THIRTEENTH DAY
(Tuesday, January 29, 1968)

The House met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker
Adams
Alaniz
Allen
Arendge
Atwell
Ball
Banfield
Barnes
Bass of Bowie
Bass of Harris
Beckham
Berry
Birkner
Blaine
Boyseen
Bridges
Brooks
Brown
Brown of Galveston
Brown of Harris
Brown of Harris
Brown of Taylor
Butler
Cain
Caldwell
Canales
Cannon
Carrilker
Carranza
Carver
Clayton
Cole
Collins
Cook
Cory
Cotten
Coughran
Cowden
Cowles
Crain
Crews
Davis
de la Garza
Dike
Douglass
Dunn
Dunbar
Dunham
Edwards
Esquivel
Fairchild
Fleener
Fletcher
Floyd

Nugent
Parker
Parmer
Parney
Perry
Perdue
Pendleton
Peply
Phipps
Price
Quilliam
Rapp
Richards
Ritter
Roberts
Rodriguez
Rosson
Satterwhite
Schiller
Smeren
Shannon
Shipley
Sharpley
Shutt
Simpson
Slack
Slater
Smith of Beaz
Smith of Jefferson
Stewart
Stollar
Thompson
Thurmond
Townsend
Tranger
Walker
Ward
Weldon
Wells
Wheelie
Wheeler
Whitefield
Wistar
Wilson
Woods

Absent—Excused

Chapman
Richardson

A quorum of the House was announced present.

The Invocation was ordered by the Reverend I. W. Oliver, Chaplain, as follows:

“O God, our Heavenly Father, we thank Thee for the light of another day. Our hearts are filled with gratitude and love for the blessings of days past. Direct, we pray Thee, our conversation and daily walk through the days ahead. May all that we do be acceptable in Thy sight. Grant that we may render Thee service that will not only give us joy and comfort, but through our example others will be led to love their State and God. We would not avoid the discipline of hard thinking, but deliver us, O Lord, from wrong thinking that leads to wrong conclusions.

In the Saviour’s name we pray—Amen.”

LEAVES OF ABSENCE GRANTED

The following Members were granted leave of absence:

Mr. Chapman for today on account of important business.

Mr. Richardson was granted leave of absence for today on account of a death in his family.
MEMORIAL RESOLUTION ADOPTED
H. S. R. No. 50, By Johnson of Dallas: In memory of Dr. John O. Beaty.

CONGRATULATORY RESOLUTIONS ADOPTED
H. S. R. No. 49, By Cowles: To congratulate Miss Peany Lee Rudd
as "Miss Texas" and as Second Runnerup in the 1962 Miss America Contest.
H. S. R. No. 55, By McClinton: To commend the Wainwright Rifles,
drill team from Tarleton State College for performance in the Inaugural celebration.
H. S. R. No. 56, By McClinton: To commend the Tarleton State College Band for performance in the Inaugural celebration.
H. S. R. No. 57, By McClinton: To commend the Hamilton High School Band for participation in the Inaugural activities.

PROPOSING AN AMENDMENT TO SECTION 4 OF RULE 8 OF THE TEMPORARY RULES OF THE HOUSE
Mr. Cotten offered the following resolution:
H. S. R. No. 52
Be it resolved by the House of Representatives of the Fifty-eighth Legislature, That the last paragraph of Section 4 of Rule 8 of the Temporary Rules of the House of the Fifty-eighth Legislature be amended to read as follows:
"When a committee, by its rules or vote, requires copies of a bill to be placed on the desks of its members a designated time in advance of, and as a prerequisite to, a committee consideration, the distribution of the bill to members of such committee shall be handled by the Sergeant-at-Arms in the same manner and under the same procedures as for bills reported favorably by a committee. The author or sponsor of the bill shall make available to the Sergeant-at-Arms a sufficient number of copies of the bill to enable the Sergeant-at-Arms to place a copy thereof in the newspaper mail box of every member of such committee. Records in the office of the Sergeant-at-Arms shall be prima facie evidence of the fact, date and hour of the distribution of such bill."

COTTEN and BARNES.
The resolution was referred to the Committee on Rules.

