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TWENTY-SECOND DAY
(Wednesday, February 13, 1963)
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: Floyd
Adams: Poindexter
Alaniz: Foreman
Allen: Garrison
Arledge: Gibbens
Atwell: Gladden
Ball: Glenn
Banfield: Grover
Barnes: Huffman
Bass of Bowie: Haines of Brazos
Bass of Harris: Hallmark
Beckham: Harding
Berry: Harling
Blair: Harris
Boyson: de la Garza
Bridges: Haynes of Orange
Brooks: Beatty
Brown of Galveston: Heflin
Brown of Taylor: Hendrix
Butler: Hesson
Cain: Hollowell
Carlton: Houston
Cassidy: Hughes
Cassidy: Sanchez
Carothers: Jamison
Carver: Jarvis
Carver: Johnson of Dallas
Carver: Johnson of Bexar
Carver: Kilpatrick
Carver: Kliger
Carver: Knapp
Carr: Koliba
Carroll: Kochman
Carrigan: Lack
Carrigan: Lattimore
Carter: McClendon
Carter: McDonald of Hidalgo
Carter: McDonald of Hidalgo
Carter: McGregor
Carter: McLeary
Carter: McLaughlin
Carter: McNutt
Carter: Macatee
Carter: Mann
Carter: Markgraf
Carter: Miller
Carter: Morgan
Carter: Moyer
Carter: Murray
Carter: Mutchler
Carter: Niemeyer
Carter: Nugent
Parker: Shutt
Farmer: Simpson
Parry: Slack
Peary: Sider
Peery: Smith of Bexar
Palmer: Smith of Jefferson
Pendleton: Stewart
Pettit: Bolenwerk
Pipkin: Thompson
Price: Thurmond
Quilliam: Townsend
Rapp: Trigger
Richards: Walker
Richardson: Ward
Ritter: Weldon
Roberts: Wells
Rodriguez: Whaley
Rossen: Wheeler
Satterwhite: Whitfield
Schiller: Wintag
Segrest: Wilson
Shannon: Woods
Shipley:

Absent—Excused
Ligarde

Leave of absence granted
Mr. Ligarde was granted leave of absence for today on account of illness in his family, on motion of Mr. Nugent.
MEMORIAL RESOLUTIONS

ADOPTED

H. S. R. No. 136, By Wieting and Cory: In memory of Julia Andrews.

On motion of Mr. Atwell, the names of all Members of the House were added to H. S. R. No. 136 as signers thereof.

H. S. R. No. 131, By Harding: In memory of Captain John F. Bartley.

H. S. R. No. 134, By Guffey: In memory of Colonel Moody Wayne Bartlett.

H. S. R. No. 137, By Heatly and Cook: In memory of Georgia Lou Kirklin.

H. B. No. 496, A bill to be entitled "An Act changing the name and function of the Legion Branch of the San Antonio State Tuberculosis Hospital and declaring an emergency."

Referred to the Committee on State Affairs.

H. B. No. 497, A bill to be entitled "An Act amending Article 4629, Revised Civil Statutes of Texas, 1925, as amended, so as to equalize as between spouses those grounds for divorce based on abandonment or adultery; and declaring an emergency."

Referred to the Committee on Judiciary.

H. B. No. 498, A bill to be entitled "An Act concerning preservation of political rights of teachers and other employees of state institutions of higher education, and declaring an emergency."

Referred to the Committee on Education.

H. B. No. 499, A bill to be entitled "An Act providing a formula for distribution of textbooks on the subject of Homemaking in certain grades and declaring an emergency."

Referred to the Committee on Education.

