The Speaker laid before the House, on its third reading and final passage, H. B. No. 300, A bill to be entitled "An Act providing a penalty for the operation of certain aircraft while intoxicated or under the influence of intoxicating liquor; and declaring an emergency."

The bill was read third time and was passed.

ADJOURNMENT

Mr. Mann 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.

In accordance with the motion to adjourn, the House, at 12:07 o'clock p.m., adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Banks and Banking: H. R. No. 16.

Commerce and Manufacturers: H. B. No. 576.


Judiciary: H. B. No. 81, H. B. No. 332.

THIRTY-FIFTH DAY

(Thursday, March 7, 1963)

The House met at 10:30 o'clock a.m. pursuant to adjournment, and was called to order by the Speaker.
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Roberts  Stollenwerck
Rodriguez  Thompson
Rosem  Thornmond
Satterwhite  Towanend
Schiller  Traeger
Seguin  Walker
Shannon  Ward
Shipley  Weldon
Shutt  Wells
Simpson  Whaley
Slack  Wheeler
Sluder  Whitefield
Smith of Bexar  Wieting
Smith of Jefferson  Wilson
Stewart  Woods

Absent—Excused
Houston

A quorum of the House was announced present.

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

"Our Heavenly Father: each day as we pray, we become more conscious of Thy guiding hand in our life and in the caliber of work we are able to accomplish. Truly Thy grace is sufficient for all our needs. We thank Thee, O Lord, for the strength we receive through the prayers of concern, and words of encouragement we receive from our loved ones and friends who have placed their trust in us as servants of this state. May we always highly prize and greatly treasure this solemn obligation which is ours only through mutual trust and understanding.

"May we be true to the trust that is placed in us, as Thou art always true to the trust that is placed in Thee. "For we ask in faith through Thy Holy name.—Amen."

LEAVE OF ABSENCE GRANTED

Mr. Houston was granted leave of absence for today on account of illness in his family, on motion of Mr. Stollenwerck.

MEMORIAL RESOLUTION

H. S. R. No. 231, By Chapman:
In memory of George S. Primm

HOUSE JOINT RESOLUTIONS ON FIRST READING

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

By Barnes, de la Garza, McDonald of Hidalgo, Doughran, Murray, Pipkin and Moyster:
H. J. R. No. 64, A Joint Resolution "Proposing an amendment to Article XVI of the Constitution of the State of Texas, by adding there to a new Section authorizing the Legislature to permit the producers of any agricultural commodity to develop, carry out, and participate in programs of research, education, and promotion, designed to encourage the production, marketing and use of such commodity; authorizing the Legislature to levy an assessment upon them to finance the purposes herein stated; limiting the amount of such assessment; providing for termination of such assessment; providing for refund of such assessment; and further providing that any enabling acts shall not be invalid because of their anticipatory character."

Referred to the Committee on Constitutional Amendments.

By Morgan:
H. J. R. No. 65, A Joint Resolution "Proposing an amendment to Section 1 of Article III of the Constitution of the State of Texas, reserving to the people, under prescribed initiative and referendum procedures, the power to propose laws and amendments to the Constitution, and to adopt or reject the same, at the polls independent of the Legislature, and also the power, at their own option, to adopt or reject any Act, or section or part of any Act, passed by the Legislature; saving Section 1 of Article XVII from repeal; prescribing the form of ballot and providing for the necessary proclamation and publication."

Referred to the Committee on Constitutional Amendments.

By Whitfield:
H. J. R. No. 66, A Joint Resolution "Proposing an amendment to Section 51a, Article III of the Constitution of the State of Texas to provide that the Legislature shall..."
have the power to raise the maximum amount of monthly payment to each needy aged person from state funds to Thirty-two Dollars ($32); providing that total payment to the needy aged, needy blind, and needy children from state funds shall not exceed a certain sum; and providing for the payment of an additional sum from state funds to the needy aged for certain purposes.'

Referred to the Committee on Constitutional Amendments.

By Stollenwerck and Johnson of Dallas:
H. J. R. No. 67, A Joint Resolution "Ratifying Resolution No. 13 of the 36th Congress of the United States of America Session II begun and held in the city of Washington District of Columbia in the year of our Lord 1861 and appearing in the United States Statutes at Large by Authority of Congress at page 251 proposing an amendment to the Constitution of the United States of America relating to amendments which empower Congress to abolish or interfere within any State with the domestic institutions thereof."

Referred to the Committee on Constitutional Amendments.

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 Cory:
H. B. No. 739, A bill to be entitled "An Act to provide for the abolishment of the offices of the Ex-Officio County School Superintendent and the County Board of Education in all counties of this state which now have or may hereafter have no Common School District and only one Independent School District; providing that all of the duties of Ex-Officio School Superintendent and the County Board of Education be vested in the President of the Board of Trustees of such Independent School District and in the Superintendent of such district, except as for transfers of students into other counties, which shall remain the duty of the County Judge; providing the Commissioners Court shall receive, pass upon all petitions for the calling of elections to create new school districts; providing the mechanics for the transfer of any records or funds remaining on hand after the effective date of this Act; providing certain terms and conditions; and declaring an emergency."

Referred to the Committee on Counties.

By Smith of Jefferson:
H. B. No. 740, A bill to be entitled "An Act authorizing the establishment of residential institutions for

H. B. No. 64, By McIlhany: Regulating the distribution, sale, or transportation of insecticides, pesticidies and devices; and declaring an emergency. (as amended)
H. B. No. 529, By Cook: Changing the terms of office of members of Boards of Regents of Junior College Districts; and declaring an emergency. (as amended)

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

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have the power to raise the maximum amount of monthly payment to each needy aged person from state funds to Thirty-two Dollars ($32); providing that total payment to the needy aged, needy blind, and needy children from state funds shall not exceed a certain sum; and providing for the payment of an additional sum from state funds to the needy aged for certain purposes."

Referred to the Committee on Constitutional Amendments.

By Stollenwerck and Johnson of Dallas:
H. J. R. No. 67, A Joint Resolution "Ratifying Resolution No. 13 of the 36th Congress of the United States of America Session II begun and held in the city of Washington District of Columbia in the year of our Lord 1861 and appearing in the United States Statutes at Large by Authority of Congress at page 251 proposing an amendment to the Constitution of the United States of America relating to amendments which empower Congress to abolish or interfere within any State with the domestic institutions thereof."

Referred to the Committee on Constitutional Amendments.

SENATE JOINT RESOLUTION ON FIRST READING
The following Senate Joint Resolution received from the Senate was today laid before the House, read first time and referred to the appropriate Committee, as follows:

S. J. R. No. 16 to the Committee on Constitutional Amendments.

MESSAGE FROM THE SENATE
Austin, Texas, March 7, 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:

H. B. No. 310, By Thurmond: Providing for the taking of certain fish from the waters of Val Verde County; and declaring an emergency.

H. B. No. 335, By Hendryx: Relating to the taking of wild game west of the Pecos River; vesting the Game and Fish Commission with full power to regulate the taking of wild deer in that area; and declaring an emergency.

H. B. No. 64, By McIlhany: Regulating the distribution, sale, or transportation of insecticides, pesticides and devices; and declaring an emergency. (as amended)
H. B. No. 529, By Cook: Changing the terms of office of members of Boards of Regents of Junior College Districts; and declaring an emergency. (as amended)

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

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 Cory:
H. B. No. 739, A bill to be entitled "An Act to provide for the abolishment of the offices of the Ex-Officio County School Superintendent and the County Board of Education in all counties of this state which now have or may hereafter have no Common School District and only one Independent School District; providing that all of the duties of Ex-Officio School Superintendent and the County Board of Education be vested in the President of the Board of Trustees of such Independent School District and in the Superintendent of such district, except as for transfers of students into other counties, which shall remain the duty of the County Judge; providing the Commissioners Court shall receive, pass upon all petitions for the calling of elections to create new school districts; providing the mechanics for the transfer of any records or funds remaining on hand after the effective date of this Act; providing certain terms and conditions; and declaring an emergency."

Referred to the Committee on Counties.

By Smith of Jefferson:
H. B. No. 740, A bill to be entitled "An Act authorizing the establishment of residential institutions for
An Act authorizing the producers of any agricultural commodity to conduct a referendum, either on an area or state-wide basis, on the proposition of whether or not such producers shall levy an assessment upon themselves, to finance programs of research, education, and promotion, designed to encourage the production, marketing, and use of such agricultural commodity; limiting the amount of such assessment; providing for the administration of such programs; providing for the collection of such assessment; providing for refund of such assessment; providing for termination of such assessment; repealing laws in conflict; providing for a severability clause; and providing for the effective date of the Act.

Referred to the Committee on Agriculture.

By Barnes and Atwell:
H. B. No. 743, A bill to be entitled "An Act amending Section 7 of House Bill No. 784, Chapter 211, Page 529, Acts of the 52nd Legislature, Regular Session, 1951, as amended, by adding a paragraph relating to liability of the owner or operator of premises designated as a fall-out shelter or bomb shelter; providing for severability; and declaring an emergency."

Referred to the Committee on Judiciary.

By Lack and Hayes of Orange:
H. B. No. 744, A bill to be entitled "An Act establishing responsibility for failure to stop for school bus under conditions outlined in Section 104 of Acts 1947, 50th Legislature, as amended, and providing a penalty for such violation."

Referred to the Committee on Judiciary.

By Cowles:
H. B. No. 745, A bill to be entitled "An Act to authorize the Game and Fish Commission to enter into contracts or agreements with the Federal Government for the eradication of noxious vegetation in the navigable waters of this State; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Satterwhite and Parker:
H. B. No. 746, A bill to be entitled "An Act providing that an indictment of any elective or appointive holder of public office for certain felonies may be presented within three years after leaving office and not thereafter; providing that Act shall be cumulative; repealing laws in conflict; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Brooks, Whitfield, Miller, Dugan, Bass of Harris and Shutt:
court of the county to increase the allowance for the use of personally owned automobiles of the County Tax Assessor and Collector and his deputies, enacting other provisions related to the subject, and declaring an emergency."

Referred to the Committee on Counties.

By Gladden:

H. B. No. 748, A bill to be entitled "An Act to amend Articles 1060a and 2758 of the Revised Civil Statutes of Texas, 1925, to provide for a lien on all property, real and personal, against which there are taxes levied by an independent school district; providing that such lien shall be prior to all other claims; providing that no gift, sale, assignment or transfer of any kind, or judicial writ of any kind can ever defeat such lien; and declaring an emergency."

Referred to the Committee on Judiciary.

By Murray:

H. B. No. 751, A bill to be entitled "An Act amending Article 5976 of the Revised Civil Statutes of Texas so as to establish a procedure whereby, upon the sworn complaint of two or more qualified citizens, the district attorney or county attorney may institute removal proceedings and providing that, should the district attorney or county attorney fail to institute such proceedings within thirty days, the Attorney General of Texas shall be authorized to institute such proceedings upon the said sworn complaint of two or more citizens; enacting other provisions relating thereto; providing a saving clause; and declaring an emergency."

Referred to the Committee on Judiciary.

By Murray:

H. B. No. 752, A bill to be entitled "An Act amending Paragraph (c) of Section 2 of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, 1929, as amended (compiled as Paragraph (c) of Article 6676a-2 of Vernon's Civil Statutes), exempting certain vehicles from the regular motor vehicle registration fee, to include oil well drilling and clean-out rigs of both conventional and unconventional construction; and declaring an emergency."

Referred to the Committee on Oil, Gas and Mining.

By Murray:

H. B. No. 753, A bill to be entitled "An Act providing that any District Court may, in a case involving water rights to which the State or Texas Water Commission is a party, determine, cancel and or declare inoperative, in whole or in part, any claimed appropriative water rights of a party to such suit on petition of the State, Texas Water Commission or any party at interest in said suit, notwithstanding the fact that no administrative proceedings have been pursued, and that two (2) certified copies of the judgment, order, or decree in said cause shall be filed by the clerk of the Court with the Texas Water Commission who shall make the necessary changes in its records to conform to the final judgment or decree."

..."br'an emergency."

Referred to the Committee on Judiciary.

By Murray:

H. B. No. 754, A bill to be entitled "An Act amending Article 6976 of the Revised Civil Statutes of Texas so as to establish a procedure whereby, upon the sworn complaint of two or more qualified citizens, the district attorney or county attorney may institute removal proceedings and providing that, should the district attorney or county attorney fail to institute such proceedings within thirty days, the Attorney General of Texas shall be authorized to institute such proceedings upon the said sworn complaint of two or more citizens; enacting other provisions relating thereto; providing a saving clause; and declaring an emergency."

Referred to the Committee on Judiciary.

By Murray and Piggins:

H. B. No. 755, A bill to be entitled "An Act relating to the creation of a conservation and reclamation district to be known as the Lower Rio Grande Water Conservancy District, and providing for its administration, rights, powers, duties, and operating procedures; authorizing the district court to punish for contempt in certain cases; providing that the act shall be cumulative of other acts where not inconsistent or in conflict; providing for severability; and declaring an emergency."

Referred to the Committee on State Affairs.

By Murray:

H. B. No. 756, A bill to be entitled "An Act amending Section 5a of Chapter 48, Acts of the 48th Legislature, Regular Session, 1943, as amended (compiled as Article 5172a of Vernon's Texas Civil Statutes), providing for the limiting of hours of labor and prescribing of wages for overtime labor for certain female employees including employees of banking institutions; repealing all laws in conflict; and declaring an emergency."
Referred to the Committee on Labor.

By Mutscher:
H. B. No. 754, A bill to be entitled "An Act amending Section 1 of Chapter 163, Acts of the 54th Legislature, 1955, (compiled as Article 24a of Vernon's Texas Civil Statutes), prohibiting the use of electricity-producing apparatus to shock fish, to increase the fine and provide a jail sentence for violations; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Haines of Brazos, Schiller, Richards, Edwards, Dungan, McGregor, Birkner, Slack, Brown of Galveston and Kothmann:
H. B. No. 755, A bill to be entitled "An Act changing the name of the Agricultural and Mechanical College of Texas to Texas A&M University; changing the name of the Texas Agricultural and Mechanical College System to the Texas A&M University System; and declaring an emergency."

Referred to the Committee on State Affairs.

By Peeler, Klinger, Lattimore and Bridges:
H. B. No. 756, A bill to be entitled "An Act amending Article 12, O3, Acts 1959, 56th Legislature, 3rd Called Session, Chapter 1, as amended by Acts 1961, 57th Legislature, Regular Session, Chapter 27, known as Title 122A, Taxation-General, to provide that the Franchise Tax imposed by chapter 12 of such title shall not apply to corporations having no capital stock and organized for the exclusive purpose of promoting the public interest of any county, city, or town, or other area within the State, including, but not limited to, corporations operating utility facilities on behalf of and for the benefit of any such city or town; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Walker:
H. B. No. 757, A bill to be entitled "An Act providing that any county not presently required to use the jury wheel system and having a population of thirty-one thousand (31,000) or more, according to the last preceding federal census, may upon a proper determination by the commissioners court adopt the use of the jury wheel for the selection of jurors; providing for the selection of those qualified to serve as jurors; and declaring an emergency."

Referred to the Committee on Judiciary.

By Walker:
H. B. No. 758, A bill to be entitled "An Act amending Articles 3937 and 3939 of the Revised Civil Statutes, 1925, as amended to allow the County Tax Assessor-Collector to charge additional fees for the assessment and collection of taxes on behalf of drainage districts, road districts, or other political subdivisions of the county, and water control and improvement districts; and declaring an emergency."

Referred to the Committee on Counties.

By de la Garza, McDonald of Hidalgo and Coughran:
H. B. No. 759, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 327, Acts of the 54th Legislature, 1955, which relates to the hunting of wild pheasants in Hidalgo County, by adding the months of February and March to the open season and changing the minimum size of tract to two hundred and fifty (250) acres; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Brown of Taylor:
H. B. No. 760, A bill to be entitled "An Act declaring State Policy on the interstate character of goods, wares and merchandise and respecting the taxable status thereof; providing a severability clause; and declaring an emergency."

Referred to the Committee on Common Carriers.

By Whitfield:
H. B. No. 761, A bill to be entitled "An Act amending Section 4a of Article 5807, of the Revised Civil Statutes of Texas, 1925, providing that a jury determination shall conclusively establish good cause therefor by waiving limitation requirement
in meritorious cases coming within the provisions of this Act; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Whitfield:
H. B. No. 762, A bill to be entitled “An Act to provide tenure of employment for educational employees of the State of Texas by defining terms, prescribing provisions of contracts and establishing rights, duties and responsibilities of educational boards and educational employees relating to hiring and retention of educational employees; providing for hearings and appeals; repealing conflicting laws; providing for severability; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Shipley:
H. B. No. 763, A bill to be entitled “An Act amending Article 5 of the Election Code of the State of Texas to provide that any person who holds any elected State, county, precinct or municipal office shall be ineligible to be a candidate for any other office unless he resigns from the office so held, prior to the filing date for the primary election for such office sought; and declaring an emergency.”

Referred to the Committee on Privileges, Suffrage and Elections.

By Harris of Galveston:
H. B. No. 764, A bill to be entitled “An Act providing for certain presumptions which shall arise from the amount of alcohol in the defendant's blood at the time of the alleged offense as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance in any criminal prosecution for a violation of any law of this State relating to driving an automobile or other motor vehicle while intoxicated or while under the influence of intoxicating liquor; and declaring an emergency.”

Referred to the Committee on Criminal Jurisprudence.

By Harris of Galveston:
H. B. No. 765, A bill to be entitled “An Act to amend Section 3 of Senate Bill No. 261, Acts of the 58th Legislature, Regular Session, 1961, as amended, so as to modify the requirements for abolishing such districts and declaring an emergency.”

Referred to the Committee on State Affairs.

By Lack:
H. B. No. 766, A bill to be entitled “An Act providing for the salary and payment thereof of the official shorthand reporter of the 88th Judicial District of Texas; and declaring an emergency.”

Referred to the Committee on Counties.

SENATE BILLS ON FIRST READING

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

S. B. No. 28 to the Committee on Judiciary.
S. B. No. 88 to the Committee on State Affairs.
S. B. No. 103 to the Committee on Criminal Jurisprudence.
S. B. No. 152 to the Committee on School Districts.
S. B. No. 231 to the Committee on Counties.

CONGRATULATORY RESOLUTIONS ADOPTED

S. C. R. No. 27, Commending the American Legion for choosing Dallas for its National Convention of 1964.
H. S. R. No. 230, By Bass of Bowie: Congratulating Leo McAfee, Jr.
H. S. R. No. 232, By Wells: Commending the Kress High School Band Students.
H. S. R. No. 233, By Macatee, Morgan, Harris of Dallas, Davis, Stollenwerck and Ball: Commending the Texas Education Agency for the practice of careful use of the State's tax dollars.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Atwell offered the following resolution:
March 7, 1963

H. C. R. No. 40

Whereas, Hattie Douglass, a widow, has alleged that she owns in fee simple the property described by metes and bounds as follows:

Being a tract of land located in the William Jones Survey, A-686, Dallas County, Texas, and being more particularly described as follows:

The point of beginning of this description is at a point in the South line of State Highway 78, said point being North 39° 45' East, a distance of 91.5 feet from the NE corner of the City of Dallas Park property;

Thence with the South line of State Highway 78, North 39° 45' East, a distance of 22.30 feet to a point for a corner;

Thence North 32° 00' East, a distance of 28.20 feet to a point for a corner;

Thence South 47° 28' East, a distance of 135.0 feet to a point for a corner;

Thence North 32° 00' East, a distance of 125.10 feet to a point for a corner;

Thence South 47° 28' East, a distance of 15.00 feet to a point for a corner;

Thence South 32° 00' West, a distance of 122.33 feet, to a point for a corner;

Thence South 49° 13' East, a distance of 193.12 feet to a point for a corner;

Thence South 45° 18' East a distance of 52.00 feet to a point for a corner;

Thence South 45° 44' 25" West, a distance of 39.96 feet to a point for a corner;

Thence North 45° 0' West, a distance of 134.59 feet, to the point of BEGINNING, and

Whereas, Said tract has been utilized by the Texas Highway Department so as to deprive the said owner Hattie Douglass, of her lawful use of said property; and

Whereas, The said Hattie Douglass desires to institute suit against the State of Texas and its Highway Department; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the consent of the State of Texas is hereby given to Hattie Douglass, a widow, 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 the said Hattie Douglass within the premises; and in case this suit is filed, service of citation or any other necessary process shall be upon the Chairman of the Texas Highway Commission and the Attorney General of Texas, and either of the parties to the suit shall have the right of appeal as in other civil cases; and,

be it further

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas or the State Highway Department as to the validity of any allegations or claims asserted in said suit, but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as of law, that may be asserted by or available to the State of Texas or the State Highway Department in said suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

Mr. de la Garza offered the following resolution:

H. C. R. No. 42

Whereas, J. W. Luttes of Cameron County, Texas, is the owner of Coast Land Farms Subdivision No. 1 of the
Potrero de la Buena Vista Grant in Cameron County, Texas, originally granted by the State of Tamaulipas to Manuel de la Garza Rosa on or about the 26th day of January, 1829, and thereafter confirmed by the State of Texas by the Act of February 19, 1852, and which grant was bounded on the East by the Laguna Madre, and subsequent to said grant 1,812 acres of land, more or less, has been formed between the eastern boundary of said Coast Land Farms Subdivision No. 1 and the line of mean higher high tide of the Laguna Madre, described as follows:

1,812 acres of land, more or less, bounded on the west by the Coast Land Farms Subdivision No. 1, as such subdivision is shown on map recorded in Volume 8, at page 15, of the Map Records of Cameron County, Texas; on the south by an easterly projection of the north line of the Gonzales League; on the east by Laguna Madre; and on the North by a line projected east from the northern extremity of the peninsula known as Townsite Point to Laguna Madre; said land being more particularly described as follows:

Beginning at the southeast corner of Tract 6 of said Coast Land Farms Subdivision No. 1 as shown on plat recorded in Volume 8, page 15, of the Map Records of Cameron County, Texas; being a point on the north line of that certain tract known as the Gonzales League as described in the partition deed between the heirs of James G. Brown and P. Gonzales, dated September 6, 1913, recorded in Volume 28, pages 267-271, of the Deed Records of Cameron County, Texas, for the southwest corner of the herein described tract; Thence in an east or southeasterly direction with a projection of the north line of the said Gonzales League to its intersection with the line of Mean Higher High Tide of Laguna Madre; Thence due west to the north or northeast corner of said Tract 62 of the Coast Land Farms Subdivision No. 1; said point constituting an easterly extension of the north line of said Tract 62 to the west line of said Mean Higher High Tide of said Laguna Madre; Thence due west to the north or northeast corner of said Tract 62 of the Coast Land Farms Subdivision No. 1; Thence in a general south or southwesterly direction, following the meanders of the east lines of said Coast Land Farms Subdivision No. 1 to the place of beginning; and

Whereas, J. W. Luttes has executed an oil and gas lease in favor of Shell Oil Company covering the above described 1,812 acres of land and said J. W. Luttes and Shell Oil Company claim that said 1,812 acres of land represents accretion to said Coast Land Farms Subdivision No. 1 and is owned by said J. W. Luttes and his Lessee, Shell Oil Company; and

Whereas, The State of Texas claims title to said 1,812 acres; and

Whereas, It is to the best interest of the State of Texas, J. W. Luttes and Shell Oil Company to have a judicial determination made as to the ownership of said 1,812 acres of land and location of the boundary separating the State owned submerged lands from the privately owned lands of J. W. Luttes and Shell Oil Company to have a judicial determination made as to the ownership of said 1,812 acres of land and location of the boundary separating the State owned submerged lands from the privately owned lands of J. W. Luttes and Shell Oil Company.

Now, therefore, be it resolved by the House of Representatives of the State of Texas, the Senate concurring, That J. W. Luttes and/or Shell Oil Company be, and they are hereby granted permission to sue the State be given to J. W. Luttes and/or Shell Oil Company.

It is necessary that permission to sue the State be given to J. W. Luttes and/or Shell Oil Company.
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1,812 acres of land. The service of citation or other process may be
had upon the Attorney General of
Texas and the Commissioners of the
General Land Office of Texas and
either party shall have the right
of appeal as provided by law.

The sole purpose of this Resolu­
tion is to grant permission to J. W.
Luttes and/or Shell
Oil Company
to
sue the State of
Texas,
and nothing
herein shall be construed as an ad­
mission against the State of Texas
of any facts or the rights of either
party in or to such land or the true
boundary between the State owned
submerged
lands
in the Laguna
Madre and the lands owned by J. W.
Luttes and/or his Lessee, Shell Oil
Company.

The resolution was referred to the
Committee on State Affairs.

RELATIVE TO THE SOVEREIGNTY
OF THE UNITED STATES

Mr. Macatee offered the following
resolution:

H. S. R. No. 234
Relative to the sovereignty of the
United States, and for other pur­
puses.

Whereas, The State Department of
the United States of America has
(in its official publication No. 7277,
released September 19, 1961) dec­
clared its "specific objectives" to be:

"1. The disbanding of all na­
tional armed forces and the pro­
hibition of their re-establishment in
any form whatever other than those required to preserve internal
order and for contributions to a
United Nations Peace Force;

"2. The elimination from nation­
al arsenals of all armaments, includ­
ing all weapons of mass destruction and the means for their delivery,
other than those required for a
United National Peace Force and for
maintaining internal order;

"3. The institution of effective
means for the enforcement of inter­
national agreements, for the settle­
ment of disputes and for the main­
tenance of peace in accordance with
the principles of the United Nations;

"4. The establishment and effective
operation of an International Dis­
armament Organisation within the
framework of the United Nations to
insure compliance at all times with
all disarmament obligations;" and

Whereas, These objectives are in­
corporated in proposals offered by
representatives of the United States
at Geneva in the form of a treaty
to be entered into between the gov­
ernment of the United States and
the government of Russia; and

Whereas, The attainment of these
objectives will constitute a surrender
of the sovereignty of the United
States to the United Nations and
will leave the people of the United
States and the citizens of the State of
Texas defenseless.

Now, therefore, be it resolved by
the House of Representatives of Tex­
as That this House recognizes no
delегation of power made by the
states to the President nor to the
federal government authorizing them
to negotiate for the surrender of the
sovereignty of this nation to the
United Nations, and, therefore this
House, invoking the sworn duty
of the President of the United States
under the Constitution to "provide
for the common defense," repudiates
any such proposals which have been
or may be made in his name or
otherwise, and hereby declares that
this House will not recognize as
constitutional any such treaty if
negotiated, and if entered into will
take every available means to dis­
charge its duty of providing for the
defense of the citizens of this State.

Be it further resolved That the
Clerk of the House of Represent­
atives is hereby instructed to trans­
mit a suitable copy of this Reso­
lution to the President of the United
States, to the Governor of Texas,
and to each member of the Texas
Delegation in the United States
Senate and the United States House
of Representatives.

The resolution was referred to the
Committee on State Affairs.

RELATIVE TO TAX PROPOSALS
IN CONGRESS AFFECTING
THE PETROLEUM INDUSTRY

Mr. Davis offered the following
resolution:

H. S. R. No. 235
Whereas, The petroleum industry
Whereas, The petroleum industry is one of the major bulwarks of the economy; and
Whereas, The petroleum industry has contributed heavily to the finances of State government by paying 37% of all local property taxes and 30% of all State taxes collected in Texas during the year 1961; and
Whereas, Such taxes collected amounted to 49% of the cost of public education maintained in Texas; and
Whereas, The Texas petroleum industry has borne the largest portion of loss of markets suffered during recent years by the petroleum industry as a whole; and
Whereas, The tax program of the present National Administration proposes additional Federal tax burdens on the already overburdened petroleum industry; and
Whereas, The Secretary of Treasury of the United States has testified that this proposed tax program will have the same effect as cutting the depletion allowance by five percent, thus costing the Texas petroleum industry approximately one hundred million dollars per year in additional Federal taxes; now therefore be it
Resolved, That this House respectfully requests that these tax proposals affecting the petroleum industry be withdrawn, and that copies of this resolution be sent to the President, Vice-President, Secretary of Treasury of the United States, and to all members of the Congress of the United States.

Signed: Davis, Macatee, Ball, Morgan, Stollenwerk and Harris of Dallas.

The resolution was referred to the Committee on State Affairs.

RELATIVE TO THE 59TH LEGISLATURE OF TEXAS RESOLVING ITSELF INTO A CONSTITUTIONAL CONVENTION

Mr. Whitfield offered the following resolution:

H. C. R. No. 41

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the 59th Legislature of Texas resolve itself into a Constitutional Convention during the final twenty days of the Regular Session of the 59th Legislature in 1966; and be it further
Resolved, That the Constitutional Convention so called be directed to draft a Constitution for this State which shall be a substitute for the Constitution of 1876 and which proposed Constitution shall be submitted for adoption to the electorate of the State on the first Tuesday after the first Monday in November, 1966; and be it further
Resolved, That the proposition calling for said Constitutional Convention shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1966, at which election all ballots shall have printed thereon the following:

"FOR resolving the House of Representatives and the Senate into a Constitutional Convention during the final Twenty (20) days of the Regular Session of the 59th Legislature to frame a new Constitution."

"AGAINST resolving the House of Representatives and the Senate into a Constitutional Convention during the final twenty (20) days of the Regular Session of the 59th Legislature to frame a new Constitution;" and be it further
Resolved, That the Governor of Texas shall issue the necessary proclamation for the election and this proposition shall be published in the same manner and for the length of time as is required by the Constitution and laws of this State for constitutional amendments.

The resolution was referred to the Committee on State Affairs.

CONCERNING DEDICATING CERTAIN RIGHT-OF-WAY TO CITY OF AUSTIN FOR STREET PURPOSES

Mr. Cain offered the following resolution:

H. C. R. No. 39

Whereas, By H. C. R. No. 99, the 53rd Legislature dedicated certain
right-of-way to the City of Austin for Shoal Creek Boulevard; and,

Whereas, The City Council of the City of Austin has agreed to vacate 0.073 of an acre of the right-of-way, dedicated by the aforementioned H. C. R. No. 82 of the 53rd Legislature, provided that the Legislature now dedicate .061 of one acre of land to permit a better alignment of Shoal Creek Boulevard; and,

Whereas, The Legislature finds it to be in the public interest to dedicate said .061 of an acre in consideration for the vacation by the City Council of the City of Austin of the aforementioned 0.073 of one acre in order to permit such realignment of Shoal Creek Boulevard in the City of Austin; Now, Therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the heretofore described tract be and the same is hereby dedicated to the City of Austin for street purposes; said tract of land being more particularly described as follows:

0.061 of one acre of land, same being out of and a part of that certain 100.00 acre tract of land out of the George W. Spear League in the City of Austin, Travis County, Texas, which 100.00 acre tract of land was conveyed to the State of Texas by Warranty Deed dated July 28, 1887 of record in Volume 76 at Page 225 of the Deed Records of Travis County, Texas; said 0.061 of one acre of land being more particularly described by metes and bounds as follows:

Beginning at an iron pin at the most westerly corner of the herein described tract of land, same being the northeast corner of Lot 6, Block A, Shoal Courts, a subdivision of record in Book 6 at Page 185 of the Plat Records of Travis County, Texas, which point of beginning is also the point of intersection of the south line of the said State of Texas tract of land and the proposed curving west line of Shoal Creek Boulevard, said curve having an intersection angle of 65°37'; a radius of 318.41 feet; and a tangent distance of 205.00 feet.

Thence, following said proposed west line of Shoal Creek Boulevard with a curve to the right an arc distance of 47.61 feet, the sub-chord of which arc bears N 25° 55' E 47.61 feet, to an iron pin at the point of tangency of said curve;

Thence, continuing with the proposed west line of Shoal Creek Boulevard, N 20° 19' E 150.51 feet to its point of intersection with the present west line of said Shoal Creek Boulevard, same being the point of curvature of a curve whose intersection angle is 49° 09', whose radius is 431.51 feet, and whose tangent distance is 220.20 feet, for the most northerly corner of the herein described tract of land;

Thence, following said present west line of Shoal Creek Boulevard with a curve to the left an arc distance of 203.63 feet, the sub-chord of which arc bears S 18° 03' W 203.12 feet to its point of intersection with the aforementioned south line of the State of Texas tract of land, same being the north line of the aforementioned Shoal Courts, for the most easterly corner of the herein described tract of land;

Thence, with the said south line of the State of Texas tract of land, N 59° 55' W 38.39 feet to the point of beginning.

Signed: Cain, Ritter, Cavness and Foreman.

The resolution was referred to the Committee on State Affairs.

PROVIDING FOR A COMMITTEE TO MAKE CERTAIN INVESTIGATION

Mr. Atwell offered the following resolution:

H. S. R. No. 236

Whereas, On March 4, 1963, two Members of the House of Representatives made and leveled certain charges regarding the propriety of the activities of each other in connection with their service on an interim committee of the previous Session of the Legislature; and

Whereas, The charges and allegations are printed in the House Journal for Monday, March 4, 1963, and question the propriety of the use of House facilities for the printing and dissemination of the printed materials and further questions the propriety of the reimbursement of the Members for expenses allegedly incurred; and

Whereas, Such charges and alleg-
whereas, the members of the fifty-eighth legislature have shown that they wish the public to have access to all the facts and circumstances attendant to the operation of all levels of government to the end that the public confidence in government will be preserved and enhanced; now, therefore, be it

resolved by the house of representatives of the fifty-eighth legislature, that the speaker be, and be hereby authorized to appoint a committee of five members of the house to conduct an investigation into the alleged acts above referred to as well as any other matter relating thereto and report back to this house within thirty days; and, be it further

resolved, that said committee shall have power to formulate its own rules of procedure and evidence, and to meet at such times and places as it may deem best and shall elect its own chairman.

the resolution was referred to the committee on state affairs.

HOUSE BILL NO. 320 WITH SENATE AMENDMENT

Mr. Cook moved that all the necessary rules be suspended for the purpose of taking up and considering at this time house bill No. 320, with senate amendment.

The motion prevailed by unanimous consent.

The speaker then laid before the house with senate amendment, H. B. No. 320, A bill to be entitled “An Act changing the terms of office of members of boards of regents of junior college districts operating under chapter 144, Acts of the 51st legislature, 1949, (compiled as Article 3812b, Vernon’s Texas Civil Statutes) to six years; providing for the filling of vacancies; providing that this Act shall be cumulative of all other laws except in case of conflict; and declaring an emergency.”

Mr. Cook moved that the house concur in the senate amendment to H. B. No. 320.

The motion prevailed without objection.

TEXT OF SENATE AMENDMENT TO HOUSE BILL NO. 320

Amend house bill No. 320 by deleting section 4 thereof and substituting in lieu thereof the following:

section 4. except as modified by this Act, all such elections in such junior college districts shall be held in the manner and in conformity with the provisions of law now applicable; provided, however, that this Act shall not become effective as to Cisco Junior college until January 1, 1964.

SENATE BILL NO. 6 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 6, A bill to be entitled “An Act relating to the creation of Padre Island National Seashore, and declaring an emergency.”

The bill was read third time.

A record vote was requested on the passage of S. B. No. 6.

S. B. No. 6 was passed by the following vote:

Yea’s-137

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The above record vote was requested by Mr. Davis, Mr. Morgan, Mr. Stollenwerck and Mr. Ball.)

**SENATE BILL NO. 17 ON THIRD READING**

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

S. B. No. 17. A bill to be entitled "An Act relating to the establishment, operation and maintenance of a public fishing pier from the old causeway across Copano Bay in Aransas County; and declaring an emergency."

The bill was read third time and was passed.

**SENATE BILL NO. 43 ON THIRD READING**

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

S. B. No. 43. A bill to be entitled "An Act amending Section 3 of Chapter 337, Acts of the 53rd Legislature, Regular Session, 1953, compiled as Section 3 of Article 2756c, Vernon's Texas Civil Statutes, so as to authorize the State Board of Education to annex territories of military reservations to independent school districts contained wholly within military reservations which are subject to the same post or base command as that of the territory being annexed; and declaring an emergency."

The bill was read third time.

Mr. Kothmann moved that further consideration of Senate Bill No. 43 be postponed until 11:00 o'clock a.m., March 21, 1963.

The motion prevailed without objection.

**HOUSE BILL NO. 99 ON THIRD READING**

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

H. B. No. 99. A bill to be entitled "An Act relating to Real Estate Brokers and Salesmen; amending the Real Estate License Act, House Bill No. 17, Acts of the 46th Legislature, 1939, as amended (Codified as Article 6573a, Vernon's Texas Civil
amending the Penal Code of the State of Texas by adding thereto a provision making it unlawful for any person to violate the provisions of the Texas Real Estate License Act or any order, permit, decision, demand or requirement of the Texas Real Estate Commission authorized by the Real Estate License Act, and providing penalty for such violation; providing for a repealing clause; providing for a severability clause; and declaring an emergency."

The bill was read third time and was passed. 

HOUSE BILL NO. 1 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 1, A bill to be entitled "An Act creating the Governor's Committee on Education Beyond the High School for the study of the needs of public and private education beyond the high school in this State and the formulation and recommendation of a comprehensive coordinated system of programs and facilities in education beyond the high school; setting a termination date for its work; providing for severability; and declaring an emergency."

The bill was read second time.

Mr. Fondren offered the following amendment to the bill:

Amend House Bill No. 1 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby established the Governor's Committee on Education Beyond the High School to be composed of twenty-five members appointed by the Governor. The Governor shall designate the Chairman of the Committee. At its first meeting, the members of the Committee shall elect a Vice-Chairman from among their number. It is the intent of the Legislature that appropriate representation on the Committee be given to public, private and private denominational junior colleges, colleges, universities, and graduate and postgraduate research institutes. The terms of office for members of the Committee shall be from the date of their respective appointments until August 31, 1964. Sec. 2. The first meeting of the Committee shall be called by the Governor immediately after a major-
ity of the members have qualified by accepting appointment. A majority of the Committee shall constitute a quorum. The Committee may create such advisory committees as it deems necessary for the efficient and effective performance of its duties.

Sec. 2. The Committee shall study the present status of public and private education beyond the high school with a view towards recommending to the Governor and the Legislature essential steps for achieving a standard of excellence in higher education second to none in the nation, giving attention to any factors it considers pertinent but including the following:

(1) Inquire into the needs in Texas for educational opportunities beyond the high school during the next decade.

(2) Assay the present and potential resources of existing institutions and systems, both private and public, for providing education of requisite quality for meeting these needs.

(3) Propose a comprehensive development of programs and facilities for education beyond the high school of adequate quality to enable Texas, with maximum economy of resources and with preservation of the autonomy and voluntary character of private institutions, to seize and capitalize upon the opportunities for progress in the next decade.

The above enumeration does not restrict in any way the Committee's latitude in its study of education beyond the high school, or recommendations on topics relating thereto which it may see fit to make.

The Committee shall make a report not later than August 31, 1964, to the Governor and to each member of the Legislature on the results of its study and its recommendations.

Sec. 4. (a) The Committee shall appoint a Director qualified by broad experience in the field of higher education and such other professional, technical and clerical staff as it deems necessary. The Committee may also employ as consultants outstanding persons having wide knowledge and extensive experience in the various areas of higher education.

(b) Any state agency, office or institution including the state-supported colleges and universities, when requested by the Committee, shall assist the Committee in its work. State-supported colleges and universities may grant leaves of absence to members of their staff to serve as employees of the Committee.

(c) Any information or records in any junior college, college or university to which the state contributes support shall be made available to the Committee at its request. Any information or records relative to such junior colleges, colleges and universities in any state office or agency shall be available to the Committee at its request. The Committee may accept the assistance of any private institutions or research organization in any phase of its study, provided that the Committee shall have final responsibility for any report submitted to the Governor and the Legislature.

Sec. 5. (a) Members of the Committee shall serve without pay, but shall be reimbursed for their actual expenses incurred in attending to the work of the Committee.

(b) The Committee shall be authorized to accept gifts, grants or donations to assist in the performance of its work.

Sec. 6. This Act shall cease to be effective as of August 31, 1964.

Sec. 7. If any word, phrase, clause, sentence, paragraph, section or part of this Act shall be held to be invalid or unconstitutional, such decision shall not affect the remaining portions of this Act; and the Legislature hereby declares that it would have passed such remaining portions of this Act despite such invalidity or unconstitutionality.
amendment to the amendment offered by Mr. Fondren:

Amend Fondren substitute for House Bill No. 1 by striking the first sentence in Section 1 and substituting in lieu thereof the following:

"There is hereby established the Governor's Committee on Education Beyond the High School to be composed of twenty-five members appointed as follows: Fifteen members appointed by the Governor; five members appointed by the Lieutenant Governor; and five members appointed by the Speaker of the House of Representatives."

Mr. Harris of Dallas offered the following substitute amendment for the amendment offered by Mr. Collins:

Amend substitute for Amendment No. 1 of the substitute for House Bill No. 1 by striking the word "twenty-five" on line 28 and inserting in lieu thereof the word "fifteen" and by striking the word "fifteen" on line 34 and inserting in lieu thereof the word "five."

Mr. Crews moved to table the substitute amendment offered by Mr. Harris of Dallas.

A record vote was requested on the motion to table.

The motion to table the amendment offered by Mr. Harris of Dallas prevailed by the following vote:

Yea—140

Nay—6

Present—Not Voting
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(The above record vote was requested by Mr. Carriker, Mr. Pearcy and Mr. Roberts.)

Mr. Collins offered the following amendment to the amendment offered by Mr. Fondren:

-Amend paragraph (a) of Section 4 of Fondren substitute for House Bill No. 1 by inserting the following sentence immediately following the first sentence of said paragraph:
"No employee shall be paid a salary in excess of salaries paid employees in other state departments and agencies performing similar duties who are subject to the position classification plan as set out in Section 13 of Article III, Senate Bill No. 1, Acts of the 57th Legislature, 1st Called Session, 1961."

Mr. Crews moved to table the amendment offered by Mr. Collins.

A record vote was requested on the motion to table.

The motion to table the amendment offered by Mr. Collins was lost by the following vote:

**Yeas—66**

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**Nays—78**

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<thead>
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<td>Moyer</td>
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<td>Absent—Excused</td>
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<td>Houston</td>
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Mr. Harts of Dallas raised a point of order on further consideration of H. B. No. 1 on the ground that H. B. No. 1 and the substitute...
amendment offered by Mr. Fondreu are in violation of Article I, Section 7; Article III, Section 48; Article VIII, Section 3; and Article XVI, Section 6 of the Constitution.

COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee to escort Governor Connally: Barnes, Chairman; Coughran, Fondren, Mann, Miller, Satterwhite, Shannon, Schiller and Traeger.

RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 16, Providing for a Committee to select a Poet Laureate and Alternate Poet Laureate for the State of Texas.

H. C. R. No. 35, Inviting Governor John Connally to address a Joint Session.

At 11:59 o'clock a.m., Governor John Connally, escorted by Senators Moffett, Hazlewood, Biles, Hardeman and Alkin, Committee on the part of the Senate, and Representatives Barnes, Chairman; Coughran, Fondren, Mann, Miller, Satterwhite, Shannon, Schiller and Traeger, Committees on the part of the House, were announced at the bar of the House and being admitted, were escorted to seats on the Speaker's Rostrum.

Lieutenant Governor Smith called the Senate to order.

The Honorable Byron Tunnell, Speaker, called the House of Representatives to order.

Speaker Tunnell stated that the two Houses were in Joint Session in accordance with the provisions of H. C. R. No. 35 for the purpose of hearing an address by His Excellency John Connally, Governor of Texas and presented Governor John Connally to the Joint Session.

Governor Connally then addressed the Joint Session, as follows:

(A. Opening remarks and introduction.

When we met here in this hall on January 16 to begin our work together for the people of Texas, I outlined a basic Program of Progress which I suggested as our plan. And I am particularly gratified over the enthusiastic endorsement given to so much of this program.

While I spoke in specific detail about various aspects of our Program for Progress at that time, I deferred any recommendations of a budgetary nature. I did so because I very keenly feel my responsibility in this area as expressly laid down by the Constitution. I told you instead that I would return within a
few weeks, after I and my staff had an opportunity to study and evaluate the fiscal affairs of the State, and that I would then submit what I would hope would be a meaningful budget that I could endorse to you from first hand knowledge.

You members of the House and Senate very graciously cooperated in that request, ... in part by appropriating needed funds to permit me to do justice to the job. And today, despite limitations of time ... and the handicap of one personal excursion I hadn't planned on ... I am pleased to give you my proposed budget for the State of Texas for the biennium of 1964-1965.

B. Philosophy of Budget

Before we talk dollars, ... or millions of dollars, let me touch briefly on the basic philosophy of the Executive Budget, ... the guidelines and principles we have followed in forming our recommendations.

We have developed a budget based on three primary policy convictions:

(1) We must maintain and improve the vital services necessary to the well being of our people.

This administration considers it a responsibility and an obligation that this State provide for the humane needs of our elderly, our sick, and our dependant. Therefore, you will find that in dealing with the human needs of our people, we have chosen compassion over merciless economy.

(2) We must place greater emphasis on sensible investment programs offering benefits in terms of long-range economy, and more productive, self-supporting citizens.

In my judgment, this approach offers us dramatic possibilities for progress. You will find, therefore, that generally, we have recommend- ed more investment in brainpower, less money in bricks—more attention to treating the cause of our problems—less to the effect, I believe in investing in people—to help those people help themselves. In the field of education, particularly, you will find that I believe in putting more dollars to work in educating the young of our State, so that they in turn may enjoy a better way of life in today's space age, and make their contribution to a greater state.

(3) We must relentlessly seek actions and programs to achieve efficiency and economy in government.

It is our duty, as elected representatives of the people of Texas, to do all within our power to get maximum benefit from every tax dollar expended and seek out and do away with waste wherever it is found. You will find that this administration has taken specific steps in this budget recommendations to achieve immediate savings where such steps did not interfere with the services of this State. More importantly, I am recommending funds for a vital program of long range economy in government.

C. Recommendation Highlights

And now, if I may, let me review some highlights of the specific recommendations I am laying before you here today for your consideration and action.

(1) First, in the field of vital services:

(a) I am recommending improved care for our elderly, our sick, and our dependent in the state's hospitals and special schools. Specifically, this includes:

- Additional attendant and nursing personnel in our mental institutions.
- 1200 additional new beds for our mentally retarded.
- Replacement of the shameful dilapidated Confederate Home housing aged, helpless semi-invalids living in fear from day to day in a fire trap.

(b) I recommend appropriation of $2,841,000 for completion of the Screwworm Eradication Program, as it is of greatest matter to all Texans.

(c) I recommend additional funds of $383,000 for strengthening of the resources in the Attorney General's office, to make sure that the best interests of the people of Texas are protected in the courts. Fund
appropriated here will help prosecute vigorously cases resulting from the slant-hole drilling scandal.

(d) I propose appropriation of $5,346,000 to the Railroad Commission including provision for 51 investigators and $100,000 for investigative surveys on oil and gas wells to enable this body to fully discharge its responsibilities.

Investment Programs

(2) Next, the promising investment programs for state funds. This is the area where our dollars and our efforts will pay us the greatest dividends.

(a) First, and in my judgment, the most important single investment we can make is in the field of education. I have said repeatedly that the future of Texas is heavily dependent on the future of our educational system, and this I believe. I believe it so strongly that $24 out of every dollar I am recommending to you in the General Revenue Fund appropriation is budgeted for education.

I propose a number of specific investments, which I am convinced will pay us great dividends. These include:

—An increase of almost $46 million for teaching salaries in 20 colleges and universities. $16 million is for anticipated enrollment increases, and almost $14 million is for improved salary levels of teachers.

—Provision of more than $1 million for graduate fellowships and scholarships to help retain our outstanding graduates in the State.

—Appropriation of $2,200,000 in additional funds for research, including expenditures to attract, encourage and retain outstanding faculty scholars.

—An increase of $4,200,000 for libraries, including provision for 25,000 additional volumes in 20 colleges.

Time does not permit me to treat fully all of the important aspects of education. In summarizing this section, let me underscore my convictions only by saying that if we do nothing more during the 58th Legislature, let us commit Texas to excellence in education.

(b) Another vitally important area for investment lies in revitalization of our Tourism. No other industry offers such available and rapid economic income to Texas. I recommend to you appropriation of $500,000 to activate a vigorous program of advertising and promotion of our State to tourists, through the Office of Tourist Development.

(c) We all recognize the urgency of expansion of industrialization throughout Texas, if we are to provide the job opportunity needed by our increased population. As a positive step in that direction, I am recommending appropriation of $400,000 to carry out a continuing program the next two years for the new Office of Economic Development.

(d) No investment offers more potential return than medical research aimed at more effective treatment and aid for our mentally ill. Therefore, I take pride in fully endorsing the appropriation of $1,565,000 for psychiatric research and training. We must learn more of the causes of mental illness, to correct the problems at its source.

(e) Along this same line of directing our efforts toward promising innovations in the treatment of mental illness, I am particularly pleased to recommend funds for expansion of a program providing for a shift in the treatment of psychiatric cases from large state mental institutions to intensive care in local or nearby facilities under special contract arrangement. Experience of a pilot contract experiment in El Paso has indicated the average stay of these patients was nine days, compared to months usually spent in large state hospitals. These are the kinds of programs we must develop and encourage for dealing more effectively with our problems.

(f) Another investment to which I am pleased to give my full endorsement is the expanded juvenile parole program, designed to help guide wayward youth toward a life as responsible, productive citizens. Operating with five full-time juvenile parole officers in five major
cities, the Texas Youth Council reduced broken paroles from 42% to 30%. I am recommending expansion to provide for 16 parole officers in 1964, and 20 in 1965. I can think of no better investment than funds aimed at restoring these juveniles to society.

(g) Our state government, and the services it provides, can be no better than the people who do the job. With the aim of increased efficiency resulting from a reduced employee turnover, and a higher level of service performance, I have recommended limited improvements in state salaries, including the equalization benefits of job classification.

(h) In the realization that state personnel, no matter how dedicated, cannot do a job without necessary facilities, I recommend to the Legislature appropriation of funds to provide for the construction and furnishing of an additional state office building.

3. Efficiency and Economy in Government.

As I said earlier, we have a heavy responsibility to exercise economy and efficiency in the conduct of the people's business.

To this end, I am pleased to lay before you today an Executive Budget accompanied by the following specific recommendations:

(a) Abolition of the Texas Aeronautics Commission.

(b) Abolition of the post of Count's Superintendents, as a position paid for by the State. And let me pause here to extend my congratulations to these two bodies which already have acted with dispatch to provide legislation to enable this savings. It is all too seldom these days that the people see such determined action to eliminate waste.

(c) Consolidation of the Fish and Game Commission with the Parks Board to result in increased efficiency and economy.

(d) Prudent reductions in capital expenditures and maintenance funds. With a determination for "making do with what we have," we have been able to exercise substantial saving in physical plant expenditures without affecting levels of government services. For example, we have recommended delayed purchases of equipment such as automobiles and deferred non-essential repairs and construction in all areas of state operations.

(e) With the aim of achieving far more meaningful economies in the years ahead, I recommend funds for creation of the Commission for Economy and Efficiency in Government. Study should be given promptly to the possibility of combining, consolidating or eliminating some of the 167 State agencies.

4. Repair and Maintenance of the San Jacinto Monument.

I want to talk now for just a moment about one other need of our State. We Texans are a proud people—proud of the heritage won that glorious day in April, 1836 on the battlegrounds of San Jacinto, and yet we cannot be proud of the shameful condition of the dramatic spire that stands majestically above those hallowed grounds. And so, speaking for all who share the pride of our State, I recommend to you the appropriation of funds necessary to restore and maintain the San Jacinto Monument in all its glory.

D. The 1964-66 Administration Budget.

1. Total all-funds expenditures and limitations.

Turning our attention now to the budget, let's talk first in terms of the so-called over-all State budget as it is popularly known. The document that I will place before you will result in total expenditures by the government—from all sources, of $3,119,444,308 for the next biennium. But as I discussed in a session many of you sat in on yesterday with editors and publishers from across the State, that figure really doesn't mean much in our deliberations here.

—For one thing, it includes almost $700 million in federal aid funds. That means that almost 34 out of every dollar this State spends the next two years comes from the federal government in one or another—and that doesn't include
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millions more in grants to higher educational institutions.

More importantly, of that total of $3,119 million, more than 85¢ of every dollar is committed, and is beyond our control. I think it is vitally important that the people of Texas understand that neither you members of the Legislature nor the Governor have significant control over how their tax money will be spent, other than 15¢ out of every dollar.

This situation is caused by a fantastic system of "Untouchable Funds," shielded by constitutional restriction or by existing laws, literally tying the hands of those of us who are charged with handling the State's finances.

And let me say this further: Unless the people of Texas recognize the consequences of this mushrooming financial monster we have created—and give our elected officials meaningful control, we are facing a tidal wave of taxation ahead.

2. Recommended General Revenue Appropriations.

Being realistic then, let's talk now about that small slice of the pie that we do have available at our discretion—the 15¢ out of every dollar—the monies which you will appropriate from the General Revenue Fund.

I am recommending to you General Revenue Fund expenditures of $479,274,602 for the next biennium. Almost 52% of this total, I am asking for public and higher education. Another 24% goes for our hospitals and special schools. More than 75¢ of every dollar I am recommending for appropriation of the General Revenue Fund goes for the education of our young, or the care and treatment of our sick, aged and dependent.

The General Revenue Budget I am submitting, reflects my full and personal attention and consideration to the multitude of needs in our State, weighed against the common sense balance of sound business management and economy.

3. Recommended Supplementary Revenue Program.

I said to you here in January that I would accompany any recommendations for increased expenditures with suggested avenues for revenues. The budget presented you today will necessitate two actions by this Legislature:

(a) Adoption of recommendations of the Commission on State and Local Tax Policy which provide for the removal of the inequities in the present sales tax, anticipated to produce approximately $23.8 million in the next biennium.

(b) Extension of the present corporate franchise tax, estimated to provide approximately $22 million the next two years.

Total General Revenue Fund income for the next biennium, including these resources, is estimated to be $483,793,396, which will provide the State a balanced budget, and an anticipated surplus of approximately $4,518,734.

D. Summary

All across the vast expanses of this State last year, I shook the hands of confident Texans who said they were ready for a new era of progress. They were people from all walks of life who are proud of our past, but eager to strive for a greater future. In January, I outlined my detailed thoughts on how we can best work toward that greater future. I said then that I felt Texas is on the threshold of a glorious chapter in its history. I am more confident of it today than ever. The progress made by this body in this session is historic in itself—and typical of the new spirit rising throughout Texas.

Now I have presented my specific budget recommendations implementing the programs I suggested. I commend them for your thorough study and endorsement. I am sure that in these recommendations—as in some of my others, that we shall not always agree. But I am sure also that we shall have the wisdom, patience and humility to resolve any differences we may have. In so doing, we do honor to the sacred trust that is ours—and measure up to our responsibilities in striving for a greater destiny for all the people of Texas.

Thank You.
At 12:21 o'clock p.m., Lieutenant Governor Preston Smith stated that the business of the Joint Session was accomplished and that the Senate would stand recessed, in accordance with a previous motion.

In accordance with a previous motion.

At 12:22 o'clock p.m., Speaker Tunnell stated that the House would stand at ease, pending the departure of the guests.

The Speaker called the House to order at 12:30 o'clock p.m.

Mr. Fondren moved that the House recess until 2:30 o'clock today.

Mr. Johnson of Dallas moved that the House adjourn until 10:00 o'clock a.m. next Monday.

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

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

In accordance with the motion to adjourn the House, at 12:35 o'clock p.m., adjourned until 11:00 o'clock a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

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<td>Municipal and Private Corporations</td>
<td>H. B. No. 53.</td>
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<tr>
<td>State Hospitals and Special Schools</td>
<td>H. B. No. 496.</td>
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REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 197, A bill to be entitled "An Act amending the Code of Criminal Procedure of Texas, 1925, by the addition of a new Article 450a, to provide for alternate jurors in felony cases and for procedure in felony cases when a juror becomes unable or disqualified to continue; providing a severability clause; providing the Act shall not apply to pending litigation; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred


Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 236, A bill to be entitled "An Act amending Section 2 of Chapter 297, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended, relating to 

...
commercial fishing in certain counties, to prohibit fishing commercially in that portion of the Angelina River that is the boundary line between Cherokee and Nacogdoches Counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 267, A bill to be entitled "An Act to provide for the stopping and inspecting of all shipments of livestock or livestock products transported into or through the State of Texas; providing penalties for violations; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 371, A bill to be entitled "An Act creating a special court for Taylor County, Texas, to be known..."
as the Taylor County Court of Domestic Relations; fixing its jurisdiction; conforming the jurisdiction of other courts thereto; providing the qualifications, and the manner of selection, tenure, and compensation of the Judge; providing for a Sheriff and District Clerk and County Attorney to serve such Court; providing grounds for removal of the Judge; providing the procedure therein; providing for investigation and evidence in child custody matters; fixing the term of such Court; providing for appeals; providing for a seal and a court reporter, secretary, and investigator; court interpreter; repealing all laws in conflict; containing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 274, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 9, Constitution of Texas, known as Butterfield Water Control and Improvement District, located in El Paso County, Texas; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; defining powers of District; conferring on District the rights, powers, privileges, authority and duties of the General Laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation and no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; authorizing District certain rights, powers and authority for and in connection with its systems, facilities and other things necessary to the fulfillment of its purposes or within or without the boundaries of the District, and related matters; providing for governing body of District; providing for qualifications and bonds of Directors; naming first Board of Directors; providing for terms and election of Directors and provisions for failing to call Director elections and related matters; providing Directors to fill vacancies; providing for organization of Board of Directors; providing for employment of engineers, attorneys, and other employees; providing for sale and price of bonds and refunding bonds; providing for exchange of bonds or refunding bonds for property acquired or in payment of contract price for work done or materials or services furnished and providing for price of bonds or refunding bonds in such exchange; providing for bonds and refunding bonds to be approved by Attorney General of Texas and registered by the Comptroller of Public Accounts and providing for negotiable, legality, validity, obligation, incontestability of the bonds and refunding bonds; making bonds and refunding bonds eligible investments; making inapplicable certain provisions of Article 1889-77b, Vernon's Texas Civil Statutes, as amended, to the District; exempting property and bonds of District from taxation and related matters; providing District shall bear expense of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by the exercise of the power of eminent domain; finding the District created essential to the purposes of Section 59, Article 16, Texas Constitution; finding a benefit to all land and other property within the District; declaring District a body politic and corporate of equal dignity with any municipal corporation; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 6, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 286, A bill to be entitled...
"An Act fixing the maximum salary for the County Road Engineer in certain counties; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 290, A bill to be entitled "An Act fixing the salaries to be paid certain officials, appointed officials and employees in certain counties; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 295, A bill to be entitled "An Act authorizing creation of a county-wide hospital district in Stonewall County, to be known as the Stonewall County Hospital District; providing for an election in Stonewall County to create a county-wide hospital district; providing for the levy of a tax for the District for the purpose of maintaining and operating the District, paying indebtedness assumed by such District and bonds issued by the District; providing for the issuance of bonds by the District for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipment same for hospital purposes and for any and all such purposes and for refunding bonds and prescribing limitations on such power; providing bonds issued or assumed by a District shall be lawful investments and collateral for certain funds; providing for the transfer of title to any land, building, or equipment of any hospital or hospital system already owned or operated by the County, or by the County and a city that jointly operates a hospital or hospital system or by a city within such District that operates a hospital or hospital system; providing for the assumption of any bonds outstanding that may have been issued by the County or a city within such District for hospital purposes; providing for the selection of a governing body of such Hospital District and tenure of office and duties of such governing body in carrying out the provisions of the Act; prescribing a procedure for the adoption of a budget; the selection of a depository and the power of eminent domain which power is conferred upon the District; prescribing a fiscal year; withdrawing authority for the sale of bonds for hospital purposes by a city located within the District established or the County; prohibiting the levy of taxes by a city for hospital purposes and restricting the powers of Stonewall County where a District is established to levy taxes for the care of indigents under certain circumstances; providing severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 300, A bill to be entitled "An Act providing a penalty for the operation of certain aircraft while intoxicated or under the influence of intoxicating liquor; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 318, A bill to be entitled "An Act providing a penalty for the operation of certain aircraft while intoxicated or under the influence of intoxicating liquor; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.
"An Act fixing a maximum salary for court reporters in judicial districts composed of two counties, one of which has a population of not less than one hundred and fifty thousand (150,000) and not more than two hundred thousand (200,000) and either of which borders on the Republic of Mexico; providing for apportionment of payment of salaries between counties on the basis of population; and declaring an emergency." 

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 6, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir:

Your Committee on Engrossed Bills to whom was referred H. B. No. 358, A bill to be entitled "An Act amending Acts of 1961, Fifty-second Legislature, Regular Session, Chapter 491, page 1066, as amended, codified as Article 21.09 of the Insurance Code of Texas, Vernon's Texas Civil Statutes, relating to countersigning of policies by local recording agents and exceptions therefrom, to exempt bid bonds issued in connection with any public or private contract; providing for a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, March 7, 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. 36, Inviting the Hon. John Connally, Governor of Texas, to address a Joint Session of the House and Senate of the Fifty-eighth Legislature of the State of Texas,

Has carefully compared same and finds it correctly enrolled.

JOE CANNON, Vice-Chairman.

SENT TO GOVERNOR

March 7, 1963

H. C. R. No. 36.

THIRTY-SIXTH DAY

(Monday, March 11, 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: Davis
Adams: Dike
Allen: Duncan
Arlidge: Eckhardt
Atwell: Edwards
Baird: Ennis
Ball: Fairchild
Barnes: Finney
Bass of Bowie: Fletcher
Bass of Harris: Floyd
Beckham: Fonder
Berry: Foreman
Birkner: Garrison
Blaine: Gladstein
Boyes: Glenn
Bridges: Green
Brooks: Grover
Brown of Galveston: Guffey
Brown of Taylor: Hallmark
Butler: Hardill
Cain: Haring
Caldwell: Harris
Canales: of Galveston
Cannon: Harris of Dallas
Carpenter: Hays of Orange
Carriker: Healy
Carrvoss: Hefton
Chapman: Hendry
Cherry: Hinson
Clayton: Hollowell
Cole: Hughes
Collins: Jamison
Cook: Jarvis
Cory: Johnson of Dallas
Conkright: Johnson of Brazoria
Cowden: Kilgore
Cowles: Klagge
Crain: Knapp
Crewe: Kothmann