Whereas, Malcolm McGregor, III, age 21 months, is a proper candidate for Mascot of the House of Representatives; and
Whereas, He is the fine son of our most able fellow Member, Representative Malcolm McGregor, Jr., and his lovely wife, Bobba, of El Paso, District 105, Place 4; 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 Malcolm McGregor, III, be declared Mascot of the House of Representatives of the Fifty-seventh Legislature and that his picture be placed in the panel with Members of the House.

MAUD ISAACKS, McGregor of McLennan

The resolution was referred to the Committee on Rules.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 343, By Mr. Walker: In Memory of Dr. Max A. Cohn.
H. S. R. No. 344, By Mr. Walker: In Memory of Oscar L. Witherspoon.
H. S. R. No. 345, By Mr. Walker: In Memory of C. G. Mendenhall.
H. S. R. No. 346, By Mr. Walker: In Memory of J. W. StanclL Jr.
H. S. R. No. 347, By Mr. Walker: In Memory of Edward Burke Parrish, Sr.
H. S. R. No. 351, By Mr. Koliba: In Memory of Mrs. Alice E. Fox.
H. S. R. No. 356, By Mr. Richards: In Memory of Mrs. Hortense Lacy Linder.
H. S. R. No. 357, By Mr. Richards: In Memory of Mrs. Fannie Stafford.

RECESS

Mr. Thurman moved that the House recess until 10:30 o'clock a.m. tomorrow.
Resolved, That the House of Representatives of the Fifty-seventh Legislature declares this young man to be a Mascot of the House and provides that his picture be placed in the picture panel with the Members.

The resolution was referred to the Committee on Rules.

MESSAGE FROM THE SENATE

Austin, Texas, March 15, 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. 198, Providing that remaining balance of money appropriated to Department of Corrections may be expended for certain other purposes; and declaring an emergency.

S. B. No. 217, Setting up health standards for Grade A milk produced out of Texas; and declaring an emergency.

S. B. No. 288, Amending Probate Code regarding powers of personal representatives to provide for extension of oil and gas lease beyond primary terms of shut-in gas wells; and declaring an emergency.

S. B. No. 71, Relating to management and development of surface estate in certain state owned submerged lands and islands; and declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.

RELATIVE TO CLOSING STATE OFFICES ON GOOD FRIDAY AFTERNOON

Mr. Jones of Travis offered the following resolution:

H. C. R. No. 47

Whereas, On a Friday some nine hundred years ago, there began to unfold on a hill named Calvary a drama which to Christians transcends all others in recorded history; and

 Whereas, On this Holy day, Christians of all denominations commemorate the event by worship and meditation; and

 Whereas, Services are being held in churches throughout the state in observance of Good Friday, looking to its culmination in Easter and joyful recognition of the risen Christ; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That all state offices be closed on the afternoon of Good Friday, March 31, 1961, in order that state officials and employees may participate in Christian worship.

JONES of Travis, LONGORIA, FOREMAN, SANDAIL, SCHRAM, KILPATRICK, MARKGRAF, HARDING, YEZAK, KOLIBA.

The resolution was referred to the Committee on Rules.

INVITATION TO GABE PAUL TO ADDRESS A JOINT SESSION

Mr. Green offered the following resolution:

H. C. R. No. 52

Whereas, Baseball is the national game of the United States; and

Whereas, In 1962, a Texas city's club becomes a member of the National League when the Houston Colts make their bow in major competition; and

Whereas, The ties between State government and competitive sports have always been evident. Opening Night, April 18, 1961, has been dedicated to Texas State Officials; and

Whereas, Many leaders of the national game will be in the Capitol city on that date; now, therefore, be it

Resolved by the House of Representatives, the Senate of the State of Texas concurring, That Gabe Paul, widely known baseball executive and general manager of the Houston club, be invited to speak to a joint session of the House and Senate.
TO PROVIDE FOR A JOINT SESSION TO RECEIVE SEALS OF THE STATE OF TEXAS

Mr. Hollowell offered the following resolution:

H. C. R. No. 49

WHEREAS, The Texas Heritage Foundation is one of Texas' foremost patriotic organizations, dedicated to perpetuating the ideals and preserving the documents on which our heritage of freedom under Constitutional Government is based; and

WHEREAS, The Adjutant General's Department is the military arm of the Texas State Government and is vital to the maintenance of defense preparedness in the State through its administration of the National Guard and the Texas State Guard; and

WHEREAS, The Texas Heritage Foundation and the Adjutant General's Department have joined in having executed hand-painted, framed seals of the State of Texas for presentation to each House of the Fifty-seventh Legislature; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the House of Representatives and the Senate of the Fifty-seventh Legislature of Texas meet in Joint Session at 11:30 a.m. on April 5, 1961, for the purpose of receiving these seals from representatives of the Texas Heritage Foundation and the Adjutant General's Department.

The resolution was referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

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

S. C. R. No. 22

WHEREAS, W. R. Hall, Resident of Lubbock County, Texas, has alleged that he owns in fee simple the property described by metes and bounds as follows:

Beginning at a stake set under the Easterly boundary line of the Santa Fe Railway right-of-way that is one hundred eighty feet (180') West and three thousand two hundred seventy two feet (3272') South fifty three degrees fifty seven minutes (53°57') West of the Northeast corner of Section Six (6), Block E2 of said county and State or the Northeast corner of this tract; Thence South fifty three degrees fifty seven minutes (53°57') West, along and with said railway right-of-way one hundred eight feet (408'); Thence South thirty six degrees three minutes (36°03') East fifty feet (50'); Thence North fifty two degrees (52°) East along and with Western right-of-way line of a State highway four hundred six five feet/tenths foot (406.5') to a stake and corner; Thence North thirty six degrees three minutes (36°03') West fifteen feet (15') to the place of beginning and containing three/tenths (3/10) of an acre, more or less; and

WHEREAS, The Highway Department of the State of Texas is asserting some adverse claim to the title of W. R. Hall which title cannot be determined between the parties so that there is a necessity for the settlement of such a dispute in a court of competent jurisdiction; and

WHEREAS, W. R. Hall wishes to institute suit against the State of Texas and its Highway Department; now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring, That the consent of the Senate of Texas is hereby given to W. R. Hall to bring suit against the State of Texas and its Highway Department in a court of competent jurisdiction in trespass to try title, for title, possession and damages, and for any action or actions as may be necessary to clear title and to protect the alleged rights of W. R. Hall within the premises; and in case this suit is filed, service of citation or any other necessary pro-
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cess shall be upon the chairman or
the Texas Highway Commission and
the Attorney General
of
Texas, and
either or the parties to the suit shall
have the right of appeal as in other
civil cases: and, be it further
Resolved, The Legislature
of
the State of Texas neither admits nor
denies that W. R. Hall has a valid
claim.