H. B. No. 500, A bill to be entitled "An Act authorizing and directing the Board of Regents of The University of Texas to establish a graduate school of biomedical sciences in Houston, Harris County, Texas, to be known as the University of Texas Graduate School of Biomedical Sciences, and to be operated as a component unit of The University of Texas system; providing for a dean to be responsible to the Board of Regents through the Chancellor; authorizing said Board of Regents to conduct graduate and postdoctoral programs at the master's and doctoral levels in the sciences and related academic areas pertinent to medical education and research; providing for the awarding of degrees; authorizing the Board of Regents to make rules and regulations for the operation, control and manage-
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ment of the new graduate school; authorizing the board to accept and administer grants and gifts in aid of the establishment and administration of the school; authorizing the Board to expend appropriated funds and grant and contract funds at the school’s own facilities or in facilities of other component units of The University of Texas in Houston; authorizing joint appointments; requiring affiliation with the science programs at the Main University in Austin and with other medical units of The University of Texas, and cooperation with other institutions; suspending the operation of The University of Texas Postgraduate School of Medicine and authorizing establishment of a division of continuing education as a part of the Graduate School of Biomedical Sciences, making available to the Graduate School of Biomedical Sciences appropriations to, and contracts entered into on behalf of, The University of Texas Postgraduate School of Medicine; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Garrison, Shutt, Whatley, Duggan, Miller, Shipley, Bass of Harris, Whitfield, Brooks, Eckhardt, Floyd and Grover:

H. B. No. 501, A bill to be entitled “An Act to authorize the governing body of the Harris County Flood Control District to designate flood hazard areas; providing for the notice of hearing thereon and the procedure; providing for the dissemination of information concerning flood hazard areas; authorizing the charge of a reasonable fee for such information; enacting other provisions related to the subject; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Grover, Garrison, Bass of Harris, Floyd, Brooks, Whitfield, Duggan, Shipley, Miller, Shutt, Whatley and Eckhardt:

H. B. No. 502, A bill to be entitled “An Act relating to the authority of and the procedures to be followed by county auditors in certain counties in auditing all books, accounts, reports, vouchers and other records of all funds handled by county departments of education; providing for severability; repealing laws in conflict; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Whatley and Miller:

H. B. No. 503, A bill to be entitled “An Act providing that the Supreme Court may grant certain attorneys who have practiced law in a state of the United States and who are the holders of one or more degrees, including the degree of Bachelor of Laws, from a recognized university of the first class, and who have before engaged in the practice of law, which was interrupted by reason of military service in the Armed Forces of the United States, and who has thereafter resided in the State of Texas twenty (20) years or more, and who has during his period of residence in this state been engaged in civic undertakings and activities for the advancement of the public interest, a license to practice law in the State of Texas without taking examination, provided such applicant meets the requirements as to moral character and provided that evidence of his qualifications as herein prescribed is supplied by affidavit or otherwise to the Supreme Court; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Rosson:

H. B. No. 504, A bill to be entitled “An Act eliminating the requirement of separate and privy acknowledgment of a married woman to instruments purporting to be executed by her; amending Articles 1390, 5460, 1399, and 6607, Revised Civil Statutes of Texas, 1925; repealing Articles 6605 and 6608, Revised Civil Statutes of Texas, 1925; and all other laws or parts of laws to the extent only that they conflict with the provisions of this Act; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Whitfield:

H. B. No. 505, A bill to be entitled “An Act relating to the implied consent of the driver of a motor vehicle to submit to chemical testing to determine alcoholic content of blood providing that any person who oper-
If a person arrested refuses to submit to a chemical test or tests of his blood, breath, saliva, or urine for the purpose of determining the alcoholic content of his blood, providing that the test shall be administered at the direction of a law enforcement officer having reasonable grounds to believe such person to have been driving while intoxicated; providing that blood may be withdrawn by certain persons; providing the person tested may have a qualified person of his own choosing administer a test in addition to that test conducted by the law enforcement officer; providing the failure or inability to obtain an additional test shall not prevent the use of the test taken under the direction of a law enforcement officer; providing that upon request, the results of the test taken under the direction of the law enforcement officer shall be made available to the person tested; providing that the same provisions shall apply even though the person tested may be dead or otherwise incapable of refusal; providing that if the person arrested refuses to submit to chemical testing the test shall not be given but the Director of the Texas Department of Public Safety shall revoke the license or permit to drive for a period of six months; providing that if the person has no license or permit to drive the Director of the Texas Department of Public Safety shall deny the issuance of such license or permit to drive for a period of six months; providing for a court order relating to the issuance of drivers' licenses and regulations pertaining thereto, to add a new section providing for the issuance of an occupational license; providing for payment of a fee for such licenses; providing for a court order relating to such occupational license; providing a penalty for violation; and declaring an emergency.

