authorizing the Texas Water Development Board to acquire storage facilities in reservoirs and to dispose of such storage facilities and water upon such terms as the Legislature shall prescribe; providing for the use of funds received from the disposition of acquired storage and water; providing that any enabling Acts shall not be invalid because of their anticipatory character; prescribing the form of ballot and providing for the necessary proclamation and publication.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

TWENTY-NINTH DAY
(Thursday, March 2, 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  Crain
Adams of Lubbock Crews  Adams of Titus
Allen de la Garza  Andrews Dufl, Miss
Atwell Duncan  Bailey Eckhardt
Ballman Elvie  Handfield, Mrs. Fairchild
Barlow Fletcher  Barnes Floyd
Bartram Foreman  Bass Garrison
Bell Gibbens  Blake Gladden
Boyd Glass  Bridges Gluse
Buchanan Green  Burgess Grover
Butler Guffey  Caldwell Hale
Caldwell Harding  Cannon Haring
Carroll Harrington  Chapman Haynes
Cole of Hunt Haynes  Collins Healy
Connell Hinson  Cook Hollowell
Cory Huebner  Cotten Hughes
Cowen of Grayson  Cowles Hughes of Dallas
Isaacks, Miss Price  James Quilliam
Jamison Randolph  Jarvin Ratliff
Johnson of Dallas Read  Johnson of Bell Richards
Johnson of Bexar Roberts of Hill
Jones of Travis Roberts of Dawson
Kinnard Ross
Kilpatrick Rosson
Koliba Sandahl
Korinth Schram
Lack Shannon
Lary Shelby
Latimer Slack
La Valle Sluder
Leaverton Smith of Bexar
Lewis Smith of Bell
Longoria Smith of Dallas
McCoplin Spears
McGregor Spilman
McGregor of McLennan Springer
McGregor of El Paso Stewart
McIlhany of Galveston
Markgraf Smith of Houston
Martin Smith of Jefferson
Miller Spear
Mullen Spears
Murray Spears
Mutchler Spilman
Niemeyer Springer
Nugent Spring
Olstein Walker
Osborn Ward
Parsons Watson
Pearcy Wells
Peeler Wheatley
Perry Wilson of Trinity
Pellett Wilson of Potter
Pike Woods
Preston Yens

Absent

Berry Moore
Cole of Harris Richardson
Cole of Houston of Dallas

A quorum of the House was announced present.

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

"Our Father in Heaven, in this moment of silence impress upon us that Thou art able to see the hidden things in every heart. If our intentions are good, help us to make them real in good deeds. If what we intend or desire makes us uncomfortable in Thy presence take it from us and give us the spirit we
ought to have that we may do what we ought. In Christ's Name.—Amen.

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. 36 to the Committee on Education.
S. B. No. 56 to the Committee on School Districts.
S. B. No. 72 to the Committee on State Affairs.
S. B. No. 161 to the Committee on Counties.
S. B. No. 188 to the Committee on Judiciary.
S. B. No. 264 to the Committee on Counties.

HOUSE BILLS ON FIRST READING

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

By Mr. Eckhardt:
H. B. No. 580, A bill to be entitled "An Act to regulate controversies between employers and employees concerning representation for purposes of collective bargaining; declaring a public policy and purpose; defining terms; providing rights, duties and obligations of parties to such controversies; authorizing Commissioner of Bureau of Labor Statistics to conduct secret ballot elections to resolve such controversies and providing the manner of so doing; providing for court review and enforcement and prevention of violations and other causes of action; repealing conflicting laws; providing severability; and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. Johnson of Bexar:
H. B. No. 585, A bill to be entitled "An Act to make unlawful certain discriminatory practices in respect to employment because of the ages of the individuals seeking or being in employment, creating and conferring jurisdiction upon the "Division against discrimination" in the Labor Commission of Texas, providing for the practice and procedure to be followed in the enforcement of the Act."
Referred to the Committee on Labor.

By Mr. Harrington:
H. B. No. 605, A bill to be entitled "An Act providing that every employee required, as a condition of employment, to submit to a medical or physical examination shall be compensated by his employer for all time lost because of such examination and that the cost of such examination and of records required to be furnished shall be borne by the employer; providing penalties; providing severability; and declaring an emergency."
Referred to the Committee on Labor.