The resolution was referred to
the Committee on State Affairs.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 358, By Mr. Cole of
Hunt: Commending Junior Classical
League from Greenville High School.
H. S. R. No. 364, By Mr. Crain:
Congratulating basketball team from
Forestburg High School.
H. S. R. No. 365, By Mr. Crain:
Commending Midway High School
basketball team.
H. S. R. No. 369, By Menard
Jones of Travis, Foreman and Sun-
dail: Recognizing students from the
Hornsby Dunlap School.
H. S. R. No. 370, By Mr. Mark-
graf: Commending members of the
Junior Classical League of Terrell
High School.

MEMORIALIZING THE UNITED STATES CONGRESS

The Speaker laid before the House
for consideration at this time,
S. C. R. No. 28, Memorializing
the United States Congress to expand
the sugar production in the con-
tinental limits of the United States.

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

S. C. R. No. 28 was adopted.

MEMORIALIZING THE UNITED STATES CONGRESS

The Speaker laid before the House
for consideration at this time,
H. C. R. No. 42, Memorializing the
United States Congress relative to
sugar production.

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

Mr. Wells moved that H. C. R.
No. 42 be laid on the table subject
to call.

There was no objection offered
and it was so ordered.

SENATE BILL NO. 39 ON THIRD READING

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

S. B. No. 39, Relating to penalties
for certain false reports, returns or
claims filed with the Comptroller;
and declaring an emergency.

The bill was read third time.

Mr. Townsend moved that further
consideration of Senate Bill No. 39
be postponed until 10:00 o'clock
a. m. next Wednesday, March 22.

The motion prevailed.

SENATE BILL NO. 21 ON SECOND READING

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

S. B. No. 21, Regulating manu-
facture and sale of commercial fer-
tilizer, to be known as Texas Com-
mercial Fertilizer Act of 1961; and
declaring an emergency.

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

SENATE BILL NO. 21 ON THIRD READING

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

The motion prevailed by the
following vote:

Yeas-138
Adams of Lubbock
Adams of Titus
Batley
Alaniz
Ballman
Allen
Banfield, Mrs.
Andrews Barlow
The Speaker then laid Senate Bill No. 21 before the House on third reading and final passage.

The bill was read third time.

(Mr. Glueing In The Chair)

Senate Bill No. 21 was passed by the following vote:

Yeas—140

Adams of Lubbock
Dewey

Adams of Titus
Duff, Miss

Alexis
Dungan

Allen
Eckhardt

Andrews
Ehrle

Atwell
Fairchild

Bailey
Fletcher

Ballman
Floyd

Bankfield, Mrs.
Foreman

Barlow
Garrison

Barnes
Gibbens

Bartram
Hughes

Bass
Glas

Bell
Green

Blaine
Grover

Boysen
Gulfey

Bridges
Hale

Buchanan
Harding

Burgess
Haring

Butler
Hayes

Caldwell
Healy

Cannon
Hinson

Carriker
Hollowell

Chapman
Hughes

Cole of Harris
of Grayson

Cole of Hunt
Hughes of Dallas

Collins
Jeaneck, Miss

Connell
James

Cory
Jamison

Cotten
James

Cowan
Johnson of Dallas

Cowles
Johnson of Bexar

Crews
Jones of Dallas

de la Garza
Jones of Travis
The Chair laid before the House on its second reading and passage to third reading, S. B. No. 32, Validating all acts and proceedings of the Commissioners Court of Hudspeth County, Texas, and declaring an emergency.

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

SENATE BILL NO. 32 ON THIRD READING

Mr. Slack moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-137

Adams of Lubbock
Guffey
Adams of Titus
Hale
Allen
Harding
Andrews
Haynes
Bailey
Ferrell
Balman
Hinson
Bandfield, Mrs.
Hollwell
Barlow
Hughes
Barnes of Grayson
Bartram of Houston
Bass
Nixson, Miss
Bell
James
Blaine
Jackson
Boyce
Johnson of Dallas
Bridges
Johnson of El Paso
Buchanan
Johnson of Bell
Burgess
Jones of Dallas
Butler
Jones of Travis
Caldwell
Kendall
Cannon
Kilpatrick
Carriker
Kilgore
Chapman
Korich
Cole of Harris
Lack
Cole of Hunt
Larav
Collins
LaValle
Connel
LaValle
Cory
Langosta
Cotera
McCoppin
Cowen
McGregor
Cowles
of McLennan
Crain
McGregor
Crow
of El Paso
de la Garza
Mcllhany
DeWey
Mechan
Duf, Miss
Martin
Dugan
Miller
Eckhardt
Moore
Eshle
Mullen
Fachchild
Mutscher
Fletch
Niehues
Floyd
Oliver
Foreman
Osborn
Garrison
Parsons
Glidden
Peeler
Gibbens
Plummer
Glass
Petty
Greene
Pieratt
Grover

In The Chair

Glusing

Absent

Berry
Hubner
Cook
McCoppin
Curington
Pearcy
Harrington
Read

SENATE BILL NO. 32 ON SECOND READING

The Chair laid before the House on its second reading and passage to third reading, S. B. No. 32, Validating all acts and proceedings of the Commissioners Court of Hudspeth County, Texas, and declaring an emergency.

The bill was read second time and was passed to third reading.
The bill was read third time and was passed by the following vote:

**Yeas-138**

- Adams of Lubbock
- Adams of Titus
- Allen
- Andrews
- Atwell
- Bailey
- Ballman
- Bancefield, Mrs.
- Barrow
- Barrow
- Barron
- Bates
- Bell
- Blake
- Blaylock
- Bridges
- Buchanan
- Dewey
- Duff, Miss
- Dunlap
- Dunsky
- Eckhardt
- Ehrl
- Fairchild
- Fairly
- Baker
- Floyd
- Fowlin
- Foust
- Garrison
- Gibson
- Glass
- Green
- Grover
- Guffey
- Hale
- Harding
- Haring
- Hayes
- Healy
- Hollowell
- Hughes
- Hughes of Dallas
- Husko, Miss
- James
- Jamison
- Jarvis
- Johnson of Bexar
- Johnson of Bell
- Jones of Dallas
- Jones of Travis
- Kilpatrick
- Kilroy
- Koroloff
- Lack
- Lacy
- Latimer
- LaVelle
- Leaverton
- Lewis
- Longoria
- McCoppin
- McGregor
- McGregor
- McGregor
- McLemore
- McFarland
- McInnes
- McKinney
- Markgraf
- Martin
- Miller
- Miller
- Johnson of Dallas
- In The Chair