Referred to the Committee on Criminal Jurisprudence.

By Whitfield:

H. B. No. 597. A bill to be entitled "An Act amending Section 26 of Article IV, Chapter 175, Acts of the 47th Legislature, 1941 (compiled as Article 6687b of Vernon's Texas Civil Statutes), relating to the issuance of drivers' licenses and regulations pertaining thereto, to add a new section providing for the issuance of an occupational license; providing for payment of a fee for such licenses; providing for a court order relating to such occupational license; providing a penalty for violation; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Shannon, Green, Richardson, McLaurgin, Finney and Gladden:

H. B. No. 601. A bill to be entitled "An Act to amend Section 4, Article 6574b, Revised Civil Statutes of Texas, 1925, as added by Chapter 58, Acts of the 69th Legislature, Regular Session, 1947, so as to authorize the destruction or other disposition, of certain public records after duplicate reproduction and compliance with certain other specified conditions; providing for severability; repealing Section 5 of Article 6574b, Revised Civil Statutes of Texas, 1925, as added by Chapter 58, Acts of the 69th Legislature, Regular Session, 1947, and all other laws and parts of laws in conflict; and declaring an emergency."

Referred to the Committee on Judiciary.
By Kothmann:
H. B. No. 509, A bill to be entitled "An Act authorizing the establish­ment of residential hospital institu­tions for severely physically handi­capped persons under the jurisdic­tion of the Board for Texas State Hospitals and Special Schools; setting out the powers and duties of the Board in the establishment and operation of such institutions; pro­viding requirements for admission to such facilities; and declaring an emergency."
Referred to the Committee on State Affairs.

By Gibbens and Cook:
H. B. No. 510, A bill to be entitled "An Act to amend Senate Bill No. 350, Acts of the 36th Legislature, R.S., 1919, Chapter 155, Page 385 (Article 6029, Revised Civil Statu­tes of Texas, 1935), as amended, by adding a new section thereto, to be known as Article 6029b, provid­ing for the establishment of drilling blocks for areas overlying a common reservoir of oil or gas, or both, for­ providing for the pooling or integra­tion of tracts and of mineral inter­ests within such drilling blocks under prescribed conditions and circumstances to prevent waste, to avoid the drilling of unnecessary wells, or to protect correlative rights; provid­ing for the manner of allocation of production from such drill­ing blocks; providing for the develop­ment and operation of said drilling blocks; providing that the provisions of this act shall operate prospectively only and shall have no retroactive application; provid­ing for the procedural steps and re­quirements incident to the establish­ment of such drilling blocks and the pooling of mineral interests there­in, and the right of judicial review; provid­ing that this act shall be cumulative of all acts of the State of Texas relative to oil and gas not inconsistent herewith; provid­ing that this act shall not be construed to repeal the Common Purchaser Act or the Marginal Well Act; providing a savings clause; and declaring an emergency."
Referred to the Committee on Oil, Gas and Mining.

By Slider:
H. B. No. 511, A bill to be entitled "An Act regulating the hunting, taking and killing of buck deer in Morris County; prescribing penal­ties for violation; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Slider:
H. B. No. 512, A bill to be entitled "An Act making it unlawful to take or catch any white perch, crappie, or any kind of bass by use of a set net or seine; providing a penalty for violation; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Haring:
H. B. No. 513, A bill to be entitled "An Act amending Section 1 of Chap­ter 392, Acts of the 57th Legislature, Regular Session, 1961, so as to pro­vide that in all counties which have only one independent school district and no common school district, and where such county does not have a county school superintendent or county school board, then all duties, prescribed by law, pertaining to such abolished offices shall transfer to the super­intendent of the independent school district in said county; and declaring an emergency."
Referred to the Committee on Counties.

