fish Fund to the Game and Fish Commission for the biennium beginning September 1, 1961, in Article III, Item 12-b of S. H. No. 1, Acts, 1961, 57th Legislature, First Called Session, may also be expended for the purposes and in the amounts set out below:

<table>
<thead>
<tr>
<th>Item</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>For repairs and replacement of patrol boats</td>
<td>$10,000</td>
</tr>
<tr>
<td>3.</td>
<td>For the replacement of office, laboratory, and miscellaneous equipment and supplies, lost or damaged by Hurricane Carla</td>
<td>$11,000</td>
</tr>
<tr>
<td>4.</td>
<td>For the replacement of buoys and markers in bays</td>
<td>$2,000</td>
</tr>
<tr>
<td>5.</td>
<td>For re-surveying Pass Cavallo and Cedar Bayou Pass to replace markers as required by law</td>
<td>$2,000</td>
</tr>
<tr>
<td>6.</td>
<td>For the payment of rental of regional office space and field office space during the fiscal year ending August 31, 1962</td>
<td>$4,166</td>
</tr>
<tr>
<td>7.</td>
<td>For the payment of rental of regional office space and field office space during the fiscal year ending August 31, 1963</td>
<td>$5,372</td>
</tr>
</tbody>
</table>

Total: $104,538

Sec. 2. In the event of an emergency, funds in the Mineral Lease Fund (No. 272) over and above the amounts appropriated in S. B. No. 1, Acts 1961, 57th Legislature, First Called Session, are hereby appropriated to the Department of Corrections for the period beginning with the effective date of this Act and ending August 31, 1963, provided, however, that any expenditures from the additional appropriation herein made shall have the advance, written approval of the Governor after obtaining the advice of the Legislative Budget Board. "Emergency" as used herein shall mean and include only unforeseeable conditions as disasters from weather conditions, fires, or other uncontrollable circumstances. Such emergencies shall also include abnormal increases in inmate population exceeding 12,600 during the 1962 fiscal year and
13,350 inmates during the 1963 fiscal year.

Sec. 6. Upon the effective date of this Act and out of the appropriation heretofore made to the State Building Commission out of the State Building Fund in item 10 of Article III, S. B. No. 1, Fifty-seventh Legislature, First Called Session, the amount of Six Thousand and Six Hundred and Twenty Dollars ($6,620) is hereby authorized to be expended for the additional purpose of replacing the San Jacinto tower and museum building pursuant to estimates by the Robert J. Cummins Company as dated Nov. 2, 1960; provided, however, that none of the moneys appropriated by this Section shall be available for expenditure until such time as the Commissioner of Public Accounts certifies to the Building Commission that the provisions of Section Six of the Memorandum of Agreement dated August 31, 1955 between the San Jacinto Museum Association of History and the State of Texas acting by and through the Board of Control, has been complied with and an inventory of the property belonging to the State purchased under the provisions of the second paragraph of Section Eight of said Agreement has been made and approved by the State Auditor and filed with the Board of Control.

Sec. 7. The following sums are hereby appropriated out of the General Revenue Fund an amount necessary to supplement the salary contained in S. B. No. 1, First Called Session, Fifty-seventh Legislature, 1961, of the Director of Parole Supervision by the additional sum of One Thousand Two Hundred Dollars ($1,200) annually, and to provide the following additional itemized appropriations:

**Parole Officers.**
- **Travel (restricted to these Parole Officers).** $13,235
- **Rent.** $1,200
- **Postage, telephone stationery, printing and Office supplies.** $3,175
- **Total.** $17,610

Item 1. For teaching and laboratory equipment, Division of Industry and Trades; and Building Maintenance and Warehouse Departmental furniture and equipment, including tools — $38,000

Item 2. For building maintenance supplies — $4,300

Item 3. Departmental supplies, including electronic and me-
Sec. 8. There is hereby appropriated out of the General Revenue Fund for the fiscal year beginning September 1, 1962, the sum of Nine Thousand Five Hundred Dollars ($9,500), which amount shall be added to Item 4 of the appropriation to the Judiciary Section—Comptroller’s Department for salaries of District Attorneys to provide an annual salary of Nine Thousand Dollars ($9,000).

Sec. 9. There is hereby appropriated out of the General Revenue Fund for the fiscal year beginning September 1, 1962, the sum of Seventy-three Thousand Five Hundred Dollars ($73,500), which amount shall be added to Item 7 of the appropriation to the Judiciary Section—Comptroller’s Department for the fiscal year ending August 31, 1963, as contained in Article 1 of Senate Bill No. 1, Acts of the Fifty-seventh Legislature, First Called Session, 1961; provided, however, that the appropriation made herein is for the purpose of raising the annual salaries of County Attorneys performing the duties of District Attorney to a minimum of Seven Thousand Dollars ($7,000) for the year beginning September 1, 1962, and provided, further, that the apportionment to any county of funds out of the appropriation made herein is contingent upon the county’s continuing to contribute to the annual salary of the County Attorney performing the duties of District Attorney not less than the amount it was contributing to such annual salary as of January 1, 1962.

Sec. 10. There is hereby appropriated to the Board for Texas State Hospitals and Special Schools out of the General Revenue Fund the sum of Fifteen Thousand Dollars ($15,000) for preliminary surveys, acquisition or preparation of a site, and other preliminary expenses necessary for the establishment of a State school for mentally retarded persons in the Gulf Coast area as authorized by Chapter 388, Acts, 1961, 56th Legislature, Regular Session; provided, however, that none of the moneys appropriated by this section may be expended for architectural fees unless and until said Board for Hospitals and Special Schools shall have found it to be impracticable to duplicate or adapt its own architectural and engineering staff the plans and specifications for a pre-existing State School for mentally retarded persons to the selected Gulf Coast site.

Sec. 11. The sum of Twenty-five Thousand Dollars ($25,000) is hereby appropriated out of the General Revenue Fund to Southwest Texas State College for replacement of supplies, materials, equipment, and for repair of buildings damaged by fire and Hurricane Carla.


Sec. 13. For the fiscal year beginning September 1, 1962, there is hereby appropriated to the State Highway Department the sum of One Hundred and Fifty Thousand Dollars ($150,000) from the General Revenue Fund which may be expended by the Highway Department for the purchase of advertising space or time pursuant to the purposes stipulated by Section 3 of Chapter 193, Acts, 1959, Fifty-sixth Legislature (codified in Vernon’s Civil Statutes as Article 19946); provided, however, that pursuant to Article 14, Section 56, of the Constitution of the State of Texas, any expenditure of the money herein appropriated shall be matched by an equal sum paid into the State Treasury from private sources, and such private contributions and such private contributions are hereby appropriated for the purposes of Section 3 of said Chapter 193.

Sec. 14. Out of funds appropriated to the Comptroller of Public Accounts in Senate Bill No. 1, Acts of the Fifty-seventh Legislature, First Called Session, 1961, the Comptroller is authorized to employ the following personnel to conduct hearings required to carry out the purposes of House Bill No. 20, Acts of the
Fifty-seventh Legislature, Second Called Session, 1961, such employees to be classified according to the following titles and salary groups within the schedule of salary ranges provided in said Senate Bill No. 1:

### Title

<table>
<thead>
<tr>
<th>Salary Group</th>
<th>Specialist II</th>
<th>Specialist I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Health</td>
<td>17</td>
<td>16</td>
</tr>
</tbody>
</table>

Sec. 15. Out of funds appropriated to the Department of Health in Senate Bill No. 1, Acts of the Fifty-seventh Legislature, First Called Session, 1961, the Department of Health is authorized to employ the following personnel to carry out the purposes of Senate Bill No. 68, Acts of the Fifty-seventh Legislature, Regular Session, 1961, such employees to be classified according to the following titles and salary groups within the schedule of salary ranges provided in said Senate Bill No. 1:

### Title

<table>
<thead>
<tr>
<th>Radiological Health Specialist II</th>
<th>Radiological Health Specialist I</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>16</td>
</tr>
</tbody>
</table>

Sec. 16. Out of funds appropriated to the Central Education Agency in Senate Bill No. 1, Acts of the Fifty-seventh Legislature, First Called Session, 1961, the Central Education Agency is authorized to employ an Investment Officer at an annual salary rate of Eleven Thousand Dollars ($11,000), and an Assistant Investment Officer, which latter position shall be classified and placed in Salary Group 21 within the schedule of salary ranges provided in said Senate Bill No. 1.