By Mr. Butler:
H. B. No. 627, A bill to be entitled "An Act authorizing the Governor, with the advice of the State Comptroller, the State Auditor and the Executive Director of the Legislative Budget Board staff, to issue travel regulations; describing officers and employees to whom travel regulations shall apply and making certain exceptions; defining the method of travel reimbursement and establishing certain limitations for reimbursement; prohibiting reimbursement from certain non-state sources and providing withholding of salaries of any employee violating such prohibitions; requiring approval of the Governor for certain travel; providing certain rules and exclusions therefrom to be followed by agency heads in approving transportation and other travel reimbursements; prohibiting double travel expense payments; authorizing local transportation allowances and placing limits thereon; limiting the payment of per diem expenses in designated instances and providing for the establishment of standard partial per diem allowances; authorizing travel by public conveyances and authorizing the use of courtesy cards; providing for determination of the means of transportation in accordance with state travel regulations; providing a severance clause; making the provi...
sions of this Act prevail in the event of conflict with other laws; establishing an effective date of the Act; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Messrs. Andrews and Green:
H. B. No. 635, A bill to be entitled “An Act relating to the form and method of marking official ballots; amending Sections 61 and 62 of the Election Code of the State of Texas, as last amended; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Messrs. Andrews and Green:
By Mr. Andrews of Dallas:
H. B. No. 636, A bill to be entitled “An Act establishing certain criteria for the awarding of a franchise or authorization to provide electric power service in any city, town or village, or area of a city, town or village in this State; repealing conflicting laws; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Mr. Mutcher:
H. B. No. 637, A bill to be entitled “An Act relating to the regulatory authority of the Game and Fish Commission over the wildlife resources of Williamson, Washington, and Archer Counties; amending Section 1 of Chapter 134, Acts of the Fifty-sixth Legislature, Regular Session, 1959, as amended, by removing Washington County from the application of said Act; and declaring an emergency.”

Referred to the Committee on Game and Fisheries.

By Mr. Chapman:
H. B. No. 638, A bill to be entitled “An Act to amend Section (2) Brokers and Factories, of Article 19.01 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, enacted by Chapter 1, Acts 1959, 56th Legislature, 3rd Called Session, by deleting therefrom real estate as an object or subject matter with reference to which said Article 19.01 levies an occupation tax; and declaring an emergency.”

Referred to the Committee on Revenue and Taxation.

By Mr. Floyd:
H. B. No. 639, A bill to be entitled “An Act amending subdivision 7 of Article 7150, Revised Civil Statutes of Texas, 1925, so as to exempt the personal property of institutions of public charity from ad valorem taxation; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Miss Duff:
H. B. No. 640, A bill to be entitled “An Act relating to the taking and transportation of minnows in certain counties; amending Chapter 45, Acts of the 44th Legislature, 1935, as amended, by adding Ellis County to those counties to which this Act shall apply; and declaring an emergency.”

Referred to the Committee on Game and Fisheries.

By Mr. Caldwell:
H. B. No. 641, A bill to be entitled “An Act providing for the compensation of the official shorthand reporter of the 23rd Judicial District of Texas and the 13th Judicial District of Texas; providing for the manner of payment; providing that if any section, paragraph, sentence, clause, phrase, or any part of this Act be invalid, such invalidity shall not affect the remainder thereof; repealing all laws and parts of laws in conflict to the extent of such conflict only; and declaring an emergency.”

Referred to the Committee on Counties.

By Mr. Caldwell:
H. B. No. 642, A bill to be entitled “An Act establishing the Texas Tort Claims Act so as to permit claimants to recover from the State of Texas and its political subdivisions upon proper bringing of tort actions; providing procedure, administration and jurisdiction; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Messrs. Ratcliff, James, Johnson of Dallas, Jones of Dallas, Atwell, Lewis, and Hughes of Dallas:
H. B. No. 643, A bill to be entitled “An Act to provide for the standardization of time throughout the State of Texas using the method of
By Mr. Blaine:
H. B. No. 644, A bill to be entitled “An Act authorizing the county board of school trustees of any county over 160,000 population according to the most recent Federal Census to create a separate independent school district to contain the same territory then contained in any city assumed or controlled school district in the county where such district extends beyond the city limits; providing that when an independent school district is so created the city assumed or controlled district shall cease to exist; making provision as to the assets and liabilities of such former city assumed or controlled school district; providing that the county board of school trustees of such county shall create such independent school district when requested by the board of trustees of the city assumed or controlled district; making general laws relating to independent school district applicable to districts created under this Act; providing that when any district is created under this Act, the trustees of the city controlled or assumed district shall become the trustees of the newly created district for the remainder of their terms; providing that any district created under this act and the city which formerly assumed or controlled it enter into a contract for the City Tax Assessor and Board of Equalization to assess and equalize the valuations of all taxable property in the entire independent school district, and for the City Tax Collector to collect all of the taxes of the district; enabling other provisions related to the subject; and declaring an emergency.”
Referred to the Committee on School Districts.