By Guffey:
H. B. No. 514, A bill to be entitled "An Act amending Article 1551 of the Penal Code of the State of Texas relating to the offense of obtaining board or lodging by means of trick or deception or false or fraudulent representations and refusal to pay therefor; to increase the penalty to felony grade; and also to add a new provision prohibiting any per­son from leaving the premises of any hotel, motor hotel, inn or tour­ist court with intent not to pay for the services received; establishing a presumption of departure not to pay, under certain circumstances; and providing penalties for viola­tions; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Miller:
H. B. No. 515, A bill to be entitled "An Act relating to the subsequent offense of driving while intoxicated;
amending Chapter 457 of the Acts, 1951, codified as Article 802b, Vernon's Annotated Penal Code; defining the felony offense of driving while intoxicated; providing the punishment to be assessed upon the second conviction for driving while intoxicated; providing for the punishment to be assessed upon third or subsequent conviction for driving while intoxicated; and declaring an emergency.

Referred to the Committee on Criminal Jurisprudence.

By Hinson:
H. B. No. 516, A bill to be entitled "An Act abolishing the office of County Attorney of Upshur County and creating the office of Criminal District Attorney of Upshur County; providing for appointment of the Criminal District Attorney until the next general election, and thereafter for his election; prescribing his qualifications, powers, duties, and compensation; providing for appointment and compensation of an assistant and a secretary, and prescribing the powers and duties of the assistant; authorizing payment of expenses of the Criminal District Attorney and his assistant; making other provisions to effectuate the purpose of the Act; and declaring an emergency."

Referred to the Committee on Counties.

By Townsend:
H. B. No. 517, A bill to be entitled "An Act regulating the minnow industry, repealing all special minnow laws; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Brown of Taylor and Glenn:
H. B. No. 518, A bill to be entitled "An Act amending Article 1817, Revised Civil Statutes of Texas, 1925, as amended, so as to change the location of the Court of Civil Appeals of the Eleventh Supreme Judicial District from Eastland to Abilene; setting an effective date; and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Roberts:
H. B. No. 519, A bill to be entitled "An Act to provide for the creation of the Texas International Trade Commission; providing for appointment of the members of the Commission by the Governor; providing that members of the Commission shall serve without compensation; defining the purpose and the functions of the Commission; providing that the Commission may accept private contributions; and declaring an emergency."

Referred to the Committee on State Affairs.

By Duggan:
H. B. No. 520, A bill to be entitled "An Act to amend Section 5, Article 1053 of Chapter 5, Title 28, Vernon's Texas Civil Statutes, relating to Board of Equalization notice to owners of raise in value of property, providing a savings clause, and declaring an emergency."

Referred to the Committee on Judiciary.

By Duggan:
H. B. No. 521, A bill to be entitled "An Act to amend Article 1053 of Chapter 5, Title 28, Vernon's Texas Civil Statutes, relating to Board of Equalization notice to owners of raise in value of property, providing a savings clause, and declaring an emergency."

Referred to the Committee on Judiciary.

SENATE BILL ON FIRST READING

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

S. B. No. 196 to the Committee on School Districts.

DESIGNATING TEXAS JAYCEE DAY AND EXTENDING AN INVITATION TO THE HONORABLE J. ROBERT SHEEHY

The Speaker laid before the House, for consideration at this time, H. S. R. No. 150, Designating Texas Jaycee Day and extending an invitation to the Honorable J. Robert Sheehy.