Sec. 17. If any section, sentence, clause or part of this Act shall for any reason be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof, irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

Sec. 18. The importance of this legislation and the crowded condition of the calendar in each House create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Ratcliff moved that Committee Amendment No. 1 to Senate Bill No. 2 be considered Section by Section.

The motion prevailed without objection.

Mr. Townsend offered the following amendment to Section 1 of Committee Amendment No. 1:

Amend Committee Amendment No. 1 to Senate Bill No. 2 by deleting from Section 1, Items 3, 4, 6, and adjusting total figures from $104,838 to $79,638.

Mr. Cory moved to table the amendment offered by Mr. Townsend.

The motion to table prevailed.

Mr. Richards offered the following amendment to Section 2 of Committee Amendment No. 1:

Amend Committee Amendment No. 1 of Senate Bill No. 2, Sec. 2 by inserting at the end of the sentence on line 10 of the printed amendments after the word circumstances to read as follows:

Or, if found necessary by members of the Board of Corrections, subject to the approval of the Governor after obtaining the advice of the Legislative Budget Board, a sum of money appropriated in this Section may be used to supplement the salary of the Director of the Department of Corrections to a salary not to exceed $22,600 and to supplement the salary of the Assistant Director, Business and Custody to a total not to exceed $15,000.

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

The motion to table prevailed.

Mr. McGregor of El Paso offered the following amendment to Section 3 of Committee Amendment No. 1:

Amend Sec. 3 of the Committee Amendment to Senate Bill No. 3 to read as follows:
“Section 1. In the event of an emergency, funds from the Mineral Lease Fund No. 372, over and above the amount appropriated in S. B. 1, First Called Session, Fifty-seventh Legislature, 1961, are hereby appropriated to the Department of Corrections, subject to the approval of the Governor. Emergency purposes as herein shall mean and include only (1) unforeseeable conditions such as disastrous weather conditions, (2) fire or other uncontrollable circumstances, or (3) if found necessary by members of the Texas Board of Corrections, conditions requiring the supplementation of the salaries of Director and Assistant Director-Business and Custody; provided however, that the salaries with supplementation shall not exceed $22,500.00 per year for the Director and $15,000.00 per year for the Assistant Director-Business and Custody. Such emergencies shall also include abnormal increases in inmate population exceeding 12,600 during the 1962 fiscal year and 13,350 inmates during the 1963 fiscal year.

The salaries for the following positions shall be set as itemized with increases provided to be paid within the funds already available for other specific purposes appropriated to the respective agencies in which these positions are now employed by S. B. 1, Appropriations Act, First Called Session, 57th Legislature.

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner of Education</td>
<td>$23,500</td>
</tr>
<tr>
<td>Deputy Commissioner of Education</td>
<td>15,000</td>
</tr>
<tr>
<td>State Highway Engineer</td>
<td>22,500</td>
</tr>
<tr>
<td>First Assistant State Highway Engineer</td>
<td>15,000</td>
</tr>
<tr>
<td>Commissioner of Health</td>
<td>22,500</td>
</tr>
<tr>
<td>Executive Director</td>
<td>15,000</td>
</tr>
<tr>
<td>Director, Department of Public Safety</td>
<td>22,500</td>
</tr>
<tr>
<td>Assistant Director</td>
<td>15,000</td>
</tr>
<tr>
<td>Commissioner of Public Welfare (half salary)</td>
<td>11,250</td>
</tr>
<tr>
<td>Assistant Commissioner (half salary)</td>
<td>7,500</td>
</tr>
<tr>
<td>Comptroller of Public Accounts</td>
<td>22,500</td>
</tr>
<tr>
<td>Chief Clerk</td>
<td>15,000</td>
</tr>
<tr>
<td>Attorney General</td>
<td>22,500</td>
</tr>
<tr>
<td>First Assistant</td>
<td>15,000</td>
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<tr>
<td>Chairman, Texas Employment Commission</td>
<td>17,500</td>
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</tbody>
</table>

Commissioners, Texas Employment Commission (2) 16,000
Railroad Commissioner (3) each 22,500
State Treasurer 20,000
Chief Clerk 12,500
Commissioner of General Land Office 20,000
Chief Clerk 12,500
Executive Director, Texas Industrial Commission 17,000
Assistant Executive Director 12,500
Administrator, Liquor Control Board 17,500
Assistant Administrator 12,500
Director, Game and Fish Commission 15,000
Director, Texas Youth Council 16,000
Executive Director, Board for Hospitals and Special Schools 17,500
Director Mental Health and Hospitals 23,500

Mr. Ratliff moved to table the amendment offered by Mr. McGregor of El Paso.

A record vote was requested on the motion to table.

The motion to table the amendment offered by Mr. McGregor of El Paso prevailed by the following vote:

Year—132
Adams of Lubbock Cotten
Adams of Titus Cowen
Alanis Cowies
Allen Crain
Andrews Crews
Atwell Carington
Bailey de la Garza
Ballman Dewey
Barlow Duff, Miss
Barnes Dungan
Bartram Equivel
Bass Fairchild
Blaine Floyd
Boysen Foreman
Bridges Garrison
Buchanan Gibbs
Burgess Gladden
Buffer Glass
Caldwell Glaesing
Cannan Green
Carriker Grover
Chapman Guipher
Cole of Harris Hale
Cole of Hunt Harding
Collins Harding
Connell Harrington
Cook Haynes
Reasons for voting to table the McGregor Amendment:

As a firm believer in economy in government, I voted to table the salary raises for State officials which would cost an additional $1 million. These salary raises not only were unnecessary, but were placed by the Senate into the appropriations bill on a selective basis to benefit their friends. Preventing this $1 million unnecessary expenditure is a good start for saving tax money.

MACO STEWART.

MESSAGE FROM THE GOVERNOR

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

January 30, 1983

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

In order to clarify a previous submission, I hereby submit for your consideration an appropriation for replacement of facilities, equipment, materials and supplies damaged or destroyed by fire at Prairie View A&M College on January 9, 1982.

Respectfully submitted,

PRICE DANIEL, Governor.

COMMITTEE MEETING

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

There was no objection offered.

BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read severally the following enrolled bills:

S. B. No. 31, An Act creating Brazoria County Road District No. 36, of Brazoria County, Texas, under authority of Section 511, Article III, Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof; making it a body corporate and taxing district; describing the boundaries of said district and including provisions relating to said bonds and the issuance thereof;
providing that the fact that said district may include or overlap other road districts shall not affect said district or the powers granted by this Act; containing provisions relative to the assumption by the district hereby created of the indebtedness of other districts included within its boundaries; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency.

S. B. No. 23, An Act amending Section 9 of Chapter 126, Acts of the 47th Legislature, Regular Session, 1941, to allow the County Judge of Travis County if he is a licensed attorney, to sit and act for the Judge of the County Court at Law of Travis County in the event of his absence or incapacity; and declaring an emergency.

S. B. No. 46, An Act validating the action of certain junior college districts relating to the conduct of bond elections, validating bonds issued and to be issued, bond taxes and maintenance taxes and providing this Act shall have no application to litigation now pending questioning the matters hereby validated, providing such litigation or proceedings are ultimately determined against the validity of matters hereby validated; providing a savings clause; and declaring an emergency.

S. B. No. 72, An Act conveying whatever right, title or interest the State of Texas may have in certain lands to the City of Mineral Wells; and declaring an emergency.

S. B. No. 71, An Act amending Sections 3 of Chapter 10, Acts of the 57th Legislature, First Called Session, 1961, so as to authorize the State Parks Board to grant concessions to certain concessioners to charge for the use of a pier to be constructed in Lavaca Bay; and declaring an emergency.

S. B. No. 68, An Act prohibiting the possession or use of any seine, net, or trawl in or around the waters of Lake Houston in Harris County; providing for the use of certain tackle for catching bait in such waters; providing a penalty for the violation of any provision of this Act; granting the Game and Fish Commission the power to seize and hold certain tackle as evidence; repealing all laws or parts of laws in conflict herewith, with certain exceptions; and declaring an emergency.