PROPOSING AN AMENDMENT TO SECTION 7 OF RULE 18 OF THE TEMPORARY RULES OF THE HOUSE
Mr. Cotten offered the following resolution:
H. S. R. No. 53
Be it resolved by the House of Representatives of the Fifty-eighth Legislature, That paragraph 1 of Section 7 of Rule 18 of the Temporary Rules of the House of the Fifty-eighth Legislature be amended to read as follows:
"All bills reported favorably by a committee with recommendation that they do pass and be printed, or reported favorably with recommendation that they do pass with committee substitute and that committee substitute for such bills be printed in lieu of the original bills, shall immediately be sent to the printer by the Calendar Clerk as provided in Rule IV, Section 2, and a printed copy thereof be placed in the newspaper mail box of each Member at least twenty-four hours before the bills can be considered by the House, except during the last ten calendar days of a session. Local bills may be reported favorably with recommendation that they do pass and that they be not printed. It shall not be necessary for the House to order committee substitutes printed in lieu of original bills, nor to order that local bills be not printed. A two-thirds vote of the House is necessary to order bills, other than local bills, not printed."

COTTEN and BARNES.
The resolution was referred to the Committee on Rules.

MESSAGE FROM THE SENATE
Austin, Texas, January 29, 1963
Hon. Byron Tunnell, 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. 3, Amending Section 6 of Article 527 of the Penal Code of Texas, 1925, as amended, relating to defenses and exemptions applicable under Article providing criminal penalties for certain acts involving obscene articles; and declaring an emergency.

S. B. No. 12, Creating the Commission on Organization of the Executive Branch of the Government and providing for its powers, duties and procedures; and declaring an emergency.

S. B. No. 158, Providing that, in certain counties, no change shall be made in the territory of any Independent school district having more than 500 schoolchildren, and declaring an emergency.

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

REMARKS BY THE HONORABLE WILL L. SMITH

On motion of Mr. Parker, the remarks by the Honorable Will L. Smith, addressed to the House on personal privilege on today, were ordered printed in the Journal.

TO CONGRATULATE THE HONORABLE JOE CANNON

Mr. Wells offered the following resolution:

H. S. R. No. 54

Whereas, The House of Representatives wishes to recognize this day, January 29, 1963, as the birthday anniversary of one of its distinguished Members, the Honorable Joe Cannon; and

Whereas, This esteemed Texan represents District 27 and halls from Mexia, land of stalwart and valiant citizens of this State; and

Whereas, These counties of Limestone, Freestone and Falls constituting District 27, exhibit justifiable pride by consistently electing the Honorable Joe Cannon to this august body, the Texas House of Representatives; and

Whereas, Representative Cannon was born in Thornton, Limestone County, Texas, on January 29, 1936, the second son of Mr. and Mrs. Barrett Cannon of Mexia. Mr. Cannon was married to Miss Alice Jean Sundberg on August 20, 1960; and

Whereas, Representative Joe Cannon’s sparkling wit and brilliant repartee is surpassed only by his ability and sagacity as a lawmaker and as a lawyer; now, therefore, be it

Resolved, That the Members of the Fifty-eighth Session of the Texas House of Representatives wish to congratulate Representative Joe Cannon on his birthday, his record of excellence in public service and contribution to our State and wish him continued success and happiness in the years ahead.

The resolution was read and was adopted.

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

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 McLain:
H. B. No. 336, A bill to be entitled "An Act creating a Hospital District for Commissioners Precincts 3 and 4 of Wheeler County, Texas, and providing for taxation, issuance of bonds, acceptance and receipt of existing facilities, assumption of liabilities, and obligations, by said Hospital District, and declaring an emergency."
Referred to the Committee on Counties.

By Ward:
H. B. No. 347, A bill to be entitled "An Act prohibiting the tattooing of any person under the age of eighteen (18) years; defining tattooing; providing a penalty; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Cook:
a new article relating to the speed of vehicles; providing standards for the determination of such speeds in certain cases; providing procedures for charging violations and Rule in Civil Cases; providing for separability; providing for repeal of all laws in conflict with the provisions of this Act; and declaring an emergency."

Referred to the Committee on Highways and Roads.

By Cook:
H. B. No. 339, A bill to be entitled "An Act abolishing the office of county superintendent in all counties in this state; providing that the present county superintendents shall serve out their terms to which presently elected or appointed; providing that the duties of county superintendents on the effective day of this Act shall be performed by the county judges of such counties; providing compensation for the duties of such county judges; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."

Referred to the Committee on State Affairs.

