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

In accordance with the motion to adjourn, the House at 12:43 o'clock p.m., adjourned until 11:00 o'clock a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

Game and Fisheries: H. B. No. 52, H. B. No. 185, H. B. No. 99 and S. B. No. 77.
State Affairs: H. B. No. 452.
Public Health: H. B. No. 452.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 8, 1961
Hon. James A. Tarman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. C. R. No. 26, congratulating John Hampton Mattox on his one hundredth birthday. Has carefully compared same and finds it correctly engrossed.

H. G. Wells, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 9, 1961
Hon. James A. Tarman, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. C. R. No. 24, inviting His Excellency, the Ambassador from Iraq, to address a Joint Session of the Texas Legislature on February 14 A.D. 1961, at 11:30 a.m.

Has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

SENT TO GOVERNOR

February 9, 1961
H. C. R. No. 24.

TWENTIETH DAY
(Monday, February 13, 1961)

The House met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker

Adams of Lubbock
Adams of Titus
Adams of Hart
Allen
Allen
Andrews
Atwell
Ballman
Banfield, Mrs.
Barlow
Barrow
Barnes
Bartram
Bass
Bell
Berry
Blaine
Bohey
Bridges
Buchanan
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cook
Cory
Cotten
Cowen
Cowles
Craw
Crews
Curtington
de la Garza
Dawey
Duff, Miss
Dungan
Eckhardt

Ehrlich
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Glasing
Green
Grover
Guilford
Hale
Hale
Harding
Haring
Harrington
Harm
Healy
Hines
Hollowell
Huebner
Hughes
Hughes of Dallas
Hansen, Miss
James
Jannous
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kerr
Kilpatrick
Koliba
Korolch
Lack
Lar
La Valle

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LEAVE OF ABSENCE GRANTED

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

Mr. Burgess for today on motion of Mr. Dungan.

MESSAGE FROM THE SENATE

Austin, Texas, February 13, 1961
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. 26, Congratulating John Hampton Mattox on his one hundredth birthday.

S. B. No. 114, Transferring a tract of land in Houston County, now composing a part of the site of the Colored Girls Training School, from the State of Texas to the Crockett Independent School District, and declaring an emergency.

S. B. No. 162, Changing the name of the Probate Court of Galveston County; and declaring an emergency.

S. B. No. 174, To provide that in counties having a population of nine hundred thousand or more the Commissioners Court may appoint a board of managers for dependent and delinquent children; and declaring an emergency.

S. B. No. 12, Authorizing the Board of Regents of the University of Texas to select and convey to the County of El Paso, Texas, a tract of land upon the campus of Texas Western College as a stadium site, and declaring an emergency.

S. B. No. 18, Providing that an instrument is payable to bearer; and declaring an emergency.

S. B. No. 116, Amending the Texas Business Corporation Act; and declaring an emergency.

S. B. No. 135, Creating a Juvenile Board for Galveston County; and declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL, 
Secretary of the Senate.
The following House Bills were today laid before the House, read several first time and referred to the appropriate Committees, as follows:

By Mr. Chapman:
H. B. No. 457, A bill to be entitled "An Act amending Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, codified as the Insurance Code, Vernon's Texas Civil Statutes, by adding thereto a new chapter designated as 'Chapter Twenty-Two': permitting the organization of stipulated premium life insurance companies, or stipulated premium accident companies; or stipulated premium life, health and accident insurance companies; prescribing the method of organization; requiring initial capital of at least $100,000.00 and initial surplus of $5,000.00; regulating the investments in which such capital and initial surplus may be made; providing for the corporate duration; prohibiting payment of cash dividends until such time as the capital thereof shall be $100,000.00; providing what laws shall not be applicable to stipulated premium companies; permitting the organization of stockholders; prescribing the method of obtaining charter, amount of filing fees, hearing before the State Board of Insurance, submission of charter to the Attorney General for approval; authorizing the procedure for the initial election of officers; adoption of by-laws and prescribing certain authority for the Board of Directors and rights of stockholders; prescribing the procedure for amending the charter of the stipulated premium company; requiring the initial examination of the stipulated premium company and prescribing the method and terms of its temporary and permanent certificates of authority; requiring that if the stipulated premium company does not reinsure a Chapter 14 mutual assessment company or association chartered and doing business prior to January 1, 1951, within six months from date of incorporation it shall surrender its charter for cancellation; prescribing and limiting the territory in which the stipulated premium company may do business; requiring the filing of an annual statement by the stipulated premium company between the dates of July 1st and August 1st of each calendar year upon forms prescribed by the State Board of Insurance; authorizing the obtaining of reinsurance and requiring that certain risks be reinsured until the stipulated premium company has a surplus of at least $50,000.00; limiting the payment of cash dividends to stockholders until the stipulated premium company has at least $100,000.00 in capital; prescribing the procedures for the payment of salaries to officers, directors and employees and permitting pension plans; requiring that all funds be deposited in the name of the stipulated premium company and prohibiting any officer or director from having any interest, except as a stockholder, in any loan, pledge, security or property of the stipulated premium company and prohibiting any officer or director from obtaining any fee, brokerage, commission, gift or other compensation on account thereof; providing the reserve tables to be used by stipulated premium companies, and establishing the minimum reserve under policies of all classes; permitting a lawful deficiency reserve in the case of policies assumed under a reinsurance contract with companies or associations operating under the provisions of Chapter 14 of the Insurance Code, but requiring that such deficiency reserves be decreased 10% each year; providing for the date and method of calculation of such required reserves annually; requiring adjustment of rates within fifteen days in the event of a deficiency not permitted or providing that the stipulated premium company shall be dealt with as if it were insolvent; prescribing the types of investments which may be made by a stipulated premium company; establishing the provisions of policy forms and requiring approval of the same by the State Board of Insurance; providing the licensing of agents; permitting the reinsurance of company or association operating under the provisions of Chapter 14 of the Insurance Code with a stipulated premium company, establishing the procedure therefor, the method of voting therefore, regulation of the certificate of assumption, allocation of the net funds of the Chapter 14 company or association, the creation of a deficiency reserve thereunder if necessary, approval of the same by the
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State Board of Insurance as complying with this Act; making the Business Corporation Act applicable to stipulated premium companies when not in conflict with the provisions hereof; prohibiting the use of representation of policies and advertising of certain words; making Art. 1.14, Art. 1.15, Art. 1.19, Art. 21.26, Art. 21.28, Art. 21.30, Art. 21.45 and Art. 21.47 of the Insurance Code applicable to stipulated premium companies; providing that stipulated premium companies shall be regulated by the Texas Securities Act and shall pay the same premiums as companies chartered and doing business under Chapter 3 of the Insurance Code; but such premiums shall cover a different period of time and shall be due at a different date; permitting partial or total reinsurance agreements with legal reserve companies authorized to do business in Texas; permitting total or partial reinsurance agreements with other stipulated premium companies under certain circumstances and providing the methods and procedures whereby the same may be accomplished, but subject to approval as to compliance with this Act by the State Board of Insurance; providing for termination of corporate existence under a total reinsurance; repealing all laws or parts of laws in conflict herewith and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Andrews:
H. B. No. 468, A bill to be entitled "An Act regulating the hunting and killing of quail in Refugio County; providing penalties; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Messrs. Shipley and Miller:
H. B. No. 469, A bill to be entitled "An Act amending Section 2 of Chapter 507, Acts of the 47th Legislature, Regular Session, 1941, as last amended, which is codified as Article 5025, Vernon's Texas Penal Code, by providing penalties for conviction of three (3) or more offenses of driving while intoxicated; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Richards:
H. B. No. 469, A bill to be entitled "An Act providing that the remaining balance of the sum of money herefore appropriated to the Department of Corrections in Item 98 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, 1959, Chapter 23, may be expended by the Department of Corrections for the purposes stated in Items 92 and 95 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, 1959, Chapter 23 in addition to the purposes stated in Item 98 of the appropriation to the Department of Corrections in House Bill No. 4, Acts of the 56th Legislature, Third Called Session, 1959, Chapter 23, providing that no new money shall be appropriated by the provisions of this Act, providing that money already appropriated to the Department of Corrections for the biennium ending August 31, 1961, can be used to continue the operations of the Department of Corrections and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Hinson:
H. B. No. 461, A bill to be entitled "An Act providing for the compensation of the official shorthand reporter of the 115th Judicial District of Texas; providing the manner of payment; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Miller:
H. B. No. 462, A bill to be entitled "An Act providing any person who shall be injured, in person or property, by any intoxicated person shall have a right of action for damages against certain other persons, enumerating circumstances giving rise to the liability of certain persons; providing who may bring action; providing forfeiture of certain leaseholds; providing action shall lie for loss of support; pro-
viding distribution of certain monied recoveries; and declaring an emergency.”
Referred to the Committee on Judiciary.