S. B. No. 46, An Act amending Section 2 of Chapter 257, Acts of the 56th Legislature, Regular Session, 1949, as amended, codified as Article 4427f of Vernon’s Annotated Civil Statutes of Texas), in regard to the definition of “hospital”; containing the severance clause; and declaring an emergency.

S. B. No. 25, An Act amending Chapter 315, Acts of the 51st Legislature, Regular Session, 1949, as amended, codified as Article 5421m, Vernon’s Texas Civil Statutes, by adding a new section designated as Section 16(b) so as to authorize the Veterans Land Board of the State of Texas to enter into a master contract or agreement with one or more life insurance companies to provide group life insurance coverage cancelling, upon death, the indebtedness due the Board of persons purchasing land under the Veterans Land Program; prescribing administration, powers and duties; prescribing certain limitations; amending Article 3.50 of the Insurance Code of the State of Texas, Acts 1981, 62nd Legislature, page 868, Chapter 491, as amended, by adding a new subsection after Subsection 6 of Section 1 of said Article 3.50, said new subsection to be known as Subsection 7, and enacting said Section 1 of Article 3.50 of the Insurance Code of Texas, as amended, with the addition of said Subsection 7 which authorizes group life insurance coverage to insure persons purchasing land under the Texas Veterans Land Program; containing a severability clause; and declaring an emergency.

MESSAGE FROM THE SENATE

Austin, Texas, January 30, 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. C. R. No. 24, Requesting Legislative Budget Board to make a study of salaries of state administrative officials and their top assistants.

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

RECESS
recess until 2:30 o'clock p.m. today. The motion prevailed without objection.

In accordance with the motion to recess, the House at 12:25 o'clock p.m. took recess until 2:30 o'clock p.m. today.

AFTERNOON SESSION

The House met at 2:30 o'clock p.m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

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

SENATE BILL NO. 3 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as pending business, on its passage to third reading S. B. No. 3, relative to making certain appropriations to certain State agencies and departments.

The House resumed consideration of Committee Amendment No. 1 to Senate Bill No. 3, having agreed to consider the amendment Section by Section.

Mr. Floyd offered the following amendment to Section 5 of Committee Amendment No. 1:

Amend Section 5 of Committee Amendment No. 1 of Senate Bill No. 3 by striking out words on line 39, to wit: "Comptroller of Public Accounts" and substitute therefor the words, to wit: "State Auditor".

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

The motion to table the amendment offered by Mr. Floyd was lost by the following vote:

Yeas--60

Adams of Lubbock
Korkmas
Adams of Titus
Kothmann
Allan
Leaverton
Allen
Lewis
Balley
McCoplin
Ballman
McGregor
Boggess
of McLennan
Burgess
Martin
Cannon
Murray
Carriger
NeGetty
Chapman
Parsons
Cole of Hunt
Pearsy
Connell
Peeler
Cotten
Pety
Cowan
Pipher
Cowles
Rapp
Crisis
Robert of Dawson
Crews
Rosen
Carlington
Silda
Dungan
Snelson
Equivel
Springer
Fairchild
Stewart
Fletcher
of Wichita
Foreman
Strave
Foreman
Thurman
Hollowell
Thurmond
Hughes of Dallas
Townsend
James
Jarvis
Johnson of Dallas
Ward
Kohler
Woods

Nays--81

Andrews
Butler
Atwell
Caldwell
Banfield, Mrs.
Cole of Harris
Barlow
Collins
Barnes
Cook
Bass
Corry
Berry
de la Garza
Blake
Dewey
Bridges
Daff, Miss
Buchanan
Bickhardt
Youth Council out of the General Revenue Fund an amount necessary to supplement the salary, contained in S. B. No. 1, First Called Session, Fifty-seventh Legislature, 1961, of the Director, Parole Supervision the sum of One Thousand Two Hundred Dollars ($1,200), and to provide the following additional Iomitted appropriations:

Parole Officers, 25 NTE $5,400
Travel (restricted to these Parole Officers) 12,325
Rent 1,200
Postage, Telephone, Stationery, Printing and Office Supplies 3,175

Total $77,350

Sec. 2. The fact that there is a pressing need to extend the juvenile parole program creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after September 1, 1962, and it is so enacted.”

A record vote was requested on the adoption of the amendment offered by Mr. Jones of Dallas.

The vote of the House was taken on the adoption of the amendment offered by Mr. Jones of Dallas and the vote was announced yeas 67, nays 67.

A verification of the vote was requested and was granted.

The roll of those voting “yea” and “nay” was again called and the verified vote resulted as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>64</th>
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<tbody>
<tr>
<td>Alanis</td>
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<td>Berry</td>
<td>Esquivel</td>
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**Nays—65**

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**Yea—42**

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**Absent—Excused**

<table>
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<tbody>
<tr>
<td>Hughes of Grayson</td>
<td>Lary</td>
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<tr>
<td>Joe</td>
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The Speaker stated that the amendment offered by Mr. Jones of Dallas was lost by the above vote.

Mr. Adams of Titus moved to reconsider the vote by which the amendment offered by Mr. Jones of Dallas was lost.

Mr. Ratcliff moved to table the motion to reconsider.

A record vote was requested on the motion to table the motion to reconsider.

The motion to table the motion to reconsider was lost by the following vote:

<table>
<thead>
<tr>
<th>Yeas—62</th>
<th>Nays—65</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>Hisson</td>
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<tr>
<td>Hollowell</td>
<td></td>
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<tr>
<td>Hoezner</td>
<td></td>
</tr>
<tr>
<td>James</td>
<td></td>
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<tr>
<td>Johnson of Bexar</td>
<td></td>
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<tr>
<td>Johnson of Bell</td>
<td></td>
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<tr>
<td>Kilpatrick</td>
<td></td>
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<tr>
<td>Present-Not Voting</td>
<td></td>
</tr>
<tr>
<td>Haring</td>
<td></td>
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<tr>
<td>Korkmas</td>
<td></td>
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<tr>
<td>Absent</td>
<td></td>
</tr>
<tr>
<td>Andrews</td>
<td></td>
</tr>
<tr>
<td>Buchman</td>
<td></td>
</tr>
</tbody>
</table>
A record vote was requested on the motion to reconsider.

The motion to reconsider the vote by which the amendment offered by Mr. Jones of Dallas was lost, prevailed by the following vote:

**Yeas—77**
- Adams of Lubbock
- Andrews
- Atwell
- Bailey

**Nays—61**
- Allen
- Barram
- Boyen
- Bridges
- Cannons
- Cariker
- Chapman
- Cole of Hunt
- Connell
- Corington
- Dewey
- Duff, Miss
- Ehrle
- Fletcher
- Floyd
- Gibbens
- Glassing
- Green
- Hale
- Harag
- Hefton
- Hinon
- Hollowell
- James
- Johnson of Bexar

