THIRTY-SEVENTH DAY
(Tuesday, March 12, 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
Alaniz
Allen
Arledge
Atwell
Ball
Banfield
Barnes
Bass
of Bowles
Bass of Hams
Beckham
Berry
Birkner
Blaine
Bridges
Brooks
Brown
of Galveston
Brown of Taylor
Butler
Boyce
Cain
Caldwell
Canales
Carpenter
Carriker
Cavness
Chapman
Cherry
Cleaston
Cole
Collins
Cook
Cowden
Cowles
Crain
Crew
de la Garza
Dike
Duggan
Dungan
Eckhardt
Edwards
Enriquez
Fitch
Floyd
Fondren
Foreman
Garrison
Gilliam
Gladden
Gowen
Grover
Haines-Brazos
Hallmark
Harding
Haring
Harris
of Galveston
Harris of Dallas
Harms of Orange
Healy
Hefton
Hendryx
Hinson
Hollom
Houghes
Jaminon
Jarvis
Johnson of Dallas
Johnson of Bexar
Kilpatrick
Klaiger
Knapp
Koehmann
Lack
Ligarde
McClenton
McDonald
McDonald of Rust
McGregor
McIlhaney
McNutt
Macaloue
Mann
Markgraf
Miller
Morgan
Murray
Muschter
Niemeyer
Nogent
Parker
Parmer
Parsley
Pearcy
Peeler
Pendleton
Petty
Price
Quilliam
Rapp
Ricker
Richardson
Ritter
Roberts
Rodrigues
Rosson
Satierwhite
Schiller
Segret
Shannon
Shipley
Shutt
Simmons
Slack
Smith of Bexar
Smith of Jefferson
Stewart
Stellenwerck
Thompson
Thurmond
Townsend
Trager
Walker
Ward
Weldon
Wells
Whatley
Wheeler
Whitfield
Wieting
Wilson
Woods

A quorum of the House was announced present.

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

"Our Heavenly Father, in this day of troubled souls and tired minds, when the mounting pressures of each day cause our tempers to be short and our tongues to sting with words of criticism, may we be doubly on guard against these evils, that hurt and destroy our unity of purpose. Put a seal upon our lips, that no bitter words may go forth to wound, or to defame. Keep us from all unfair judgments of others, and from all careless criticism. "Grant that we may be among those who stand as statesmen and leaders, and having done all, and facing all that evil can do, still to stand, strengthened by Thy might. "For we ask it in Thy name.—Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Cannon for today on motion of Mr. Wells.
Mr. Davis, temporarily for today, on motion of Mr. Macatee.

The following Members were granted leaves of absence on account of illness:

Mr. Boysen for today on account of illness in his family, on motion of Mr. Duggan.

Mr. Pipkin for today on motion of Mr. Rapp.

Mr. Richards for today on motion of Mr. Bass of Bowie.

Mr. McLaughlin for today on motion of Mr. Gladden.

MEMORIAL RESOLUTION ADOPTED

H. S. R. No. 243, By Morgan: In memory of Dr. Walter Prescott Webb.

On motion of Mr. Harris of Dallas, the names of all Members of the House were added to H. S. R. No. 243 as signers thereof.

VOTE RECORDED

By unanimous consent of the House, Mr. Wieting was granted permission to be recorded as voting Nay on the amendment offered by Mr. Hinson to H. B. No. 11, on March 11.

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 Fairchild:

H. B. No. 847, A bill to be entitled "An Act relating to the use of lumber for certain construction purposes; prohibiting the use for such purposes of certain types of lumber exceeding a specified moisture content; and declaring an emergency."

Referred to the Committee on Commerce and Manufactures.

By Roberts, Price, Cherry, Collin, Parme, Wilson and Esquivel:

H. B. No. 848, A bill to be entitled "An Act to license oil and gas well surveyors by the Railroad Commission of Texas; defining an oil and gas surveyor; regulating the surveying of oil and gas wells; prescribing the powers, duty and authority of the Railroad Commission of Texas with regard to regulating the surveying of oil and gas wells; making other provisions relating thereto; providing penalties and punishment for violation of the provisions of this Act; and declaring an emergency."

Referred to the Committee on State Affairs.

By Canales:

H. B. No. 849, A bill to be entitled "An Act to authorize the establishment of a hospital district co-extensive with the boundaries of Brooks County upon election by the qualified property taxpaying voters of said County; providing that this Act shall repeal all laws in conflict herewith and declaring an emergency."

Referred to the Committee on Counties.

By Cook:

H. B. No. 850, A bill to be entitled "An Act amending Section 1 of Chapter 359, Acts of the Fifty-seventh Legislature, 1961, as amended (compiled as Article 6678a-2, Vernon's Texas Civil Statutes), by further defining 'machinery used solely for the purpose of drilling water wells;' providing a severability clause; repealing conflicting laws; and declaring an emergency."

Referred to the Committee on Highways and Roads.

By Davis:

H. B. No. 851, A bill to be entitled "An Act to amend Article 4674, revised, and Article 4674, Revised Civil Statutes of Texas, 1925, to provide for the deposit of certain revenues in the General Revenue Fund; providing that expenses of the Texas State Board of Chiropody Examiners shall be paid from the General Revenue Fund; providing for the transfer of certain funds to the General Revenue Fund; providing an effective date; and declaring an emergency."

Referred to the Committee on Appropriations.

By Cowles, Bass of Bowie, Dungan, Niemeyer and McDonald of Rusk:

H. B. No. 852, A bill to be entitled...
"An Act providing that no public school librarian or similar official shall permit literature containing obscene language to be deposited in the library by which he or she is employed; defining certain terms; providing for a petitioning of the school board for removal of such literature; providing that the school board shall have the final determination as to whether or not the literature in question is obscene; providing that any librarian or similar responsible individual who violates this Act by selecting or acquiring for deposit such obscene literature shall be guilty of a misdemeanor punishable by a fine of not less than Fifty Dollars ($50) nor more than Two Hundred Dollars ($200); providing that all public school librarians shall have six (6) months from the date of enactment of the Act to remove all such obscene literature, and that all remaining literature after said date shall be considered to be in violation of this Act, and said librarians subject to fine; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Cowles, Bass of Bowie and Dungan:
H. B. No. 853, A bill to be entitled "An Act establishing a calendar for state text-book selection, which shall be adhered to by the State Text-book Committee, the State Board of Education, the Commissioner of Education, and the Texas Education Agency; repealing laws in conflict; and declaring an emergency."

Referred to the Committee on State Affairs.

By Butler:
H. B. No. 855, A bill to be entitled "An Act creating a District Court in and for the Counties of Karnes, Frio, La Salle, Atascosa, and Wilson, to be known as the 161st Judicial District; providing the terms and jurisdiction of said Court; providing for the appointment and election of the District Judge for said Court; providing for the district clerk in each of the respective counties to be the clerks for the Court herein created in their respective counties; providing that the Judge of the 81st District Court or the Judge of the 162nd District Court may hear and dispose of any suit or other proceeding on the docket of either of said District Courts, with certain limitations; providing for the appointment of a shorthand reporter; providing for the signing of the minutes of the court by the Judge of the 81st and 162nd District Courts; providing for the filing in numerical order of the cases by the district clerk, with the odd-numbered cases going to the 162nd District Court's docket, and the even-numbered cases going to the 81st District Court's docket; providing for the transfer of all odd-numbered cases and proceedings pending on the docket of the 81st Judicial District Court to the docket of the 162nd Judicial District Court; providing for jury selection methods; providing that the sheriff or his deputy shall attend the Court when required, and providing for fees for the sheriff and constables of the various counties; repealing all laws in conflict with this Act to the extent of such conflict; providing for the severability of the provisions of this Act; providing an effective date of January 1, 1965; and declaring an emergency."

Referred to the Committee on State Affairs.
H. B. No. 856, A bill to be entitled "An Act relating to the solicitation of charitable contributions in this State, and providing certain procedures therefor; providing for exemptions; providing a penalty for violations of this Act; providing for severability; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Atwell:
H. B. No. 857, A bill to be entitled "An Act amending Chapter 126, Acts 43rd Legislature, Regular Session, 1949, as most recently amended by Acts 57th Legislature, Regular Session, 1961, Chapter 495, (compiled as Article 2654c, Revised Civil Statutes), respecting the rates of tuition or registration fees to be charged by the institutions of collegiate rank; providing for certain scholarships; providing for certain fees for non-resident students; repealing all laws or parts of laws in conflict; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Beckham:
H. B. No. 858, A bill to be entitled "An Act amending Article 5172a of Vernon's Civil Statutes providing for proper conducting of such hearing; providing for the adopted of the proclamation, orders, rules, or regulations of the Game and Fish Commission, providing for the effective period of regulations; providing for the publication of the regulations; providing that the powers of the Commission are not limited; providing venue for suits to test the validity of the proclamations, rules, regulations, or orders of the Commission; providing for the forfeiture of licenses; making it unlawful to provide a new license and a penalty therefor; declaring the wild life resources; repealing certain laws; providing a severability clause; providing a severability clause; and declaring an emergency."

Referred to the Committee on and Fisheries.

By Pipkin:
H. B. No. 860, A bill to be entitled "An Act amending Sub-Section (5) of Section 6 of Chapter 6, page 94, Acts of the 48th Legislature, Regular Session, 1943, as amended, and codified as Article 5172a of Vernon's Civil Statutes providing for the limiting of hours of labor and the 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 Murray and Pipkin:  
H. B. No. 861, A bill to be entitled "An Act relating to certain motor vehicles; providing for the issuance of time permits and the conditions relating thereto; establishing the registration status of such permits; authorizing the Department to promulgate reasonable rules and regulations; providing a method of issuing such permits; prescribing a fee; providing for disposition of fees; providing for liability insurance under certain conditions; defining an offense and prescribing a penalty; repealing conflicting laws; containing a severability clause and declaring an emergency."
Referred to the Committee on Motor Traffic.

By Heatly:  
H. B. No. 862, A bill to be entitled "An Act abolishing special funds and accounts for the deposit of State moneys, effective September 1, 1963, and providing for transfer of balances therein to the General Revenue Fund; making certain exceptions; and declaring an emergency."
Referred to the Committee on Appropriations.

By Heatly:  
H. B. No. 863, A bill to be entitled "An Act amending Chapter 3, of the Insurance Code of the State of Texas by amending Article 3.11 thereof, providing for the payment of policyholder dividends from expense loading and profits; providing for the payment of stockholder dividends from earned surplus of the company; providing for severability; and declaring an emergency."
Referred to the Committee on Insurance.

By Heatly:  
H. B. No. 864, A bill to be entitled "An Act amending the Veterans' Land Board-Veterans' Land Fund Act, being Chapter 318, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended, providing for the issuance and sale of Veterans' Land Bonds; providing for certain moneys and lands to comprise the Veterans' Land Fund, certain uses of the monies of the Fund, for the negotiability of Veterans' Land Bonds, declaring Veterans' Land Bonds to be legal investments under certain circumstances, for the purchase of Veterans' Land Bonds on the open market and the negotiation of the indebtedness represented thereby; providing for certain expenses to be paid out of certain moneys of the Veterans' Land Fund; providing for the purchase of lands with certain moneys of the Veterans' Land Fund; providing for the purchase, subdivision and sale of lands by the Veterans' Land Board and the payment of certain expenses out of certain moneys of the Veterans' Land Fund; providing for the purchase of lands selected by veterans; providing generally for the sale of land acquired by the Veterans' Land Board, for the transfer, sale or conveyance of land by veterans and their heirs or assignees, for leases by veterans and their heirs or assignees, for the prohibition of certain transactions by veterans and their heirs or assignees and exceptions thereto, and for the issuance of deeds by the Chairman of the Veterans' Land Board and the effect thereof; providing a saving and severability clause; making the Act cumulative; and declaring an emergency."
Referred to the Committee on State Affairs.

By Dougall:  
H. B. No. 865, A bill to be entitled "An Act amending Acts 1955, Fiftieth Legislature, page 1293, Chapter 512, (Article 548b, Vernon's Texas Civil Statutes), pertaining to the regulation and sale of pre-need funeral merchandise and service contracts; deleting certain exemptions from the Act; providing certain provisions and changes as to the character and type of contracts covered by the Act and the regulation of the same; regulating the solicitation of the designation of funeral services and merchandise desired by an individual; providing that delivery of merchandise prior to death shall not constitute performance; providing that the permit required by said Act shall be issued by the Banking Commissioner; repealing all laws in conflict herewith; and providing and declaring an emergency."

Referred to the Committee on Motor Traffic.
Referred to the Committee on Banks and Banking.

By Duggan:
H. B. No. 866, A bill to be entitled
"An Act providing that defendants may put up cash money or the equiv­
calent thereof in approved securities in lieu of a bond or recognizance in all cases where bail is allowed under
existing law; providing for a forfei­
ture, the safekeeping and return of same, the procedure and construction in regard thereto; and declaring an
emergency."
Referred to the Committees on Criminal Jurisprudence.

By Duggan:
H. B. No. 867, A bill to be entitled
"An Act to amend Chapter 4, Title 15, Article 1160 of the Penal Code
of Texas of 1925, as amended, for
the purpose of increasing the max­
imum punishment for assault with
intent to murder; and declaring an
emergency."
Referred to the Committees on Criminal Jurisprudence.

By Lack and Eckhardt:
H. B. No. 868, A bill to be entitled
"An Act to provide that every em­
ployer who pays his employees by
check or draft must provide facili­
ties for the cashing of such checks
or drafts at no cost to the employee; and providing penalties for viola­
tions; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Lack and Eckhardt:
H. B. No. 869, A bill to be entitled
"An Act providing that every em­
ployee required, as a condition of
employment, to submit to a medical
or physical examination shall be
compensated by his employer for all
time lost because of such examina­
tion and that the cost of such ex­
amination and of records required
to be furnished shall be borne by
the employer; providing penalties;
providing severability; and declaring
an emergency."
Referred to the Committee on Labor.

By Price:
H. B. No. 870, A bill to be entitled
"An Act creating a conservation and
reclamation district under Article
XVI, Section 59 of the Constitution
of Texas comprising certain territory
contained in Cherokee County, Tex­
as, to be known as Maydelle Water
Control and Improvement District,
constituting the same a governmental
agency and body politic and corpor­
ae and a municipal corporation; de­
fining the boundaries thereof and
finding that all land and property
within the district will be benefitted; providing
that the ad valorem plan shall be
used; prescribing the rights, powers,
privileges and duties of said district
and incorporating the General Law
pertaining to water control and im­
provement districts not in conflict
or inconsistent with the provisions
of this Act; providing for a Board
of Directors; their terms, the filling
of vacancies, the election of succe­
sors, and prescribing the duties and
qualifications for such directors; pre­
scribing the purpose for which bonds
may be issued; the methods of se­
curing the payment and the proce­
dure for the issuance of such bonds;
requiring all bonds payable in whole
or in part from taxation, except ref­
unding bonds, to be approved by
the resident qualified property tax­
paying voters whose property has
been duly rendered for taxation, ex­
cept refunding bonds; to be approved
by the resident qualified property tax­
paying voters whose property has
been duly rendered for taxation; pro­
scribing the manner in which such elections
shall be called, held, and
notice thereof given; providing terms
and conditions for bonds and the use
thereof; exempting the district's
bonds from taxation; providing that
the district shall have the power to
fix rates and charges for services
furnished; providing for a District
Depository and the methods of its
selection; providing a procedure for
the annexation of territory; requiring
an election for a maintenance tax;
making applicable to the District
Title 52, Revised Civil Statutes of
Texas, as amended, relating to em­
inent domain and providing that the
cost of relocation, raising, rerouting
or changing the grade or altering
the construction of any highway, rail­
road, electric transmission line, or
telegraph property and facilities
shall be borne by district; providing
that bonds of the district shall be
authorized investments in certain in­
stances and shall be eligible to secure
the deposit of certain funds; de­
claring the district essential; en­
acting provisions incident and relat­
ing to the subject; providing a ser­
By Adams:

H. B. No. 874, A bill to be entitled "An Act amending Article 1627, Revised Civil Statutes of Texas, 1925, as amended, providing for the receiving and disbursing of county funds; providing that no funds shall be withdrawn from the County Treasurer, except by checks drawn by the County Treasurer; making other provisions relating thereto; prescribing the duties of the County Treasurer and other county officers; making the provisions of this Act applicable to all counties of this State; providing the severability clause; providing a savings clause; and declaring an emergency."
Referred to the Committee on State Affairs.

By Price and Cotten:

H. B. No. 871, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the Counties and parts thereof composing the same, and providing for the election of a Member of the Congress of the United States from each District; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."
Referred to the Committee on Congressional and Legislative Districts.

By Hinson:

H. B. No. 872, A bill to be entitled "An Act to amend Section 15 of House Bill No. 266, Acts of the 44th Legislature, R. S., 1935, Chapter 120, page 318, compiled as Article 6008, Revised Civil Statutes of Texas, 1925, declaring the policy of the State of Texas with reference to the production and prevention of waste of natural gas and correlative rights of the owners of gas wells; prescribing the minimum limits to which the flow of gas wells will be restricted and providing for minimum daily production for each gas well; providing that such minimum production shall not be in excess of market demand; providing the means and methods of accomplishing same; providing this Act shall be cumulative of all Acts of the State of Texas relative to the production and conservation of oil and gas, and repealing all laws in conflict; providing a savings clause; and declaring an emergency."
Referred to the Committee on Oil, Gas and Mining.

By Adams:

H. B. No. 873, A bill to be entitled "An Act relating to the supervision of juvenile paroled released under supervision by the Texas Youth Council in counties having a juvenile officer or probation officer and in counties having no such officers; authorizing the Texas Youth Council to provide under certain conditions juvenile probation services in counties not having such services; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Adams:

H. B. No. 875, A bill to be entitled "An Act authorizing navigation districts to provide additional compensation to each county treasurer who performs additional duties as treasurer of such navigation district, to be paid from funds of such navigation district in addition to all other compensation provided by law; amending Article 8220, Revised Civil Statutes of Texas of 1925; amending Section 33 of Acts 1925, 39th Legislature, Page 7, Chapter 6, codified as Article 8263h, Vernon's Annotated Civil Statutes of the State of Texas; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."
Referred to the Committee on State Affairs.

By Bridges and Peeler:

H. B. No. 876, A bill to be entitled "An Act creating a county court at law of Kleberg County, Texas, and prescribing its jurisdiction, transferring the jurisdiction, civil and criminal, original and appellate, of the county court of Kleberg County except jurisdiction in matters of probate and eminent domain to the county court at law of Kleberg County; giving the county court at law of Kleberg County jurisdiction in domestic relations matters concurrent with the district courts of the county; providing for the transfer of domestic relations cases to the county court at law of Kleberg County; prescribing the time and terms of the county court at law of Kleberg County; providing that appeals from
H. B. No. 878, A bill to be entitled "An Act relating to the appointment,

prosecution, and service of jurors of said court; prescribing the compensation of the judge of the county court at law of Kleberg County; providing that nothing in this Act shall diminish the jurisdiction of the district courts of the county nor relieve them of their duties; providing that if any of this Act shall be declared invalid that the remainder shall not be invalidated; and declaring an emergency." Referred to the Committee on Counties.

By Peeler, Kigrer, Bridges and Lattimore:

H. B. No. 877, A bill to be entitled "An Act authorizing the Commissioners' Court of any County to refund outstanding causeway revenue bonds with bonds or proceeds of bonds issued by any said Commissioners' Court and to levy and collect an ad valorem tax to pay the interest on and principal of such refunding bonds; subjecting the aggregate principal amount of such bonds to the limitations provided by Article 8, Section 9 of the Texas Constitution, providing for an election: granting full discretion to such Commissioners' Court in fixing the details of such bonds; providing for continuation of the use of the tax in event the causeway becomes a part of the State Highway System; providing for refunding of bonds issued pursuant to this Act; limiting the maximum maturity date of such bonds and the interest payable on such bonds; providing such bonds shall be negotiable instruments; providing for the use of monies remaining in funds created by orders or resolutions authorizing the bonds to be refunded; providing bonds authorized hereunder shall be legal and authorized instruments for types of institutions named; providing that such bonds shall be eligible to secure public funds; providing for the approval of the bonds by the Attorney General; providing for severability and declaring an emergency." Referred to the Committee on Counties.

By Peeler, Bridges, Kliger and Lattimore:

H. B. No. 878, A bill to be entitled "An Act relating to the appointment,
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qualifications, duties and compensation of official shorthand reporters for the District Courts of the 117th, 94th, 28th and 105th Judicial Districts of Texas, and for County Court at Law No. 1 and County Court at Law No. 2 of Nueces County, Texas, fixing maximum salaries to be paid, in addition to compensation for transcripts, statements of facts and other fees, repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency.

Referred to the Committee on Counties.

By Peeler, Lattimore, Bridges and Klager:

H. B. No. 879, A bill to be entitled "An Act authorizing the judge of any district or county court to temporarily appoint three (3) additional court reporters where the court finds that either party or both parties to the action before the court suffer from hearing impairments; providing for the expeditious availability of the transcriptions; providing for the salaries of such additional court reporters; and declaring an emergency."

Referred to the Committee on Counties.

By Peeler:

H. B. No. 880, A bill to be entitled "An Act providing a program of police training for the State; creating a Board of Police Training and Education; providing for the method of appointment; providing for the duties of such Board; providing that such Board shall cooperate with the Board of Education of the Department of Public Safety; requiring that all policemen of the incorporated cities and towns of this State serve a probationary period and that all such persons attend and satisfactorily complete the approved training program; providing that no police trainees shall become a full member until he has completed such program; providing that all incorporat ed cities and towns may institute such program and providing further for the alternative; repealing certain laws; and declaring an emergency."

Referred to the Committee on State Affairs.

By Smith of Bexar:

H. B. No. 881, A bill to be entitled "An Act prohibiting offers to sell and sales of merchandise below cost for the purpose of injuring competitors or destroying competition; defining terms; providing for unlawful practices, providing for evidence of intent to injure competition; providing a criminal penalty for violation; authorizing actions for injunctive relief and stating the parties who may maintain such actions; excepting certain types of sales from the provisions of the Act; providing a saving clause; stating the effect of the Act on existing laws; and declaring an emergency."

Referred to the Committee on State Affairs.

By Brown of Galveston:

H. B. No. 882, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas to acquire by purchase or otherwise for the use and benefit of the University of Texas Medical Branch certain properties in the City of Galveston, Galveston County, Texas; providing the method of payment; provisions relating to the existing power of eminent domain of the Board of Regents to acquire land for the use of the University of Texas Medical Branch; exempting the Regents from depositing bond as provided in Section 2 of Article 3268, Revised Civil Statutes of Texas; and declaring an emergency."

Referred to the Committee on State Affairs.

By Brown of Galveston and Harris of Galveston:

H. B. No. 883, A bill to be entitled "An Act amending S. B. 101, Acts of the 57th Legislature, 1961, by providing a permissible salary increase for the Judge of said Court of Domestic Relations; providing free transfer of cases between the District Courts and the Court of Domestic Relations of Galveston County; amending the term of office of the Judge of said Court to correspond with the Constitution of the State of Texas; and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Brown of Galveston, Alaniz, Caldwell, Rodriguez, Harris of Galveston, Gladden, Schiller, Haines of
An equipment, construction, and operation of Texas Park and declaring an emergency.

By Moyer:

H. B. No. 885, A bill to be entitled “An Act amending Article 2094 of the Revised Civil Statutes of Texas, 1925, as last amended by Section 1 of Chapter 147, Acts of the 55th Legislature, Regular Session, 1957, relating to selection of jurors by the Jury wheel system so as to make its provisions applicable to certain additional counties; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Banfield:

H. B. No. 886, A bill to be entitled “An Act amending Section 105 of Chapter 421, Acts of the 55th Legislature, 1947, (compiled as Section 105 of Article 6701d, Vernon’s Civil Statutes) to vest sole and complete authority and responsibility in the Texas Education Agency to adopt and enforce regulations governing the design, color, lighting and other equipment, construction, and operation of all school buses used for the transportation of school children; repealing all laws in conflict; and declaring an emergency.”

Referred to the Committee on Public Lands and Buildings.

By Cory:

H. B. No. 888, A bill to be entitled “An Act providing for the appointment of a bailiff for the 24th and 135th Judicial Districts, providing for salary limitation and declaring an emergency.”

Referred to the Committee on Counties.

By Carricker:

H. B. No. 889, A bill to be entitled “An Act amending Section 2 (A) of Chapter 391, Acts of the 54th Legislature, Regular Session, 1955, by adding thereto a new subsection which provides for a ten (10) day examination period of accident and sickness insurance policies by the policy holder, during which term the insured may return the policy to the insurer and receive a return of premiums paid, if the insured is dissatisfied with the policy for any reason; providing an effective date; providing a repealing clause; and declaring an emergency.”

Referred to the Committee on Insurance.

By Carricker:

H. B. No. 890, A bill to be entitled “An Act amending Subchapter C of Chapter 3 of the Insurance Code of Texas by adding thereto another article to be known as Article 3.29d providing for the maintaining of certain reserves for certain accident and health insurance policies in accordance with regulations issued by the State Board of Insurance; and declaring an emergency.”

Referred to the Committee on Insurance.

By Carricker:

H. B. No. 891, A bill to be entitled “An Act amending Section 3 (A) of Chapter 397, Acts of the 54th Legislature, Regular Session, 1955, by adding therein a new subsection requiring insurers to state in any individual accident and health insurance policy sold in this state whether or not they will send notice of premium due to the insured, providing a time limitation for the sending of such notice if an insurer so contracts; providing certain exceptions; providing an effective date; and declaring an emergency.”

Referred to the Committee on Insurance.
By Carriker:
H.B. No. 892, A bill to be entitled "An Act amending Subsection (2) of Section 3 (A) of Chapter 397, Acts of the 54th Legislature, Regular Session, 1955, by changing the time limit on certain defenses in the required provisions of policies of accident and sickness insurance, from three years to two years; providing a severability clause; and declaring an emergency.
Referred to the Committee on Insurance.

By Carriker:
H.B. No. 893, A bill to be entitled "An Act amending Paragraph A of Section 1 of Chapter 397, Acts of the 54th Legislature, Regular Session, 1955, authorizing the State Board of Insurance to define the terms 'noncancellable,' 'noncancellable and guaranteed renewable' and 'guaranteed renewable;' providing for certain minimum requirements for such definitions; providing for severability; and declaring an emergency.
Referred to the Committee on Insurance.

By Cory:
H.B. No. 894, A bill to be entitled "An Act amending Sections 1 and 9 of Chapter 306, Acts of the 52nd Legislature, as last amended, which relates to the jurisdiction and composition of the 135th Judicial District, to provide that such District Court shall have exclusive criminal jurisdiction, as provided by the Constitution and general laws of this State to District Courts in Victoria County, and to provide for the transfer of such criminal cases now on the docket of the 24th District Court to the 135th District Court in Victoria County; creating the office of District Attorney for the 135th Judicial District for Victoria County; providing the method of appointment and subsequent election of such District Attorney; providing a secretary; providing for salarized manner of payment; limiting the jurisdiction of the District Attorney for the 24th Judicial District; providing a repealing clause; providing a severability clause; and declaring an emergency.
Referred to the Committee on Judicial Districts.

By McClinton:
H.B. No. 895, A bill to be entitled "An Act relating to the salary of the official shorthand reporter of the 29th Judicial District; providing for travel expenses; and declaring an emergency.
Referred to the Committee on Privileges, Suffrage and Elections.

By Eckhardt:
H.B. No. 897, A bill to be entitled "An Act amending Article 4.02 of Title 122A, Taxation-General, Ch. 4 (Acts 1959, 56th Leg., 3rd C. S., p. 187, Ch. 1), levying a tax on the production of oil in graduated rates on the quantity produced by a given company; making certain provisions for application, collection and enforcement of such tax; providing exceptions; providing for the continuation of existing oil production taxes under certain conditions; providing a severability clause; and declaring an emergency.
Referred to the Committee on Revenue and Taxation.

By Duggan, Floyd, Bass of Harris, Shutt and Shipley:
H.B. No. 898, A bill to be entitled "An Act to amend Chapter 5, Title 17, Article 1331 of the Penal Code of Texas of 1925 by providing that the maximum punishment for burglary at night may be life imprisonment; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Boysen:

H. B. No. 899, A bill to be entitled "An Act amending Subsection 1 of Section 16 (e) of Article I of the Texas Liquor Control Act by adding three paragraphs to define the terms 'Veteran's Club,' 'Fraternal Club,' and 'Guest';' amending Subsection 7 of Section 16 (e) of Article I of the Texas Liquor Control Act by adding two paragraphs prescribing new grounds for cancellation or suspension of Private Club Registration Permits; and declaring an emergency."

Referred to the Committee on Liquor Regulation.

By Boysen:

H. B. No. 900, A bill to be entitled "An Act amending Subsection 1 of Section 16 (e) of Article I of the Texas Liquor Control Act by adding three paragraphs to define the terms 'Veteran's Club,' 'Fraternal Club,' and 'Guest';' amending Subsection 7 of Section 16 (e) of Article I of the Texas Liquor Control Act by adding two paragraphs prescribing new grounds for cancellation or suspension of Private Club Registration Permits; and declaring an emergency."

Referred to the Committee on Counties.

By Walker:

H. B. No. 901, A bill to be entitled "An Act amending Article 123-1, Vernon's Annotated Penal Code, and relating to the disclosure of information to the public by requiring the registration of certain persons who undertake to promote or oppose the passage of legislation or its approval or veto by Governor and by requiring them to report expenditures and contributions by those persons required to register and by members of the Legislature, elective state officers or state officers appointed by the Governor, and candidates for state office or the Legislature; providing for public records to be open to public inspection; prescribing penalties for violations thereof; and declaring an emergency."

Referred to the Committee on State Affairs.

By Chapman:

H. B. No. 902, A bill to be entitled "An Act amending an Act to carry into effect Section 62a of Article XVI of the Constitution; to provide for a Retirement System for aged and incapacitated State employees as created by Acts of 1947, Chapter 352, Page 697, Regular Session, and amendments thereto; providing a saving clause; and declaring an emergency."

Referred to the Committee on Judiciary.

By Nugent:

H. B. No. 903, A bill to be entitled "An Act amending Article 893, P. C. 1925 to provide for the automatic suspension of hunting, fishing or trapping rights of persons convicted of violating hunting, fishing or trapping laws; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By de la Garza:

H. B. No. 904, A bill to be entitled "An Act amending Article 12.21, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1926, as last amended by Section 2, Article II, Chapter 24, Acts Fifty-seventh Legislature, First Called Session, 1961, so as to extend the application of the Additional Franchise Tax to the years ending, April 30, 1965, and April 30, 1966; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Finney:

H. B. No. 905, A bill to be entitled "An Act amending Article 8307, Revised Civil Statutes of Texas, 1925, as amended, to create the office of Industrial and Occupational Safety Coordinator under the control of the Industrial Accident Board; providing qualifications and duties for such office; providing for public records to be open to public inspection; prescribing penalties for violations thereof; and declaring an emergency."

Referred to the Committee on State Affairs.

By Canales:

H. B. No. 906, A bill to be entitled "An Act authorizing both the County Judge and the County Attorney of Jim Hogg County to employ a secretary; fixing the minimum and maximum salary of such secretaries; repealing all laws in conflict; and declaring an emergency."
Referred to the Committee on Counties.

By Fairchild:

H. B. No. 907, A bill to be entitled "An Act applicable to cities which have outstanding general obligation bonds and revenue bonds issued for waterworks, sewer system, or waterworks and sewer system purposes: providing that such may be paid and discharged by the issuance and exchange of straight revenue refunding bonds secured in like manner as the revenue bonds to be refunded, or by the sale of such revenue refunding bonds and the application of the proceeds thereof in payment of such outstanding bonds together with the interest thereon to the date they become due or optional for prior payment and the contract premium if any; providing that in case of the sale of such revenue refunding bonds the proceeds shall be deposited and administered in the same manner with like effect as provided under the procedures set forth in Article 717k, V.A.T.C.S.; providing that such revenue refunding bonds may be issued without an election and in the same manner otherwise provided by law for the issuance of waterworks or waterworks and sewer system revenue refunding bonds of such city; making this Act cumulative but controlling when inconsistent with or in conflict with any other law; enacting other provisions germane and relating to the provisions and subject of this act; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Stewart:

H. B. No. 908, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 232, Acts of the 53rd Legislature, Regular Session, 1953, providing for the supplementary compensation of the District Attorney of the Thirtieth Judicial District of the State of Texas; and declaring an emergency."

Referred to the Committee on Counties.

By Knapp and Simpson:

H. B. No. 909, A bill to be entitled "An Act to amend Article 7212, Revised Civil Statutes of Texas, 1925, as amended, so as to expressly authorize a county to employ those having special skills and experience to assist the Board of Equalization; providing for the payment of the contractual obligation incurred by the county out of general fund and authorizing the issuance of warrants under limited conditions; providing a severance clause and declaring an emergency."

Referred to the Committee on Counties.

BILLS 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 bills:

H. B. No. 320, "An Act changing the terms of office of members of Boards of Regents of Junior College Districts operating under Chapter 146, Acts of the Fifty-first Legislature, 1949, (compiled as Article 28150, Vernon's Civil Statutes), to six (6) years; providing for the filling of vacancies; providing the provisions of the Act applicable to Cisco Junior College shall not become effective until January 1, 1964; providing that this Act shall be cumulative of all other laws except in case of conflict; and declaring an emergency."

S. B. No. 17, "An Act transferring a certain causeway and approaches thereto on State Highway 35 located in Aransas County, Texas, from the State Highway Department to the Texas State Parks Board in order to facilitate the construction and maintenance of a public fishing pier; authorizing the solicitation and receiving of certain gifts; authorizing the Texas State Parks Board to operate or grant a concession on such pier and to make necessary rules and regulations; placing the revenues derived therefrom in the State Treasury to the credit of 'State Parks Fund'; authorizing charges for use of said causeway, pier, or improvements; authorizing the State Game and Fish Commission to make necessary improvements in order to provide a serviceable fishing pier but limiting expenditures for such purpose; providing for severability; and declaring an emergency."
EXTENDING BEST WISHES TO MISS MAUD ISAACKS FOR A QUICK RECOVERY

Mr. Cotten offered the following resolution:

H. S. R. No. 249

Whereas, Miss Maud Isaacks, the conscientious and able Representative from El Paso, is absent from the House of Representatives this morning; and
Whereas, She is in Seton Hospital recovering from eye surgery; and
Whereas, She has the affectionate regard of every Member of this House; now, therefore, be it
Resolved, That the House of Representatives of the Fifty-eighth Legislature extends its best wishes to Miss Isaacks for her quick recovery and early return to the Capitol.

The resolution was read and was unanimously adopted.

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

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 244, By Harding:
To congratulate the San Angelo Central High School Bobcat basketball team on winning the State Class AAAA Basketball Championship.

H. S. R. No. 246, By Ritter, Carpenes and Calm:
To congratulate the Pingerville Panthers as National Champions of consecutive games won in schoolboy football history.

H. S. R. No. 246, By Niemeyer:
To welcome members of the Junior Historians of Uvalde High School.

H. S. R. No. 248, By Fondren:
To welcome the Government Class of Granger High School.

RELATIVE TO THE DISARMAMENT POLICY OF THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Mr. Clayton offered the following resolution:

H. S. R. No. 247

Whereas, The U. S. Arms Control and Disarmament Agency, created by Act of Congress in September, 1961, has supported and promoted the "U.S. Program for General and Complete Disarmament in a Peaceful World," which could result in complete disarmament in the United States in less than 10 years; and
Whereas, History has taught us that peace is only achieved when a free people stay militarily strong; and
Whereas, Khrushchev has sworn he will bury us, but he intends to bury our freedom, take our children and place us in slavery; and
Whereas, Personal freedoms and economic security can be enjoyed only by those who possess the power to protect their citizens against the invasions of other systems of government; and
Whereas, An understanding of the disarmament policy of our Administration, Congress, and the State Department is the most crucial issue facing our citizens today; now therefore be it
Resolved, By the House of Representatives of the State of Texas, That the House of Representatives of the Fifty-eighth Legislature wishes to go on record in opposition to the disarmament policy of the U.S. Arms Control and Disarmament Agency; and be it further
Resolved, That copies of this Resolution be prepared and sent to members of the Texas delegation in the National Congress and to Vice-President Lyndon B. Johnson as an indication of the views of this House concerning our present disarmament policy as proposed by the U.S. Arms Control and Disarmament Agency.

Signed: Clayton and Moyer.

The resolution was referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUISH THE STATE

Mr. Atwell offered the following resolution:

H. C. R. No. 44

Whereas, Orene Heath McElhanahan, joined pro forma by her husband, A. F. McElhanahan; Belle Heath, a widow; Vida Heath Watson, a widow; and Gladys Heath Skidmore, joined pro forma by her husband, F. E. Skidmore, have alleged that they own in fee simple
the property described by metes and bounds as follows:

Beginning at point of intersection of D. A. Murdock survey line with the South right-of-way line of I.H. 20;

Then Thence North 46° 53' 55" East a distance of 735.86 ft. to a point in the North line of I.H. 20 R.O.W. extended;

Then Thence North 86° 50' 15" East a distance of 23.37 ft. to a point for a corner;

Then Thence South 46° 53' 55" West with a line parallel to the D. A. Murdock Survey line a distance of 735.86 ft. to a point for a corner;

Then Thence South 86° 50' 15" West a distance of 23.37 ft. to the point of Beginning and containing 11,037.9 square feet of land, and;

Beginning at the point of intersection of a line parallel and 15 ft. from the D. A. Murdock Survey line with the South line of the I.H. 20 R.O.W.;

Then Thence North 46° 53' 55" East a distance of 735.86 ft. to a point for a corner;

Then Thence North 86° 50' 15" East a distance of 12.20 ft. to a point for a corner;

Then Thence South 46° 53' 55" West with a line parallel and 80 ft. from the D. A. Murdock Survey line, a distance of 721.51 ft. to a point for a corner;

Then Thence South 86° 50' 15" West a distance of 33.37 ft. to the point of Beginning and containing 10980.6 square feet of land, and;

Whereas, Said tracts have been utilized by the Texas Highway Department so as to deprive the said owners, Orene Heath McClanahan, Belle Heath, Vida Heath Watson, and Gladys Heath Skidmore of their lawful use of said property; and,

Whereas, The said Orene Heath McClanahan, Belle Heath, Vida Heath Watson, and Gladys Heath Skidmore, desire to institute suit against the State of Texas and its Highway Department; now, therefore, be it

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.

PROVIDING FOR A COMMITTEE TO MAKE CERTAIN INVESTIGATION

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

H. R. No. 236, Providing for a Committee to make certain investigation.

The resolution, having heretofore been referred to the Committee on State Affairs, was reported favorably by the Committee.

H. R. No. 236 was read, and was adopted without objection.
COMMITTEE APPOINTED

The Speaker announced the appointment of the following Investigating Committee, pursuant to the provisions of H. S. R. No. 236:

Mr. Butler, Mr. Collins, Mr. Johnson of Dallas, Mr. Lack and Mr. Parsley.

TO PETITION THE CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

The Speaker laid before the House, for consideration at this time, H. C. R. No. 22, To petition the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

The resolution, having heretofore been referred to the Committee on State Affairs, was reported favorably by the Committee.

The resolution was read.

A record vote was requested on the adoption of H. C. R. No. 22.

H. C. R. No. 22 was then adopted by the following vote:

Yeas—86

Adams
Allen
Aldridge
Atwell
Ball
Baufield
Barnes
Base of Bowie
Beckham
Birkner
Bland
Brown of Taylor
Butler
Cain
Carson
Chambers
Chapman
Clayton
Cole
Collins
Cook
Cory
Cotten
Coughran
Cowden
Cowles
Crain
Crews

Mollhaney
McCutt
Macatee
Markgraf
Mayer
Murray
Mutchler
Niemeyer
Nugent
Parsley
Peavy
Pendleton
Perry
Price
Quilliam
Robert
Rose

Satterwhite
Schiller
Shannon
Simpson
Slack
Slider
Stollarzewski
Thompson
Thurmond
Townsend
Trager
Walker
Ward
Wheeler
Wieting
Woods

Nays—52

Alaniz
Bass of Harris
Berry
Bridges
Brooks
Brown
Brown of Galveston
Caldwell
Canaday
Carpenter
Carriker
Cherry
Doke
Dugan
Dickard
Esquivel
Floyd
Floyd
Garrison
Gladson
Glenn
Green
Grover
Guerry
Haring
Harris
Harris of Galveston
Jamie

Johnson of Bexar
Kilpatrick
Kothmann
Lizard
McGregor
Mann
Miller
Morgan
Parker
Parmer
Pawley
Rapp
Richardson
Ritter
Rodriguez
Segrest
Shipley
Shutt
Smith of Bexar
Smith of Jefferson
Stewart
Weldon
Wells
Whitfield
Wilson

Absent

Edwards
Houston

Abstent—Excused

Boyan
Keltie
Cannon
McLaughlin
Gibbons
Piggin
Isebach
Richards

(The above record vote was requested by Mr. Wilson, Mr. Brooks and Mr. Parmer.)

Mr. Parsley moved to reconsider the vote by which H. C. R. No. 22
was adopted and to table the motion to reconsider.

The motion to table prevailed.

H. R. NO. 496 SET AS A SPECIAL ORDER

Mr. Nugent moved that House Bill No. 496 be set as a special order for 12:35 o'clock p.m. today.

The motion prevailed without objection, and it was so ordered.

ADDRESS BY THE HONORABLE CARL A. PARKER

The following address by Mr. Parker, addressing the House on personal privilege on March 11, was ordered printed in the Journal:

Mr. Speaker,

Ladies and Gentlemen of the House:

I would like to address my remarks to a situation rapidly arising in this House. The rights of some Members of this House are being abridged because many of those who for the moment are in the minority are being disfranchised.

Not long ago Mr. Speaker stood and invited any Member of this House to this microphone to blister him or any time that a Member felt that he was not doing right. I would like to compliment the Speaker for this attitude. I think it is admirable. Unfortunately, however, some of the men that the Speaker has chosen to help him run this House do not share his attitude along this line. A good example of this was brought home to me last Thursday.

Many women in my district had contacted me and couldn't understand why the committee was not moving on the equal legal rights for women was not moving. I felt that this matter of equal legal rights for women was important legislation of statewide import and something that we needed to be working on. Mr. ---------- at that time told me, and I wrote it down so that I would not forget his words: "Don't rock the boat, if you want to get along you have got to come along." I again asked Mr. ---------- if I was not free to criticize his inaction or the inaction of any other Member of this House. At this point Mr. ---------- told me that the same thing that happened to Mr. ---------- would happen to me.

Now, Ladies and Gentlemen of the House, the two proposed Constitutional Amendments that I have before Mr. ---------- committees are completely local in nature. It would only give some protection under workmen's compensation to a few workers and their families who have no protection at all. If this House chooses to stand by and see these little measures killed is suffering a hardship that might possibly fall the families of these employees who have been killed.

Mr. Speaker, I have cited in my personal example, and as all of you know has happened on occasion in this House, we begin to legislate under a theory of punishment and reward and leave legislation by reason.

I will not go with my hat in my hand to the Governor, the Speaker,
or chairman of any committee in this House to ask what is rightfully mine under the constitution and for what is my obligation by virtue of my oath of office. It is my right to have the legislation that I offer considered fairly and it is my obligation to speak out against any action or inaction of any Member of the State government when it affects my district in Texas. It is my right to have the legislation that I offer considered fairly and it is my obligation to speak out against any action or inaction of any Member of the State government when it affects my district in Texas. It is my right to speak out whether it be orally, by letter, by petition, or otherwise.

I beseech you to help protect, not only my rights, but every Member of this House, who some day might be in the minority and join with me to consider legislation on the basis of its merit and let it stand or fall by virtue of its contents and not by the name of its sponsor.

RECESS

Mr. Allen moved that the House recess until 2:30 o'clock p.m. today.

The motion prevailed.

In accordance with the motion to recess, the House, at 12:32 o'clock p.m., took recess until 2:30 o'clock p.m. today.

AFTERNOON SESSION

The House met at 2:30 o'clock p.m. and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

Mr. Pearcy was granted leave of absence for the remainder of the day on account of important business, on motion of Mr. Cherry.

Mr. Carrillo was granted leave of absence for the remainder of the day on account of important business, on motion of Mr. Ward.

HOUSE JOINT RESOLUTION NO. 44 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, its passage to engrossment.

H. J. R. No. 44, A Joint Resolution "Proposing an amendment to Section 1 of Article VIII of the Constitution of the State of Texas to provide that retail sales and use taxes imposed by the Legislature shall never exceed the rate of two per cent (2%) on receipts from the sale of tangible personal property within this state."

The resolution was read second time on March 6, and further consideration of the resolution was postponed until 11:00 o'clock a.m. today.

Mr. Hollowell offered the following committee amendment to the resolution:

Committee Amendment No. 1

Amend H. J. R. No. 44 by substituting the following for Section 1 of said bill:

That Section 1-c of Article VIII of the Constitution of the State of Texas be amended so as to read as follows:

1-c The legislature may also impose retail sales and use taxes, both upon natural persons and upon corporations, other than municipal; provided however that the rate of such sales and use tax shall never exceed two percent (2%) on the receipts from the sale or use at retail of tangible personal property within this State; and provided further that no tax shall be imposed on any sale of food and/or food products for human consumption.

"Food and food products for human consumption" is used herein in the same sense and is defined in the same manner as used in Chapter 24, First Called Session, Acts of the Fifty-seventh Legislature.

Mr. Cherry offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment Number 1 to HJR No. 44 by inserting between the words "sale" and "of" on line No. 64 the following:

"of prescription medicine or"

The amendment was adopted without objection.

RECORD OF VOTE

Mr. Stollenwerck requested to be recorded as voting No on Committee Amendment No. 1.

Committee Amendment No. 1, as amended, was then adopted without objection.

RECORD OF VOTE

Mr. Stollenwerck requested to be recorded as voting No on Committee Amendment No. 1 as amended to H. J. R. 44.
Mr. Allen offered the following amendment to the resolution:

Amend H. J. R. 44 by adding after the word “property” on line 37 the following:

[, and prohibiting the levy of a tax on the sale of food, and food products for human consumption,]

and adding the same language on line 40 after the word property.

The amendment was adopted without objection.

H. J. R. No. 44 failed to pass to engrossment by the following vote:

**Yeas-64**

- Adams
- Haynes of Orange
- Hinson
- Hollowell
- Jarvis
- Johnson of Bexar
- Kilpatrick
- Kothmann
- Lack
- McDonald of Rusk
- McClint
- McIlhany
- Markgraf
- Mutscher
- Niemeyer
- Nugent
- Parker
- Parker
- Pastner
- Koliba
- McLaughlin
- Pearcy
- Richards

**Nays—74**

- Arledge
- Carpenter
- Atwell
- Cavness
- Banfield
- Clayton
- Bax
- Cola
- Beckham
- Cook
- Berry
- Coughran
- Blaine
- Cowden
- Brown of Taylor
- Cowles
- Cain
- Crain
- Crews
- Miller
- Davis
- Morgan
- Edwards
- Moyer
- Fairchild
- Murray
- Finney
- Parsley
- Floyd
- Peeler
- Foudren
- Pendleton
- Foreman
-etty
- Glenn
- Price
- Green
- Quilliam
- Haines of Brazos
- Harrell
- Hallmark
- Ritther
- Harding
- Ritter
- Harris of Dallas
- Satterwhite
- Hefton
- Shanes
- Hendryx
- Simpson
- Houston
- Slack
- Hughes
- Steward
- Jamison
- Stiles
- Johnson of Dallas
- Thompson
- Klinger
- Thurmold
- Knapp
- Towneaud
- Lizard
- Walker
- McDonald
- Walls
- of Hidalgo
- Whatley
- McGregor
- Wheeler
- McNutt
- Whitefield
- Macatee
- Woods
- Mann
- of Galveston
- McClint
- of Galveston
- McElhaney
- Canales
- Mattcher
- Chapman
- Mennymeyer
- Cherry
- Nogest
- Collas
- Parker
- Orr
- Farmer
- Cotter
- Richardson
- de la Garza
- Roberts
- Dugan
- Rodriguez
- Dugan
- Schiller
- Duncan
- Segre
- Eckhardt
- Shipley
- Etchouel
- Shutt
- Fletcher
- Hider
- Garrison
- Smith of Bexar
- Gledden
- Smith of Jefferson
- Grover
- Trager
- Guicey
- Ward
- Harling
- Wadon
- Harris of Galveston
- Wilson

**REASON FOR VOTE**

The reason we voted against H. J. R. 44 is that if passed that it would lead to the passage of a state income tax and other burdening taxes.

Signed: Barnes, Parsley, Whatley, Bosson, Shutt, Miller, Coughran, Floyd, Moyer and Brown of Taylor.

**REASON FOR VOTE**

I voted against H. J. R. 44 for the following reasons:

1. If adopted at the polls it would bring closer the day when the state would have to resort to an income tax.

2. It ties the hands of future Legislatures on a question of broad based tax policy.

Whitfield.
REASON FOR VOTE
I voted against H. J. R. 44 not because I object to limiting taxation and certainly not because I object to limiting of spending but because H. J. R. 44 would have the effect of forcing the Legislature to secure funds outside of the sales tax structure. This is to say that the liberal element would be able to force a corporate or personal income tax had H. J. R. 44 passed. I am unalterably opposed to a personal income tax, therefore, I felt it necessary to vote against H. J. R. 44 but will continue to fight for a reduction of spending.

Robert H. Hughes.

Committee Amendment No. 2
Amend H. J. R. 7, Section 1 by striking the last sentence of quoted "Sec. 1" and inserting in lieu thereof the following sentence, "No member of the Legislature shall be a candidate for any other office at any regular primary, general election or special election without first having resigned from the Legislature unless there remains less than one year remaining for the term of office in the Legislature."

The amendment was adopted.

Mr. Eckhardt offered the following committee amendment to the resolution:

Committee Amendment No. 3
Amend H. J. R. 7 by adding at the end of Sec. 4, Art. III of the Constitution as amended the following language:

"In each House Legislative district having more than one Legislative position an equal number of positions, as near as may be, shall be filled in each election."

The amendment was adopted without objection.

H. J. R. No. 7 failed to pass to engrossment by the following vote:

Yeas—50
Alaniz
Arledge
Bass of Bowie
Bass of Harris
Beckham
Berry
Birkner
Brooks
Caln
Caldwell
Canales
Carpenter
Cavness
Cherry
Collins
Cook
Eckhardt
Edwards
Esquivel
Fletcher
Guadron
Haines of Brazos
Hallmark
Haynes of Orange
Hinson
Hollowell
Jarras
Johnson of Bexar
Kerry
Knapp
Lack
Ligare
McClintock
McDonald of Rusk
McElvy
Markgraf
Parker
Quilliam
Richardson
Rodriguez
Segrest
Smith of Bexar
Smith of Jefferson
Stewart
Traeger
Weldon
Wieling

Committee Amendment No. 1
Amend H. J. R. No. 7, Section 1 by striking out the word and figures, November, 1966, and substituting therefor the following, "November, 1964."

Committee Amendment No. 1 was adopted without objection.

Mr. Perry offered the following committee amendment to the resolution:

Committee Amendment No. 2
Amend H. J. R. 7, Section 1 by striking the last sentence of quoted "Sec. 1" and inserting in lieu thereof the following sentence, "No member of the Legislature shall be a candidate for any other office at any regular primary, general election or special election without first having resigned from the Legislature unless there remains less than one year remaining for the term of office in the Legislature."

The amendment was adopted.

Mr. Eckhardt offered the following committee amendment to the resolution:

Committee Amendment No. 3
Amend H. J. R. 7 by adding at the end of Sec. 4, Art. III of the Constitution as amended the following language:

"In each House Legislative district having more than one Legislative position an equal number of positions, as near as may be, shall be filled in each election."

The amendment was adopted without objection.

H. J. R. No. 7 failed to pass to engrossment by the following vote:

Yeas—50
Alaniz
Arledge
Bass of Bowie
Bass of Harris
Beckham
Berry
Birkner
Brooks
Caln
Caldwell
Canales
Carpenter
Cavness
Cherry
Collins
Cook
Eckhardt
Edwards
Esquivel
Fletcher
Guadron
Haines of Brazos
Hallmark
Haynes of Orange
Hinson
Hollowell
Jarras
Johnson of Bexar
Kerry
Knapp
Lack
Ligare
McClintock
McDonald of Rusk
McElvy
Markgraf
Parker
Quilliam
Richardson
Rodriguez
Segrest
Smith of Bexar
Smith of Jefferson
Stewart
Traeger
Weldon
Wieling
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."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. 496 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. The name of "Legion Branch of the San Antonio State Tuberculosis Hospital," established by House Bill No. 409, Chapter 429, Acts 54th Legislature, Regular Session, 1955, is hereby changed to Legion Annex of the Kerrville State Hospital.

Section 2. The Legion Annex of the Kerrville State Hospital shall be under the control and management of the Board for Texas State Hospitals and Special Schools. The function of the Legion Annex of the Kerrville State Hospital will be to provide support, maintenance and treatment under provisions of the Texas Mental Health Code for persons suffering from mental illness.

Section 3. All appropriations hereinafter made by the legislature for the use and benefit of the "Legion Branch of the San Antonio State Tuberculosis Hospital" and now effective shall be available for the use and benefit of the Legion Annex of the Kerrville State Hospital.

Section 4. All contracts heretofore entered into in behalf of "Legion Branch of the San Antonio State Tuberculosis Hospital" are hereby ratified, confirmed and validated for and in behalf of Legion Annex of the Kerrville State Hospital.

Section 5. The Board for Texas State Hospitals and Special Schools may contract with the Veterans Administration for the use of the facilities now occupied and known as "Legion Branch of the San Antonio State Tuberculosis Hospital" and to be hereafter known as the Legion...
Section 6. The fact that these facilities are no longer needed for the purpose of housing persons suffering from tuberculosis and that they are needed to house persons suffering from mental illness creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended and that this act shall take effect from and after its passage, and it is so enacted.

Mr. Nugent offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to House Bill No. 496 by striking Sec. 3 thereof and renumbering the following sections accordingly:

The amendment was adopted without objection.

Mr. Nugent offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to House Bill No. 496 by adding a new Section 6 to read as follows and renumbering the following sections:

Sec. 6. Chapter 409, Acts of the 54th Legislature, 1955 (compiled as Article 3201b-1, Vernon's Texas Civil Statutes) together with all laws or parts of laws in conflict herewith are hereby repealed.

The amendment was adopted without objection.

Committee Amendment No. 1, as amended, was adopted without objection.

H. B. No. 496 was then passed to engrossment.

HOUSE BILL NO. 1 ON THIRD READING

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

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 third time and was passed by the following vote:

Year—136

Adams
Alanis
Allen
Artledge
Atwell
Barnes
Bass of Bowie
Bass of Harris
Beckham
Berry
Birks
Blake
Bridges
Brooks
Brown
Brown of Galveston
Brown of Taylor
Butler
Cain
Caldwell
Canales
Carpenter
Cavness
Cherry
Clayton
Cole
Collins
Cook
Cory
Cotton
Coughran
Cowden
Cowles
Crain
Crowe de la Garsa
Doke
Dugan
Dungan
Eckhardt
Edwards
Esquivel
Fairchild
Finney
Fletcher
Floyd
Fendren
Farrar
Garrison
Gladden
Green
Glover
Goff
Hallmark
Harding
Haring
Haynes
Hayes
Healy
Heffon
Hendry
Hinshaw
Hughes
Jameison
Jarvis
Johnson of Bexar
Kilpatrick
Klager
Knapp
Kochmann
Lack
Ligarde
McClintock
McDonald
of Hidalgo
McGregor
McLanahan
McMurt
Mann
Markgraf
Miller
Murray
Mutscheller
Niemeyer
Parker
Peake
Pendleton
Yeas—126

Adams
Alanis
Allen
Artledge
Atwell
Barnes
Bass of Bowie
Bass of Harris
Beckham
Berry
Birks
Blake
Bridges
Brooks
Brown
Brown of Galveston
Brown of Taylor
Butler
Cain
Caldwell
Canales
Carpenter
Cavness
Cherry
Clayton
Cole
Collins
Cook
Cory
Cotton
Coughran
Cowden
Cowles
Crain
Crowe de la Garsa
Doke
Dugan
Dungan
Eckhardt
Edwards
Esquivel
Fairchild
Finney
Fletcher
Floyd
Fendren
Farrar
Garrison
Gladden
Green
Glover
Goff
Hallmark
Harding
Haring
Haynes
Hayes
Healy
Heffon
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Johnson of Bexar
Kilpatrick
Klager
Knapp
Kochmann
Lack
Ligarde
McClintock
McDonald
of Hidalgo
McGregor
McLanahan
McMurt
Mann
Markgraf
Miller
Murray
Mutscheller
Niemeyer
Parker
Peake
Pendleton
Mr. Fondren moved to reconsider the vote by which H. B. No. 1 was passed and to table the motion to reconsider.

The motion to table prevailed.

RECESS

Mr. Mann moved that the House recess until 10:00 o'clock a.m. tomorrow.

Mr. Collins moved that the House adjourn until 10:30 o'clock a.m. tomorrow.

The motion to adjourn was lost.

The motion to recess then prevailed.

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

In accordance with the motion to recess, the House, at 3:36 o'clock p.m., took recess until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Conservation and Reclamation: H. R. No. 611, H. R. No. 675.

Motor Traffic: H. B. No. 618.


REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, March 11, 1963

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

Sir: Your Committee on Engrossed Bills to whom was referred

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."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Mr. Collins adjourned until tomorrow.

Austin, Texas, March 11, 1963

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 11, A bill to be entitled "An Act relating to the advertising of the scenic, historical, natural, agricultural, educational, recreational, and other attractions of Texas; providing for the creation of the
Texas Tourist Development Agency and its Administrator, and Advisory Board, prescribing their duties and powers; repealing Sections 1 and 2 of Chapter 193, Acts, Fifty-sixth Legislature, Regular Session, 1959; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, March 12, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. C. R. No. 22, House Concurrent Resolution petitioning the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

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. C. R. No. 35, inviting the Honorable John Connally, Governor of Texas, to address a Joint Session of the House and Senate at 12:00 noon, Thursday, March 7, 1963.

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, March 12, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 290, An Act changing the terms of office of members of Boards of Regents of Junior College Districts operating under Chapter 146, Acts of the Fifty-first Legislature, 1949 (compiled as Article 2816a, Vernon's Texas Civil Statutes), to six (6) years; providing for the filling of vacancies; providing the provisions of the Act applicable to Cisco Junior College shall not become effective until January 1, 1964; providing that this Act shall be cumulative of all other laws except in case of conflict; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHELTON, Chairman.

SENT TO GOVERNOR
March 12, 1963
H. B. No. 290.

THIRTY-SEVENTH DAY
(Continued)

(Wednesday, March 12, 1963)

The House met at 10:00 o'clock a.m., and was called to order by the Speaker.

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

"Our Heavenly Father, the seriousness of the business that we must transact today calls us to Thy throne of grace, to ask for wisdom and understanding that can only come from Thee. Lord, we have yet so much to learn. Our little knowledge calls out for Thy wisdom that it might be properly correlated and used to the greatest advantage.

"Thou knowest our need, even before we acknowledge in these moments our dependence upon Thee. Let our thinking be crystal clear O Lord, and our minds alert to the meaning of every word that is spoken. When we must stand to speak, let it be as gentlemen, that we might not be ashamed of our words, our conduct or our motives."

"In Thy holy name we pray—

Amen."

MESSAGE FROM THE SENATE

Austin, Texas, March 12, 1963
Hon. Byron Tunnell, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 46, By Parkhouse: Au-