**Nays-4**

- Adams of Titus
- Allen
- Andrews
- Atwell
- Bailey
- Ballman
- Bancefield, Mrs.
- Barrow
- Barrow
- Barron
- Bates
- Bell
- Blake
- Blaylock
- Bridges
- Buchanan
- Dewey
- Duff, Miss
- Dunlap
- Dunsky
- Eckhardt
- Ehrl
- Fairchild
- Fairly
- Baker
- Floyd
- Fowlin
- Foust
- Garrison
- Gibson
- Glass
- Green
- Grover
- Guffey
- Hale
- Harding
- Haring
- Hayes
- Healy
- Hollowell
- Hughes
- Hughes of Dallas
- Husko, Miss
- James
- Jamison
- Jarvis
- Johnson of Bexar
- Johnson of Bell
- Jones of Dallas
- Jones of Travis
- Kilpatrick
- Kilroy
- Koroloff
- Lack
- Lacy
- Latimer
- LaVelle
- Leaverton
- Lewis
- Longoria
- McCoppin
- McGregor
- McGregor
- McGregor
- McLemore
- McInnes
- McKinney
- Markgraf
- Martin
- Miller
- Miller
- Johnson of Dallas
- In The Chair

**Absent**

- Atwell
- Berry
- Cook
- Haring
- Curington
- Jarvie
- Glusing
- Atwell
- Berry
- Cook
- Haring
- Curington
- Jarvie
- Glusing

The Chair then laid Senate Bill No. 32 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
- Allen
- Andrews
- Atwell
- Bailey
- Ballman
- Bancefield, Mrs.
- Barrow
- Barrow
- Barron
- Bates
- Bell
- Blake
- Blaylock
- Bridges
- Buchanan
- Dewey
- Duff, Miss
- Dunlap
- Dunsky
- Eckhardt
- Ehrl
- Fairchild
- Fairly
- Baker
- Floyd
- Fowlin
- Foust
- Garrison
- Gibson
- Glass
- Green
- Grover
- Guffey
- Hale
- Harding
- Haring
- Hayes
- Healy
- Hollowell
- Hughes
- Hughes of Dallas
- Husko, Miss
- James
- Jamison
- Jarvis
- Johnson of Bexar
- Johnson of Bell
- Jones of Dallas
- Jones of Travis
- Kilpatrick
- Kilroy
- Koroloff
- Lack
- Lacy
- Latimer
- LaVelle
- Leaverton
- Lewis
- Longoria
- McCoppin
- McGregor
- McGregor
- McGregor
- McLemore
- McInnes
- McKinney
- Markgraf
- Martin
- Miller
- Miller
- Johnson of Dallas
- In The Chair

**Nays-1**

- Johnson of Dallas
- In The Chair

**Absent**

- Berry
- Cook
The Chair laid before the House, on its second reading and passage to third reading,
S. B. No. 35, Providing that all salaries and compensation of all state officers and employees, except that of District Judges, shall be as provided in General Appropriation Act, and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend S. B. 35 by striking all below the enacting clause and substituting the following:

Be it Enacted By The Legislature of the State of Texas:

Section 1. The salaries of all state officers and all state employees, except the salaries of the District Judges and other compensation of District Judges, shall be for the period beginning September 1, 1961 and ending August 31, 1963, in such sums or amounts as may be provided for by the Legislature in the general appropriations Act. It is specifically declared to be one of the intents hereof that the Legislature shall also fix the amount of supplemental salaries hereafter, out of court fees and receipts, to be paid to the clerks and other employees of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals. It is further provided that in instances where the general appropriations act does not specify or regulate the salaries or compensation of a state official or employee, the law specifying or regulating the salary or compensation of such official or employee is not suspended by this Act.

Sec. 2. All laws and parts of laws fixing the salaries of all state officers and employees, saving only the exceptions specified in Section 1 of this Act, are hereby specifically suspended insofar as they are in conflict with this Act. It is specifically declared to be one of the intents hereof that any and all laws authorizing payment of supplemental salaries from court receipts and fees to clerks and other employees of the Courts of Civil Appeals, the Supreme Court, and the Court of Criminal Appeals, are suspended insofar as they are in conflict with this Act.

Sec. 3. The fact that salaries of many state officers and employees were fixed by statute, and that these statutes hamper the appropriations committees of both Houses of the Legislature in adjusting the salaries of said officers and employees in their efforts to balance the state’s budget, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

S. B. No. 35 was passed to third reading.

SENATE BILL NO. 35 ON THIRD READING

Mr. Dewey moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—126

Adams of Lubbock
Adams of Titus
Aldine
Allen
Andrews
Atwell
Bailey
Ballman
Bartlett, Mrs.
Bartow
Barnes
Bartram
Bass
Bower
Bell
Blaine
Boysen
Bridges

Adams of Wichita
Burgess
Butler
Bynum
Caldwell
Cannan
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Conn
Cory
Cotera
Cowles
Craig
Crews
de la Garza

Nay—0
The bill was read third time and was passed by the following vote:

<table>
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In The Chair

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The Chair then laid Senate Bill No. 35 before the House on third reading and final passage.
On motion of Mr. Dewey and by unanimous consent of the House, the caption of Senate Bill No. 35 was ordered amended to conform with the body of the bill.

Mr. Dewey asked unanimous consent of the House to reconsider the vote by which Senate Bill No. 35 was passed and to table the motion to reconsider.

There was no objection offered and it was so ordered.

SENATE BILL NO. 37 ON THIRD READING

The Chair laid before the House, on its second reading and passage to third reading.

S. B. No. 37. To provide that the franchise tax imposed shall not apply to nonprofit water supply or sewer service corporations organized on behalf of cities or towns; and declaring an emergency.

The bill was read second time and was passed to third reading.
The Chair then laid Senate Bill No. 37 before the House on third reading and final passage.