By Cook:
H. B. No. 340, A bill to be entitled "An Act amending Section 2 of Article 8309 of the Revised Civil Statutes of Texas, 1925; as amended, by providing that employers may qualify as self-insurers under the employers' liability and workmen's compensation laws of this State; providing a savings clause; repealing all laws in conflict; providing for the effective date of this Act; and declaring an emergency."

Referred to the Committee on Insurance.

By Guffey:
H. B. No. 341, A bill to be entitled "An Act amending Section 2 of Chapter 360, Acts of the 54th Legislature, 1955 (compiled as Article 2775-a-1 of Vernon's Texas Civil Statutes), to provide for the election of school trustees in independent school districts of six thousand (6,000) or
more scholarships; and declaring an emergency.
Referred to the Committee on School Districts.

By Brown of Galveston:
H. B. No. 341, a bill to be entitled "An Act authorizing cities of more than ten thousand (10,000) inhabitants, according to the last preceding federal census to adopt a program whereby upon consent of any city employee a stipulated amount will be withheld from his monthly salary or wages to be forwarded to his bona fide employees' association in payment of membership dues; providing penalties for violation; and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

By Quilliam, Parsley and Adams:
H. B. No. 346, A bill to be entitled "An Act providing for the conveyance by the Chairman of the Board of Directors of Texas Technological College, on behalf of the State of Texas, to the City of Lubbock, of a permanent easement for street, road and sewer line purposes in order to reconstruct, widen and improve and perpetually maintain, and construct a sanitary sewer line force main under Indiana Avenue between Fourth Street and Erskine Road in the City of Lubbock, Lubbock County, Texas, out of the lands of Texas Technological College; authorizing the Chairman of the Board of Directors of Texas Technological College to execute and to deliver on behalf of the said Board of Directors and the State of Texas a proper conveyance granting such easement to the City of Lubbock; and declaring an emergency."
Referred to the Committee on State Affairs.

By Brown of Galveston:
H. B. No. 341, a bill to be entitled "An Act authorizing cities of more than ten thousand (10,000) inhabitants, according to the last preceding federal census to adopt a program whereby upon consent of any city employee a stipulated amount will be withheld from his monthly salary or wages to be forwarded to his bona fide employees' association in payment of membership dues; providing penalties for violation; and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

By Quilliam, Parsley and Adams:
H. B. No. 346, A bill to be entitled "An Act providing for the conveyance by the Chairman of the Board of Directors of Texas Technological College, on behalf of the State of Texas, to the City of Lubbock, of a permanent easement for street, road and sewer line purposes in order to reconstruct, widen and improve and perpetually maintain, and construct a sanitary sewer line force main under Indiana Avenue between Fourth Street and Erskine Road in the City of Lubbock, Lubbock County, Texas, out of the lands of Texas Technological College; authorizing the Chairman of the Board of Directors of Texas Technological College to execute and to deliver on behalf of the said Board of Directors and the State of Texas a proper conveyance granting such easement to the City of Lubbock; and declaring an emergency."
Referred to the Committee on State Affairs.

By Quilliam, Parsley and Adams:
H. B. No. 347, A bill to be entitled "An Act providing for the conveyance by the Chairman of the Board of Directors of Texas Technological College, on behalf of the State of Texas, to the City of Lubbock, of a permanent easement for street and road purposes in order to construct and perpetually maintain additional traffic lanes and flare corners at College Avenue and Broadway Street at the main entrance to Texas Technological College out of Section 1, Block R2, being a part of the land of Texas Technological College; authorizing the Chairman of the Board of Directors of Texas Technological College to execute and to deliver on behalf of the said Board of Directors and the State of Texas a proper conveyance granting such easement to the City of Lubbock; and declaring an emergency."
Referred to the Committee on State Affairs.

By Quilliam, Parsley and Adams:
H. B. No. 348, A bill to be entitled "An Act making unlawful the hiring of strikebreakers by any person, firm or corporation not directly involved in a labor strike or lockout; providing exemptions; making unlawful the transporting into the state of strikebreakers by any person, firm or corporation not directly involved in a labor strike or lockout; defining terms; providing further exceptions; providing penalties; providing for separability; repealing all laws in conflict; and declaring an emergency."
Referred to the Committee on Labor.