**Yeas—77**
- Adams of Lubbock
- Andrews
- Atwell
- Bailey

**Nays—61**
- Allen
- Barram
- Boyen
- Bridges
- Cannons
- Cariker
- Chapman
- Cole of Hunt
- Connell
- Corington
- Dewey
- Duff, Miss
- Ehrle
- Fletcher
- Floyd
- Gibbens
- Glassing
- Green
- Hale
- Harag
- Hefton
- Hinon
- Hollowell
- James
- Johnson of Bexar
The amendment offered by Mr. Jones of Dallas was lost by the following vote:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams of Lubbock</td>
<td>Hughes of Dallas</td>
</tr>
<tr>
<td>Adams of Titus</td>
<td>Jarvis</td>
</tr>
<tr>
<td>Andrews</td>
<td>Johnson of Dallas</td>
</tr>
<tr>
<td>Atwell</td>
<td>Jones of Dallas</td>
</tr>
<tr>
<td>Ballman</td>
<td>Jones of Travis</td>
</tr>
<tr>
<td>Bancilf, Mrs.</td>
<td>Kenna</td>
</tr>
<tr>
<td>Barlow</td>
<td>Kohler</td>
</tr>
<tr>
<td>Barnes</td>
<td>Kothmann</td>
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<tr>
<td>Berry</td>
<td>Lack</td>
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<td>Blaine</td>
<td>Leaverton</td>
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<tr>
<td>Butler</td>
<td>Lewis</td>
</tr>
<tr>
<td>Caldwell</td>
<td>McGregor of McLennan</td>
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<tr>
<td>Cole of Harris</td>
<td>Collins</td>
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<tr>
<td>Cooke</td>
<td>Miller</td>
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<tr>
<td>Cory</td>
<td>Moore</td>
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<td>Cotten</td>
<td>Pieratt</td>
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<td>Cowen</td>
<td>Price</td>
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<tr>
<td>Cowise</td>
<td>Roberts of Dawson</td>
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<tr>
<td>Crain</td>
<td>Ross</td>
</tr>
<tr>
<td>Crews</td>
<td>Sandahl</td>
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<tr>
<td>de la Garza</td>
<td>Schram</td>
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<tr>
<td>Ehrie</td>
<td>Shannon</td>
</tr>
<tr>
<td>Esquivel</td>
<td>Shlep</td>
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<tr>
<td>Fairchild</td>
<td>Slack</td>
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<tr>
<td>Fletcher</td>
<td>Slide</td>
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<tr>
<td>Foreman</td>
<td>Stewart</td>
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<tr>
<td>Garrison</td>
<td>Grover</td>
</tr>
<tr>
<td>Gladden</td>
<td>Haynes</td>
</tr>
<tr>
<td>Goode</td>
<td>Hales</td>
</tr>
<tr>
<td>Hufner</td>
<td>Hueser</td>
</tr>
</tbody>
</table>

The motion to table the amendment offered by Mr. Jones of Dallas prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen</td>
<td>Bridges</td>
</tr>
<tr>
<td>Bailey</td>
<td>Buchanan</td>
</tr>
<tr>
<td>Bass</td>
<td>Burgess</td>
</tr>
<tr>
<td>Boyce</td>
<td>Cannon</td>
</tr>
</tbody>
</table>
Mr. Ratcliff moved to table the amendment offered by Mr. Struve.

A record vote was requested on the motion to table.

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

Yea—99
Adams of Lubbock Bailey
Adams of Titus Barlow
Alamis Buchanan
Allen Cargan
Allen de la Garza
Banfield, Mrs. Foreman
Banfield, Mrs. Cannon

Nay—33
Adams of Lubbock Barlow
Adams of Titus Berry
Alamis Buchanan
Allen Cargan
Allen de la Garza
Banfield, Mrs. Foreman
Mr. Lewis offered the following amendment to Section 8 of Committee Amendment No. 1:

Amend Committee Amendment No. 1 in Section No. 8 after the figures "($9,000.00.)" Add the following: "No monies appropriated in this Section shall ever be paid to any District Attorney who practices or participates in the private practice of law."

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

The motion to table prevailed.

Mr. Rapp offered the following amendment to Section 10 of Committee Amendment No. 1:

Amend Committee Amendment No. 1 to Senate Bill No. 3 by striking out Section 10 and inserting in lieu thereof the following:

Sec. 10. There is hereby appropriated to the Board for Texas State Hospitals and Special Schools out of the General Revenue Fund the sum of Fifteen Thousand Dollars ($15,000) for preliminary surveys, acquisition or preparation of a site, and other preliminary expenses necessary for the establishment of a State school for mentally retarded persons in the Gulf Coast area at Harlingen Air Force Base, Harlingen, Texas, as authorized by Chapter 288, Acts, 1961, 67th Legislature, Regular Session; provided, however, that none of the monies appropriated by this section may be expended for architectural fees unless and until said Board for Hospitals and Special Schools shall have found it to be impracticable to duplicate or adapt by its own architectural and engineering staff the plans and specifications for a pre-existing State School for mentally
retarded persons to the selected Gulf Coast site.

Mr. Ratcliff moved to table the amendment offered by Mr. Rapp.

Mr. Smith of Jefferson moved to reconsider the vote by which the amendment offered by Mr. Rapp was lost and to table the motion to reconsider.

The motion to table prevailed.

Mr. Jones of Dallas offered the following amendment to Section 13 of Committee Amendment No. 1:

Amend Committee Amendment No. 1 to S. B. 3 by deleting all of Section 13 and inserting therein the following words:

"There is hereby appropriated out of the General Revenue Fund the sum of $300,000 for services rendered by the Criminal District Attorney of Dallas County."

Mr. Ratcliff moved to table the amendment offered by Mr. Jones of Dallas.

The motion to table prevailed.

Mr. Hale offered the following amendment to Section 13 of Committee Amendment No. 1:

Amend Committee Amendment No. 1 to S. B. 3 by striking out the words and figures "One Hundred and Fifty Thousand Dollars ($150,000)," as they appear...
A point of order was raised on further consideration of the amendment offered by Mr. Pipkin on the ground that it is not germane to the bill in that it attempts to change an existing statute by an appropriation bill. The Speaker sustained the point of order.

Mr. Richardson offered the following amendment to Section 14 of Committee Amendment No. 1:

"Amend Senate Bill No. 3, printed copy, page 4, by adding new Sections 16 as follows and renumber the following Sections accordingly:

Section 16a. The salary group allocations for the following classified positions listed in Section 15, Article III of Senate Bill No. 1, First Called Session of the 57th Legislature, from and after the effective date of this Act shall be as follows:

<table>
<thead>
<tr>
<th>Class Number</th>
<th>Title and Salary Group Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1648</td>
<td>Chief of Office Service-19</td>
</tr>
<tr>
<td>2016</td>
<td>Engineering Aide-9</td>
</tr>
<tr>
<td>2091</td>
<td>Geologic Aide-9</td>
</tr>
<tr>
<td>2387</td>
<td>Engineer or Hydrologist-I-16</td>
</tr>
<tr>
<td>2388</td>
<td>Engineer or Hydrologist-II-17</td>
</tr>
<tr>
<td>2389</td>
<td>Engineer or Hydrologist-III-18</td>
</tr>
<tr>
<td>2390</td>
<td>Engineer or Hydrologist-IV-19</td>
</tr>
<tr>
<td>2391</td>
<td>Engineer or Hydrologist-V-20</td>
</tr>
<tr>
<td>2407</td>
<td>Geologist Assistant II-18</td>
</tr>
<tr>
<td>2423</td>
<td>Geologist I BWE-18</td>
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<tr>
<td>2424</td>
<td>Geologist II BWE-17</td>
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<tr>
<td>2425</td>
<td>Geologist III BWE-18</td>
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<tr>
<td>2426</td>
<td>Geologist IV BWE-19</td>
</tr>
<tr>
<td>2427</td>
<td>Geologist V BWE-20</td>
</tr>
<tr>
<td>3647</td>
<td>Chief Examiner-19</td>
</tr>
</tbody>
</table>

Funds heretofore appropriated for the years ending August 31, 1962 and August 31, 1963 respectively to the Board of Water Engineers for salaries of classified positions shall be available for the payment of salaries of the positions as reclassified and listed above.

Sec. 16b. The position of Assistant Chief Engineer listed as a classified position and bearing the Class Number 2423 in Section 13, Article III of Senate Bill No. 1, First Called Session of the 57th Legislature shall from and after the effective date of this Act be an unclassified position and from the monies heretofore appropriated for the years ending August 31, 1962 and August 31, 1963, respectively to the Board of Water Engineers for salaries of classified positions there is hereby made available such funds as shall be necessary to pay the salary of the position of Assistant Chief Engineer at the rate of Eleven Thousand Five Hundred Dollars ($11,500) per annum.

Sec. 16c. The Board of Water Engineers is authorized to employ one secretary to fill the classified position of Administrative Secretary, Class Number 5138, in lieu of one of the Secretary III, Class Number 0125, positions authorized in the appropriation to the Board of Water Engineers contained in Article III of Senate Bill No. 1, First Called Session of the 57th Legislature. Such funds as shall be necessary to pay the salary of the person em-
ployed to fill the position of Administrative Secretary herein authorized are hereby made available from moneys heretofore appropriated for the years ending August 31, 1962 and August 31, 1963, respectively, to the Board of Water Engineers for salaries of classified positions.

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

The motion to table was lost.