By Messrs. Ratcliff, Jamison, Wells, Kennard, Curington, Cannon, Bailey, Hollowell, and Roberts of Hill:
H. B. No. 645, A bill to be entitled “An Act relating to the change in name of the North Texas State Teachers College to North Texas State College; amending Chapter 258, Acts of the Fifty-first Legislature, 1949, so as to change the name of North Texas State College to ‘University of North Texas’; ratifying and confirming in behalf of ‘The University of North Texas’ all legislative acts and appropriations heretofore passed in behalf of North Texas State Teachers College or North Texas State College, or The University of North Texas; and declaring an emergency.”
Referred to the Committee on Education.

By Mr. Oliver:
H. B. No. 646, A bill to be entitled “An Act relating to liability insurance for the operation of motor vehicles owned, leased or rented by the State or a political subdivision thereof; providing for severability; and declaring an emergency.”
Referred to the Committee on State Affairs.

By Mr. Haynes:
H. B. No. 647, A bill to be entitled “An Act amending Chapter 270, Acts Fifty-third Legislature, Regular Session, 1953, as amended by Chapter 69, Acts, Fifty-fifth Legislature of Texas, Regular Session, 1957, relating to Orange County Navigation and Port District of Orange County, Texas, and the governing board thereof; providing for the appointment of a sixth member of the governing board; validating said District and all acts and governmental proceedings of the governing board of the District and all elections held in the District but providing that the validation provisions shall not apply to pending litigation; providing a severability clause; and declaring an emergency.”
Referred to the Committee on State Affairs.

By Messrs. Glusing, LaValle and Preston:
H. B. No. 648, A bill to be entitled “An Act providing for an interim joint committee to study development of beach areas; and declaring an emergency.”
Referred to the Committee on State Affairs.

By Mr. Hughes of Grayson:
H. B. No. 649, A bill to be entitled “An Act amending Article 195 of the Revised Civil Statutes of Texas, 1925, appropriating the State of Tex-
as into Representative Districts; naming the counties composing each district; providing the number of Representatives to be elected in each district; providing for returns of elections and issuance of certificates of election; providing for severability; repealing all laws to conflict herewith; making the Act effective for the elections, for all Representatives from the places herein specified and described, to the Fifty-third Legislature, and continuing in effect thereafter for succeeding Legislatures; providing the Act shall not affect present membership, personal or districts of the Fifty-second Legislature; and providing special elections for the filling of vacancies in the office of any Representative of the Fifty-second Legislature shall be held in the district as it now exists; and declaring an emergency."

Referred to the Committee on Congressional and Legislative Districts.

By Mr. Harding:

H. B. No. 650, A bill to be entitled "An Act amending Section 5 of Chapter 33, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended, to provide that owners of certain types of commercial motor vehicles used exclusively by incorporated non-profit labor relief organizations and are used solely for emergencies shall be required to register such vehicles but shall not be required to pay registration fees; providing procedures to be followed by the owners of such vehicles; and declaring an emergency."

Referred to the Committee on Highways and Roads.

By Mesers. Chapman, Bartram, Hinson and Harrington:

H. B. No. 651, A bill to be entitled "An Act to amend Sections 15 and 8 of Chapter 315, Page 817, being Senate Bill No. 176, Acts of 1945, 49th Legislature, as amended by Chapter 369, Page 621, being Senate Bill No. 273, Acts of 1951, 52nd Legislature known as the Public Accountability Act of 1945, and codified as Article 41a, Vernon's Annotated Civil Statutes of 1925, as amended, relating to public accountability examinations and permits to practice; repealing all laws in conflict therewith; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Johnson of Dallas:

H. B. No. 652, A bill to be entitled "An Act amending and re-enacting Chapter 173, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, relating to the issuance, expiration, renewal, cancellation, suspension and revocation of operator's, commercial operator's, and chauffeur's driver's licenses, and relating to violations, remitting of fees, penalties, reporting requirements and other general provisions; providing rules of construction; providing a savings clause; repealing laws in conflict; providing for severability; and declaring an emergency."