By Gladden:
H. B. No. 349, A bill to be entitled "An Act revising the employers' liability and workmen's compensation insurance laws of this state by amending and adding to certain sections of Article 8306, Article 8307, and Article 8309, Revised Civil Statutes of 1925, as amended; amending Sections 2, 7, 7(c), 8, 10, 11, 13 and 20 of Article 8306, Revised Civil Statutes of 1925, as amended; providing for extending coverage of the laws to all employers doing business in this state, including public employers but exempting application of the law to employees of railways and railroads whose employers are otherwise covered by a similar federal compensation law; providing that the injured employee shall have the right to obtain medical aid from a physician of his choice at the cost and expense of his employer or the association and to receive from any person or organization selected by him hospital services, nursing, chiropractic services and medicines as may be reasonably required if the employer or as-
January 29, 1963

House Journal

By Chapter 129, page 219, Acts, 56th

Section and declaring of 'incompetents' or 'incompetent emergency.'

juries sustained prior to the effective date of injured employees;

rliances and deleting the specified persons' amending subsection (p) of

"An Act changing the name of the South Texas Medical School created by Chapter 129, page 219, Acts, 56th Legislature, 1959, Regular Session (Art. 2906c, V.C.S.), to 'The University of Texas South Texas Medical School,' providing that all appropriations heretofore or hereafter made by the Legislature shall be available for the use and benefit of the institution whose name is changed: ratifying, confirming, and validating all contracts, bonds, notes, or other debentures heretofore or hereafter issued on behalf of the South Texas Medical School; and declaring an emergency.'

Referred to the Committee on State Affairs.

By Bass of Bowie:

H. B. No. 352, A bill to be entitled "An Act to transfer to the Board for Texas State Hospitals and Special Schools all lands, funds, and property belonging to or purchased for the Texas Blind, Deaf and Orphan School; providing that the Board for Texas State Hospitals and Special Schools shall have exclusive jurisdiction and control over the Texas Blind, Deaf and Orphan School; prescribing certain duties of the Executive Director and Administrator of Special Schools; providing for jurisdiction over all physical assets; providing that all appropriations, grants, and gifts made for the benefit of the Texas Blind, Deaf and Orphan School shall be administered and expended by the Board for Texas State Hospitals and Special Schools, and declaring an emergency.'

Referred to the Committee on State Hospitals and Special Schools.

By Murray and Pipkin:

H. B. No. 353, A bill to be entitled "An Act fixing the penalties for the failure to pay losses under Marine Insurance policies issued by a general casualty company, mutual casualty company, Lloyds organization, reciprocal exchange, or other insurer; providing for attorneys fees for the prosecution and collection of such losses; repealing all laws in conflict therewith; providing a saving clause; and declaring an emergency.'

Referred to the Committee on Insurance.

Senate Bill on First Reading

The following Senate Bill received from the Senate was today laid be-
fore the House, read first time and referred to the appropriate Committee, as follows:

S. B. No. 17 to the Committee on Counties.

ADOPTING THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES FOR THE 58TH LEGISLATURE

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

S. C. R. No. 9, Adopting the Joint Rules of the Senate and the House of Representatives for the 58th Legislature.

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

The resolution was read and was adopted without objection.

HOUSE BILL NO. 7 ON SECOND READING

Mr. Thompson moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 7.

The motion prevailed by unanimous consent.

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


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

RELATIVE TO MEETINGS OF COMMITTEE ON APPROPRIATIONS

Mr. Healy asked unanimous consent of the House that the Committee on Appropriations be permitted to meet for the balance of this week while the House is in Session and that the Members of the Appropriations Committee be permitted to cast their votes on any record vote taken during that time if it does not change the result of the vote. There was objection offered.

ADJOURNMENT

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

The motion prevailed.

The Benediction was offered by the Reverend I. W. Oliver, Chaplain.

In accordance with the motion to adjourn, the House, at 11:17 o'clock a.m., adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORT

The Committee on Conservation and Reclamation filed a favorable report on H. B. No. 7.

FOURTEENTH DAY (Wednesday, January 30, 1963)

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

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

Mr. Speaker: Brown of Taylor

Adams: Butler

Ainsis: Cain

Allen: Caldwell

Arlidge: Canales

Aitell: Cannon

Ball: Carpenter

Bartfield: Carricker

Barnes: Carson

Bass of Bowie: Chapman

Bass of Harris: Cherry

Beckham: Clayton

Berry: Cole

Birkner: Collins

Blaine: Cook

Bozean: Ory

Bridges: Cowen

Brooks: Coughran

Brown of Galveston: Cowles