The amendment offered by Mr. Collins was then adopted.

Mr. Collins moved to reconsider the vote by which the amendment offered by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Woods was granted leave of absence for the remainder of the day on account of illness on motion of Mr. McGregor of McLennan.

Mr. Cowen offered the following amendment to Section 17 of Committee Amendment No. 1:

Amend Committee Amendment Number One to Senate Bill No. 3 by adding a new Section 17, and renumbering the present Sec. 17 and the succeeding Sections accordingly, and Section 17 to read as follows:

"Section 17. That the restrictive clause, being the next to the last paragraph contained in Senate Bill No. 1, Article III, Highway Department, enacted by the Fifty-seventh Legislature at its First Called Session, be amended to read as follows:

'It is the intent of the Fifty-seventh Legislature that either title investigation performed by the State Highway Department, a local attorney approved by the Commissioners Court, or title insurance, the purchase of which is hereby authorized in any case, shall be adequate evidence for the State Comptroller to issue warrants for the purchase of right-of-way land, or interest therein otherwise acquired, the method to be employed being within the discretion of the State Highway Department and the County in which the right-of-way to be acquired is located.""

The amendment was lost by the following vote:

YEAS—61

Atwell          Jones of Dallas
Banfield, Mrs.  Jones of Travis
Barnes          Kethman
Barnes          Kethman
Bartram         Kohm
Bass            Lary
Blaine          McCoppin
Bridges         McGuire
Buchanan        of El Paso
Cannon          Miller
Chapman         Murray
Cole of Harris  Nemeyer
Collins         Oliver
Cook            Parsons
Cowen           Peeler
Dewey           Pierrit
Dungan          Quilliam
Ehris           Richardson
Esquivel        Roberts of Hill
Floyd           Ross
Foreman         Shannon
Gladden         Smith of Bexar
Glass           Snelvos
Green           Townes
Guffey          Trevino
Hale            Tune
Heathly         Walker
Heflin          Watson
Huebner         Wells
Hughes of Dallas Whitfield
Isaacks, Miss  Wilson
Johnson of Dallas Yeak

NAYS—73

Adams of Titus  Duff, Miss
Alman           Eckhardt
Allen           Fairchild
Bailey          Fricht
Ballsman        Garrison
Barkman         Gibbons
Baysen          Grover
Burgess         Harding
Butler           Harr
Carricker       Harrington
Cole of Hunt    Haynes
Connell         Hinson
Cotten          Hollowell
Cowles          James
Crain           Jarvis
Crews           Johnson of Bexar
Curlington      Johnson of Bell
de la Garza     Kilpatrick
Mr. Watson offered the following amendment to Section 17 of the Committee Amendment No. 1:

```
Amend the Committee Amendment to Senate Bill No. 3 by inserting a new Section, to be numbered 17, to read as follows and renumbering the following sections accordingly:

"Sec. 17. Out of any of the funds appropriated to the State Securities Board in Senate Bill No. 1, the State Securities Board is authorized to employ necessary personnel in the following classified positions which are by direction of the Legislature to be placed in the following salary groups within the schedule of salary ranges provided in said Senate Bill No. 1:

Title Salary Group
3778 Chief Enforcement Division 21
1147 Chief Examiner 21
3776 Senior Investigator-Examiner 18
1146 Securities Analyst II 18

It is further provided that out of any funds appropriated to the State Securities Board in the said Senate Bill No. 1 the State Securities Board is authorized for the remainder of the current biennium to set the salary of the Securities Commissioner at not to exceed Fifteen Thousand Dollars ($15,000) per annum and the salary of the Deputy Securities Commissioner at not to exceed Twelve Thousand Six Hundred Dollars ($12,600) per annum. It is specifically provided that any unexpended balance in the appropriation for the State Securities Board as of August 31, 1963, shall be available for use during the fiscal year ending August 31, 1968."
```

Mr. Cotten moved to table the amendment offered by Mr. Huebner. The motion to table was lost.

A record vote was requested on the adoption of the amendment offered by Mr. Huebner. The amendment was lost by the following vote:

```
Mr. Ratcliff moved to table the amendment offered by Mr. Watson.

The motion to table prevailed.

Mr. Huebner offered the following amendment to Section 17 of Committee Amendment No. 1:

```
Amend the Committee Amendment to Senate Bill No. 3 by inserting a new Section, to be numbered 17, to read as follows and renumbering the following sections accordingly:

"Sec. 17. Out of any of the funds appropriated to the State Securities Board in Senate Bill No. 1, Acts of the Fifty-seventh Legislature, First Called Session, 1963, the State Securities Board is authorized to employ necessary personnel in the following classified positions which are by direction of the Legislature to be placed in the following salary groups within the schedule of salary ranges provided in said Senate Bill No. 1:

Title Salary Group
3778 Chief Enforcement Division 21
1147 Chief Examiner 21
3776 Senior Investigator-Examiner 18
1146 Securities Analyst II 18