Referred to the Committee on Highways and Roads.

By Mesers. Latimer and Adams of Lubbock:

H. B. No. 653, A bill to be entitled "An Act amending Chapter 179, Acts of the 53rd Legislature, Regular Session, 1939, as amended, codified as Articles 3906 through 3909f of Vernon's Texas Civil Statutes, employers' liability and workmen's compensation insurance laws of this State, by adding a new section under Article 3909 to be known as Section 6, making it an offense to knowingly make a false statement or representation or to knowingly fail to disclose a material fact to obtain benefits under the workmen's compensation insurance laws and providing a penalty therefor; providing that the records of the Industrial Accident Board may be received in evidence; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Roberts of Hill:

H. B. No. 654, A bill to be entitled "An Act amending Senate Bill No. 35, Page 544, General and Special Laws of the State of Texas, Forty-sixth Legislature, Regular Session, 1941, as amended, which is codified as Article 654, Vernon's Texas Civil Statutes, by amending Section 14 of said Article; exempting from consideration in determining need earned income of
recipients of aid to the blind with­
in limitations and restrictions as
herein provided; providing a repea­
ing clause; a saving clause; and de­
claring an emergency.

Referred to the Committee on
State Affairs.

By Mr. Wilson of Trinity:
H. B. No. 658, A bill to be entitled
"An Act placing a tax on the oc­
cupation of using the areas adjacent
to public roads outside cities for ad­
vertising; zoning areas adjacent to
certain portions of the Interstate
Highway System within this State
so as to prohibit the erection of
signs thereon; providing certain ex­
ceptions; providing an appropriation
and dedicating its use; providing
standards pertaining thereto; provid­
ing that the act is severable; and
declaring an emergency."

Referred to the Committee on
Appropriations.

By Messrs. Green, Kennard, Rich­
ardson, Cowen, Gladden, Shannon,
and Lary:
H. B. No. 657, A bill to be entitled
"An Act authorizing certain cities
to enter into contracts with districts
which the district will supply to such
city sewage transportation, treat­
ment and disposal services which
contracts may also provide for use
by the district of sewage transpor­
tation, treatment and disposal facili­
ties owned by such city; providing
the revenues to be received by a
district under such contract shall be
used by the district for payment of
principal of and interest on bonds
issued by the district and for pay­
ment of expenses of the district and
other purposes as provided in such
contract; providing that payments
to be made by a city under such
contract shall be payable from the
income of the city's waterworks sys­
tem or sewer system or of both sys­
tems as may be prescribed in such
contract; and such payments shall
constitute an operating expense of
the system whose revenues are thus
to be applied; providing that, if
authorized at an election, the city
may also levy a tax for the payment
of its obligations under such con­
tact; prescribing the duties of city
with reference to rates to be charged
by the city for water or sewer serv­

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 conveyances; providing severability; and declaring an emergency.” Referred to the Committee on Counties.

By Mr. Bartram:

H. B. No. 661. A bill to be entitled “An Act authorizing the County Judge, upon an Order of the Commissioners’ Court, to convey certain of the County’s interests in certain lands when such interests are necessary for the construction, operation or maintenance of flood control, river and harbor improvement, water conservation, or other civil works projects of the United States, ratifying and validating certain previous conveyances; providing severability; and declaring an emergency.” Referred to the Committee on Counties.

By Mr. Smith of Bexar:

H. B. No. 662. A bill to be entitled “An Act amending Article 2094 of the Revised Civil Statutes of Texas 1925, as amended by Acts of the 56th Legislature, Regular Session, 1957, Chapter 147, page 227, Section 1, relating to the selection of jurors for service in the District and County Courts in each County having a population of at least forty-six thousand (46,000) or having therein a City containing a population of at least twenty thousand (20,000) as shown by the last preceding Federal Census, and in each County having two (2) or more District Courts holding sessions therein regardless of population: providing that the provisions of this Act shall not apply to counties having a population of less than twenty thousand (20,000) inhabitants according to last Federal Census, when such County is a part of two (2) or more Judicial Districts which Judicial Districts embrace more than two (2) counties; providing that the jury wheel in each such County shall be filled every four years unless ordered filled sooner by the District Judges of such Counties; repealing all laws in conflict herewith; providing a severability clause; and declaring an emergency.” Referred to the Committee on Judiciary.