By Messrs. Tunnell and Jarvis:
H. B. No. 463, A bill to be entitled “An Act amending Article 7094 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapters 162 and 335, Acts of the 55th Legislature, Regular Session, 1957, relating to corporations exempt from payment of the franchise tax; and declaring an emergency.”
Referred to the Committee on Revenue and Taxation.

By Messrs. Barlow and James:
H. B. No. 464, A bill to be entitled “An Act to amend Article 681-29 of the Revised Civil Statutes of the State of Texas, as amended in Acts 1957, 55th Leg., p. 575, chapter 289, No. 23 being a section of the Texas Security Law setting the penalty, to increase the penalty for a violation of same, and declaring an emergency.”
Referred to the Committee on Criminal Jurisprudence.

By Messrs. Butler and Boysen:
H. B. No. 465, A bill to be entitled “An Act amending Article 713, of the Code of Criminal Procedure of Texas, 1925, providing a privilege for a clergyman to refuse to testify or disclose certain confidential communications; and declaring an emergency.”
Referred to the Committee on Criminal Jurisprudence.

By Mr. Barlow:
H. B. No. 466, A bill to be entitled “An Act amending Article 7.05 of the Texas Business Corporation Act, Chapter 64, Acts, 1955, Fifty-fourth Legislature by adding a new subsection (e) to Section A (1) thereof providing that a receiver may be appointed for the assets and business of a corporation when it is established in an action by a shareholder that the shareholders are deadlocked in voting power, and have failed for at least two consecutive annual meeting dates, to elect successors to directors whose terms have expired or would have expired upon the election of their successors; and declaring an emergency.”
Referred to the Committee on Municipal and Private Corporations.

By Mr. Foreman:
H. B. No. 467, A bill to be entitled “An Act providing for the treatment and rehabilitation of alcoholics in State Hospitals; providing for admission of voluntary patients and for commitment of patients; making provision for appeals, probation and discharge; declaring rights of patients as citizens; establishing commitment proceedings for patients found to be mentally ill after commitment as alcoholics; providing severability; and declaring an emergency.”
Referred to the Committee on Judiciary.

By Mr. Lewis:
H. B. No. 468, A bill to be entitled “An Act to amend Article 6.08 of Chapter 6 of the Insurance Code (Acts of the 1951 52nd Legislature, Chapter 491, as amended by the Acts of the 1955 54th Legislature, page 413, Chapter 117, Section 29) to regulate the holding of real estate by fire and marine insurance companies by adding thereto a new paragraph designated as paragraph 5 of said Article 6.08 permitting fire and marine insurance companies to hold mineral and royalty interests reserved upon the sale of land acquired under foreclosure of loans contracted or for money due or which shall have been conveyed to it in satisfaction of debts previously contracted in the legitimate business of the company or for money due or such as was purchased at sale under judgments, decrees or mortgages obtained or made for such debts, and to amend Article 8.19 of the Insurance Code (Acts of the 1951 52nd Legislature, Chapter 491) by amending the provisions of said Article 8.19 relating to the sale or disposition of mineral or royalty interests and relating to the disposition of real estate by adding to said article provisions permitting casualty insurance companies to hold and convey in addition to real property now...
authorized by law interests in minerals and royalty reserved upon the sale of land acquired by foreclosure or in satisfaction of debts and mortgages purchased at sales under judgments, decrees or mortgages obtained or made for such debts prior to January 1, 1961; to re-enact Article 8.18 as amended (Acts 1955, 54th Legislature, Page 413, Chapter 117, Section 23) repealing conflicting laws and parts of laws to the extent of such conflict; providing for a severability clause and declaring an emergency.

Referred to the Committee on Insurance.

By Messrs. Adams of Titus and Harrington:

H. B. No. 469, A bill to be entitled "An Act relating to the acquisition of highway rights of way by Commissioners Courts and cities, and reimbursement of counties and cities for the State's share of the cost thereof; amending Article 6674n of the Revised Civil Statutes of Texas, 1925, as amended, and amending Section 1 of Chapter 301, Acts of the 55th Legislature, Regular Session, 1957, to conform therewith; and declaring an emergency."

Referred to the Committee on Counties.

By Messrs. Hughes of Grayson and Harrington:

H. B. No. 470, A bill to be entitled "An Act to amend Title 53, Revised Civil Statutes of Texas 1925, relating to escheat, by adding Article 3272a providing for and defining the making of reports by persons holding personal property subject to escheat, defining terms, providing for notices and determination of escheat, administrative and court procedure, sales, determination and payment of subsequent claims, examination of records, reciprocity, penalties, an Expense and Reimbursement Fund, and other related rules and procedures for enforcement of the escheat laws of the State; amending Article 3273 and Article 3284, Revised Civil Statutes of Texas, 1925, relating to petition for escheat, officials authorized to act, contents and procedure, appeal and other related purposes; providing for severability and declaring an emergency."

By Mr. Hughes of Dallas:

H. B. No. 471. A bill to be entitled "An Act to provide for the registration and protection of trademarks and service marks, to define certain terms, to define marks registrable and marks not registrable, to define the requirements for an application for registration, to instruct the Secretary of State as to handling of applications for registration and issuance of certificates of registration, to define the rights and privileges dependent from a registration of a mark, to constitute a registration of a mark constructive notice of a claim of ownership, to provide for judicial review of actions of the Secretary of State concerning marks and applications therefor, to define the term of registrations of marks and provide for renewal thereof, to provide for notification of necessity of renewal, to provide for the assignment of marks and the recordation of such assignments, to provide for the cancellation of registrations of marks under conditions defined, to provide for a civil action for the cancellation of a registration of a mark, to define classifications of goods and services in connection with which marks may be used and registered on a single application, to provide a civil action against persons obtaining registrations by making false or fraudulent statements, to provide for the preservation of some common law rights in marks, to define acts which are wrongful as against the owner of a registered mark, to provide for and define remedies for wrongful acts with respect to marks, to provide for the preservation of valid portions of this bill in the event some portion be held invalid, to repeal all prior civil and penal statutory law inconsistent with other terms of this bill, to amend RS 845 and PC 1058 so as to render them not inconsistent with the other provisions of this bill while preserving so much of their meaning as is not law of trade or service marks, and to declare an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Hughes of Dallas:

H. B. No. 471. A bill to be entitled "An Act to provide for the registration and protection of trademarks and service marks, to define certain terms, to define marks registrable and marks not registrable, to define the requirements for an application for registration, to instruct the Secretary of State as to handling of applications for registration and issuance of certificates of registration, to define the rights and privileges dependent from a registration of a mark, to constitute a registration of a mark constructive notice of a claim of ownership, to provide for judicial review of actions of the Secretary of State concerning marks and applications therefor, to define the term of registrations of marks and provide for renewal thereof, to provide for notification of necessity of renewal, to provide for the assignment of marks and the recordation of such assignments, to provide for the cancellation of registrations of marks under conditions defined, to provide for a civil action for the cancellation of a registration of a mark, to define classifications of goods and services in connection with which marks may be used and registered on a single application, to provide a civil action against persons obtaining registrations by making false or fraudulent statements, to provide for the preservation of some common law rights in marks, to define acts which are wrongful as against the owner of a registered mark, to provide for and define remedies for wrongful acts with respect to marks, to provide for the preservation of valid portions of this bill in the event some portion be held invalid, to repeal all prior civil and penal statutory law inconsistent with other terms of this bill, to amend RS 845 and PC 1058 so as to render them not inconsistent with the other provisions of this bill while preserving so much of their meaning as is not law of trade or service marks, and to declare an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. McGregor of El Paso:

H. B. No. 472, A bill to be entitled "An Act to fix the Jurisdiction of...
eminent domain cases in the district courts, and declaring an emergency.”
Referred to the Committee on Judiciary.

By Mr. Lewis:
H. B. No. 473, A bill to be entitled “An Act to apportion the State of Texas into Congressional Districts, naming the Counties and parts thereof composing the same, and providing for the election of a Member of the Congress of the United States from each District; repealing all laws and parts of laws in conflict therewith, and declaring an emergency.”
Referred to the Committee on Congressional and Legislative Districts.

By Mr. Lewis:
H. B. No. 474, A bill to be entitled “An Act validating certain proceedings of Home Rule cities: Amending their Home Rule Charters: Validating the election proceedings whereby officials of each city have taken office: Validating certain acts of such governing body of such city: Providing that the act shall not be applicable where litigation is pending at the time of the effective date where such litigation is ultimately determined against the validity of such amendment: Providing a savings clause and declaring an emergency.”
Referred to the Committee on Municipal and Private Corporations.

By Mr. Walker:
H. B. No. 475, A bill to be entitled “An Act prohibiting any city, town or village, with certain exceptions, from annexing any territory which is located in a county other than the county in which such city, town or village is located; and declaring an emergency.”
Referred to the Committee on Municipal and Private Corporations.

By Messrs. Stewart of Wichita and Connell:
H. B. No. 476, A bill to be entitled “An Act to provide that the Commissioners Court set the salaries of investigators, assistants and stenographers of the 30th Judicial District; amending Section 1 and 2 of Chapter 403, Acts of the 56th Legislature, Regular Session, 1957: and declaring an emergency.”
Referred to the Committee on Counties.

By Mr. Smith of Bexar:
H. B. No. 477, A bill to be entitled “An Act amending Section 12 of the Texas Motor Vehicle Safety Responsibility Act; exempting certain persons from suspension of driver’s licenses, automobile registrations and non-residents’ operating privileges due to non-payment of judgments; and declaring an emergency.”
Referred to the Committee on Judiciary.

By Mr. Slack:
H. B. No. 478, A bill to be entitled “An Act to amend Article 5.53, Texas Insurance Code; to empower the State Board of Insurance to regulate the writing of insurance against loss by hail on farm crops through the classification of risks, the prescribing and promulgation of premium rates, and the making and promulgation of uniform polices of insurance and forms, clauses, and endorsements used on or in connection with such policies of insurance; repealing all laws in conflict herewith; and declaring an emergency.”
Referred to the Committee on Insurance.

By Mr. Stewart of Galveston:
H. B. No. 480, A bill to be entitled “An Act amend paragraph 1 of Section 4 of Article II of Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as last amended, which is codified as paragraph 1 of Section 4 of Article 6687b, Vernon's Texas Civil Statutes, relating to certain minors under 16 years of age who may be licensed upon affidavit of a physician and approval by the Department of Public Safety; providing certain penalties; repealing paragraph 1a of Section 4 of Article II of Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as added by Section 1 of Chapter 282, Acts of the 55th Legislature, Regular Session, 1957, which is codified as paragraph 1a of Section 4 of Article 6687b, Vernon's Texas Civil Statutes; and declaring an emergency.”
Referred to the Committee on Insurance.
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Referred to the Committee on
Highways and Roads.

By Messrs. Eckhardt and McGregor of El Paso:
H. B. No. 481, A bill to be entitled
"An Act levying a tax on the oc­
cupation of producing natural gas,
defining 'Producers' so as to in­
clude 'Severance Producers' and 'Dedicated Reserve Producers', rec­
ocnizing the interests of said Pro­
ducers as an interest in land, levying
a tax of 1.505 cents per thousand
 cubic feet on each MCF of gas pro­
duced in the State of Texas against
such Producers (with exceptions),
providing a division formula for the
paying of such tax by each Producer
or combination of Producers (in­
cluding Severance Producers and
Dedicated Reserve Producers), fur­
ther defining and describing persons
to whom the tax applies, providing
exclusions, providing for collection
and enforcement, defining terms,
providing for severability and declar­
ing an emergency."
Referred to the Committee on
Revenue and Taxation.

By Mr. Curington:
H. B. No. 482, A bill to be entitled
"An Act validating the incorporation
of all cities and towns of five thou­
sand (5,000) inhabitants or less,
hereafter incorporated or attempt­
ed to be incorporated under the
general laws of Texas; validating the
boundary lines thereof; validating
governmental proceedings; providing
that this Act shall not apply to any
city or town now involved in litiga­
tion questioning the legality of the
incorporation or annexation; and de­
claring an emergency."
Referred to the Committee on
Municipal and Private Corporations.

By Mr. Gibbens:
H. B. No. 483, A bill to be entitled
"An Act to provide for the abolition
of the office of county superintendent
in certain counties of the State; pro­
viding for any remaining duties re­
quired by law shall be performed
by the county judge of such county;
and declaring an emergency."
Referred to the Committee on
Counties.

HOUSE JOINT RESOLUTIONS ON
FIRST READING

The following House Joint Reso­
lutions were today laid before the
House, read severally first time and
referred to the appropriate Commit­
tee as follows:

By Mr. Spears:
H. J. R. No. 42, A Joint Resolution
"Proposing an amendment to Article
VIII of the Constitution of the State
of Texas by adding thereto a new
section to be known as Section 14a,
to provide that each county shall
have only one Assessor and Collector
of Taxes, and that he shall collect the
taxes levied by all governmental units
in the county and render to the tax­
payer a single bill based on a
single assessment for a single tax
period, the calendar year, which bill
shall cover all ad valorem taxes
levied against such taxpayer's prop­
erty; providing that the provisions of
this amendment shall become effec­
tive only upon enabling legisla­
tion; providing for an election; pre­
scribing the form of ballot and pro­
viding for the necessary proclama­
tion and publication."
Referred to the Committee on
Constitutional Amendments.

By Mr. Read:
H. J. R. No. 43, A Joint Resolution
"Proposing an amendment to Article
XVI of the Constitution of the State
of Texas by adding thereto a new
section to be known as Section 67
prohibiting the establishment of spe­
cial funds in the State Treasury
after January 1, 1963; and providing
for the necessary proclamation and
publication."
Referred to the Committee on
Constitutional Amendments.

By Mr. Butler:
H. J. R. No. 44, A Joint Resolution
"Proposing an amendment to the
Constitution of the State of Texas
providing that no person shall be
denied employment on account of
membership or nonmembership in
a labor union."
Referred to the Committee on
Constitutional Amendments.
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. 17 to the Committee on Criminal Jurisprudence.
S. B. No. 37 to the Committee on Revenue and Taxation.
S. B. No. 63 to the Committee on State Affairs.
S. B. No. 140 to the Committee on State Affairs.
S. B. No. 172 to the Committee on Counties.
S. B. No. 171, to the Committee on State Affairs.
S. B. No. 12 to the Committee on Public Lands and Buildings.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 25, In memory of L. D. Hoke.

PRESENTATION OF MISS NANCY PAYNE, OF MERCEDES, TEXAS, TO THE HOUSE

Speaker James Turman recognized the Honorable Eligio de la Garza who presented Miss Nancy Payne, 1961 Cover Girl, representing the Mercedes Livestock Show.

Miss Payne addressed the House briefly.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 171, By Mr. Schram: Recognizing students of Hutto High School.
H. S. R. No. 172, By Mr. Hinson: Commending families of the Shady Grove Community.
H. S. R. No. 173, By Mr. Guffey: Congratulating Mrs. Lucy LaDue.

H. S. R. No. 174, By Members: Honorable J. C. Okiyama and the Honorable Adrian Cristobal, members of the Legislature of Guam.

TO NAME ANDY BANFIELD AS MASCOT OF THE HOUSE

Mr. Cook offered the following resolution:

H. S. R. No. 175

Whereas, Andy Banfield is a proper candidate for Mascot of the House of Representatives; and

Whereas, He is the grandson of Mrs. Myra Banfield, our most able Representative from Rosenberg, District 30, and the son of Mr. and Mrs. Neil A. Banfield of Rosenberg; now, therefore, be it

Resolved, That Andy Banfield be declared Mascot of the House of Representatives of the Fifty-seventh Legislature and that his picture be placed on the panel with Members of the House of the Fifty-seventh Legislature.

The resolution was referred to the Committee on Rules.

CONCERNING CONSIDERATION OF LOCAL BILLS

The Chair asked if there were objections to considering at this time the local bills on the calendar for today.

There was no objection offered and it was so ordered.

RELATIVE TO H. B. NO. 80

By unanimous consent of the House, Mr. Kilpatrick is shown as the original author of H. B. No. 80 and Mr. Smith of Jefferson as co-author.

HOUSE BILL NO. 80 ON SECOND READING

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

H. B. No. 80, A bill to be entitled "An Act amending Section 20 of Chapter 147, Acts of 1949, Fifty-first Legislature, Regular Session,..."
creating the Port of Beaumont Navigation District of Jefferson County, Texas, enlarging the authority of the District to issue refunding bonds, and amending Section 21 of said Act, as heretofore amended, to permit said District to pledge certain revenues of said District to the payment of its revenue bonds; providing that bonds issued under the provisions hereof shall be submitted to the Attorney General for approval and registered with the State Comptroller, after which such bonds shall be incontestable; making such bonds eligible for certain investments; and eligible to secure certain funds; providing that this Act shall be cumulative of other laws pertaining to said District; providing a severability clause; and declaring an emergency."

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

HOUSE BILL NO. 80 ON THIRD READING

Mr. Kilpatrick moved that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 80 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Absents—Excused

Burgess

The Speaker then laid House Bill No. 80 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:
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<th>Yeas—142</th>
<th>Yeas—143</th>
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<td>Adams of Lubbock</td>
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<td>Yezak</td>
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Mr. Smith of Jefferson moved to reconsider the vote by which H. B. No. 188 was passed and to table the motion to reconsider. The motion to table prevailed.

Mr. Wilson of Potter moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 188 be placed on its third reading and final passage. The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas—143</th>
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<tbody>
<tr>
<td>Adams of Lubbock Atwell</td>
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<td>Adams of Titus Bailey</td>
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<td>Alaniz Barlow</td>
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<td>Allen Barlow</td>
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<tr>
<td>Andrews Barnes</td>
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</tbody>
</table>
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Bartram          Kilpatrick  
     Bass               Koliba   
    Bell                Korkol    
   Blaine              Lack     
  Boyesen            Lary      
 Bridges           Latimer   
 Buchanan          La Valle   
 Butler             Leaverton 
 Caldwell           Lewis     
   Cannon            Longoria 
  Carriker           McCoppin 
   Chapman           McGregor  
 Cole of Harris      of McLennan 
 Cole of Hunt        McGregor   
  Collins            of El Paso  
     Connell          Molhasty  
     Cook              Markgraf 
     Cory               Martin   
      Cotten            Miller   
        Cowen           Moore    
    Cowles              Mullen   
     Crain              Murray   
         Crews            Niessyer 
     C Arlington        Nugent   
     de la Garza        Oliver   
     Dewey              Osborn   
   Duff, Miss           Parcey  
    Dunnigan            Peters   
      Eckhardt          Peteritt 
        Erbke            Pippin   
      Fitcher           Preston  
     Floyd               Price    
   Foreman              Quillian  
    Garrison            Rapp     
     Gibbens             Ratcliff 
    Gladden              Read     
     Glass               Richards 
    Glass               Richardson 
    Green               Roberts of Hill 
     Grover              Ross     
    Gufler              Rosson   
      Hale               Sandahl  
     Harding             Schram    
    Harling              Shannon  
    Harrington          Shipley   
    Harese              Slack    
    Hestly              Sluder   
    Nickson             Smith of Bexar 
    Hollowell           Smith of Jefferson 
   Hutchinson          Slaughter 
    Hughes of Grayson  Spelman   
    Hughes of Dallas    Springer  
  Isaacks, Miss       Stewart   
    James              of Galveston 
  Jamison              Stewart   
     Jarvis            of Wichita 
    Johnson of Dallas   Struve    
 Johnson of Bexar     Thurman   
    Johnson of Bell     Thurmond 
   Jones of Dallas     Townsend 
  Jones of Travis      Trevino  
     Keenard            Tunnell   

           Walker       Whitfield   
           Ward         Wilson of Trinity 
           Watson       Wilson of Potter 
           Wells         Woods     
           Wheatley     Yeak    

          Absent       
         Ballman       Parsons    
         Berry         Roberts of Dawson 
         Mutcher       Burgess    

         Absent—Excused

The Speaker then laid House Bill No. 188 before the House on third reading and final passage.

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

Year—138

Adams of Lubbock Fyld
Adams of Titus         Foreman
Alazis                Garrison
Allen                  Gibbens
Andrews               Gladden
Atwell                Glass
Bailey                Glassman
Banfield, Mrs.        Green
Barlow                Grover
Barnes                Gaffey
Bartram               Hall
Bass                  Habing
Bell                  Harling
Biere                 Harrington
Boysen                Healy
Bryden                Higgins
Buchanan              Hixson
Buchanan              Hughes
Cannus                Hughes of Grayson
Carriker              Hughes of Dallas
Chapman               Isaacks, Miss
Cole of Harris        James
 Cole of Hunt          Jamison
    Collins           Jarvis
        Connell       Johnson of Dallas
        Cook          Johnson of Bexar
        Cory         Johnson of Bell
        Cotten       Jones of Dallas
    Cowen             Keenard
     Cowles           Kilpatrick
      Crews           Koliba
      Crain           Korkol
      Crews           Lack
      Cray           La Valle
      Leaverton      Leaverton
       Lewis         Longoria
       Lewis         Longoria
The Speaker laid before the House, on its second reading and passage to engrossment, HOUSE BILL NO. 179, A bill to be entitled "An Act relating to fees charged by District Court Clerks for preparing certificates relating to witness fees in criminal cases; amending Article 1554, paragraph 4 of the Code of Criminal Procedure of Texas, 1925, as last amended; and declaring an emergency."

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

The Speaker announced the appointment of the following committee, in accordance with the provisions of H. S. R. No. 176, to escort the Honorable J. C. Okiyama and the Honorable Adrian Cristobal to the Speaker's Rostrum:

| McGregor of McLennan | Schram | Sandahl |
| McGregor of El Paso | Shannon | Schram |
| McLhany | Shipley | Schram |
| Markgraf | Slipman | Schram |
| Miller | Smith of Beazor | Schram |
| Moore | Speelman | Schram |
| Murray | Spear | Schram |
| Musclesh | Spring | Schram |
| Niemeyer | Stewart | Schram |
| Nugant | of Wichita | Schram |
| Osborn | Suru | Schram |
| Peevy | Thorman | Schram |
| Peeler | Thormood | Schram |
| Petty | Townsand | Schram |
| Piersiat | Treffin | Schram |
| Pipkin | Tunsell | Schram |
| Preston | Walker | Schram |
| Price | Ward | Schram |
| Quilliam | Watson | Schram |
| Repp | Wells | Schram |
| Read | Wheatley | Schram |
| Richards | Wilson of Trinity | Schram |
| Richardson | Wilson of Potter | Schram |
| Roberts of Hill | Woods | Schram |
| Rosas | Yesak | Schram |
| Rouson | | Schram |
| Absent | | Schram |
| Hallman | Oliver | Schram |
| Berry | Parsons | Schram |
| Butler | Roberts of Dawson | Schram |
| Haynes | Stewart | Schram |
| Hollowell of Galveston | | Schram |

The motion prevailed by the following vote:

Yeas—137
Adams of Lubbock
Adams of Titus
Allen
Andrews
Alwell
Bailey
Ballman
Banfield, Mrs.
Barlow
Barnes
Barron
Bartman
Base
Bell
Bell
Berry
Blaine
Boysen
Bridges
Buchanan
Butler
Caldwell
Cannon
Carrier
Chapman
Coley
Coles of Hunt
Coles of Trinity
Connor

The Speaker moved to reconsider the vote by which H. B. No. 181 was passed and to table the motion to reconsider. The motion to table prevailed.

COMMITTEE MEETING
Mr. Cole of Harris asked unanimous consent of the House that the Committee on School Districts be permitted to meet at this time. There was no objection offered.

COMMITTEE APPOINTED
The Speaker announced the appointment of the following committee, in accordance with the provisions of H. S. R. No. 176, to escort the Honorable J. C. Okiyama and the Honorable Adrian Cristobal to the Speaker's Rostrum:

Mr. Wilson of Potter moved to reconsider the vote by which H. B. No. 181 was passed and to table the motion to reconsider.

The motion to table prevailed.

COMMITTEE APPOINTED
Mr. Cole of Harris asked unanimous consent of the House that the Committee on School Districts be permitted to meet at this time.

There was no objection offered.

COMMITTEE APPOINTED
The Speaker then laid before the House, on its second reading and passage to engrossment, House Bill No. 169, A bill to be entitled "An Act limiting the provisions of this Act to Dimmit and Zavala Counties; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said counties at any time; to take, kill or trap any fur-bearing animal in said counties; to take or attempt to take any fresh-water fish or other aquatic life in public waters in said counties by any means or method; prescribing the legislative policy with respect to the wildlife resources in said counties; conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation, the taking of the wildlife resources of said counties; etc., providing a savings clause; and declaring an emergency."

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

The Speaker then laid before the House, on its second reading and passage to final passage, House Bill No. 169, A bill to be entitled "An Act limiting the provisions of this Act to Dimmit and Zavala Counties; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said counties at any time; to take, kill or trap any fur-bearing animal in said counties; to take or attempt to take any fresh-water fish or other aquatic life in public waters in said counties by any means or method; prescribing the legislative policy with respect to the wildlife resources in said counties; conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation, the taking of the wildlife resources of said counties; etc., providing a savings clause; and declaring an emergency."

The motion prevailed by the following vote:

Yeas—141

Harrington
Haynes
Heatly
Hinson
Higgins
Hughes of Grayson
Hughes of Dallas
Ibsen
Irons
Jackson
Jarvis
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennead
Kilpatrick
Koliba
Koroth
Lark
Lary
Latimer
LaValle
Leaverton
Lewis
Longoria
McCoplin
McGregor of El Paso
McGregor
McGregor of Wichita
McNairy
McNary
McNamara
McNiemeier
McNugent
Oliver
Osborn
Peary
Peeler

Nays—2

Hollowell
Johnson of Dallas

Absent—Exmused

Burges

The Speaker then laid House Bill No. 179 before the House on third reading and final passage. The bill was read third time and was passed.
The Speaker then laid House Bill No. 169 before the House on third reading and final passage.

The bill was read third time.

Mr. Niemeyer offered the following amendments to the bill:

Amend the caption to House Bill No. 169 by striking out the first clause and substituting therefor the following:

"An Act limiting the provisions of this Act to Dimmit, Uvalde and Zavala Counties;"

Amend Sections 1, 2, 3, 10 and 15 of House Bill No. 169 to add Uvalde County to the Counties of Dimmit and Zavala, wherever such counties are mentioned in those sections.

The amendments were adopted by unanimous consent.

House Bill No. 169 was then passed by the following vote:

Yeas—139

Adams of Lubbock
Adams of Titus
Eckhardt
Allen
Ehrle
Andrews
Fairchild
Atwell
Floyd
Bailey
Foreman
Ballman
Garrison
Banfield, Mrs.
Gibbens
Barlow
Gladden
Barnes
Glass
Baxter
Glasco
Bell
Green
Blaine
Grover
Boyd
Guffey
Bridge
Hale
Buchanan
Harling
Butler
Harrington
Caldwell
Hays
Cannon
Healy
Carriker
Hinson
Chapman
Hollins
Cole of Harris
Huebner
Cole of Hunt
Hughes
Collins
Grayson
Collin
Imsack, Miss
Cook
Corry
James
Cotton
Jamil
Cotten
Jamil
Cowen
Johnson of Dallas
Cowie
Johnson of Bexar
Croy
Johnson of Bell
Crow
Jones of Dallas
Cruce
Jones of Zavala

Absentees—Excused:

Burgess

The Speaker then laid House Bill No. 169 before the House on third reading and final passage.

The bill was read third time.

Mr. Niemeyer offered the following amendments to the bill:

Amend the caption to House Bill No. 169 by striking out the first clause and substituting therefor the following:

"An Act limiting the provisions of this Act to Dimmit, Uvalde and Zavala Counties;"

Amend Sections 1, 2, 3, 10 and 15 of House Bill No. 169 to add Uvalde County to the Counties of Dimmit and Zavala, wherever such counties are mentioned in those sections.

The amendments were adopted by unanimous consent.

House Bill No. 169 was then passed by the following vote:

Yeas—139

Adams of Lubbock
Adams of Titus
Eckhardt
Allen
Ehrle
Andrews
Fairchild
Atwell
Floyd
Bailey
Foreman
Ballman
Garrison
Banfield, Mrs.
Gibbens
Barlow
Gladden
Barnes
Glass
Baxter
Glasco
Bell
Green
Blaine
Grover
Boyd
Guffey
Bridge
Hale
Buchanan
Harling
Butler
Harrington
Caldwell
Hays
Cannon
Healy
Carriker
Hinson
Chapman
Hollins
Cole of Harris
Huebner
Cole of Hunt
Hughes
Collins
Grayson
Collin
Imsack, Miss
Cook
Corry
James
Cotton
Jamil
Cotten
Jamil
Cowen
Johnson of Dallas
Cowie
Johnson of Bexar
Croy
Johnson of Bell
Crow
Jones of Dallas
Cruce
Jones of Zavala

Absentees—Excused:

Burgess
February 13, 1961

H U S E J O U R N A L

Kilpatrick
KoUba
Korioth
Lack
Lary
LaVilla
Leaverton
Lewis
Longoria
McCoppin
McGregor
McGregor
of McLennan
of El Paso
Markgraf
Martin
Miller
Miller
of Galveston
Moore
Mullen
of Wichita
Murray
McInteer
Niemeier
Nagle
Oliver
Osborn
Pearcy
Peele
Pettit
Phipps
Preston
Price
Quilliam
Quinlan
Rapp
Ratcliff
Read

Absent

Alanis
Bass
Berry
Carpentier
Fletcher

Absented

Adams of Lubbock
Adams of Titus
Adams of Titus
Adams of Titus
Adams of Titus
Adams of Titus

Honorable J. C. Okiyama to the
House. Mr. Okiyama addressed the
House briefly.

Governor Daniel then introduced
the Honorable Adrian Cristobal, who
also addressed the House briefly.

HOUSE BILL NO. 76 ON SECOND
READING

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

H. B. No. 76, A bill to be entitled
"An Act establishing the Howard
County Juvenile Board; and declar­
ing an emergency."

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

HOUSE BILL NO. 76 ON THIRD
READING

Mr. Read moved that the constitu­
tional rule requiring bills to be read
on three several days be suspended
and that House Bill No. 76 be placed
on its third reading and final pas­
sage.

The motion prevailed by the fol­
lowing vote:

Yeas---144

Adams of Lubbock
Bass
Berry
Carpentier
Fletcher

Absent-Excused

Burgess

PRESENTATION OF MEMBERS OF
THE LEGISLATURE OF GUAM

In accordance with the provisions
of H. S. R. No. 176, the Honorable
J. C. Okiyama and the Honorable
Adrian Cristobal, Members of the
Legislature of Guam, accompanied by
Governor Price Daniel and escorted
by Messrs. Hinson, de la Garza,
Haynes, McGregor of El Paso and
Jones of Travis, were admitted to
the Hall of the House and escorted
to the Speaker's Rostrum.

Speaker Thurman presented Gover­
nor Daniel who then introduced the

Honorables to the House.
The Speaker then laid House Bill No. 74 before the House on third reading and final passage.

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

**Yeas—143**

Adams of Lubbock
Adams of Titus

**Absents—12**

Burgess

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

**Yeas—143**

Adams of Lubbock
Adams of Titus

**Absents—12**

Burgess

The Speaker then laid House Bill No. 74 before the House on third reading and final passage.

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

**Yeas—143**

Adams of Lubbock
Adams of Titus

**Absents—12**

Burgess

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

**Yeas—143**

Adams of Lubbock
Adams of Titus

**Absents—12**

Burgess

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

**Yeas—143**

Adams of Lubbock
Adams of Titus

**Absents—12**

Burgess

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

**Yeas—143**

Adams of Lubbock
Adams of Titus

**Absents—12**

Burgess

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

**Yeas—143**

Adams of Lubbock
Adams of Titus

**Absents—12**

Burgess
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<thead>
<tr>
<th>Yeas-142</th>
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The Speaker then laid before the House, on its second reading and passage to engrossment, House Bill No. 135. A bill to be entitled "An Act amending Section 1 of Chapter 166, Acts of the 54th Legislature, Regular Session, 1965, relating to noxious weeds, and adding Comal County thereto; and declaring an emergency."
The bill was read second time and passed to engrossment.

HOUSE BILL NO. 135 ON THIRD READING

Mr. Bartram moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—139

Adams of Lubbock Grover
Adams of Titus
Alam
Allen Andrews
Bailey Bauman, Mrs.
Barnes Bartram
Bell Berry Bbine
Boysen Bridges
Bridges of Hidalgo
Bridges of Hunt
Connell Cory
Cotton
Cowen
Cray Crews
de la Garza
Dewey Duff, Miss
Dungan
Dickhardt
Earle
Fairchild
Fairel
Fitch
Ford Ford
Foreman Garrison
Giddens Glass
Glass Glasing
Green

Peachy Peeler Petty Pierce Pippin
Preston Price Quilliam Rapp Ratcliff Richards Richardson
Roberts of Hill Ross son Sandahl Schram Schram
Shannon Slade Sleek Smi the of Bexar Smith of Jefferson Smith of Lubbock
Sneddon

* Absent—Excused

Burgess

The Speaker then laid House Bill No. 135 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Bartram moved to reconsider the vote by which H. B. No. 135 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 38 ON SECOND READING

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

H. B. No. 38, A bill to be entitled "An Act amending Subsections (1) and (4) of Section 2, Article XX of Chapter 124, Acts of the Forty-seventh Legislature, Regular session, 1941, as last amended by House Bill No. 5, Chapter 1, Acts of the Fifty-sixth Legislature, First Called Session, 1959, (Compiled as Article 7083a,
Vernon’s Civil Statutes of Texas; increasing the amounts to be allocated from the Clearance Fund to the Blind Assistance Fund and the Old Age Assistance Fund and allowing certain credits from the first revenues collected to be deposited to these Funds, fixing the operative date of the amendment, providing a repealing clause, a saving clause; and declaring an emergency."

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

**HOUSE BILL NO. 38 ON THIRD READING**

Mr. Hollowell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 38 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas-142**

Adams of Lubbock Dewey
Adams of Titus Duff, Miss
Allen Dungan
Andrews Eckhardt
Atwell Ehrle
Bailey Fairchild
Ballman Floyd
Barlow Foreman
Barnes Garrison
Bartram Gibbens
Bass Gladden
Bell Glass
Berry Glusin
Blaine Green
Boyon Grover
Bridges Guffey
Buchanan Hale
Butler Harding
Caldwell Harrington
Cannon Hartman
Carriker Hayes
Chapman Healy
Cole of Harris Hillson
Cole of Hunt Hollowell
Collins Huthner
Connell Hughes
Cory of Grayson
Cotten Hughes of Dallas
Cowen Isaacson, Miss
Crawford James
Craw Grimes
Crews Jarvis
Curtington Johnson of Dallas
de la Garza Johnson of Bexar

**Johnson of Bell** Hatfield
**Jones of Dallas** Read
**Jones of Trinity** Richards
**Kennard Richardson**
**Kilpatrick Roberts of Hill**
**Kolka Rosas**
**Kortoth Roosen**
**Lack Sandahl**
**Larre Schram**
**La Lomera Shannon**
**La Valle Shipley**
**Leavey Slader**
**Lewis Smith of Bexar**
**Longoria Smith of Jefferson**
**McCoppin Sloan**
**McGregor Spears**
**of El Paso Spelman**
**Moehnby Springer**
**Markgraf Stewart**
**Martin of Galveston**
**Miller of Wichita**
**Moore Stuve**
**Mullen Thurman**
**Murray Thurmond**
**Niemeyer Townsend**
**Nugent Trevino**
**Oliver Tunnell**
**Osborn Walker**
**Pace Ward**
**Peeler Watson**
**Petty Wells**
**Peratt Wheatley**
**Phipkin Whitfield**
**Prater Wilson of Trinity**
**Price Wilson of Potter**
**Quillian Woods**
**Rapp Yeak**

**Absent**
Banfield, Mrs. Parson
Cook Roberts of Dawson
McGregor Black
of McLennan

**Absent—Excused**
Burges

The Speaker then laid House Bill No. 38 before the House on third reading and final passage.

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

**Yeas-141**

Adams of Lubbock BaNFeld, Mrs.
Adams of Titus Bannow
Alamix Bass
Allen Bartram
Andrews Bass
Atwell Bell
Bailey Berry
Ballman Blaine
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Mr. Thurman moved that the constitutional rule requiring bills to be
read on three several days be suspended and that House Bill No. 82 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas-137**

Adams of Lubbock 
Adams of Titus 
Alanis 
Allen 
Atwell of Grayson 
Bailey of Dallas 
Ballman of Pampa 
Banfield, Mrs. 
Barlow 
Barnes 
Bartram 
Bass 
Berry 
Blaine 
Bridges 
Buchanan 
Butler 
Caldwell 
Cannon 
Carriker 
Chapman 
Cole of Harris 
Cole of Hunt 
Connell 
Connel 
Connell 
Cowen 
Cowles 
Crews 
Crews 
Curington 
de la Garza 
Dewer 
Duff, Miss 
Dungan 
Eckhardt 
Ehrle 
Fairchild 
Fletcher 
Floyd 
Foreman 
Garrision 
Gibbens 
Gladden 
Glass 
Glasig 
Green 
Grover 
Guffey 
Hale 
Harding 
Harrington 
Haynes 
Healty 
Roberts of Hill 
Ross of Wichita 
Ross of Struth 
Randall of Commerce 
Schram of Townsend 
Shannon of Treeline 
Shipley of Toms 
Sider of Walker 
Smith of Bastrop 
Smith of Jefferson 
Stevens of Rela 
Spears of Wheatley 
Splin of Galveston 
Stewart of Trinity 
Stewart of Galveston 

**Nays-4**

Bohannon 
Boring 
Cory 
Thurmond 

**Absent**

Andrews 
Cook 
Murray 
Parsons 

**Absent—Excused**

Burgess 

The Speaker then laid House Bill No. 52 before the House on third reading and final passage.

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

**Yeas-138**

Adams of Lubbock 
Adams of Titus 
Alanis 
Allen 
Atwell 
Bailey of Dallas 
Ballman 
Banfield, Mrs. 
Barlow 
Barnes 
Bartram 
Bass 
Berry 
Blaine 
Buchanan 
Butler 
Caldwell 
Cannon 
Carriker 
Chapman 
Cole of Harris 
Cole of Hunt 
Connell 
Cotten 
Cowen 
Cowles 
Crain 
Crews of El Paso 
Crews of El Paso 
Curington 
de la Garza 
Dewer 
Duff, Miss 
Dungan 
Eckhardt 
Ehrle 
Fairchild 
Fletcher 
Floy 
Foreman 
Garison 
Gibbens 
Gladden 
Glass 
Glasig 
Green 
Grover 
Guffey 
Hale 
Harding 
Harrington 
Haynes 
Healty 
Roberts of Hill 
Ross of Wichita 
Ross of Struth 
Randall of Commerce 
Schram of Townsend 
Shannon of Treeline 
Shipley of Toms 
Sider of Walker 
Smith of Bastrop 
Smith of Jefferson 
Stevens of Rela 
Spears of Wheatley 
Splin of Galveston 
Stewart of Trinity 
Stewart of Galveston 

**Nays-4**

Bohannon 
Boring 
Cory 
Thurmond 

**Absent**

Andrews 
Cook 
Murray 
Parsons 

**Absent—Excused**

Burgess 

The Speaker then laid House Bill No. 52 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:
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The motion to table prevailed.

HOUSE BILL NO. 87 ON SECOND READING

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

H. B. No. 87. A bill to be entitled "An Act amending Article 2700 of the Revised Civil Statutes of Texas, 1925, as amended, relating to the salaries and expenses of the county superintendent and his assistants; and declaring an emergency."

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

MOTION TO PLACE HOUSE BILL NO. 87 ON THIRD READING

Mr. Bartram moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 87 be placed on its third reading and final passage.

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

Yeas-100

Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Bailey
Ballman
Barnes
Bartram
Bell
Bennett
Blaine
Borden
Buchanan
Butler
Cannon
Cole of Harris
Cole of Hunt
Connell
Cook
Cory
Cotton
Crumpton
de la Garza
Dewey
Diff. Miss
Duncan
Dickhardt

Nays—5

Boyer
Bryan
Cory
Gaffey

Absent

Cook
Parsons
Roberts of Dawson

Absent—Excused

Burgess

Mr. Thurman moved to reconsider the vote by which H. B. No. 87 was passed and to table the motion to reconsider.
The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 99. A bill to be entitled "An Act to amend Article 2757, Revised Civil Statutes of Texas, of 1925, as last amended by Senate Bill No. 119, Acts Fifty-sixth Legislature, Regular Session, 1959, to allow any common school district containing seven hundred inhabitants or more to form an incorporation for free school purposes only; and to allow also any district containing an area of not less than eighty-three ($3) square miles, and containing one hundred and sixty-five (165) inhabitants, or more, and having an assessed property valuation of Three Million Dollars ($3,000,000) or more to form an incorporation for free school purposes only; providing a severability or saving clause; and declaring an emergency."

The bill was read second time.

S. B. No. 77, Allowing common school districts to form an incorporation for free school purposes.

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

Mr. Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 77 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—138

Absents—13

Adams of Lubbock
Ballman
Adams of Titus
Baronfield, Mrs.
Alazar
Barnes
Allen
Bartram
Atwell
Bass
Bailey
Bell

REASON FOR VOTE

I voted yes on H. B. No. 97 because this bill leaves the local county board free to decide as to merits of its employees.

SCOTT BAILEY,
GEORGE H. RICHARDS.
The Speaker then laid Senate Bill No. 77 before the House on third reading and final passage.

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

<table>
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<tr>
<th>Yeas</th>
<th>Absent—Excused</th>
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</table>

- Adams of Lubbock
- Ehlle
- Falchchild
- Fletcher
- Floyd
- Foreman
- Garrison
- Gibbens
- Gladden
- Glass
- Glenn
- Green
- Grover
- Hale
- Harding
- Harrington
- Haynes
- Heady
- Hefley
- Hensley
- Huebner
- Hughes of Grayson
- Hughes of Dallas
- Isaacks, Miss
- James
- Jamison
- Jarvis
- Johnson of Bexar
- Johnson of Bell
- Jones of Dallas
- Jones of Travis
- Kennard
- Kilpatrick
- Kolba
- Kortch
- Lack
- Lary
- Lailmer
- LaValle
- Leaverton
- Lewis
- Longoria
- McDuff, Miss
- McCoy
- McGehee
- McGehee
- McGehee
- Markgraf
- Martin
- Miller
- Moore
- Mullen
- Mutercher
- Nieneyer
- Oliver
- Osborn
- Peeler
- Petty
- Pfliegett
- Pipkin
- Proctor
- Price
- Quillian
- Rapp
- Ratliff
- Read
- Richards
- Richardson
- Roberts of Hill
- Ross
- Rosson
- Sandahl
- Schram
- Shannon
- Shipley
- Slack
- Sluder
- Smith of Bexar
- Smith of Jefferson
- Sasson
- Spears
- Spilman
- Stewart
- Stewart
- Styczynski
- Thurman
- Thurmond
- Townsend
- Trevis
- Tunnell
- Walker
- Ward
- Watson
- Wells
- Whaley
- Whitfield
- Wilson of Trinity

- Yeak
- Woods
- Yezak

- Absent—Exceded
- Burgess
Mr. Cotten moved to reconsider the vote by which Senate Bill No. 77 was passed and to table the motion to reconsider.

The motion to table prevailed.

The bill was read second time.

SENATE BILL NO. 55 ON SECOND READING

The Speaker laid before the House in lieu of H. B. No. 101, on its second reading and passage to third reading,

"Senate Bill No. 55, Providing for the election of trustees by majority vote and providing for a second election in the event no candidate receives such vote at first election; and declaring an emergency."

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

SENATE BILL NO. 55 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. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

YEAS—138

Mr. Ratcliff moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

YEAS—138

NAYS—1
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The Speaker then laid Senate Bill No. 55 before the House on third reading and final passage.

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

Year--149

Adams of Lubbock
Healy
Adams of Titus
Hollowell
Alani
Huebner
Allen
Hughes
Andrews of Grayson
Artwell
Hughest of Dallas
Bailey
Isaacks, Miss
Stallman
James
Bankfield, Mrs.
Jamison
Bartow
Jarvis
Bartram
Johnson of Dallas
Beil
Johnson of Bell
Berry
Jones of Dallas
Blaine
Jones of Dallas
Blaine
Keenard
Boyden
Kilpatrick
Buchanan
Koiba
Butler
Korioth
Caldwell
Lack
Cannon
Lary
Carriker
Latimer
Cole of Harris
La Valle
Cole of Hunt
Leaverton
Calvins
Lewis
Conwell
Longoria
Cook
McCoppin
Cory
McGregor
Cotten
McLennan
Cowen
McGregor
Cowles
Of El Paso
Crain
McEwan
Crews
Markgraf
Curington
Martin
de la Garza
Miller
Dewey
Moore
Duff, Miss
Murray
Duncan
Mutschler
Eckhardt
Nichols
Ehrie
Nugent
Evans
Oliver
Fletcher
Osborn
Floyd
Peary
Foreman
Feeler
Garrison
Petty
Gibbens
Pieratt
Gladden
Pipkins
Glass
Preston
Glasing
Price
Green
Quilliam
Grover
Rapp
Guffey
Ratcliff
Harding
Reed
Haring
Richards
Harrison
Richardson
Haynes
Roberts of Hill

Nayes--2

Bridges
Hale
Absent

Chapman
Lesavon
Cook
Parsons
Curington
Roberts of Dawson
Hinson
Wilson of Potter

Absent--Excused

Burgess

10 Jour.
Recognizing the great difficulty in locating statutes covering local water districts and the need for these statutes to be codified, the House of Representatives of the State of Texas on the 6th day of May, 1959, passed H. S. R. 576 authorizing the creation of an Interim Committee to codify the laws covering water districts.

Pursuant to the authority contained in said Resolution, the Speaker of the House of the 64th Legislature, the Honorable Wagoner Clay, named the Honorable Mentoo Murray, Chairman, Miss Virginia Duff, Messrs. J. W. Buchanan, J. C. Day and Colonel J. E. Winfree as members of said Committee. During the time that Mr. Murray was Chairman, the Committee met on two occasions in performance of the duties assigned such Committee. At the first meeting of the Committee, it was found that it would obviously be impossible, in the short period of time available, and with no appropriated funds for such purpose, to codify all of the laws governing the many types of water districts.

As a consequence, it was concluded that the best the Committee could hope to do would be to try to eliminate some of the loopholes that exist in the present law.

Following the primary elections in 1960, Mr. Day and Colonel Winfree became ineligible to serve as Committee members and Mr. Murray became Chairman of another House Committee, relinquishing the chairmanship of the Committee to Codify Water District Laws. Shortly thereafter, Miss Virginia Duff was named as Chairman and Messrs. Charles Hughes, Roger H. Thurmond, Jr. and Charles Whiffield were appointed as members. The Committee with its new members has also met to give consideration to the problems emphasized by H. S. R. 576.