It is further provided that out of any funds appropriated to the State Securities Board in the said Senate Bill No. 1 the State Securities Board is authorized for the remainder of the current biennium to set the salary of the Securities Commissioner at not to exceed Fifteen Thousand Dollars ($15,000) per annum and the salary of the Deputy Securities Commissioner at not to exceed Twelve Thousand Six Hundred Dollars ($12,600) per annum. It is specifically provided that any unexpended balance in the appropriation for the State Securities Board as of August 31, 1963, shall be available for use during the fiscal year ending August 31, 1968."
```
Committee Amendment No. 1, as amended, was then adopted.

A record vote was requested on the passage of S. B. No. 3 to third reading.

S. B. No. 3 was passed to third reading by the following vote:

**Yeas---103**

Cory Cowen
Dungan
Floyd
Foreman
Glass
Glusing
Green
Haring
Harrington
Hearst
Hixson
Hollowell
Huebner
Hughes of Dallas
Jones of Dallas
Jones of Travis
Kennard
Lack
Latimer
Leaverton
McCoplin
McGregor of McLennan
Mcllhany
Markgraf
Martin
Miller
Mulcahy
Nugent
Oliver
Peele
Pierrat
Price
Quilliam
Ratcliff
Richards
Ross
Sandahl
Smith of Jefferson
Smith of Galveston
Stewart
Stewart of Wichita
Townsend
Trevino
Walker
Wilson
Yezak

**Nays---77**

Adams of Lubbock
Adams of Titus
Alanis
Andrews
Atwell
Baldwin
Bartram, Mrs.
Barram
Bass
Buchanan
Caldwell
Carriker
Cook of Harris
Connell
Cotton
Cowles
Craig
Crews
Cruznisan de la Garza
Dewey
Duff, Miss
Echardt
Esquivel
Fairchild
Fletcher
Garrison
Gibbens
Gladden
Glover
Guffey

Smith of Bexar
Smith of El Paso
Smith of Bell
Smith of McLennan
Smith of Galveston
Smith of Wichita
Smith of Bexar
Smith of McLennan
Smith of El Paso
Smith of Bell

**Absent---Excused**

Hughes of Grayson

**Absent**

Barnes
Boyseen
Ehrle
Jamison
Thurmond

Committee Amendment No. 1, as amended, was then adopted.

A record vote was requested on the passage of S. B. No. 3 to third reading.

S. B. No. 3 was passed to third reading by the following vote:

**Yeas---103**

Alaniz
Barlow
Bartram
Bass
Berry
Bridges
Burgan
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cory
Cotton
Cowen
Cowles
Craig
Crews
Cruznisan de la Garza
Dewey
Duff, Miss
Echardt
Esquivel
Fairchild
Fletcher
Garrison
Gibbens
Gladden
Glass
Glusing

Ward
Watson
Wells
Wheatley
Thurman

**Absent**

Barnes
Boyseen
Ehrle
Jamison
Thurmond

Committee Amendment No. 1, as amended, was then adopted.

A record vote was requested on the passage of S. B. No. 3 to third reading.

S. B. No. 3 was passed to third reading by the following vote:

**Yeas---103**

Alaniz
Barlow
Bartram
Bass
Berry
Bridges
Burgan
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cory
Cotton
Cowen
Cowles
Craig
Crews
Cruznisan de la Garza
Dewey
Duff, Miss
Echardt
Esquivel
Fairchild
Fletcher
Garrison
Gibbens
Gladden
Glass
Glusing
<table>
<thead>
<tr>
<th>Item involves funds from barber licenses and would in no way affect the general fund. A small expenditure for repair of the San Jacinto Monument would also be justified when taken from the building fund and not the general fund. The passage of all of the expenditures itemized in this bill seriously jeopardizes the chance of balancing the budget of the State and greatly increases the possibility of putting the general fund back in the red on September 1, 1963. I feel we should operate our state on a sound business-like basis and avoid deficits in the future.</th>
</tr>
</thead>
<tbody>
<tr>
<td>I voted &quot;no&quot; on record vote No. 13, because in my opinion this bill appropriated more money than was available to be spent.</td>
</tr>
<tr>
<td>Reason for vote &quot;No&quot; on S. B. 3 because it included an appropriation for the expenditure of State funds for advertising. There can be no question about the value of advertising. There is no question about the additional revenue that might be raised if this passed. The point is that entering into a business endeavor such as this is not within the realm of legitimate government activity. It is my belief that governments are formed to protect their people and I fail to see the protective features of spending State tax money to benefit some small group. If the expenditure of this money will realize such great returns in tax revenue, then does it not equally follow that such expenditure will be returned in profits to those who have pressed for passage of this bill. We have a beautiful state and the finest roads in the nation. We have every reason to successfully advertise our state and attract tourists from every corner of the U. S., but this should be done by the people who are in the specific businesses who have great in-</td>
</tr>
</tbody>
</table>
Conservative government requires the regular and diligent attention of its citizens. It also requires that its citizens be independent and rely upon their own resources to either succeed or fail. Governmental action has far-reaching effect on its citizens. The State by entering into the business of advertising is thereby pre-empting the prerogative of the individual citizens of this state which results in just one more chip in the fast ending freedom of our citizens.

KENNETH KOHLER.

MOTION TO PLACE SENATE BILL NO. 3 ON THIRD READING

Mr. Ratcliff moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 3 be placed on its third reading and final passage.

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>110</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen</td>
<td></td>
</tr>
<tr>
<td>Andrews</td>
<td></td>
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<tr>
<td>Bailey</td>
<td></td>
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<td>Barlow</td>
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<td>Barnes</td>
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<td>Berry</td>
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<td>Blaine</td>
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<tr>
<td>Bridges</td>
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<td>Burress</td>
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<td>Caldwell</td>
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<td>Cannon</td>
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<td>Carriker</td>
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<td>Chapman</td>
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<td>Cole of Harris</td>
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<td>Cole of Hunt</td>
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<td>Collins</td>
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<td>Cotten</td>
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<td>de la Garza</td>
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<td>Dewey</td>
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<td>Duff, Miss</td>
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<td>Dungan</td>
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<td>Eckhardt</td>
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<td>Ehrle</td>
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<td>Enríquez</td>
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<td>Fletcher</td>
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<td>Floyd</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Nays</th>
<th>36</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td></td>
</tr>
<tr>
<td>Adams of Titus</td>
<td></td>
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<tr>
<td>Allen</td>
<td></td>
</tr>
<tr>
<td>Allen of Dallas</td>
<td></td>
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<tr>
<td>Atwell</td>
<td></td>
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<tr>
<td>Ballman</td>
<td></td>
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<tr>
<td>Banfield, Mrs.</td>
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<tr>
<td>Boyzen</td>
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<td>Buchanan</td>
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<td>Cowles</td>
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<td>Crain</td>
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On motion of Mr. Ratcliff and by unanimous consent of the House, the caption of Senate Bill No. 3 was ordered amended to conform with the body of the bill.

MESSAGE FROM THE SENATE

Austin, Texas, January 30, 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. B. No. 45. Authorizing counties to pay for the relocation of water lines owned by water control and improvement districts under certain circumstances; and declaring an emergency.

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

SUSPENDING THE JOINT RULES  
TO CONSIDER H. R. NO. 105

Mr. James offered the following resolution:

H. C. R. No. 34

Be it Resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the two Houses be, and they are hereby, suspended so that either House may take up and consider House Bill No. 105 at any time.

The resolution was referred to the Committee on Rules.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Barnes offered the following resolution:

H. C. R. No. 35

Whereas, It is alleged that Pierce Brothers, Inc., Route 4, Brownwood, Texas, is a corporation owning a lumber yard located on U. R. Highway No. 67 in the City of Early, Texas; and

Whereas, It is alleged that on or about January 16, 1962, an employee of the Texas State Highway Department was burning the highway right-of-way and such burning caused, through the negligence of such Highway Department employee, a fire to start in the lumber yard of Pierce Brothers, Inc., resulting in considerable damage to the property of such Company; now therefore be it

Resolved, By the House of Representatives of the State of Texas, the Senate concurring, That Pierce Brothers, Inc., be and it is hereby granted permission to bring suit against the State of Texas and against the Highway Department of the State of Texas in any court of competent jurisdiction in Brown County, Texas, in order to determine what damages, if any, or other relief it is allegedly entitled to recover; and in the event such suit is filed, service of citation or any other necessary process shall be had upon the Chairman of the State Highway Commission of Texas and the Attorney General of the State of Texas and that such case shall be tried as other civil cases reserving to either party the right of appeal; and be it further

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the departments or agencies of the State of Texas, as to the validity of any allegations or claims asserted in said suit, but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as law, that may be asserted by or available to the State of Texas, or any of the departments or agencies of the State of Texas or any of the political subdivisions of the State of Texas, in said suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on State Affairs.

SUSPENDING THE JOINT RULES  
TO CONSIDER S. B. NO. 99

Mr. Dewey offered the following resolution:

H. C. R. No. 36

Be it Resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the two Houses be, and they are hereby, suspended so that either House may take up and consider Senate Bill No. 99 at any time.

The resolution was referred to the Committee on Rules.

REQUESTING CERTAIN STUDY OF SALARIES OF CERTAIN STATE ADMINISTRATIVE OFFICIALS