By Mr. Spears:

H. B. No. 663. A bill to be entitled “An Act concerning release of persons from State Hospitals and Special Schools of this State by writ of habeas corpus; and declaring an emergency.” Referred to the Committee on Judiciary.

By Mr. Parsons:

H. B. No. 664. A bill to be entitled “An Act amending Subsection (a), Section 3, Chapter 42, Acts of the 41st Legislature, 2nd Called Session, 1929, as last amended by Section 1, Chapter 156, Acts of the 64th Legislature, Regular Session, 1955, the same being compiled as Subsection (a) of Section 3 of Article 827a, Vernon’s Texas Penal Code, so as to permit vehicles moving houses or parts of houses the width of which houses or parts of houses does not exceed twenty-one (21) feet to operate on the public highways of this State; and declaring an emergency.” Referred to the Committee on Highways and Roads.

By Messrs. Curlington and Rapp:

H. B. No. 665. A bill to be entitled “An Act relating to legal rate of publication in newspapers; amending Article 29 of the Revised Civil Statutes of Texas of 1925, as amended, to establish rates to be charged by newspapers for such publication; repealing all laws in conflict; and declaring an emergency.” Referred to the Committee on Judiciary.

By Mr. Stewart of Wichita:

H. B. No. 666. A bill to be entitled “An Act relating to the liability of the owners of aircraft for accidental injuries, death or loss sustained by passengers who are guests without payment for transportation; providing for severability; and declaring an emergency.” Referred to the Committee on Judiciary.

By Mr. Koroth:

H. B. No. 667. A bill to be entitled “An Act to require banks to report certain information for ad valorem tax purposes; providing for severability; repealing conflicting laws; and declaring an emergency.” Referred to the Committee on Revenue and Taxation.
The following House Joint Resolutions were today laid before the House, read severally first time and referred to the appropriate Committee as follows:

By Messrs. Stewart of Galveston, Garrison, Spilman and Korioth:
H. J. R. No. 52, A Joint Resolution
"Proposing an amendment to Section 17 of Article VII of the Constitution of the State of Texas to abolish the State ad valorem tax levy for widows of Confederate veterans and certain Texas Rangers and for support of the public schools; providing that pensions for widows of Confederate veterans and certain Texas Rangers be paid from proceeds from the Inheritance tax; providing for the continued levy of an ad valorem tax for the securing and retirement of certain notes and bonds, and donating certain delinquent state ad valorem taxes to the several counties of Texas."

Referred to the Committee on Constitutional Amendments.

By Mr. Berry:
H. J. R. No. 53, A Joint Resolution
"Proposing an amendment to Article 16 of the Constitution of the State of Texas by adding thereto another section, to be designated as Section 20a legalizing parimutuel betting at horse races in certain counties after local option elections; providing for maximum parimutuel taxes by the State and counties, and for maximum deductions from parimutuel pools by owners or operators, and maximum admission taxes; permitting distributing one-half (1/2) of the State parimutuel tax revenue among the several counties; providing for the creation of the Texas Horse Racing Board to supervise such races and betting; providing for the creation of the Texas Thoroughbred Racing Protective Bureau and declaring its duties; permitting the Legislature to enact supplementary laws which may be anticipatory."

Referred to the Committee on Constitutional Amendments.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 267, By Mr. Haynes:
Congratulating the Mauriceville Panthers.

H. S. R. No. 280, By Mr. Jones of Travis, Mr. Sandahl, and Mr. Foreman:
Recognizing students from the T. G. Harris Elementary School, Austin, Texas.

H. S. R. No. 285, By Mr. Sandahl:
Congratulating Dickie McCarrick.

EXPRESSING APPRECIATION FOR GAVELS

Mr. Lewis offered the following resolution:
H. S. R. No. 283

Whereas, The beautiful and sturdy walnut gavels being used by the Committee Chairmen of the House of Representatives were presented by the Frank Paxton Lumber Company of Fort Worth, with the assistance and cooperation of the Texas Lumbermen's Association; and

Whereas, The gavels were designed and made in the wood mill of the Texas Department of Corrections, through the courtesy of Mr. O. B. Ellis, Director; and

Whereas, Each Member of the House of Representatives is appreciative of the kind and generous actions of all these fine citizens in their efforts to promote the best of legislation for the good people of Texas; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-seventh Legislature expresses deep appreciation for the handsome gavels and promises to use these implements of justice only to insure the permanent welfare of our great State of Texas.