As a result of the information acquired and study given to this subject, your House Interim Committee to Codify Water District Laws respectfully reports that a complete recodification of water district laws being impossible, certain changes should be made in existing law to remedy some of the difficulties which your Committee’s study disclosed. With respect thereto, the following recommendations are made:

1. That the State Board of Water Engineers be given authority to inspect projects being constructed with funds derived from the sale of bonds previously approved by the Board. At the present time, the Board of Water Engineers approves all bond issues of water control and improvement districts and water improvement districts. Once approval of the bonds is given, however, there is no way that the Board can follow up its approval to ensure that the project is being constructed in accordance with the plans as approved. This same matter was con-
Considered by the Texas Water Resources Committee in 1956, and in its report to the 55th Legislature in 1957, said Water Resources Committee recommended the enactment of legislation requiring that all projects be constructed in accordance with approved plans and that the Board of Water Engineers be given additional authority to assure that such plans were effectuated in the manner approved.

(2) That the presently authorized discount on water control and improvement district bonds when sold be reduced from 10% to 5%. Allowing these bonds to be discounted as much as 10% is believed to be excessive.

(3) That a procedure be established for elections to authorize water control and improvement districts to levy and collect taxes for the purpose of maintaining district properties, administrative expenses, and certain other purposes. Under the present law, such districts would appear to have authority to levy and collect such taxes, but no election machinery authorizing such power exists.

(4) That, except for those special water districts created by the Legislature and districts created for soil conservation work, no other type of water district could be created other than a water control and improvement district. There are such a variety of water districts, such as water improvement districts, fresh water supply districts, levee improvement districts, etc., that it is believed to be in the public interest to limit future district creations to water control and improvement districts.

The latter can perform all functions of the other districts, and the procedure for creating them is well established and better known in legal circles. Declaring a moratorium on the creation of other types of districts would go a long way toward bringing order out of chaos.

Legislation has been prepared to carry into effect the above recommendations and will be introduced at the Regular Session of the 57th Legislature.

Your Committee is of the further opinion that the present law should be changed so as to permit districts of water districts to serve for four-year terms instead of two-year terms as presently required by law. Certain constitutional questions are involved, and this requires further study to determine if a constitutional amendment should be proposed to accomplish this result.

In the course of the study, it has come to the attention of the Committee that a serious condition exists in the State of Texas with respect to the pollution of the State's streams and the subsurface fresh waters within the State's boundaries. Therefore, the Committee recommends that the 57th Legislature give careful consideration to this problem with the object of establishing an effective program of pollution abatement and control for Texas.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.

NOTICE OF INCREASE OF REPRESENTATIVES IN CONGRESS FROM TEXAS

The following communication was ordered printed in the Journal:

In the course of his study, it has come to the attention of the Committee that a serious condition exists in the State of Texas with respect to the pollution of the State's streams and the subsurface fresh waters within the State's boundaries. Therefore, the Committee recommends that the 57th Legislature give careful consideration to this problem with the object of establishing an effective program of pollution abatement and control for Texas.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.
An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress, approved June 18, 1929, as amended and sections of the Act, as amended, or subsequent statute, to the number of Representatives, shown in the statement required by subsection (a) of this section, to no State to receive less than one Member. It shall be the duty of the Clerk of the House of Representatives, within fifteen calendar days after the receipt of such statement, to send to the executive of each State a certificate of the number of Representatives to which such State is entitled under this section.

In case of a vacancy in the office of Clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant at Arms of the House of Representatives; and in case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

(c) Until a State is redistricted in the manner provided by the law thereof after any apportionment, the Representatives to which such State is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such State, and if any of them are elected from the State at large, they shall continue to be so elected; (2) If there is an increase in the number of Representatives, such additional Representatives shall be elected from the State at large and the other Representatives
from the districts then prescribed by the law of such State; (3) if there is a decrease in the number of Representatives but the number of districts in such State is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such State; (4) if there is a decrease in the number of Representatives but the number of districts in such State is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; or (5) if there is a decrease in the number of Representatives and the number of districts in such State exceeds such decreased number of Representatives, they shall be elected from the State at large."

Sec. 2. (a) Each State shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or such section 22, as amended by this Act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member.

(b) If before the enactment of this Act a certificate has been sent to the executive of any State under the provisions of such section 22, as amended by this Act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member, within fifteen calendar days after the date of enactment of this Act, send a new certificate to such executive stating the number of Representatives to which such State is entitled under this section.

Approved, November 15, 1941.

MEMORIAL RESOLUTION

H. S. R. No. 175, By Mr. Harding:
In memory of Dr. J. B. McKnight.

ADOJUINMENT

Mr. Dewey moved that the House adjourn until 10:00 o'clock a.m. tomorrow.

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

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

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on the following bills:

School Districts: S. B. No. 55.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 9, 1961

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

Sir:

Your Committee on Engrossed Bills to whom was referred H. B. No. 59, A bill to be entitled "An Act amending section 2 of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-2 in Vernon's Texas Civil Statutes), by extending the exemption from registration of farm trailers and farm semi-trailers to include trailers and semi-trailers owned by cotton gins and grain elevators and used solely for supplying, without charge, such trailers and semi-trailers to farmers to haul agricultural products from place of production to place of process, market or storage of such agricultural products; and by further extending the exemption in this Section to include fertilizer trailers owned by farm fertilizer distributors and used solely for supplying, without charge, such fertilizer trailers to farmers to haul farm fertilizer from place of distribution to place of applica-
tion and by increasing the gross weight of exempt farm trailers or farm semi-trailers to fourteen thousand (14,000) pounds; defining
the term 'gross weight' as used in said Section; amending Subsection 3 of Section 132, Uniform Act Regulating Traffic on Highways,
by exempting from the provisions of said Subsection any farm trailer or farm semi-trailer operated upon the highways
whose gross weight does not exceed fourteen thousand (14,000) pounds and defining the term 'gross weight' as used in said Subsection;
repealing conflicting laws; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 13, 1961

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

Sir, Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 26, in memory of I. D. Hoke, Sr.

Has carefully compared same and finds it correctly enrolled.

NEIL CALDWELL, Vice-chairman.

SENT TO GOVERNOR February 13, 1961

H. C. R. No. 26

TWENTY-FIRST DAY
(Tuesday, February 14, 1961)

The House met at 10:00 o'clock a.m., pursuant to adjournment, and
was called to order by the Speaker.

The roll of the House was called and the following Members were
present:

Mr. Speaker
Adams of Lubbock
Adams of Titus
Albany, Mrs.
Allen
Andrews
Atwell
Baker
Berry
Blaire
Bryan
Bridges
Buchanan
Butler
Caldwell
Cannon
Carriere
Chapman
Colbey
Collins
Cook
Cory
Cotton
Cowie
Crisell
Cross
Curington
Dewey
Duffy
Dungan
Eckhardt
Ehrle
Fairchild
Fletcher
Floyd
Foreman
Garrion
Gilbena
Gladden
Glass
Glueing
Green
Grover
Guiffey
Hale
Harding
Haring
Harrison
Haynes
Healy
Hinson
Hollowell
Huckner
Hughes
Hughes of Grayson
Hughes of Dallas
Isaacks, Mrs.
Jambous
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick
Koliba
Koroth
Lack
Lair
LaValle
Leaverton
Lewis
Longoria
McDougal
McGregor
McGregor
Markgraf
Martin
Miller
Moore
Mullen
Mutscher
Niemeyer
Nugent
Oliver
Osburn
Parsons
Perry
Pedler
Petty
Pieratt
Pipkin
Price
Price
Quilliam
Rapp
Ratliff
Read
Richards
Richardson
Roberts of Bell
Roberts of Bexar
Ross
Roseon
Sandahl
Schrum
Shannon
Shipley
Slack
Slander
Smith of Bexar
Smith of Jefferson
Snow
Spears
Spilman
Springer
Stewart
Stewart
Stewart
Stewart
Stipes
Thurmond
Towend
Trevino