The Speaker laid before the House for consideration at this time the following resolution:
Whereas, The Fifty-fifth Legislature made provision for a job classification study to provide equal pay for equal work for state employees; and
Whereas, The Fifty-sixth Legislature made provision for continuation of said study; and
Whereas, The Fifty-seventh Legislature implemented the recommended provisions of the job classification plan which resulted from studies conducted over a period of several years; and
Whereas, The law enacted by the Fifty-Seventh Legislature provides for further extension of the classification system into areas not presently covered; and
Whereas, Top administrative positions are not covered by the provisions of the Classification Act of 1961; and
Whereas, There is a growing awareness among Members of the Legislature of the need to conduct a thorough study of the salaries and other compensation of key administrative officials of the State government, to the end that a more fair and equitable salary structure for these positions may also be developed; now therefore, be it
Resolved by the Senate, the House of Representatives, concurring, That the Legislative Budget Board be requested to make a thorough and comprehensive study of salaries and other compensation of chief administrative officials and their top assistants, taking into consideration salaries and other emoluments received by such officials, the rates of compensation provided comparable offices in other states, in other governments and in non-governmental fields, and that the results of such study, with specific recommendations thereon, be made available to the Fifty-eighth Legislature; and be it further
Resolved, That the several departments, agencies, institutions, boards and commissions of the State government cooperate fully with the Legislative Budget Board in its conduct of this study; and be it further
Resolved, That copies of this Resolution be sent to the Acting Chairman of the Legislative Budget Board and the Legislative Budget Director.

The resolution was referred to the Committee on Appropriations.
Mr. Barlow moved to reconsider the vote by which H. B. No. 33 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 80 ON THIRD READING

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

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 7.14, 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."

The bill was read third time and was passed.

Mr. Kilpatrick moved to reconsider the vote by which H. B. No. 80 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 95 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage.
H. B. No. 95, A bill to be entitled
"An Act relating to the creation of
a State Disaster Council charged
with the duty of carrying out the
State's responsibility to its citizens
in the event of a public calamity by
making certain determination and
taking certain prescribed actions;
and relating further to the powers
and duties of and acts to be per­
formed by the Governor in cases of
public calamity, providing for the
financing of actions taken to effect­
uate the purposes of the Act by the
creation of a special fund and al­
location of certain revenues there­
to, by making certain appropriations
and by authorizing investment of
funds and reciprocal loan compacts
with other states; providing a sever­
ability clause; and declaring an
emergency."

The bill was read third time.

A record vote was requested on
the final passage of H. B. No. 95.

H. B. No. 95 was passed by the
following vote:

Yeas—99
Adams of Lubbock Floyd
Allen of El Paso
Bailey
Ballman
Barnes
Bartram
Bass
Blaine
Boyesen
Bridges
Burgess
Butler
Chapman
Cole of Harris
Collins
Cook
Corry
Crawford
de la Garza
Deut, Miss
Dungan
Earle
Esquivel
Fairchild
Fletcher
McCoplin
McGregor
McGregor
McIlhany
Markgraf
Martin
Niemeyer
Noguer
Oliver
Osborn
Perry
Piggin
Preston
Price
Read
Richards
Richardson

Nays—33
Adams of Titus
Andrews
Barlow
Berry
Buck
Bradley
Caldwell
Cannon
Cotten
Crafa
Dewey
Dickard
Dyess
Farr
Harling
Hinson
James
Johnson of Bexar
Jones of Travis
Koliba
Miller
Mullen
Morse
Mullens
Nieto
Pearcy
Petersen
Peter
Pierson
Pitman
Price
Ratcliff
Read
Richards
Richardson

REASON FOR VOTE
H. B. 96

This bill is a concealed attempt
to appropriate no less than six mil­
lion dollars wrapped in a false veil
of States' Rights.

W. H. MILLER.
SENATE BILL NO. 100 ON SECOND READING

Mr. Caldwell moved that all the necessary rules be suspended for the purpose of taking up and considering this time Senate Bill No. 100.

The motion prevailed by the necessary two-thirds vote.

Mr. Caldwell moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 100 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yea—116
Adams of Lubbock
Guffey
Alanis
Allen
Bailey
Ballman
Banefield, Mrs.
Barlow
Barnes
Bartram
Bass
Blaine
Boysen
Bridges
Burges
Butler
Caldwell
Cannon
Carrilek
Chapman
Cole of Harris
Cole of Hunt
Collins
Cook
Cronnell
Cowles
Cruce
Curington
de la Garza
Duff, Miss
Dungan
Eskhardt
Esquier
Fairchild
Fletcher
Floyd
Foreman
Gregson
Gibbens
Gledden
Glass
Gruzlak
Grover

Nay—16
Adams of Titus
Atwell
Buchanan
Cotten
KoUba
Lewis
Martin
Nugent
Ward
Watson
Yezak

Present—Not Voting
Andrews
Cory
Craul

Absent
Berry
Cook
Ehrle
Latimer
Leaverton

Absent—Excused
Hughes
Woods

The Speaker laid before the House on its second reading and passage to third reading, S. B. No. 100, A bill to be entitled, "An Act abolishing the board of county school trustees and the office of county superintendent in certain counties in this state; providing that the present county superintendents of such counties shall serve out their terms to which elected or appointed; and that thereafter the duties of the county board of school trustees and of county superintendents shall be performed by the county judges of such counties, without additional
compensation; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."

The bill was read second time.

Mr. Caldwell offered the following amendment to the bill:

Amend Senate Bill No. 100 by striking the language following the last semicolon (;) in Section 1 (B) and substituting the following language:

"provided further, that said county judges may receive additional compensation as a result of these additional duties from county funds, but in any event not to exceed Two Thousand Six Hundred Fifty Dollars ($2,650) per annum."

The amendment was adopted.

Mr. Cotten raised a point of order on further consideration of Senate Bill No. 100 on the ground that it is a local bill and has not been advertised as provided for in the Constitution.

The Speaker overruled the point of order.

Senate Bill No. 100 was then passed to third reading.

SENATE BILL NO. 100 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 100.

The bill was read third time and was passed.

RECORD OF VOTE

Mr. Dewey requested to be recorded as voting "nay" on final passage of Senate Bill No. 100.

On motion of Mr. Caldwell and by unanimous consent of the House, the caption of Senate Bill No. 100 was ordered amended to conform with the body of the bill.

Mr. Caldwell moved to reconsider the vote by which S. B. No. 100 was passed and to table the motion to reconsider.

The motion to table prevailed.

LEAVE OF ABSENCE GRANTED

Mr. Mutschler was granted leave of absence for the remainder of the day on account of important business on motion of Mr. Crain.

HOUSE BILL NO. 110 ON SECOND READING

Mr. Johnson of Bexar moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 110.

The motion prevailed by unanimous consent.

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

H. B. No. 110, A bill to be entitled "An Act providing that at the next general election the electorate shall determine whether the office of the county superintendent shall be abolished in any county of this State having a population of not less than six hundred thousand (600,000) according to the last preceding Federal census, and wherein there are four (4) or more common school districts; providing that in the event the office is abolished certain duties shall be transferred to the county judge; providing for the compensation to be paid the county judge for performing such duties in an ex officio capacity; and declaring an emergency."

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

HOUSE BILL NO. 110 ON THIRD READING

Mr. Johnson of Bexar moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 110 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—107

Adams of Lubbock Banfield, Mrs. Alaniz Barlow Allen Barnes Andrews Bartram Bailey Bass Ballman Blair

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

RECORD OF VOTE

Mr. Dewey requested to be recorded as voting "nay" on final passage of Senate Bill No. 100.

On motion of Mr. Caldwell and by unanimous consent of the House, the caption of Senate Bill No. 100 was ordered amended to conform with the body of the bill.

Mr. Caldwell moved to reconsider the vote by which S. B. No. 100 was passed and to table the motion to reconsider.

The motion to table prevailed.
The Speaker then laid House Bill No. 110 before the House on third reading and final passage. The bill was read third time and was passed.

Mr. Johnson of Bexar moved to reconsider the vote by which H. B. No. 110 was passed and to table the motion to reconsider. The motion to table prevailed.

The motion to table prevailed.

Mr. Grover moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 111. Mr. Mullen raised a point of order on further consideration of H. B. No. 111 on the ground that the bill is not within the Governor's Call. The Speaker overruled the point of order. The motion to suspend the necessary rules for the purpose of taking up and considering H. B. No. 111 at this time prevailed by the necessary two-thirds vote.

The Speaker laid before the House on its second reading and passage to enrolment, H. B. No. 111, A bill to be entitled "An Act relating to public school education programs and administration in counties having a population in excess of One Million Two Hundred Thousand (1,200,000) inhabitants according to the last preceding Federal Census; abolishing the federal tax on public school education programs and administration in counties having a population in excess of One Million Two Hundred Thousand (1,200,000) inhabitants according to the last preceding Federal Census; abolishing the federal tax on..."
fice of county superintendent and board of county school trustees in such counties effective July 1, 1962; vesting in the County Judge in such counties the duties, powers and authority of the county superintendent; amending Chapter 185, Acts of the 44th Legislature, Regular Session, 1935, as amended, so as to provide that from and after January 1, 1962, it shall not apply to any county having a population in excess of One Million Two Hundred Thousand (1,200,000) inhabitants according to the last preceding Federal Census; providing for severability; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

The bill was read second time.

Mr. Eckhardt offered the following amendment to the bill:

Amend H. B. 111 by striking all below the enacting clause and substituting therefor the following:

Section 1. One per cent of the qualified voters who cast a vote in the Governor's race at the preceding General Election in counties of one million two hundred thousand (1,200,000) or more inhabitants according to the last Federal Census may initiate an election to determine whether or not to abolish the office of county superintendent and county school board, and any tax or taxes designated in whole or in part for the support thereof; provided:

(1) A petition is signed by the said one per cent of the qualified voters of the said county;

(2) Such petition is presented to the county judge not less than thirty days nor more than sixty days before a general election; and

(3) Such petition states upon its face that the signatories desire the abolition of said office of county superintendent and county school board and any tax or taxes designated in whole or in part for the support thereof and that the signatories have signed the said petition during the current calendar year (stating such year).

Sec. 2. When such petition is presented to the county judge he shall forthwith direct that an election be held in connection with the general election to determine by majority vote whether the office of county superintendent and county school board and any tax or taxes designated in whole or in part for the support thereof shall be continued or shall be abolished. At such an election the following question shall be presented on the ballot or on the voting machine, as the case may be:

"Shall the office of County Superintendent and County School Board and (any tax or taxes designated in whole or in part for the support thereof) be continued or abolished?"

For abolishing same [ ]

Against abolishing same [ ]

Sec. 3. If the office of county superintendent and the board of county school trustees shall be voted to be abolished, the same shall be effective on and after the first day of January next following the general election. In all such counties the duties of the county superintendent and the board of county school trustees shall vest in the county judge in ex officio capacity, and the county judge shall not be entitled to nor receive any additional compensation as a result of these additional duties. Prior to December 1 next following the general election in which such offices and taxes have been abolished, the county auditor (in all such counties) shall audit all books, records, accounts and other pertinent matters relating to the fiscal affairs of the county superintendent and the board of county school trustees. Upon completion of such audit, the county auditor shall furnish a copy of the report of such audit to the commissioners court of each county.

The amendment was lost.

House Bill No. 111 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 111 ON THIRD READING

Mr. Grover moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 111 be placed on its third reading and final passage.

The motion was lost, not receiving the necessary four-fifths vote, by the following vote:
Mr. Haynes moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 113. The motion prevailed by the necessary two-thirds vote. The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 113, A bill to be entitled "An Act creating a permanent judicial district court to be known as the 148th Judicial Court of Texas, composed of Orange County, providing for the terms of court and the appointment and election of the judge and officers of said court; containing provisions to facilitate the incorporation of this new judicial district in the county covered; repealing all laws in conflict; providing for severability; and declaring an emergency."

The bill was read second time. A record vote was requested on the passage of H. B. No. 113 to engrossment. House Bill No. 113 was then passed to engrossment by the following vote:

Yeas—71
Adams of Lubbock Kilpatrick
Adams of Titus Kohler
Allen Kollba
Atwell Korkmaa
Ballman Lewis
Banfield, Mrs. Longoria
Barbas McCoppin
Bartram McGregor
Bass of McLennan
Boysen Martin
Buchanan Miller
Butler More
Calderwood Murray
Cole of Harris Osborn
Cook Parsons
Cowles Peet
Crews Petty
Curlington Price
Fairchild Ratscliff
Fletcher Read
Floyd Richards
Foreman Roberts of Dawson
Garrison Shannon
Gibbons Shipley
Gluesing Slack
Grover Silder
Haring Shelnor
Haynes Stewart
Healy of Galveston
Helton Struve
Hollowell Thurman
Isaacks, Miss Tunnel
James Walker
Johnson of Dallas Watson
Johnson of Bexar Whitfield

Nays—27
Alanis Kennard
Balley Lack
Bridges Larry
Cahker Macket
Coffen Mullen
Dawe Niemeier
Eckhardt Neagen
Gladden Richardson
Gonzalez Springer
Harrington Ward
Hinson Wheatley
Hughes of Dallas Wilson
Jamison Yeak
Jarvis

Present—Not Voting
Andrews Cory
Barlow Cavin
Bannon de la Garza
Chapman Enguich
Cole of Hunt Guffey
Collins Haie

Harding Rosson
Jones of Travis Rosson
Kothmann Schram
McLainy Smith of Bexar
Peyce Smith of Jefferson
Plakin Thurmond
Preston Townsend
Rapp Trevino
Roberts of Hill Wells

Absent
Berry Latimer
Blaine Learmon
Burgess McGregor
Cotten of El Paso
Duff, Miss Pieratt
Dungan Gilmour
Ehrle Sandall
Glass Spilman
Huebner Stewart
Johnson of Bell Wichita

Absent—Excused
Hughes Muhoge
of Grayson Woods

HOUSE BILL NO. 113 ON SECOND READING

Mr. Haynes moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 113. The motion prevailed by the necessary two-thirds vote. The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 113, A bill to be entitled "An Act creating a permanent judicial district court to be known as the 148th Judicial Court of Texas, composed of Orange County; providing for the terms of court and the appointment and election of the judge and officers of said court; containing provisions to facilitate the incorporation of this new judicial district in the county covered; repealing all laws in conflict; providing for severability; and declaring an emergency."

The bill was read second time. A record vote was requested on the passage of H. B. No. 113 to engrossment. House Bill No. 113 was then passed to engrossment by the following vote:
Mr. Haynes moved to reconsider the vote by which H. B. No. 113 was passed to engrossment and to table the motion to reconsider. The motion to table prevailed.

**VOTES RECORDED**

By unanimous consent of the House, Mr. Hollowell was granted permission to be recorded as voting "yea" instead of "nay" on the passage of S. B. No. 3 to third reading.

By unanimous consent of the House, Mr. Allen was granted permission to be recorded as voting "nay" instead of "yea" on the motion to table the amendment offered by Mr. Struve to S. B. No. 5.

**ADJOURNMENT**

Mr. Oliver moved that the House adjourn until 11:00 o'clock a.m. tomorrow.

Mr. Johnson of Bexar moved that the House adjourn until 10:30 o'clock a.m. tomorrow.
Mr. Green moved that the House adjourn until 10:00 o'clock a.m. tomorrow.

The motion to adjourn until 10:00 o'clock a.m. tomorrow was lost.

The motion to adjourn until 10:30 o'clock a.m. tomorrow prevailed.

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

In accordance with the motion to adjourn, the House at 8:24 o'clock a.m. tomorrow was lost.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 29, 1962

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 37, A bill to be entitled

“An Act establishing the extraterritorial jurisdiction of cities and towns, authorizing the exercise of certain powers by cities and towns in such extraterritorial jurisdiction, and regulating annexation by cities and towns both within and without such extraterritorial jurisdiction; invalidating certain annexations; providing for the disannexation of certain areas annexed by cities and towns after the effective date of this Act under certain conditions; providing cities and towns having conflicting claims over annexed territory may seek a declaration of lawful jurisdiction over same under the Uniform Declaratory Judgments Act; amending Subdivision 2 of Article 1175, Revised Civil Statutes of Texas, 1925; providing that the provisions of this Act shall be cumulative of all laws and parts of laws relating to this subject; providing for severability; providing for exclusion of annexations in litigation; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 29, 1962

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 38, 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 7.14, 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; further amending Article 79 of the Election Code of the State of Texas by adding a new Section to be designated as Section 74a, authorizing the Commissioners Court to suspend in whole or in part its previous orders adopting voting machines where two or more elec-
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 96, A bill to be entitled "An Act amending Article 875h-1 of the Penal Code of Texas, as last amended, so as to authorize an open archery season, or period of time, when it shall be lawful to hunt, take and kill solely with bows and arrows, wild buck deer, wild bear, wild turkey gobblers and collared peccary or javelina in Nueces County, Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 29, 1962

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 96, A bill to be entitled "An Act amending Article 875h-1 of the Penal Code of Texas, as last amended, so as to authorize an open archery season, or period of time, when it shall be lawful to hunt, take and kill solely with bows and arrows, wild buck deer, wild bear, wild turkey gobblers and collared peccary or javelina in Nueces County, Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 29, 1962

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 105, A bill to be entitled "An Act amending Section 5 of Article 527 of the Penal Code of Texas, 1925, as amended, relating to defenses and exemptions applicable under the Article; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 29, 1962

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 105, A bill to be entitled "An Act amending Section 5 of Article 527 of the Penal Code of Texas, 1925, as amended, relating to defenses and exemptions applicable under the Article; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 29, 1962

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 106, A bill to be entitled "An Act creating the Old Galveston Quarter in order to preserve certain historically significant areas; providing a Commission to effectuate this purpose, and granting the Commission certain powers and authorities in order to carry out this purpose; providing for revenue bonds; providing that the Commission may bring an action for a declaratory judgment in certain district courts; providing when certain features of the Act will become operative; providing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 29, 1962

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 106, A bill to be entitled "An Act creating the Old Galveston Quarter in order to preserve certain historically significant areas; providing a Commission to effectuate this purpose, and granting the Commission certain powers and authorities in order to carry out this purpose; providing for revenue bonds; providing that the Commission may bring an action for a declaratory judgment in certain district courts; providing when certain features of the Act will become operative; providing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

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