The resolution was read.

On the motion of Mr. Lewis the names of the Speaker and of all Chairmen of the Committees of the House were added to the resolution as signers thereof.

The resolution was adopted.

CONGRATULATING THE HONORABLE MAURICE S. PIPKIN

Mr. Murray offered the following resolution:
H. S. R. No. 288

Whereas, On this the second day of March, while all Texas celebrates its Independence of Mexico, few realize that to those of us in...
the Legislature there is still a further and more persuasive reason to celebrate and be festive on this occasion, for it was on March 2, more than twenty-one years ago, that one of its members, quiet, demure, and peaceable by nature, first gave vent to his feelings by uttering a resounding “Grito” as he first saw the light of day in the Alamo City of San Antonio, and

Whereas, This native Texan has for the past eight years served Texas in general, and Cameron County in particular, as their Representative in Austin where he has endeared himself to his colleagues by his dry humor, his ready smile, and his willingness to counsel with young members to help keep them on an even keel. He is affectionately known to his close friends as “Ma” because of his culinary accomplishments, and

Whereas, Now in this fifth term he continues to be the champion of the little man and the shrimper and is following the pursuit of the law, both within and without these Legislative Chambers.

Now therefore be it resolved That on this Texas Independence Day this House recognize the propensities and pleasing characteristics of this pipe smoking, aquatic veteran from the Rio Grande by the passage of this Resolution expressing to Maurice S. Pipkin of Brownsville the best wishes of this House on this his birthday, and wish for him continued health, wealth and long service to the State of Texas.

MURRAY, RAPP

The resolution was read.

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

The resolution was unanimously adopted.

REQUESTING CERTAIN STUDY TO BE MADE BY THE STATE BOARD OF INSURANCE

Mr. Ratcliff offered the following resolution:

H. C. R. No. 37

Whereas, The Texas Legislative Council recommended to the 56th Legislature “that the State Board of Insurance make a careful study of the various merit rating plans in use in other states, with the objective of formulating and placing into effect, at the earliest practical date, a realistic merit rating plan designed to reward "careful drivers" ... under Article 5.01 of the Texas Insurance Code which gives the Board authority to prescribe "any rating plans designed to encourage the prevention of accidents";

Whereas, The Legislature recognizes that the State Board of Insurance promulgated the present merit rating plan in compliance with this and other such recommendations with the idea of rewarding the safe driver as much as possible; but

Whereas, The motoring public has shown that it is dissatisfied with some provisions of the plan which are used to make such assessments; and

Whereas, The Legislature has confidence in the ability of the State Board of Insurance to revise the present plan to meet the objections of the public; and

Whereas, The Legislature recognizes that the State Board of Insurance promulgated the present merit rating plan in compliance with this and other such recommendations with the idea of rewarding the safe driver as much as possible; but

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the State Board of Insurance study anew the problems incident to a fair, workable merit rating plan with special attention to those objections raised by the motoring public; and be it further

Resolved, That the State Board of Insurance report to the 57th Legislature, within three (3) weeks after the passage of this resolution, its findings accompanied by a new merit rating plan meeting all reasonable objections; and be it further

Resolved, That the new merit rating plan be implemented and made effective within ninety (90) days after the close of the Regular Session of this the 57th Legislature.

The resolution was referred to the Committee on State Affairs.

RELATIVE TO THE ERECTION OF A MONUMENT ON THE CAPITOL GROUNDS

Mr. Bailey offered the following resolution:

H. C. R. No. 38

WHEREAS, Legions of young men and women from Texas served this Nation so nobly in World War I and brought great glory to the State through their bravery and military achievements; and

WHEREAS, The veterans of World War I wish to erect on the Capitol grounds a monument commemorating the selfless valor of their "buddies"; and

WHEREAS, This Legislature recognizes that the citizens of Texas would be proud to pay tribute in this manner to the Texans who served in World War I; now therefore be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Veterans of World War I be and are hereby authorized to erect on the Capitol grounds in Austin a suitable monument as a memorial to the young men and women of Texas who served in the armed forces of the United States during World War I, the monument to be erected under the supervision of and at a location selected by the State Board of Control without cost to the State of Texas.

BAILEY, SMITH OF JEFFERSON, PRESTON, TREYINO, LACK, WELLS.