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

Yeas-139
Adams of Lubbock
Adams of Titus
Alaniz
Andrews
Balderas
Barrow
Bartram
Bass
Bell
Blaine
Boyd
Bridges
Buchanan
Burgess
Butler
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Grover
Guffey
Hale
Hargis
Harrington
Harrell
Healy
Hinrichs
Hollowell
Huebner
Hughes
of Grayson
Isaacks
James
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kilpatrick
KoUba
Koroth
Lacy
LaValle
Larimer
Leaverton
Lawson
Leaverton
Lewin
Lewin
Lewin
Lewin
Lewin
Mcllhany
Markgraf
Martin
Miller
Moore

Nays-6
Cowen
Curington
Jarvis
Latimer
Lewis

In The Chair

Glasling

Absent

Atwell
Barker
Haring
Huebner
Hughes of Dallas
Leaverton
Peeler
Robert of Dawson
Whitfield
Hughes

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

Yeas-139
Adams of Lubbock
Adams of Titus
Alaniz
Andrews
Balderas
Barrow
Bartram
Bass
Bell
Blaine
Boyd
Bridges
Buchanan
Burgess
Butler
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Grover
Guffey
Hale
Hargis
Harrington
Harrell
Healy
Hinrichs
Hollowell
Huebner
Hughes
of Grayson
Isaacks
James
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kilpatrick
KoUba
Koroth
Lacy
LaValle
Larimer
Leaverton
Lawson
Lewin
Lewin
Lewin
Lewin
Lewin
Mcllhany
Markgraf
Martin
Miller
Moore

Nays-6
Cowen
Curington
Jarvis
Latimer
Lewis

In The Chair

Glasling

Absent

Atwell
Barker
Haring
Huebner
Hughes of Dallas
Leaverton
Peeler
Robert of Dawson
Whitfield
HOUSE BILL NO. 59 WITH
SENATE AMENDMENTS

Mr. McLlhany called up, with
Senate Amendments, for consider-
ation at this time,

H. B. No. 59, A bill to be entitled
"An Act amending Section 2 of Chap-
ter 88, General Laws of the 41st
Legislature, Second Called Session,
1929, as amended (codified as Ar-
ticle 6675a-2 in Vernon's Texas Civil
Statutes), by extending the
exemption from registration of farm
trailers and farm semi-trailers to in-
clude trailers and semi-trailers
owned by cotton gins and grain ele-
vators 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; increasing the gross weight
of exempt farm trailers and farm
semi-trailers to twelve thousand
(12,000) pounds; and by defining
the term 'gross weight'; repealing
conflicting laws; and declaring an
emergency."

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

Yeas—120

Alaniz
Andrews
Atwell
Bailey
Ballman
Banfield, Mrs.
Barlow
Barnes
Bass
Bell
Blaine
Boyton
Bragg
Buchanan
Burgess
Butler
Caldwell
Cannon
Carrick
Chapman
Cole of Harris
Collins
Consett
Cory
Couch
de la Garza

Johnson of Bell
Jones of Travis
Koons
Kilpatrick
Koliba
Korich
Lack
Lary
Latimer
La Valle
Leaverton
Longoira
McGregor
McGregor
McGregor
McGregor
McGregor
Mcllhany
Markgraf
Martin
Moore
Mulder
Murray
Mutcher
Niemeyer
Nugent
Osborn
Parsons
Pearcy
Petty
Pierart
Pipkin
Price
Quilliam
Rapp

Nays—16

Adams of Lubbock
Allen
Bartram
Colton
Cotles
Cowles
Harding
Hughes of Dallas
Jarvis

Glossing

Adams of Titus
Berry
Cole of Hunt
Cook
Curington
Fairchild

TEXT OF SENATE AMENDMENTS
TO HOUSE BILL NO. 59

Amend Rogers Substitute Amend-
ment to H. B. 59, section 1, by in-
serting between the word ‘high-

March 15, 1961  HOUSE JOURNAL 729
Committee Amendment No. 2

Amend the Rogers Substitute by adding a new section thereto, properly numbered, which shall read as follows:

"Sec. 3a (a) All farm trailers used to transport liquid fertilizer, and not exceeding a gross weight of ten thousand (10,000) pounds, shall be registered in the same manner as is required of other vehicles used on the highways of this State, and whoever as may register said trailer, whether the owner, lessee, or lessee, shall pay a registration fee of Five Dollars ($5.00) therefor. No trailer shall come within the terms of this Article unless such trailer is used exclusively to haul liquid fertilizer from the nearest distribution point directly to the farm where the same is to be utilized, nor unless the same has a gross weight of less than ten thousand (10,000) pounds. The term 'gross weight' as used in this section being defined to mean the combined weight of the trailer and the weight of the load actually carried on the highway.

(b) Any such trailer registered under the terms of this provision shall be permanently attached to the chassis, axles and wheels to which it is attached at the time of registration and no metal tires shall be used thereon. It shall be unlawful to operate any such trailer at night without red lights or red reflectors permanently attached to said trailer. There shall be at least two (2) red lights or red reflectors at the rear of any such trailer.

(c) It shall be unlawful for any person to move, pull or transport any such trailer over any designated highway of the State of Texas, unless such trailer has been duly registered under the terms hereof. Any person violating any of the provisions of this section, shall be guilty of a misdemeanor, and shall be assessed a fine of not less than One Dollar ($1.00) nor more than Ten Dollars ($10.00) for each offense."

Committee Amendment No. 3

Floor substitute amendment for the pending Committee Amendment:

"Section 1. Section 2 of Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as last amended by Chapter III, Acts of the 55th Legislature, Regular Session, 1957, (codified as Article 6776a-2 in Vernon's Texas Civil Statutes) is hereby amended to read as follows:

"Section 2. Every owner of a motor vehicle, trailer or semi-trailer used or to be used upon the public highways of this State shall apply each year to the State Highway Department through the County Tax Collector of the county in which he resides for the registration of each such vehicle owned or controlled by him for the ensuing or current calendar year or unexpired portion thereof; provided that where a public highway separates lands under the dominion or control of the owner, the operation of a motor vehicle by such owner, his agents or employees across such highway shall not constitute a use of such motor vehicle upon a public highway of this State. Owners of farm tractors, farm trailers, farm semi-trailers, implements of husbandry, and machinery used solely for the purposes of drilling water wells or construction machinery (not designed for the transportation of persons or property on the public highways) operated or moved temporarily upon the highways shall not be required to register such farm tractors, farm trailers, farm semi-trailers, implements of husbandry, and well drilling and construction machinery; and providing further that the exemptions in this section shall apply to farm trailers and farm semi-trailers to farmers to haul agricultural products from place of production to place of process, market or storage of such agricultural products; pro-
vided however, that such farm trailers and farm semi-trailers exempt under any provision of this section are operated in conformity with all provisions of the law save and except the requirements as to registration and license; and providing further, that the exemptions in this section shall not apply to any farm trailer or farm semi-trailer when the gross weight exceeds twelve thousand (12,000) pounds, the term 'gross weight' as used in this section being defined to mean the combined weight of the trailer or semi-trailer and the weight of the load actually carried on the highway; provided that no farm trailer or farm semi-trailer with metal tires shall be permitted to operate at a speed in excess of fifteen (15) miles per hour; and further provided, that the exemptions in this section shall not apply to any farm trailer or farm semi-trailer when the gross weight exceeds twelve thousand (12,000) pounds. The term 'gross weight' as used in this subsection shall mean the combined weight of the trailer or semi-trailer and the weight of the load actually carried on the highway.