The resolution having heretofore been referred to the Committee on Rules and reported favorably by the Committee.
The resolution was adopted.
CONGRATULATORY RESOLUTIONS
ADOPTED
H. S. R. No. 135, By Banfield: To recognize the Senior Class of Needville High School.
H. S. R. No. 132, By Guffey: Congratulating Superintendent Walter Moffitt.
TO REQUEST CERTAIN STUDY RELATIVE TO CITY-COUNTY CONSOLIDATION IN METROPOLITAN AREAS
Mr. Miller offered the following resolution:
H. S. R. No. 132
Whereas, More than 75 per cent of the population of Texas was classified as urban by the 1960 federal census, and 64 per cent of the total population resided in 21 standard metropolitan areas of the state in that year; and
Whereas, The trend toward urbanization and metropolitan growth is continuing at an accelerated pace, with a consequent increase in demands for services from city and county governments; and
Whereas, This fact, coupled with the rising cost of goods and services, has necessitated mounting taxes in these political subdivisions; and
Whereas, Many functions, such as public health, safety, welfare, and law enforcement, are performed by both cities and counties; and
Whereas, Division of governmental responsibilities among several units, especially in heavily-populated areas, results in inadequacies, shortcomings, duplication of services, greater costs, and, in some cases, conflict of authority; and
Whereas, A frequently advocated but little used technique applied to government problems in metropolitan areas is city-county consolidation, which involves a partial or complete merger of city and county departments and assumption of most or all county functions by the city; and
Whereas, Various degrees of city-county consolidation have been effected and are operating successfully in such metropolitan areas as Baton Rouge, New Orleans, Boston, New York City and Philadelphia; and
Whereas, Some recent consideration has been given to city-county consolidation in Texas, notably in the Houston metropolitan area by the Harris County Home Rule Commission; and
Whereas, The existing county home rule amendment to the Texas Constitution provides for consolidation of all or part of city and county functions, but the stringent provisions for the accomplishment of such a merger have proved totally unworkable; now therefore be it
Resolved, By the House of Representatives of the 58th Legislature of Texas, That the Texas Legislative Council be requested to study the feasibility and advisability of city-county consolidation in metropolitan areas of the state, including the means by which this might be accomplished; and be it further
Resolved, That the Council be requested to report its findings and recommendations, together with such drafts of legislation as it deems desirable, to the Regular Session of the 59th Legislature.
The resolution was referred to the Committee on State Affairs.
TO REQUEST CERTAIN STUDY RELATIVE TO AN EQUAL RIGHTS FOR WOMEN AMENDMENT TO THE CONSTITUTION OF TEXAS
Mr. Harris of Galveston offered the following resolution:
H. C. R. No. 19
Whereas, It appears quite likely that a constitutional amendment to provide equal legal rights for women in Texas will be approved by the Fifty-eighth Legislature and submitted to the voters of the state at the November, 1964, general election; and
Whereas, It is contended by advocates of such an amendment that there are approximately 40 or 50 Texas statutes which discriminate against women and which would be incompatible with the proposed constitutional provision on this subject; and
Whereas, A number of the laws which would be affected concern property rights, land titles and other matters of vital concern to all citizens of the state; and
Resolved, By the House of Representatives of the Fifty-eighth Legislature of Texas, the Senate concurring, That the Texas Legislative Council be requested to conduct a study of the ramifications of the adoption of an equal rights amendment, pinpointing the specific statutory provisions which would be affected, exploring possible difficulties which could arise as a consequence of necessary changes, and identifying areas which need attention to assure the protection of existing property rights and other interests; and be it further

Resolved, That the Council be directed to report its findings to the Regular Session of the Fifty-ninth Legislature, together with its conclusions and recommendations and drafts of legislation to effectuate their implementation.


The resolution was referred to the Committee on State Affairs.

TO REQUEST DISCONTINUANCE OF ISSUANCE OF CERTAIN SPECIAL MOTOR VEHICLE LICENSE PLATES

Mr. Houston offered the following resolution:

H. C. R. No. 20

Resolved, That no additional "S.O." motor license plates be issued after 1963.

Signed: Houston and Johnson of Dallas.

The resolution was referred to the Committee on State Affairs.

SENATE BILL NO. 78 ON SECOND READING

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

S. B. No. 78, A bill to be entitled "An Act abolishing the office of county superintendent in all counties in this State having a population of not less than three hundred thousand ($300,000) nor more than three hundred and fifty thousand ($350,000); providing for the duties of county superintendents on the effective date of this Act shall be performed by the county judge of such county; providing compensation for the duties of such county judges; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."

The bill was read second time. Miss lasuaux moved that Senate Bill No. 78 be laid on the table subject to call.

There was no objection offered and it was so ordered.
SENATE BILL NO. 171 ON SECOND READING

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

S.B. No. 171, A bill to be entitled "An Act amending Article 892, Penal Code, 1925, to add Desert Bighorn sheep and Aoudad sheep to the list of game animals and declaring an emergency."

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

HOUSE BILL NO. 12 ON SECOND READING

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

H.B. No. 12, A bill to be entitled "An Act relating to a change in the name of West Texas State College at Canyon, Texas; amending Section 1 of Chapter 223, Acts of the 51st Legislature, 1949, so as to change the name of West Texas State College to 'West Texas State University'; ratifying and confirming in behalf of 'West Texas State University' all legislative Acts and appropriations heretofore passed in behalf of West Texas State College, West Texas State Teachers College, or West Texas State University; and declaring an emergency."

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

HOUSE BILL NO. 173 ON SECOND READING

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

H.B. No. 173, A bill to be entitled "An Act prohibiting the State Board of Education from adopting any policy, rule, regulation or other plan, as a prerequisite for accreditation or other approval, which would require any School District to hire or assign any guidance counselor or supervisor or require such as a part time duty of any superintendent, principal or teacher."

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

HOUSE BILL NO. 260 ON SECOND READING

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

H. B. No. 260, A bill to be entitled "An Act requiring all meetings of the governing bodies of municipalities, county commissioners, boards of education and school trustees, and all other boards, commissions or organizations, except grand juries, supported in whole or in part by public funds or expending public funds, to be in public meetings; providing a penalty for violation of the provisions of this Act; providing for severability; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H.B. 260 by deleting everything below the enacting clause and inserting in lieu thereof the following:

Be it Enacted By The Legislature Of The State Of Texas:

Section 1. All meetings of the governing bodies of municipalities, county commissioners, boards of education or trustees of school districts, and all other boards, commissions or organizations, with certain exceptions, supported by public funds or expending public funds, shall be open to the public.

Section 2. Exceptions shall be grand juries, the Senate if in executive session as provided by the Constitution of Texas, and any meetings or hearings specifically declared to be confidential by law. Nothing contained in this Act shall be construed to prevent any governing body or agency from holding executive sessions during a meeting to consider the appointment, employment or dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee unless such officer or employee requests a public hearing. The governing body or agency also may exclude from any such public or private meeting during the examination of a witness, any or all other witnesses in the matter being investigated.

Nothing in this Act shall be construed to prevent any governing body
or agency from holding executive sessions to consider matters affecting security, or the appointment, employment or dismissal of an officer or employee or to hear complaints or charges brought against such officer or employee by another officer, person or employee unless such officer or employee requests a public hearing. Said body also may exclude from any such public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the Legislative body.

Section 3. Any interested person may commence an action either by mandamus or injunction for the purpose of stopping or preventing violations or threatened violations of this Act by members of the governing body or agency.

Section 4. Any Interested person may commence an action either by mandamus or Injunction for the purpose of stopping or preventing violations of this Act by members of the governing body or agency.

Section 5. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Section 6. The importance of assuring that the public has the opportunity to be informed concerning the transactions of public business creates an emergency and an imperative public necessity that the Constitutional Rule requiring a bill to be read on three several days in each House be suspended, and this 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.

Mr. Johnson of Dallas raised a point of order on further consideration of H. B. No. 260 at this time on the ground that the printed bill has not been on the Members' desks the full twenty-four hours.

The Speaker sustained the point of order.

Mr. Brooks moved that the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 260.

A record vote was requested.

The motion to suspend the necessary rules for the purpose of taking up and considering H. B. No. 260 was lost by the following vote: (not receiving the necessary two-thirds vote)

Year-65

Adams Hughes
Allen Johnson of Bexar
Allen Elledge
Arlidge Knapp
Bass of Bowie Koliba
Bass of Harris Kotthaus
Beckham Lack
Berry McDonald of Rusk
Bridges McGregor
Brooks Molchan
Brown McLaughlin
Brown of Galveston Markgraf
Cain Miller
Calwell Murray
Canales Nusent
Cannon Parker
Carpenter Parmer
Carriker Parsley
Cherry Peary
Cole Penderleth
Collins Petty
Coughran Price
Davila Quilliam
Doke Rapp
Dugan Richards
Eckhardt Richardson
Edwards Hitter
Esquivel Roberts
Fletcher Rodrigues
Foreman Ross
Gladden Schiller
Gleason Smith of Bexar
Goff Smith of Jefferson
Gukey Smith of San Antonio
Haines of Brasos Stewart
Harding Thompson
Haring Traeger
Harris Weidlon
Hart Wellis
Hattilow Wills
Heflin Whalen
Hillman whitefield
Hollaway Wiesting
Holon Wilson
Houston

Nays-61

Atwell Blake
Ball Haymen
Banfield Brown of Taylor
Barnes Butler
Bickner Cavness
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Chapman
Clayton
Cook
Cory
Cotter
Crowden
Crawley
Crain
Crews
de la Garza
Dungan
Fairychild
Finney
Floyd
Fondren
Garrison
Gibbens
Grover
Hibbins
Hansard
Harris of Dallas
Hayley
Hendryx
Isacbas
Jamison
Jarvis
Johnson of Dallas
Kilpatrick

Absent

Townsend

Absent—Excused

Ligarde

ADJOURNMENT

Mr. Johnson of Dallas moved that the House adjourn until 10:30 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 11:25 o'clock a.m., adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Revenue and Taxation: H. B. No. 80.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 13, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 30, An Act creating a Conservation and Reclamation District under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Fort Mansfield Public Utility District'; prescribing the rights, powers, privileges, and duties; limiting the power of eminent domain to Willacy County; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions as to its taxes and its tax assessor and collector; containing provisions relating to addition of land; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, February 13, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 54, An Act abolishing the offices of county superintendent and county school board in all counties in this State having a population of not less than three hundred thousand (300,000) nor more than three hundred fifty thousand (350,000); providing that the duties of county superintendents and county school boards on the effective date 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.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.
Austin, Texas, February 13, 1963
Hon. Byron M. Tunnell, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred
H. C. R. No. 13, commending Chief
J. A. Stahl, Fireman Ken Biggs, Fire­
man Malcolm Coker, and Fireman
Arthur Centeno for their devotion to
duty and for their unselfish heroism.

Has carefully compared same and
finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, February 13, 1963
Hon. Byron M. Tunnell, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred
H. C. R. No. 14, congratulating
The Progressive Farmer for its choice
of Mrs. Mabel Clare Thomas as
"Texas Woman of the Year" for
1962.

Has carefully compared same and
finds it correctly enrolled.

SHANNON, Chairman.

SENT TO GOVERNOR

February 13, 1963
H. B. No. 50.
H. B. No. 54.
H. C. R. No. 13.

TWENTY-THIRD DAY
(Thursday, February 14, 1963)

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    Alonis    Allen    Arledge    Atwell    Bailey    Bannfield    Barnes
Brown of Galveston    Brown of Taylor    Butler    Call    Caldwell    Canales    Carpenter    Carriker    Cavness    Chapman    Cherry    Clayton    Cole    Collins    Cook    Cory    Coughran    Cowden    Cowles    Crain    Crews    Davis    de la Garza    Doke    Duggan    Dungan    Eckhardt    Edwards    Eguivel    Fairchild    Finney    Fletcher    Floyd    Fondren    Foreman    Garrison    Gibbens    Gladden    Glenn    Green    Grover    Guffey    Halnes of Brazos    Harding    Haring    Harrison
of Galveston    Harris of Dallas    Harris of Orange    Heasty    Hendryx    Hinson    Hollarwell    Houston    Hughes    Isaacos    Jamison    Jarvis    Johnson of Dallas    Johnson of Bexar    Kilpatrick    Kiger    Knapp