The resolution was referred to the Committee on Rules.

PRESENTATION OF GAVEL TO SPEAKER JAMES TURMAN

(Mr. Spears in The Chair)

The Honorable Franklin Spears, who was in the Chair, presented the Honorable J. Charles Whitfield, Jr., who introduced Miss Mattie Fletcher of Houston to the House.

Miss Fletcher addressed the House and presented Speaker Turman with a gavel made of wood from a bola d'arc tree in Fannin County; the gavel having been made by Miss Fletcher's father.

(Speaker in The Chair)

RELATIVE TO AMENDING THE RULES OF THE HOUSE

Mr. McGregor of McLennan offered the following resolution:

H. S. R. No. 277

WHEREAS, The work and importance of the House of Representatives has increased tremendously in the last few years; and

WHEREAS, The "business of legislating" is becoming so technical in nature as to require well informed and qualified members on the major standing committees of the House of Representatives; and

WHEREAS, The Texas House of Representatives is traditionally a "one party" entity even though membership thereof represents many different political philosophies and geographical areas of the State; and
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Whereas, In recent years there has been considerable delay in organizing the House due to contested Speakers races, appointment of committee memberships and chairmanships, and some misunderstandings and distrust generated between the House Members by political differences of opinion and the way they have "pledged" in a contested Speakers race; therefore, be it

Resolved, By the House of Representatives that the Rules of the House of Representatives be amended in the following particulars:

Amend Article 1, Section 8, by striking therefrom the said section completely and substituting in lieu thereof the following as Section 8 of Article 1:

Section 8. After the election of the Speaker by the membership of the House of Representatives, the members of the House shall meet in caucus with other members from their state senatorial district for the purpose of deciding what members shall represent their senatorial district on the various standing committees of the House.

Section 8(a). The caucus shall be immediately convened by the senior members of the senatorial delegation at which time a permanent chairman shall be picked by a vote of each member present.

Section 8(b). At the time of the caucus, the Speaker will assign committee quotas to each senatorial district to be filled by the votes of the membership of the senatorial caucus.

Section 8(c). In the event of a dispute or in the event the said caucus fails to decide which member is to serve on what committee, the chairman of the senatorial caucus shall report the lack of or failure of agreement to the Speaker, who shall then declare the position temporarily vacant until the dispute or disagreement can be finally decided by a majority vote of the permanent Rules Committee.

Whereas, Henry Arnold Fletcher, Jr., born on April 11, 1953, and David Ronald Fletcher, born on June 7, 1954, are proper candidates for Mascots of the House of Representatives; and

Whereas, Henry Arnold and David Ronald are sons of our fellow Member, the Honorable Henry A. Fletcher of Caldwell County, District Sixty-six; and

Section 8(e). The following limitations shall apply:

1. In assigning committee quotas to each senatorial district, the Speaker shall not assign more than one place to a senatorial district on the following committees: Rules, Appropriations, Revenue and Taxation, Congressional and Legislative Districts, Constitutional Amendments, Judiciary, Criminal Jurisprudence, Education, Game and Fisheries, Insurance, Judicial Districts, Labor, Liquor Regulation, Local and Uncontested Bills, Motor Traffic, Common Carriers, Municipal and Private Corporations, Privileges, Suffrage, and Elections, Public Health, School Districts, and State Affairs.

2. No one member of the House of Representatives shall serve on more than one of the following committees: Appropriations, Rules, State Affairs, Revenue and Taxation.

3. In determining what member shall serve on which committee each senatorial caucus shall appoint from its membership, insofar as possible, a member who has had one or more sessions of experience on each committee unless the caucus shall affirmatively decide otherwise by a 2/3rds vote of the members of the caucus present.

4. Before a senatorial caucus can be held, either constructive or actual notice of the caucus shall be given.

The resolution was referred to the Committee on Rules.

TO NAME HENRY ARNOLD FLETCHER, JR., AND DAVID RONALD FLETCHER AS MASCOTS OF THE HOUSE

Mr. Preston offered the following resolution:

H. S. R. No. 286

Whereas, Henry Arnold Fletcher, Jr., born on April 13, 1953, and David Ronald Fletcher, born on June 7, 1954, are proper candidates for Mascots of the House of Representatives; and

Whereas, Henry Arnold and David Ronald are sons of our fellow Member, the Honorable Henry A. Fletcher of Caldwell County, District Sixty-six; and
Whereas, It is the desire of the House to give honor and recognition to the children of the Members of the House; now, therefore, be it
Resolved. That Henry Arnold Fletcher, Jr. and David Ronald Fletcher be declared Mascots of the House of Representatives of the Fifty-seventh Legislature and that their pictures be placed in the panel with Members of the House.