Section 2. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. The importance of this legislation creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 4
Amend caption to conform to body of bill.

SENATE BILL NO. 68 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading, S. B. No. 68, Providing for the licensing of by-products of Ionizing radiation for peaceful purposes; and declaring an emergency.

The bill was read second time.

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

Amend S. B. No. 68 by adding thereto by adding at the end of Section 12 (c) the following:

In all appeals prosecuted in any of the Courts of this State pursuant to the provisions of this Act, such trials shall be de novo as that term is used and understood in appeals from Justice of the Peace Courts to County Courts. When such an appeal is filed and the Court thereby acquires jurisdiction, all administrative or executive action taken prior thereto shall be null and void and of no force and effect, and the rights of the parties thereto shall be determined by the Court upon a trial of the matters in controversy under rules governing the trial of other civil suits in the same manner and to the same extent as though the matter had been committed to the Courts in the first instance and there

March 15, 1961  HOUSE JOURNAL 731
had been no intervening administrative or executive action or decision. Under no circumstances shall the substantial evidence rule as interpreted and applied by the Courts of Texas in other cases ever be used or applied to appeals prosecuted under the provisions of this Act. The Legislature hereby specifically declares that the provisions of this Section shall not be severable from the balance of this Act, and further specifically declares that this Act would not have been passed without the inclusion of this Section. If this Section, or any part thereof, is for any reason ever held by any Court to be invalid, unconstitutional or inoperative in any way, such holding shall apply to this entire Act, and in such event this entire Act shall be null, void and of no force and effect.

The amendment was adopted.

S. B. No. 68 was passed to third reading.

SENATE BILL NO. 68 ON THIRD READING

Mr. Cole of Harris moved that the constitutional rule requiring bills be read on three several days be suspended and that Senate Bill No. 68 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—124

Adams of Titus        Counell
Ainslie              Cory
Allen                Cowles
Andrews              Crail
Atwell               de la Garza
Banfield, Mrs.        de la Garza
Barlow               Dewey
Barnes               DuBose, Miss
Bartram              Duncan
Bell                  Eckhardt
Blaine               Ehle
Boyer                Fletcher
Bridges              Floyd
Buchanan             Foreman
Burgess              Garrison
Butler               Gibbons
Caldwell             Gladden
Cannon               Glass
Carriker             Green
Cole of Harris       Guffey
Cole of Hunt         Hale

Harding              Petty
Harrington           Pifer
Haynes               Pipkin
Haxton               Preston
Hinson               Price
Honnold              Quillian
Huebner              Rapp
Hughes of Grayson    Rattle
Inaacks, Miss        Richards
James                Roberts of Hill
Jamieson             Rosser
Johnson of Dallas    Sandahl
Johnson of Bexar     Schram
Jones of Dallas      Shannon
Jones of Travis      Shipley
Kensinger            Siler
Klipaich             Smith of Jefferson
Koith                Smoak
Korthof              Span
Larr                   Springer
Lefftington          Stewart
Teavelon             of Galveson
Lewis                of Wichita
Longoria             Strake
McCoppin             Thurman
McGregor of McLennan  Thurmond
McGregor of El Paso   Townsend
Mcllhaney            Tunnell
Marikgraf             Walker
Martin                Ward
Miller                Wells
Morr                   Wheeler
Mullen                Whitfield
Mutchler              Wilson of Trinity
Niemeyer              Wilson of Potter
Parsons              Woods
Peary                Yeak
Peeler

Nay—9

Adams of Lubbock      Jarvis
Bailey               Nugent
Chapman              Read
Curington            Watson
Hughes of Dallas     White

In The Chair

Glusling

Absent

Ballman              Johnson of Bell
Baugh                Murray
Berry                Oliver
Cook                 Osborn
Cotten               Richardson
Crewe                Roberts of Dawson
Fairchild            Smith of Bexar
Having

Yeak
The Chair then laid Senate Bill No. 68 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

**Yeas—135**

Adams of Titus
Andrews
Arnett
Bailey
Beaufield, Mrs.
Barlow
Bartlett
Bartlett
Bartram
Bass
Bell
Blaine
Boyes
Bridges
Buchanan
Burges
Coldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cory
Cotten
Cowan
Cowles
Craig
Crews
de la Garza
dewey
Duff, Miss
Duncan
Dickard
Elze
Fairchild
Fletcher
Floyd
Forsman
Garrison
Gibbens
Gladden
Glass
Green
Grover
Hailey
Halling
Harrington
Hays
Healy
Hinson
Hollowell

Shannon
Shipley
Slack
Sluder
Smith of Jefferson
Smith of Hunt
Sims of Johnson
Sims of Waller
Sparks
Spillane
Springer
Stewart
Stuart
Swart
Taylor
Teague
Yates

**Nays—3**

Adams of Lubbock
Watson

In The Chair

Mr. Cole of Harris moved to reconsider the vote by which S. B. No. 68 was passed and to table the motion to reconsider.

The motion to table prevailed.

(Speaker In The Chair)

**CONGRATULATORY RESOLUTION ADOPTED**

H. R. No. 347, By Mr. Trevino; Congratulating Miss Veronica Leyendecker.

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

**PRESENTATION OF MISS VERONICA LEYENDECKER**

The Speaker stated that Miss Veronica Leyendecker, chosen Texas Junior Miss, was present and would be escorted to the Speaker's Rostrum. Speaker Turman presented the Honorable Vidal M. Trevino, who introduced Miss Leyendecker to the House.
Miss Leyendecker addressed the House briefly.

(Mr. Gluslng In The Chair)

MESSAGE FROM THE SENATE

Austin, Texas, March 16, 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:

H. B. No. 119, Establishing a Position Classification Plan for certain departments, institutions, and agencies of the State and declaring an emergency. (with amendments)

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

SENATE BILL NO. 135 ON SECOND READING

The Chair laid before the House on its second reading and passage to third reading,

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

The bill was read second time.

Mr. La Valle moved that further consideration of Senate Bill No. 135 be postponed until Wednesday, March 29, at 11:00 o'clock a.m.

The motion prevailed.

SENATE BILL NO. 136 ON SECOND READING

The Chair laid before the House on its second reading and passage to third reading,

S. B. No. 136, To fix and make certain the amount of compensation to be paid from county funds to the District Judges of the 10th, 56th and 122nd District Courts of Galveston County by the Commissioners Court of Galveston County in addition to the compensation paid by the State of Texas, and declaring an emergency.

The bill was read second time.

Mr. La Valle offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend S. B. 136 by striking the word "shall" on line 3 following the enacting clause and substituting the word "may" therefor.

The amendment was adopted.

S. B. No. 136 was passed to third reading.

SENATE BILL NO. 136 ON THIRD READING

Mr. La Valle moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 136 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—130

Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Ballman
Banfield, Mrs.
Baylor
Barlow
Barnes
Bartram
Bell
Berry
Blaine
Boyle
Bridges
Buchanan
Burgess
Butler
Caldwell
Cannon
Carriker
Chambers
Cole of Harris
Cole of Hunt
Collins
Cory
Cove
Cowles
Crain
Crews
De la Garza
Dewey
Dull, Miss
Dungan
Ehrle
Ewing
Fairchild
Ferguson
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Grover
Guerra
Hale
Harding
Harrell
Hardin
Harms
Hassler
Hughes
Hughes of Dallas
Hughes of Grayson
James
Jamison
Johnson of Dallas
Johnson of Bell
Jones of Dallas
Jones of Travis
Kendall
Kilpatrick
Kilgore
Kilgore of El Paso
Kilgore of Lubbock
Kilgore of Midland
Kilgore of Odessa
Kilgore of San Angelo
Kilgore of Sugar
Kilgore of Victoria
Kilgore of West Texas
Kilgore of Wood
Kilgore of Waco
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On motion of Mr. La Valle and by unanimous consent of the House, the caption of Senate Bill No. 136 was ordered amended to conform with the body of the bill.

Mr. La Valle moved to reconsider the vote by which Senate Bill No. 136 was passed and to table the motion to reconsider.

The motion to table prevailed.

**SENATE BILL NO. 162 ON SECOND READING**

The Chair laid before the House, on its second reading and passage to third reading,

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

The bill was read second time.

Mr. La Valle moved that further consideration of Senate Bill No. 162 be postponed until Wednesday, March 29, at 11:00 o'clock a.m.

The motion prevailed.

**SENATE BILL NO. 173 ON THIRD READING**

Mr. James moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 173 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—139

Adams of Lubbock
Adams of Titus
Allen
Andrews
Ayres
Ballman
Barfield, Mrs.
Barlow
Barnes
Bertram
Bass
Bell
Berry
Blaine
Boyens
Buchanan
Burgess
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cory
Cotzen
Cowie
Cowan
Crain
Dewey
de la Garza
Duff, Miss
Dungan
Edhardt
Ehrle
Fairchild
Fletcher
Ford
Foreman
Garrison
Gibbons
Gladden
Glass
Grover
Griffey
Hale

Nays—2

Hollowell
Isaacks, Miss
Glusing
Alaniz
Cook
Hinson
Latimer

Wilson of Potter
Yezak
Woods

In The Chair

Absent

Alaniz
Cook
Hinson
Latimer

Roberts of Dawson
Slider
Spilman
Wells

On motion of Mr. La Valle and by unanimous consent of the House, the caption of Senate Bill No. 136 was ordered amended to conform with the body of the bill.

Mr. La Valle moved to reconsider the vote by which Senate Bill No. 136 was passed and to table the motion to reconsider.

The motion to table prevailed.

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

The bill was read second time.

Mr. La Valle moved that further consideration of Senate Bill No. 162 be postponed until Wednesday, March 29, at 11:00 o'clock a.m.

The motion prevailed.
The Chair then laid Senate Bill No. 173 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 Cannon
Adams of Titus Carricker
Allen Andrews
Andrews atwell
Baily Ballman
Banfield, Mrs. Cory
Barlow Barnes
Bartram Bell
Berry Blahn de la Garza
Boyson Bridges
Buchanan Burgess
Buller Caldwell

Nays - 3

Bailey芽 Nugent

Glusing

Absent

Alaniz Peeler
Cook Roberts of Dawson
Curlington Smith of Bexar

In The Chair

Glusing

Absent

Alaniz McCoppin
Bass Richardson
Cook
Cowen Roberts of Dawson
La Valle Thurman
SENATE BILL NO. 189 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,
S. B. No. 189, Entering into the Southern Interstate Nuclear Compact, and declaring an emergency.

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

SENATE BILL NO. 189 ON THIRD READING

Mr. Cole of Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—115**

Adams of Lubbock Ehrle
Adams of Titus Fairchild
Allen Fletcher
Andrews Floyd
Atwell Foreman
Bailey Garrison
Ballman Gibbens
Banfield, Mrs. Gliddey
Barlow Glass
Barnes Green
Bartlam Grover
Bell Guffey
Berry Hale
Blalke Harding
Boysen Haring
Bridges Harrington
Buchanan Haynes
Burgess Healy
Butler Hinson
Calwell Hollowell
Cannon Huesner
Carriker Hughes
Chapman of Grayson
Cole of Harris Hughes of Dallas
Collins Hughes, Miss
Connell James
Cory Jamison
Cotlan Johnson of Dallas
Cowen Johnson of Bell
Cowles Jones of Dallas
Craws Jones of Travis
Crews Killebrew
de la Garza Koliba
Dewey Korten
Duff, Miss Lack
Dungan Lary
Eckhardt Latimer
La Valle Richardson
Leaverton Roberts of Hill
Lewis Ross
Longoria Rosson
McCoppin Sandahl
McGregor Schram
McKee Shannon
McGregor Shipley
McIlhany Sider
Markgraf Smith of Besar
Martin Smith of Jefferson
Miller Snelson
Moore Spillman
Mullen Springer
Murray Stewart
Mutchner Stewart
Niemeyer of Wichita
Oliver Struve
Osborn Thurman
Parrsons Thurmond
Pfeiler Townsend
Pettit Treutlen
Peyton Tunnell
Perratt Walker
Pipkin Ward
Preston Wells
Price Wheeler
Quilliam Whitley
Raggs Wilson of Trinity
Rateiff Wilson of Potter
Read Woods
Richards Yeak

**Nays—4**

Curlington Nagent
Jarvis Watson

In The Chair

Glusing

Absent

Alantis Kennard
Benn Roberts of Dawson
Cole of Hunt Black
Cook Spears
Johnson of Besar

The Chair then laid Senate Bill No. 189 before the House on third reading and final passage.

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

**Yeas—119**

Adams of Lubbock Banfield, Mrs.
Adams of Titus Barlow
Allen Barnes
Andrews Bartlam
Atwell Bell
Bailey Berry
Bailman Blalke
Mr. Cole of Harris moved to reconsider the vote by which Senate Bill No. 189 was passed and to table the motion to reconsider. The motion to table prevailed.

**SENATE BILL NO. 203 ON SECOND READING**

The Chair laid before the House, on its second reading and passage to third reading, S. B. No. 203, Authorizing State Parks Board to pledge revenues of Palo Duro Canyon State Park for constructing dams and other improvements; and declaring an emergency.

The bill was read second time.

Mr. Townsend offered the following amendment to the bill:

Amend Senate Bill 203 by deleting the following on page 2 beginning at line 14 and continuing through line 17, to wit:

"Any bonds (including refunding bonds) authorized by this Act may be additionally secured by a deed of trust lien upon the lands and properties comprising the Palo Duro Canyon State Park, or any part thereof."

The amendment was adopted.

Mr. Johnson of Dallas offered the following amendment to the bill:

Amend Senate Bill 203 by striking the words "and other" from Section 1, line 49, page 1 of the printed bill.

The amendment was adopted.

S. B. No. 203 was passed to third reading.
SENATE BILL NO. 203 ON THIRD READING

Mr. Springer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 203 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Nays-14

| Atwell Jones of Dallas |
| Bailey Murray |
| Butler Nogen |
| Burgess Oliver |
| Cocke Sandahl |
| Curott Hughes of Dallas Sluder |
| Jarvis Thurman |

Present—Not Voting

| Miller In The Chair |

| Glusing Absent |
| Alanis Cox |
| Cole of Harris La Valle |
| Cole of Hunt Read |

The Chair then laid Senate Bill No. 203 before the House on third reading and final passage.

The bill was read third time and was passed.

SENATE BILL NO. 216 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading, Senate Bill No. 216, Validating McLennan and Hill Counties Tehuacana Creek Water Control and Improvement District Number One; validating the boundaries of said District; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend Senate Bill 216 by adding a new Section to be known as Section 2(a) to read as follows:
"Sec. 2 (a). For the purpose of carrying out any power or authority created or sought to be created under the provisions of Article XVI, Section 59 of the Texas Constitution, the District shall have the right to acquire land, rights-of-way, and easements only within the Counties of McLennan, Limestone and Hill by condemnation, in the manner provided by Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain. The amount of and the character of interest on land and easements thus to be acquired shall be determined by the Board of Directors. In the event that the District, in the exercise of the power of eminent domain or any other power granted hereunder, makes necessary the relocation, raising, routing or changing of grade or alteration of construction of any highway, railroad, electric transmission line, telephone and telegraph properties and facilities, or pipeline, all such necessary relocation, raising, routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District. In the use of the powers of eminent domain against persons, firms, and corporations or receivers or trustees thereof who have the power of eminent domain, the fee title may not be condemned but the District may condemn only an easement."

The amendment was adopted.

S. B. No. 216 was passed to third reading.

SENATE BILL NO. 216 ON THIRD READING

Mr. Roberts of Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 216 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—131

Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Balmann
Bannister, Mrs.

Bridges
Buchanan
Burgess
Butler
Caldwell
Cannon
Carriker
Chapman
Cull of Harris
Cole of Hunt
Collins
Connell
Cory
Cotten
Cowen
Cowles
Craig
Crews
de la Garza
Dewey
Duff, Miss
Duncan
Fairchild
Floyd
Foreman
Garrison
Gibbens
Glidden
Glass
Gree
Grover
Guffey
Gale
Harding
Harrington
Hayes
Heathly
Hinshaw
Hollowell
Huey
Hughes of Dallas
Isaacs, Miss
James
Janison
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick
Koliba
Korleth
Lock
Lar
Larimer
LaValle
Leaverton
Longoria
McCoppin
McGrigor
McGrigor of McLennan
McGrigor of El Paso
McHany
Markgraf
Martin
Mills
Moore
Mullen
Mutschler
Niemeyer
Osborn
Parsons
Peeler
Petty
Peters
Pipkin
Preston
Price
Quilliam
Rapp
Ratcliff
Richards
Richardson
Robertson
Robertson of Hill
Robertson of Bexar
Ross
Ross
Sanhall
Schrab
Shannon
Shipley
Slack
Smith of Bexar
Stewart
Stewart of Galveston
Stewart of Wichita
Strive
Thurman
Thornton
Trevino
Tunnell
Walker
Ward
Watson
Weil
Wheatley
Wilson of Trinity
Wilson of Potter
Yenak

Nays—6

Bailey
Barlow
Barnes
Bartram
Bell
Berry
Blaine
Boysen

Bailey
Jarvis
Lewis

March 15, 1961

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The Chair then laid Senate Bill No. 216 before the House on third reading and final passage.

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


Absents--Alaniz, Hughes, Bass of Grayson, Cook, Murray, Eckhardt, Oliver, Ehrie, Haring, Glusing, Atwell, Cook, Huebner, McFarlin, Ragin, Holmes, Longoria, McCoppin.
Committee Amendment No. 1

Amend Senate Bill 233, by adding a new sub-section, to be known as Sub-Section C of Section 2, to read as follows:

"Sub-Section C. In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District."

The amendment was adopted.

S. B. No. 233 was passed to third reading.

**SENATE BILL NO. 233 ON THIRD READING**

Mr. Dungan moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 233 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—141**

Adams of Lubbock  Carriker  Garrison
Adams of Titus  Chapman  Gibbens
Allen  Cole of Harris  Glass
Andrews  Collins  Green
Bailey  Cory  Grover
Balmann  Cothren  Guffey
Banfield, Mrs.  Cowen  Hale
Barlow  Cowles  Hardin
Bartles  Crews  Harrington
Berry  Dewey  Haynes
Blaine  Duff, Miss  Heatly
Boyd  Dunlap  Henson
Bridges  Eckhardt  Hollowell
Burgess  Ehrle  Hughes
Butler  Fletcher  Hughes of Grayson
Calderwood  Floyd  Hughes of Dallas
Cannon  Foreman  Isaacs, Miss

**Nays—2**

Jarvis  Nugent

In The Chair

Glusking  Absent

Cook  Read
Haring  Roberts of Hill
Huehn

The Chair then laid Senate Bill No. 233 before the House on third reading and final passage.
The bill was read third time and passed by the following vote:

Yeas-143
Adams of Lubbock Hughes
Adams of Titus
Albaina
Allen
Andrews
Atwell
Bailey
Ballman
Banfield, Mrs.
Barlow
Bartram
Baz
Bell
Berry
Blaine
Boersen
Bridges
Buchanan
Burgess
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cory
Cotten
Cowen
Craw
Crews
Curlington
de la Garza
Dewey
Dug, Miss
Dungan
Eckhardt
Ehle
Fairchild
Fitcher
Floyd
Fowen
Garrison
Gibbens
Gladden
Glass
Green
Grover
Grx
Hale
Harding
Hartsg
Harrington
Harrison
Healy
Higgin
Hollowell
Hudson
Shannon
Shipley
Slack
Slid
Smith of Bexar
Smith of Jefferson
Snedon
Spears
Spilman
Springer
Stewart
Stewart
of Wichita

In The Chair
Glasing
Abeset
Barnes
Ward
Cook
Whitfield
Cowles

SENATE BILL NO. 264 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 264, To create an additional County Criminal Court for the County of Tarrant to be known as "The County Criminal Court No. 1 of Tarrant County" and to provide for the jurisdiction, and organization of, and procedure in said court; and declaring an emergency.

The bill was read second time.

Mr. Gladden offered the following amendment to the bill:

Amendment No. 1

Amend Senate Bill No. 264 by deleting all of Section 13 and substituting therefor the following:

"Sec. 13. After this Act takes effect the Clerk of the County Criminal Court of Tarrant County shall transfer to the docket of the County Criminal Court, Number 1, of Tarrant County, all even-numbered docket cases, retaining odd numbered cases in the County Criminal Court of Tarrant County. Thereafter, the Clerk shall number all cases filed in consecutive order and assign all odd-numbered causes to the County Criminal Court of Tarrant County and all even-numbered causes to the County Criminal Court,"
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Number 1, of Tarrant County. The Judge of the court to which transfers are made shall dispose of said cause or causes in the same manner as if such cause or causes were originally instituted in said court. The amendment was adopted. S. B. No. 264 was passed to third reading.

SENATE BILL NO. 264 ON THIRD READING

Mr. Gladden moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 264 be placed on its third reading and final passage. The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>137</td>
<td>4</td>
</tr>
</tbody>
</table>

In The Chair

Yeas—143

Adams of Lubbock
Barlow
Allen
Andrews
Atwell
Ballman
Benfield, Mrs.
Barlow
Barnes
Bartram
Bass
Bell
Blaine
Boyce
Buchanan
Burgess
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Collins
Connell
Coryn
Cotter
Cowden
Crow
Crews
de la Garza
Dawley
Duff, Miss
Dungan
Eckhardt
Ehrie
Lewis
Longoria
McConkey
McGregor
McGregor
McLain
Markgraf
Martin
Miller
Moore
Mullen
Murray
Mutchler
Nienhuyser
Oliver
Ortiz
Parsons
Peavy
Peeer
Pettit
Pietatt
Pipkin
Preston
Price
Quilliam
Ratliff
Road
Richards
Richardson
Roberts of Dawson
Reyes
Rosen
Sandahl
Schram
Shilley
Siegel
Sidle
Smith of Bexar
Smith of Jefferson
Stone
Spears
Speilman
Springer
Stewart
Street
Stuart
Struve
Thomp
Thurmond
Townsend
Trevino
Tunnell
Tussey
Curington
Nugent
Jarvis
Roberts of Hill

Glusing

Abs

Berry
Cole of Hunt
Cook
Hartwig

The Chair then laid Senate Bill No. 264 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>143</td>
<td>4</td>
</tr>
</tbody>
</table>

Adams of Lubbock
Barlow
Adams of Titus
Allen
Alma
Allen
Andrews
Atwell
Bailey
Bainman
Banfield, Mrs.
H. C. R. No. 50, By Mr. Preston: In Memory of Honorable Amos A. Martin.

H. S. R. No. 359, By Mr. Slider: In Memory of Mrs. Willie Pomeroy.

H. S. R. No. 360, By Mr. Slider: In Memory of J. M. (Jim) Lemon.

H. S. R. No. 361, By Mr. Slider: In Memory of George Riley.

H. S. R. No. 363, By Mr. Bailey: In Memory of Dr. Robert Lee Griggs.

H. S. R. No. 366, By Mr. Bailey: In Memory of Claude Mayes.

H. S. R. No. 368, By Mr. Mullen: In Memory of Ralph Beattie Atkins.

ADJOURNMENT

Mr. Healy moved that the House adjourn until 9:55 o'clock a.m. tomorrow.

The motion prevailed.

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

In accordance with the motion to adjourn, the House at 12:45 o'clock p.m., adjourned until 9:55 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills and resolutions, as follows:
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Agriculture: H. C. R. No. 42 and S. C. R. No. 22.
Criminal Jurisprudence: H. B. No. 295.
School Districts: S. B. No. 42.
Municipal and Private Corporations: H. B. No. 29.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, March 14, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 63, A bill to be entitled "An Act amending Article 2094, Revised Civil Statutes of Texas, as last amended, to provide use of jury wheel for counties of at least ten thousand (10,000) population and all counties of two (2) or more District Courts and having a population of at least five thousand (5,000) according to the last preceding Federal Census; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Austin, Texas, March 14, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 239, A bill to be entitled "An Act relating to filing applications for nomination by candidates of political parties making nominations by convention, and filing of affidavits of intent to run by independent candidates; amending the Election Code of Texas, 1951, by adding a new Article thereto; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

THEY FIFTH DAY

(Thursday, March 16, 1961)

The House met at 9:55 o'clock a.m., pursuant to adjournment, and
Honorable James A. Turman, Speaker was called to order by the Speaker.

The roll of the House was called and the following Members were present:
Mr. Speaker  Curington
           Adams of Lubbock de la Garza
           Adams of Titus Dewey
           Alanz Duff, Miss
           Allen Dungan
           Andrews Eckhardt
           Atwell Ehrle
           Bailey Finchild
           Balkman Fletcher
           Banfield, Mrs. Floyd
           Barlow Foreman
           Barnes Garrison
           Bartram Gibson
           Bass Gladden
           Bell Glass
           Berry Glasing
           Blaine Green
           Boyzen Grover
           Bridges Guifey
           Buchanan Hale
           Burgess Harling
           Butler Harrington
           Caldwell Haynes
           Cannon Healy
           Carrick Hinson
           Chapman Hollowell
           Cole of Harris Huesber
           Cole of Hunt Hughes
           Collins of Grayson Hughes of Dallas
           Connell Isacks, Miss
           Cory James
           Cotten Jamison
           Cowen Jarvis
           Crail Johnson of Dallas
           Crews Johnson of Bexar