The resolution was referred to the Committee on Rules.

SENATE BILL NO. 99 ON SECOND READING
The Speaker laid before the House on its second reading and passage to third reading.

S. B. No. 99, Providing for reinstatement of service credits for waiver teachers and for teachers who have withdrawn deposits; and declaring an emergency.

The bill was read second time and was passed to third reading. McGregor of El Paso moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 99 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea's—116


Nay's—22


Barlow Haring Absent

Berry Kennard Cole of Harris Lack Cotten Oliver Cowen Ratliff

de la Garza

Absent
The Speaker then laid Senate Bill No. 99 before the House on third reading and final passage. The bill was read third time and was passed.

**REASON FOR VOTE**
I voted no on the passage of S. B. No. 99, because the bill did not provide for the teachers to pay back the State share for those years absent from the retirement fund.

**DAVID READ.**

**REASON FOR VOTE**
Disqualification
I cannot vote on S. B. 99 because my wife is a teacher falling within the terms of this bill. She withdrew her funds from previous employment and later became a teacher again. In view of the possibility of any benefit to be obtained by her under the bill being community property, I hereby register my disqualification under Art. 3, Sec. 22 of the Texas Constitution and Sec. 2 of Rule XI of the House. Therefore I registered present and not voting.

**JAMES E. BARLOW.**

**INVITATION TO THE NACOGDOCHES HIGH SCHOOL A CAPPELLA CHOIR**
The Speaker laid before the House for consideration at this time, H. S. R. No. 270, Invitation to the Nacogdoches High School A Cappella Choir.

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

The resolution was read and was adopted.

**INVITING DR. JAMES H. JAEUCY TO ADDRESS A JOINT SESSION**
The Speaker laid before the House for consideration at this time, H. C. R. No. 29, Inviting Dr. James H. Jauncey to address a Joint Session.

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

The resolution was read and was adopted.

**MEMORIAL RESOLUTIONS ADOPTED**
H. S. R. No. 275, By Mr. Rosas: In Memory of Albert Duran.
H. S. R. No. 276, By Mr. Roberts of Hill: In Memory of J. B. Copeland.
H. S. R. No. 278, By Mr. Bailey: In Memory of Mrs. Corrine Trent Blackburn.
H. S. R. No. 281, By Mr. Richards: In Memory of Claude Brown.
H. S. R. No. 282, By Mr. Currence: In Memory of Mr. Arthur Wings Wareing.
H. S. R. No. 284, By Mr. Jarvis and Mr. Tunnell: In Memory of Judge Samuel Asbury Lindsey.

**ADJOURNMENT**
Mr. Cotten moved that the House adjourn until 11:00 o'clock a.m. next Monday.

A record vote was requested.

The motion to adjourn prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
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<td>82</td>
<td>178</td>
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Alaniz  Hale
Atwell  Harding
Bailey  Harling
Ballman  Harrington
Barlow  Haynes
Bass  Hime
Bridges  Hollowell
Burgess  Hughes
Caldwell  of Grayson
Cannon  Jamison
Carriker  Johnson of Bexar
Chapman  Johnson of Bell
Cole of Hunt  Kennard
Collins  Kilpatrick
Cotton  Kopisch
Cowles  Lack
Dungan  Lary
Eckhardt  La Valle
Fletcher  Leaverton
Floyd  Lewis
Gladden  McCoppin
Glass  McGregor
Gutting  of El Paso
Green  Mcllhany
Guffey  Moore
The Benediction was offered by the Reverend Clinton Kersey, Chaplain.

In accordance with the motion to adjourn the House at 11:22 o'clock a.m., adjourned until 11:00 o'clock a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

- Examination of Comptroller's and Treasurer's Accounts:
- Revenue and Taxation: H. B. No. 234.
- State Affairs: H. B. No. 289.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, March 2, 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. 10, memorializing the Congress of the United States to propose an amendment to the Constitution of the United States relative to balancing the expenditures and the income of the Government of the United States, has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

SENT TO GOVERNOR

March 2, 1961

H. C. R. No. 10.

THIRTIETH DAY

(Monday, March 6, 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: