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Has carefully compared same and finds it correctly engrossed.
NELSON COWLES, Chairman.

Austin, Texas, April 4, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 986, A bill to be entitled
"An Act relating to an additional maintenance tax for any common or
independent school district having five hundred ($500) schoolatics or
less, according to the last preceding scholastic census, and lying within
a county having a population of twenty-one thousand, five
hundred (21,500) or more but less than twenty-one thousand,
eight hundred (21,800), according to the last preceding
Federal Census; providing that such
additional tax shall not be
effective until authorized by majority
vote of the qualified taxpaying vot­
ers residing in such districts; and
declaring an emergency."
 Has carefully compared same and
finds it correctly engrossed.
NELSON COWLES, Chairman.

Austin, Texas, April 4, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 986, A bill to be entitled
"An Act amending
Chapter 372, Section 1, Acts of the Fifty-seventh
Legislature, Regular Session, com­
piled as Article 3222h, Vernon’s An­
notated Civil Statutes; 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, April 9, 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. 22, petitioning the Congress of the United States to call
a Convention for the purpose of pro­
posing an amendment to the Con­
sitution of the United States.
 Has carefully compared same and
finds it correctly enrolled.
SHANNON, Chairman.

SENT TO GOVERNOR
April 9, 1963
H. C. R. No. 22.

FIFTY-THIRD DAY
(Wednesday, April 10, 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
Allen
Adams
Arihood
Aman
Atwell

Has carefully compared same and finds it correctly enrolled.
NELSON COWLES, Chairman.
A quorum of the House was announced present.

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

"Our Heavenly Father, we have opened our hearts and souls to Thee, and Thou hast seen us as we really are. Help us to look at our own souls, help us to examine our lives. O Lord, let us see ourselves as we really are; not as we may pretend to be in the presence of others, but only as the ones we are, through faith or lack of faith. Through commitment or lack of commitment, help us to see where we have made spiritual progress, or when we have failed, to develop our spiritual resources.

"May the standard for our measure be the life and teachings of Him who is our Lord and Saviour. In the Name of Christ, we pray—Amen."

MEMORIAL RESOLUTIONS ADOPTED


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 Haring:

H. B. No. 1018, A bill to be entitled "An Act changing the name of Fannin State Park to Fannin State Battleground, and the name of the Fannin State Park Commission to the Fannin State Battleground Commission; and declaring an emergency."
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Referred to the Committee on State Affairs.

By Farmer:
H. B. No. 1016, A bill to be entitled “An Act making it unlawful for adult persons to assault a child under the age of six years by any means whatsoever where such assault results in serious bodily injury, defining the offense, providing for penalties and declaring an emergency.”

Referred to the Committee on Criminal Jurisprudence.

By Kilpatrick:
H. B. No. 1017, A bill to be entitled “An Act amending Acts of the 51st Legislature, Regular Session, 1949, Chapter 147, Page 279, so as to add new sections thereto so as to extend and add to the territory of the Port of Beaumont Navigation District of Jefferson County, Texas, approximately seventy-four (74) acres of land located substantially in Orange County, Texas, and adjoining the present boundary line of the Port of Beaumont Navigation District of Jefferson County, Texas, and removing such territory and land from the territory and land of Orange County Navigation and Port District of Orange County, Texas, and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Eckhardt, Peeler and Nugent:
H. B. No. 1018, A bill to be entitled “An Act amending Act Referred to the Committee on State Affairs.

By Bridges, Peeler and Klager:
H. B. No. 1019, A bill to be entitled “An Act to validate the establishment, organization, and/or creation of all school districts; validating the Acts of County Boards of School Trustees, county judges, Commissioners Courts, boards of trustees of such school districts, and municipal governing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said districts; authorizing the levy, assessment, and collection of taxes; providing the Act shall not be construed as validating any boundary change made or attempted to be made by any authority, resolution or act of the Board of Trustees of any school district; providing that this Act shall have no application to litigation now pending questioning the validity of matters hereby validated, or to proceedings now pending before the County Boards of School Trustees, State Commissioner of Education, or the State Board of Education, or to any district which has heretofore been declared invalid by certain courts, or to districts which may have been established and later returned to original status, providing such litigation or proceedings are ultimately determined against the validity of matters hereby validated, or establishing a saving clause; and declaring an emergency.”

Referred to the Committee on School Districts.

By Wieting:
H. B. No. 1020, A bill to be entitled “An Act placing responsibility for the regulation of the wildlife resources of the Game and Fish Commission; and declaring an emergency.”

Referred to the Committee on Game and Fisheries.

By Wieting:
H. B. No. 1021, A bill to be entitled “An Act placing responsibility for the regulation of the wildlife resources of Aransas County in the Game and Fish Commission; and declaring an emergency.”

Referred to the Committee on Game and Fisheries.
PERMISSION GRANTED TO INTRODUCE A HOUSE BILL

Mr. Barnes moved to suspend the necessary rules in order to introduce H. B. No. 1022 at this time.

The motion prevailed without objection.

HOUSE BILL NO. 523 WITH SENATE AMENDMENTS

Mr. Moyer called up, with Senate Amendments for consideration at this time, H. B. No. 523.

Mr. Moyer moved that the House do not concur in the Senate Amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

CONFERENCE COMMITTEE ON H. B. NO. 523 APPOINTED

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on H. B. No. 523:


TO GRANT PERMISSION FOR USE OF HOUSE AND SENATE CHAMBERS FOR CERTAIN TIME

Mr. Cole offered the following resolution:

H. C. R. No. 59

Whereas, For each of the last sixteen years, the Southwest Area Council of the Young Men's Christian Association has sponsored a Youth Legislature, as part of its youth and government program; and

Whereas, Its purpose is to train young people in democratic processes, both in theory and practice; and

Whereas, This is a valuable and comprehensive educational movement. Hi-Y participants in the Youth Legislature are elected by their respective clubs or high schools. Pre-legislative conferences are held in October and November to determine legislative programs and to acquaint the young people with procedures in lawmaking. A study of public issues also is made, and

Whereas, The Governor, the Attorney General, numerous State employees and experts in the field of legislation, as well as six universities and colleges, have in the past aided the schools and the YMCA in its pre-legislative conferences and in their preparation as well; and

Whereas, Plans are under way for the seventeenth and eighteenth annual Hi-Y Legislatures, scheduled when the Legislature is not in session. Dates for the 1963 Youth Legislature are December 13 to 16, inclusive, and for 1964 from December 10 to 13, inclusive. House and Senate Chambers would be used December 13 and 14, in 1963, and December 11 and 12, in 1964. The House Chamber would be used December 16, 1963, and December 13, 1964, for religious service and conference summation; and

Whereas, No expense would be incurred by the State in permitting use of the Chambers. The staff of the Youth Legislature, including sergeant-at-arms and janitors, would be employed by the sponsoring organization; and

Whereas, The Legislature is sympathetic with, and heartily endorses, the avowed purpose of the Youth Legislature as a means of developing an understanding citizenry and as a training group for future State officials; now, therefore, be it

Resolved by the House of Representatives of the Fifty-eighth Legislature of the State of Texas, the Senate concurring, That the Southwest Area Council of the Young Men's Christian Association be, and is hereby, granted permission to use the House and Senate Chambers of the State Capitol from December 12 to 16, inclusive, in 1963, and December 10 to 13, inclusive, in 1964.


The resolution was read and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, April 10, 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. 101, Hardeman: Relating to credits for creditable services of employees; and declaring an emergency.

S. B. No. 165, Parkhouse: Relating to Vehicle Equipment Safety Commission; and declaring an emergency.

S. B. No. 298, Reagan: Prohibiting banks from disclosing the amount deposited by any depositor; and declaring an emergency.

S. B. No. 169, Kazen: Providing a formula for the distribution of homemaking textbooks; and declaring an emergency.

S. B. No. 336, Word: Relating to condemnation proceedings by certain Water Control and Improvement Districts; and declaring an emergency.

S. B. No. 361, Bates: Providing that children of members of Texas National Guard, Texas Air National Guard killed in action may receive benefits; and declaring an emergency.

S. B. No. 305, Aikin: Increasing age eligibility for exceptional children program benefits; and declaring an emergency.

S. B. No. 302, Hazlewood: Relating to the Railroad Commission Operating Fund; and declaring an emergency.

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

HOUSE BILL NO. 39 WITH SENATE AMENDMENT

Mr. Johnson of Dallas called up with Senate Amendment for consideration at this time,

H. B. No. 39, A bill to be entitled "An Act to raise revenue for the State of Texas; amending Chapter 19, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, by adding a new section (10) to Article 19.01 so as to levy an annual occupation tax on billiard tables; defining billiard tables; permitting cities and towns to levy a tax and regulate, supervise, control and license owners and operators; providing a severability clause; repealing laws in conflict; and declaring an emergency."

On motion of Mr. Johnson of Dallas, the House concurred in the Senate Amendment to H. B. No. 39.

Mr. Johnson of Dallas moved to reconsider the vote by which the House concurred in the Senate Amendment to H. B. No. 39, and to table the motion to reconsider.

The motion to table prevailed.

RECORD OF VOTES

Mr. Chapman requested to be recorded as voting Nay on the motion to concur in the Senate Amendment to H. B. No. 39.

Mr. Collins requested to be recorded as voting Nay on the motion to concur in the Senate Amendment to H. B. No. 39.

Mr. Townsend requested to be recorded as voting Nay on the motion to concur in the Senate Amendment to H. B. No. 39.

Mr. Petty and Mr. Hollowell requested to be recorded as voting Nay on the motion to concur in the Senate Amendment to H. B. No. 39.

TEXT OF SENATE AMENDMENT TO HOUSE BILL NO. 39

Senate Amendment No. 1

Amend H. B. 39 Section 1 by striking out the words and figures "Ten Dollars ($10)" and substituting in lieu thereof the words and figures "Five Dollars ($5)."

TO CONGRATULATE THE HONORABLE RAY E. McNUTT AND MRS. McNUTT

Mr. Brown of Taylor offered the following resolution:

H. S. R. No. 373

Whereas, Twenty-one years ago an event of significance to this House took place in the famous Wee Kirk O' the Heather at Glendale, California. It was the marriage on April 8, 1942, of our popular colleague from El Paso, the Honorable Ray E. McNutt and his attractive wife Jacqueline; and

Whereas, Four sturdy sons have been produced by this marriage,
Resolved, That the House of Representatives of the Fifty-eighth Legislature extends congratulations to Representative and Mrs. Ray E. Nutt on their twenty-first wedding anniversary and extends its best wishes for their continued happiness.

Signed: R. Brown of Taylor, Helton and Blaine.

The resolution was read and was adopted unanimously.

WISHING SECRETARY OF STATE CRAWFORD MARTIN A SPEEDY RECOVERY

Mr. Roberts offered the following resolution:

H. S. R. No. 378

Whereas, Secretary of State Crawford Martin remains in serious condition at Seton Hospital from injuries incurred in an automobile accident in Austin last week; and

Whereas, As an outstanding Member of the Texas Senate for fourteen years and as Mayor of Hillsboro prior to that time, he has won a host of friends and admirers throughout Texas, all of whom are deeply concerned for his welfare; now, therefore, be it;

Resolved, That the House of Representatives of the Fifty-eighth Legislature of the State of Texas extends its earnest wishes for the quick and complete recovery of Secretary of State Crawford Martin and for his early return to his Office in the Capitol.

The resolution was read and was unanimously adopted.

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

TO REQUEST CERTAIN STUDY RELATIVE TO THE RAILROAD COMMISSION OF TEXAS

Mr. Hinson offered the following resolution:

H. S. R. No. 381

Whereas, The Railroad Commission of Texas was authorized by Article XVI, Section 30 of the Constitution of the State of Texas and established by statute in 1891; and

Whereas, The law establishing the Railroad Commission of Texas, compiled as Article 647 of Vernon's Texas Civil Statutes, has been amended numerous times throughout the years since 1891 to broaden the Commission's functions, duties and regulatory authority; and

Whereas, The original purpose of the agency was to regulate railroad rates and tariffs in Texas, prevent unjust discrimination, correct abuses, and generally look to the enforcement of state laws concerning railroads; and

Whereas, Provision for such an agency in the Constitution was the result of a general realization of the need for railroad regulation and elimination of the defects and abuses of the charter regulatory method in use before 1876, under which a special legislative enactment for each company set forth its privileges and the rules and regulations for its control; and

Whereas, In 1917, legislation was passed which dealt principally with pipelines as common carriers and first designated the Railroad Commission as the agency to administer certain general provisions relating to the conservation of oil and gas; and

Whereas, In 1919 and since, broad regulatory and enforcement powers relating to oil and gas conservation have been conferred on the Commission so that today these activities constitute its major concern; and

Whereas, The Texas Utilities Act, passed in 1920, gave the Commission authority over persons and companies engaged in producing, transporting, conveying or distributing natural gas for domestic or other use, and legislation enacted in 1937 conferred regulatory powers over the liquified petroleum gas industry; and

Whereas, The Motor Bus Law of 1927 and the Motor Carrier Law of 1939 extended the supervisory and regulatory authority of the Commission to transportation for compensation or hire of persons and property over the highways of the state; and

Whereas, By the addition of such duties and functions through the years, the agency has been expanded...
and assigned responsibility encompassing such a wide variety of businesses and industries that the purpose envisioned by the Constitution and the original legislation which created the Commission has become a minor and increasingly inconsequential part of its concern; and
Whereas, The diversity of the Commission’s responsibilities and the many different problems with which its officials and personnel must deal raise questions as to whether such a multiplicity of unrelated functions should be placed in a single agency; and

Now therefore be it
Resolved, By the House of Representatives of the 58th Legislature of Texas, That the Texas Legislative Council be requested to study the Railroad Commission of Texas, taking into account its historical development and its present duties and functions, with particular emphasis on the possible need for reassignment of functions to other or new agencies; and be it further
Resolved, That the Council be requested to report its findings and recommendations, together with drafts of such legislation as it deems desirable, to the Regular Session of the 59th Legislature.

The resolution was read and was referred to the Committee on State Affairs.

CONGRATULATORY RESOLUTIONS
ADOPTED
H. S. R. No. 374, By Cain, Cavness and Foreman: Congratulating Mr. A. A. Eck of Austin, Texas.
H. S. R. No. 376, By Cherry: Congratulating Miss Patty Duke.
H. S. R. No. 377, By Cotten: Congratulating the Springtown High School youth dairy judging team.
H. S. R. No. 388, By Nugent: Congratulating the Mason Junior Chamber of Commerce and the people of Mason County for their operation of “Operation Orphans, Inc.”

RELATIVE TO A PORTRAIT OF GOVERNOR PRICE DANIEL
The Speaker laid before the House, for consideration at this time.
S. C. R. No. 43, Relative to a portrait of Governor Price Daniel.

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

The resolution was read and was adopted without objection.

SENATE BILL NO. 248 ON THIRD READING
The Speaker laid before the House, on its third reading and final passage.
S. B. No. 248, A bill to be entitled “An Act amending Article 2055 of the Revised Civil Statutes of Texas, 1925, as amended; relating to procedure for the selection of juries in certain counties and changing the population bracket from one hundred and fifty thousand (150,000) to one hundred and forty thousand (140,000) and providing for the employment of typists and payment of other expenses; and declaring an emergency.”

The bill was read third time and was passed by the following vote:
Yeas—146

Adams
Alam
Allen
Arledge
Ball
Banfield
Barnes
Bass of Bowie
Bass of Harris
Beckham
Berry
Birkner
Blaine
Boysen
Bridges
Brooks
Brown
Brown of Galveston
Brown of Taylor
Butler
Cain
Caldwell
Canales
Cannon
Carriker
Cavness
Chapman
Cherry
Clayton
Cook
Cory
Cotten
Coughran
Cowden
Cowles
Craig
Crews
Davis
de la Garza
Dike
Downey
Downey
Dungan
Dungan
Edwards
Esquivel
Fain
Fajardo
Finney
Fletcher
Floyd
Fondren
Foreman
Garrison
Gibbons
Gladesden
Grosvenor
Gross
Green
Grover
Gulf
Haines of Brazos
Hallmark

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SEATER BILL NO. 293 ON THIRD READING

The bill was read third time and was passed.

SEATEN BILL NO. 23 ON SECOND READING

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

S. B. No. 23, A bill to be entitled "An Act to amend Article 861, Revised Penal Code, 1925, to provide for the protection and policing of the Capitol, Governor's Mansion, State Office Buildings and the grounds thereof; to prohibit trespassers thereon and damage thereto; to regulate and control the use of the parking facilities, streets, alleys, and driveways; to provide penalties for the violations hereof; to empower watchmen and policemen employed by the State, Highway Patrolmen, Texas Rangers, and policemen of the City of Austin to enforce the provisions of this Act and the Civil and Criminal Laws of the State in the area; to allow the use of parking tickets or courtesy summons in connection with the enforcement of the traffic laws; to authorize and require the use of appropriate vehicle identification insignia, decalcomania, tag, sticker, or other suitable media to be issued to each and every elected member of the Legislature, the Governor, Lieutenant Governor, elected State Officials, members of Boards and Commissions and administrative Heads of State Agencies in Austin; and further providing for issuance and required use of identification insignia identical in design to that described above, with the exception that such insignia shall be of a different color or combination of colors, to State employees employed in the Capitol Building and State Office Buildings in Austin who may regularly drive their personal automobiles to work and to permit such employee-owned private automobiles to park on the Capitol driveways, streets and parking areas without penalty so long as
such vehicles properly display a current automobile identification insignia issued to the registered owner of the vehicle parked on State property; providing for certified lists of State employees to be furnished by the respective executive and administrative heads of State agencies which shall be used as the basis for issuance of employee vehicle identification insignia; and further providing for the issuance of appropriate special vehicle identification insignia to those persons regularly employed in the Capitol area as the Governor, Lieutenant Governor and the Speaker of the House may certify to the enforcement agency; providing for issuance and control of the issuance of all such vehicle identification insignia by the Texas Department of Public Safety and furthermore, to vest the Municipal Court of the City of Austin and the Justice Courts in Travis County, Texas, with jurisdiction over the offenses herein and hereinafter referred to.

The bill was read second time.

(Mr. Allen in the Chair)

Mr. Miller moved that further consideration of Senate Bill No. 23 be postponed until 11:00 o'clock a.m., April 17, 1963.

The motion prevailed without objection.

SENATE BILL NO. 172 ON SECOND READING

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

S. B. No. 172. A bill to be entitled "An Act creating the Richmond State School Independent School District; providing for its territorial limits; providing for trustees; providing for taking census and certifying scholarships; and declaring an emergency."

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

SENATE BILL NO. 52 ON THIRD READING

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

S. B. No. 52. A bill to be entitled "An Act amending Sections 2 and 9 of Acts, 53rd Legislature, Regular Session, Chapter 209, as amended (and codified as Sections 2 and 9 of Article 6701c-1 of Vernon's Civil Statutes); and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 222 ON SECOND READING

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

S. B. No. 222. A bill to be entitled "An Act creating the Lufkin State School Independent School District; providing for its territorial limits; providing for trustees; providing for taking census and certifying scholarships; and declaring an emergency."

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

SENATE BILL NO. 279 ON SECOND READING

Mr. Miller moved that further consideration of Senate Bill No. 279 be postponed until 11:00 o'clock a.m., April 17, 1963.

The motion prevailed without objection.

SENATE BILL NO. 279 ON THIRD READING

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

S. B. No. 279. A bill to be entitled "An Act amending and revising Chapter 3, Title 94 of the Revised Civil Statutes of Texas, 1925, as amended, relating to the National Guard and other State Military Forces and amending and revising certain other laws, as amended, relating to the National Guard and veterans affairs and incorporating such laws within Chapter 3, Title 94 of the Revised Civil Statutes of Texas, 1925, providing for severability; and repealing certain enumerated laws and all other laws in conflict."

The bill was read second time.

(Speaker In The Chair)

Mr. Haring moved that further consideration of Senate Bill No. 279 be postponed until next Wednesday, April 17, at 10:30 o'clock a.m., and the motion was lost.

Mr. Hollowell offered the following amendment to the bill:
Amend S. B. 279, page 5 line 35 of the printed bill by inserting after the comma after the word "sea." the following: "signed by the Governor and attested by the Secretary of State."

The amendment was adopted without objection.

Mr. Bridges offered the following Committee Amendments to the bill:

Committee Amendment No. 1 to Senate Bill 279
Amend Senate Bill 279, page 21, line 23 by deleting the word "otherwise" and inserting in lieu thereof the word "otherwise."

Committee Amendment No. 2 to Senate Bill 279
Amend Senate Bill 279, page 22, line 29 by deleting the word "other­wise" and inserting in lieu thereof the word "otherwise."

The Committee Amendments Nos. 1 and No. 2 were severally adopted without objection.

Mr. Bridges offered the following amendment to the bill:

Amend Section 3 of S. B. No. 279, appearing on page 47 of the printed bill, by inserting the following words immediately following the word "amended" on line 33; "prior to the 58th Legislature."

The amendment was adopted without objection.

Mr. Bridges offered the following committee amendments to the bill:

Committee Amendment No. 3 to Senate Bill 279
Amend Senate Bill 279, page 35, line 6 by deleting the word "resi­dence" and inserting in lieu thereof the word "residents."

Committee Amendment No. 4 to Senate Bill 279
Amend Senate Bill 279, page 36, line 25 by deleting the word "pos­sesses" and inserting in lieu thereof the word "possesses."
Amend Senate Bill 279, page 105, line 26 by deleting "Sec. 11.01" and substituting in lieu thereof "Sec. 11.01."

Committee Amendment No. 12 to Senate Bill 279
Amend Senate Bill 279, page 109, line 18 by adding a comma immediately following the word "be."

Committee Amendment No. 13 to Senate Bill 279
Amend Senate Bill 279, page 115, line 25 by deleting the number "114" and substituting in lieu thereof the number "1141."

Committee Amendment No. 14 to Senate Bill 279
Amend Senate Bill 279, page 115, line 25 by adding the letter "s" to the word "Expense."

Committee Amendment No. 15 to Senate Bill 279 by adding an "n" to the word "camp" on line 7 of page 12 of said bill.

The Committee Amendments Nos. 7 through 15 were severally adopted without objection.

S. B. No. 279, as amended, was then passed to third reading.

VOTES RECORDED
By unanimous consent of the House, Mr. Bass of Bowie was granted permission to be recorded as voting "Yea" on the passage of H. B. No. 167, the vote being on April 9.

By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Yea" on the amendment offered by Mr. Gladden to H. B. No. 148, the vote being on April 9.

By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Nay" on the passage of H. B. No. 148, the vote being on April 9.

RECESS
Mr. Mann moved that the House recess until 2:00 o'clock p.m. today. The motion prevailed.

In accordance with the motion to recess, the House at 11:52 o'clock a.m., took recess until 2:00 o'clock p.m. today.

AFTERNOON SESSION
The House met at 2:00 o'clock p.m. and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED
Mr. McGregor was granted leave of absence for the remainder of the day on account of important business, on motion of Mr. Stewart.

MESSAGE FROM THE SENATE
Austin, Texas, April 10, 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. 58, By Heatly: Commending Dr. Charles W. Castner for his service to the State of Texas. 7 of page 12 of said bill.

The Committee Amendments Nos. 7 through 15 were severally adopted without objection.

S. B. No. 279, as amended, was then passed to third reading.

VOTES RECORDED
By unanimous consent of the House, Mr. Bass of Bowie was granted permission to be recorded as voting "Yea" on the passage of H. B. No. 167, the vote being on April 9.

By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Yea" on the amendment offered by Mr. Gladden to H. B. No. 148, the vote being on April 9.

By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Nay" on the passage of H. B. No. 148, the vote being on April 9.

RECESS
Mr. Mann moved that the House recess until 2:00 o'clock p.m. today. The motion prevailed.

In accordance with the motion to recess, the House at 11:52 o'clock a.m., took recess until 2:00 o'clock p.m. today.

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S. B. No. 279, as amended, was then passed to third reading.

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By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Yea" on the amendment offered by Mr. Gladden to H. B. No. 148, the vote being on April 9.

By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Nay" on the passage of H. B. No. 148, the vote being on April 9.

RECESS
Mr. Mann moved that the House recess until 2:00 o'clock p.m. today. The motion prevailed.

In accordance with the motion to recess, the House at 11:52 o'clock a.m., took recess until 2:00 o'clock p.m. today.

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VOTES RECORDED
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By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Yea" on the amendment offered by Mr. Gladden to H. B. No. 148, the vote being on April 9.

By unanimous consent of the House, Mr. Cowden was granted permission to be recorded as voting "Nay" on the passage of H. B. No. 148, the vote being on April 9.

RECESS
Mr. Mann moved that the House recess until 2:00 o'clock p.m. today. The motion prevailed.
H. B. No. 86, By Heatly: Appropriating money for the support of the Judicial, Executive and Legislative branches of the State Government; and declaring an emergency.

S. B. No. 299, By Patman: Creating "Aransas County Conservation and Reclamation District;" and declaring an emergency.

S. B. No. 90, By Rogers: Authorizing the purchase of educational motion picture films; and declaring an emergency.

H. B. No. 286, By Smith of Bexar: Fixing the maximum salary for the County Road Engineer in certain counties; and declaring an emergency.

H. B. No. 57, By Crews: Relating to property passing to or for the use of any religious, educational or charitable organization; and declaring an emergency.

H. B. No. 675, By Walker: Providing for election of directors of Liberty County Water Control and Improvement District Number Five; and declaring an emergency.

H. B. No. 528, By Whitfield: Requiring certain cities to deduct monthly payments from firemen's salaries for Relief and Retirement Fund; and declaring an emergency.

H. B. No. 627, By Pearcy: Establishing a Juvenile Board for Bell County; and declaring an emergency.

H. B. No. 922, By Walker: Prohibiting the possession of an alligator in Chambers County; and declaring an emergency.

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

HOUSE BILL NO. 164 ON PASSAGE TO ENGROSSMENT

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

H. R. No. 164, A bill to be entitled "An Act requiring the teaching of a course entitled 'capitalism vs. communism' in all public High Schools of the State; prescribing the duration and content of such course and the method of presentation of the material included therein; repealing all laws in conflict; setting an effective date; and declaring an emergency."

The bill was read second time on April 8, and further consideration of the bill was postponed until 10:30 o'clock a.m. today.

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

Committee Amendment No. 1
Amend House Bill No. 164 by striking out all below the enacting clause and in lieu thereof substituting the following:

"Section 1. The Legislature of the State of Texas finds that one of the needs in our public school system today is for a unit of study at the high school level comparing the economic and political systems of the United States and those of the Communist countries, as exemplified by the United Soviet Socialist Republics. The Legislature believes that the achievements of our country are such that a factual and comparative presentation of the two systems will stimulate pride and patriotism in our students, together with a determination to meet those challenges and problems which arise in a free economic and political system. The Legislature further finds that the contemplated unit of study should serve more effectively to conquer Communism than a rote indoctrination, i.e., it should, through an examination of the achievements and values of both the American system and the Communist system, permit the student to form value judgments which will equip him for life with a real understanding of the things that make the United States, and its economic, political, and social institutions, the greatest in the history of civilization.

Section 2. The Texas Central Education Agency shall take such action as may be necessary and appropriate to the development of a unit of study comparing the economic and political systems of the United States and those of the Communist countries, as exemplified by the United Soviet.
Socialist Republics. Such unit of study shall be designed for use in the high school American History course, and fitted into the subject matter of that course at its most logical point.

Section 3. The development of such unit of study shall include the preparation of a course outline, and may include the adoption and purchase of supplementary textbooks out of the school textbook fund, which are specifically hereby authorized. It may also include the production of educational film or films on this topic, or the contracting therefor.

Section 4. Such unit of study shall provide comparisons between the United States economic system, based on Capitalism, the market system, competition, private property and the profit motive, and the Communist economic system, based on government and party planning and control of production and consumption, prices and wages, and between the representative democracy of the United States and the composite of freedoms which have resulted therefrom, and the communist political system in which the Communist Party is the only legal party, and thus able to impose vast controls over the social, political and religious life of its people. Such unit of study shall not be designed to indoctrinate the student, but to provide him with a thorough and factual examination of the achievements and values of both the American system and the communist system, permitting the student to form value judgments which will equip him for life in a free economic and political system.

Section 5. Beginning September 1, 1964, the aforesaid unit of study shall be included in the presentation of the high school American History course in each public high school in this State. The unit of study developed in accordance with the provisions of Section 2 shall be made available to each public high school in this State, and the course outline so provided, and any textbook or films provided in connection therewith, shall be utilized and followed by teachers presenting such unit of study.

Section 6. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Signed: Quilliam, Doke, Cherry.

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

Amend Committee Amendment No. 1 to H. B. 164 by striking the first sentence of Section 1, beginning on Line 18, and substituting in lieu thereof the following:

The Legislature of the State of Texas finds that there is a need in our public school system for a unit of study at the senior high school level designed so as to equip the students with an adequate understanding and appreciation of the American Way of Life, and knowledge of the inherent evils of atheistic communism.

Mr. Quilliam moved to table the amendment offered by Mr. Haring, and the motion to table prevailed.

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

Amend Committee Amendment No. 1 to H. B. 164 by striking the words: 'it should, through an examination of the achievements and values of both the American system and the communist system,' on line 28 and 29, page 1, of the printed copy of the bill and substituting in lieu thereof the following:

'It should through an examination of the achievements and values of America and the evils of communism.'

Mr. Quilliam moved to table the amendment offered by Mr. Haring and the motion to table prevailed.

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

Amend Committee Amendment No. 1, H. B. 164, by deleting Section 2 and substituting in lieu thereof the following:

The Legislature of the State of Texas finds that there is a need in our public school system for a unit of study at the senior high school level designed so as to equip the students with an adequate understanding and appreciation of the American Way of Life, and knowledge of the inherent evils of atheistic communism.
"Section 2. The Texas Central Education Agency shall take such action as may be necessary and appropriate to the development of a unit of study comparing the economic and political systems of the United States and those of the communist countries, as exemplified by the United Soviet Socialist Republic. Such unit of study shall be designed for use in the senior high school American History or Civics course, and fitted into the subject matter of that course at its most logical point. Any school district may use such unit as developed by the Texas Central Education Agency or it may develop its own unit of study."

The amendment was adopted without objection.

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

Amend Committee Amendment No. 1, H. B. 164, by deleting Section 2 and substituting in lieu thereof the following:

"Section 2. Beginning September, 1964, the aforementioned unit of study may be included in the presentation of the high school American History or Civics courses in each public high school in this State. However, beginning September, 1965, the aforementioned unit of study shall be included in the presentation of the senior high school American History or Civics courses in each public senior high school in this State. The unit of study developed in accordance with the provisions of Section 2 shall be made available to each public high school in this State, and the course outline as provided or the course outline developed by the respective school district and any textbook or films provided in connection therewith, shall be utilized and followed by teachers presenting such unit of study."

The amendment was adopted without objection.

Mr. Allen offered the following substitute amendment for Committee Amendment No. 1:

Amend Committee Amendment No. 1 to H. B. 164 by striking out all before the enacting clause and substituting the following:

Be it enacted by the Legislature of the State of Texas:

Sec. 1. The public high schools of the State of Texas shall offer a complete course of not less than one school period per school day for one full semester entitled "Americanism vs. Communism." Such course shall provide a comparison between the American free enterprise system and the full Socialist or Communist system as well as other economic systems.

Sec. 2. The course shall provide adequate instruction on the history of the American free enterprise system showing how it has produced the highest standard of living for the greatest number of people the world has ever known and has permitted more freedom and personal liberty for the individual to develop his initiative under a free enterprise system based on the profit motive. It shall show the increase in efficiency and output by workers and the better standards of living and working conditions, as well as increased wages made possible by this system.

Sec. 3. The course shall also provide an adequate study of the collectivist or Communist system. Said study shall include a history of the Communist movement, its doctrine, objectives and techniques as well as the dangers, fallacies and false doctrines of Communism.

Sec. 4. As part of this course, the person teaching it, where practical, shall have qualified persons address the class on several occasions on the true facts of the American free enterprise system, or the meaning of Communism, with a question and answer period as part of the lesson.

Sec. 5. No teacher, lecturer or study material assigned to this course shall present Communism or full Socialism as preferable or superior to our constitutional form of government and the American system of free enterprise.

Sec. 6. This course may be classified as economics or civics and
the student shall receive one-half (1/2) credit toward graduation upon satisfactory completion of such course.

Sec. 7. The State Board of Education is hereby given full authority to institute such procedures as they deem necessary to aid the Texas Education Agency in implementing the provisions of this Act.

Sec. 8. The Texas Education Agency and, through them, the State Textbook Selection Committee shall cooperate with the State Board of Education in following adopted procedures for instituting this program and take such action as may be necessary and appropriate to select suitable textbooks and instructional material as provided by State Law. The teacher assigned to this course may also use supplemental material from other sources.

Sec. 9. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Sec. 10. This act shall become effective on September 1, 1964. Signed: Allen and Niemeyer.

Mr. Quilliam moved to table the substitute amendment.

A record vote was requested on the motion to table. The motion to table the substitute amendment offered by Mr. Allen prevailed by the following vote:

Yeas—102
Alaniz
Arledge
Arnold
Bass of Bowie
Bass of Harris

Nays—44
Adams
Allen
Atwell
Ball
Banfield
Barnes
Berry
Bilz
Brown of Taylor
Butler

Chapman
Clayton
Cotton
Crawford
Crain
Darger
Dawson
Duncan
Duhon
Farrington

Nays—44
Adams
Allen
Atwell
Ball
Banfield
Barnes
Berry
Bilz
Brown of Taylor
Butler

Chapman
Clayton
Cotton
Crawford
Crain
Darger
Dawson
Duncan
Duhon
Farrington

Signed: Allen and Niemeyer.
Mr. Parmer offered the following substitute amendment for the Committee Amendment No. 1:

Amend H. B. 164 by striking out all below the enacting clause and substituting the following:

Sec. 1. The public high schools of the State of Texas shall offer a unit of study comparing the American System as a democratic republic and free economic system vs. totalitarian governmental and economic systems of all kinds such as Communism, Fascism, and Nazism.

Sec. 2. The Texas Education Agency shall take such action as necessary and appropriate to the development of a unit of study comparing the American System as a Democratic republic and free economic system and totalitarian governmental and economic systems of all kinds such as Communism, Fascism, and Nazism.

Sec. 3. Beginning September 1, 1964, the aforesaid unit of study shall be included in the presentation of the American History or Civics Course in each public high school in this State, the unit of study shall be made available to each public high school in this State, and the course so provided, and any textbook or films provided in connection therewith, shall be utilized and followed by teachers presenting each unit of study.

Sec. 4. The development of such unit of study shall include the preparation of a course outline and may include the adoption and purchase of supplementary textbooks out of the school textbook fund, which are specifically hereby authorized. It may also include the production of educational film or films on this topic, or the contracting therefor.

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

Mr. Quilliam moved to table the substitute amendment offered by Mr. Parmer.

A record vote was requested.

The motion to table the substitute amendment offered by Mr. Parmer prevailed by the following vote:

Yeas—118

Alaniz
Alien
Arledge
Atwell
Ball
Barrow
Bass of Bowie
Bass of Harris
Beckham
Berry
Birkner
Blais
Bosken
Brooks
Brown of Galveston
Brown of Taylor
Butler
Calhoun
Caldwell
Canales
Carnes
Chapman
Cheyney
Chilton
Collins
Cook
Cotten
Coughran
Cowan
Cowles
of Hidalgo
Davis
de la Garza
Dobie
Duggan
Dockard
Edwards
Fairchild
Fletcher
Floyd
Fondren
Foreman
Garrison
Gibbons
Glen
Green
Grover
Guffey
Halman of Bexar
Hallmark
Harding
Harr of Dallas
Haynes of Orange
Heflin
Hendryx
Hinson
Hollowell
Hughes
Ibsacks
Jamison
Javors
Johnson of Dallas
Johnson of Bexar
Kilpatrick
Knap
Kolba
Kothmann
Lidzard
McClintock
McDonald
McDonald of Hidalgo
McNutt
Macates
Main
Markgraf
Miller
Morgan
Moyer
Murray
Nugent
Committee Amendment No. 1, as amended, was adopted without objection.

H. B. No. 164, as amended, was passed to engrossment.

Mr. Quilliam moved to reconsider the vote by which H. B. No. 164 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

H. B. 164

I voted for the committee amendment to H. B. 164 because it provided for a unit on "Americanism vs. Communism" to be taught in an American history or civics course. This would be required of every student while the substitute would make this course optional.

Nelson Cowles
Roy Arledge

REASON FOR VOTE

I voted for engrossment of House Bill 164 because I feel that our children will better understand the greatness of America and the democratic way if they are given an opportunity to study and compare our system as opposed to totalitarian systems in the open light of day. Accordingly, I preferred the Farmer substitute because it offered a comparison with all tyrannical systems and not just that one that presents the danger of the moment.

Max Carriker

ADDRESS BY THE HONORABLE W. REED QUILLIAM, JR.

On motion of Mr. Cook, the following address by Mr. Quilliam, made in addressing the House on H. B. No. 164 on today was ordered printed in the Journal:

REMARKS TO HOUSE BY REPRESENTATIVE QUILLIAM

Mr. Speaker, Members of the House:

I have stood before this House a number of times over the past two sessions, but never with anything as important to say as I have to say today.

I am speaking less as a legislator than as the parent of two school-age and one pre-school-age children. I am speaking because there is nothing more dear to me than this Country, and the things for which it stands. I am speaking because there is something going on which threatens one of the most precious heritages of freedom that I can pass on to my children—freedom to pursue the truth.

I have offered here today a substitute for Mr. Dungan's bill. What I am offering is in reality the committee substitute, i.e. the bill which was voted out of the Education Committee by a vote of 12 to 6.

Before comparing the language of
the two bills, let us review for a moment the background out of which H. B. 164 grew. We are all familiar with much of the testimony which has come before the House Textbook Investigating Committee over the past fourteen months.

But the background of attempted indoctrination and/or censorship in our schools begins at a much earlier date. For example, in the early fifties there was the Scarsdale, New York case.

Scarsdale was a rather unlikely spot to look for opposition to the free enterprise system. The chances were great that anyone you stopped on a Scarsdale street would be both prosperous and a Republican. Westchester County, which embraces Scarsdale, supplied New York with one of its top executives and had a great representation in Who's Who in proportion to its population than any other county in the nation. Yet the school board, which was thoroughly representative of Scarsdale's citizenry, was brought under suspicion by a small, but highly vocal, segment of the community because of the books it was permitting the children to use. The opening round of the 2-year fight occurred when a "Committee of Ten" objected because books by Howard Fast, Anna Louise Strong, Louis Untermeyer and Shirley Graham were on the shelves of the school libraries. Soon the town was gripped in controversy.

One of the town's most active citizens (including Charles E. Wilson, President of General Electric and Harry E. Humphreys, Jr., President of United States Rubber) signed a public statement in an effort to head off the efforts of this vocal minority. It said:

"We do not minimize the dangers of communist and fascist indoctrination, but we want to meet these dangers in the American way. A state that fears to permit the expression of views alternative to those held by the majority is a state that does not trust itself... Any sensible person would agree that there are risks involved in allowing young persons relatively free access to a wide range of reading materials. Of course there are risks. But we believe there are greater risks in any alternative procedure. Surely we have not, as a people, lost the courage to take the risks that are necessary for the preservation of freedom."

The Scarsdale case was but one of many attacks on our schools in the last decade or so, and certainly for the past 14 months Texas has been in the forefront of this activity. I don't know how many of you had an opportunity to read the reports of the House Textbook Investigating Committee since it was made available last week. It is 260 pages long, and I must admit that I have not read all of it. But I have read enough to know that if some of the witnesses who appeared before that committee ever gained control of public education in this State, I would write off my children's education as not an education at all, but rather a brainwashing and indoctrination to compare with the most insidious of all time.

Apparently many of the witnesses before this Committee were originally intent on taking control of the selection of textbooks from the hands of men dedicated to the pursuit of learning, primarily educators, and placing it in the hands of those who would use such control to indoctrinate students to their own particular point of view.

When it became apparent that they would not be successful in their move, they threw their support behind H. B. 164, which would at least give them a forum for promoting their views under the guise of Americanism, and for painting those that disagreed with those views as un-American, Socialistic, or Communist.

Now consider, Ladies and Gentlemen of the House, is this what we want for our children, and for the other school children of this State? I do not. I am not afraid for my children to examine American History as it has actually been—the good as well as the bad—because it is a history, when taken in complete and factual context, of which I know they will be proud. I am not afraid for my children to examine our economic system, based on capitalism, the market system, competition, private property and the protective motive, to weigh and evaluate the system, its merits, its achievements, and yes, its problems. I am not afraid for my children to compare
our economic system to the commu
nism system, or to any other eco
nomic system. I am not afraid
because I have confidence in our
system, and all my children have to
do, is look around them to be con
vinced that it is a system that works
that no other system has provided
such a standard of living for so
many people.

What kind of Americans do I want
my children to be as a result of the
education that they get in the school? And in our home? I want them to have an abiding love for
our country based on actual knowl
edge of the system under which we
live. I want this patriotic love affair
to run so deep that my children can
examine the problems, the failures,
and the shortcomings of our economic
and political systems, secure in the
knowledge that our systems have the
proven strength to meet and conquer
these problems or shortcomings,
whatever they may be.

In short, I want my children's
love of country based on intellectual
honesty—on knowledge, comparison,
critical judgment—rather than on
some indoctrination program in
which we are merely painted as the
"good guys," and other systems as
the "bad guys."

I want my children to have an
abiding faith in our country secured
in the knowledge that under our
system they have been permitted the
freedom to pursue the truth, and
that they have found it, secure in the
knowledge that they have been free
to develop their intellect to the
extent of its capacity, and that
they have done so.

Just look at some of the objections
raised before the House Textbook
Investigating Committee because of
the mention in some of our textbooks
of the achievements of certain persons
considered subversive by the
person testifying. Look, for example,
on page 64, where it says "Refer-
ence is made to the following with
out advising of their subversive
affiliation," and then proceeds to
list names.

Well I hope that the day never
comes when my children are denied
the joy of listening to an Oscar Ham
mon, or the joy of reading a novel by
Ernest Hemingway, or a play by
Eugene O'Neill, or the intellectual
challenge of attempting, if they are
able, to master Albert Einstein's
mathematical theories.

Ladies and Gentlemen, I am speak-
ing out today against the kind of
education censorhip and indoctri-
nation that we associate with the book
burnings of Nuremberg in the early
thirties, and with that of all totali-
tarian forms of government. In the
newspapers last month there was a
report of a speech made by Mr.
Khrushchev in which he has forbid-
den the writers, composers, and art-
ists of Russia from producing works
of art not in harmony with Soviet
ideas as approved by the Govern-
ment.

Now let me read you an exact
quote from a talk given by one of
the witnesses who appeared before
the Education Committee in favor
of H. B. 184.
"The success of the Communists
has been due in part to their ability
to indoctrinate young minds in their
philosophy of life, and we, as citi-
sens of these United States, cannot
expect this country to long endure
unless the young people in our edu-
cational institutions are properly in-
structed about the free enterprise
system."

I submit to you, Ladies and Gentle-
men, that this country will long
endure, and will endure long after
the Communist world has ceased to
exist, simply because we do not in-
doctrinate our youth, but permit
them the free and unimpeded pursuit
of knowledge.

Now for just a word comparing
the actual wording of this substitute,
i.e., the committee substitute with
the original bill. The differences in
approach of these bills is best illus-
trated by reading the preambles
(Mr. Quilliam then read preambles
of original bill and committee sub-
nstitute, and compared them with
emphasis—.)

Now let me say this: I am not
convinced that any bill in this area
should be passed. In the first place,
I am somewhat constitutionally
opposed to the Legislature dictating
what is to be taught in our public
schools, because this allows politics
to influence educational policy, and
I feel this is undesirable. In the sec-
ond place, I feel that love of coun-
try, patriotism, and comparison with
other systems are matters which
should be emphasized and studied at their logical point in the curriculum, without a "crash program" being conducted. As Thomas L. Lee, assistant superintendent of schools in Tucson, Arizona, has said: "Ours is not a function of propagandizing or indoctrinating boys and girls. We believe that the communist threat is so closely interwoven with other problems of this age that it cannot be properly understood when viewed in isolation. We want our youth to become active participants in this nation's life and we think that, in order to do this, they must be able to make intelligent choices among known alternatives. We introduce the subject of communism at appropriate points in all courses, whatever it fits as a logical and factual part of the material. We know from first-hand experience that this is the difficult way to do it. We could simply do as some others have done—develop a "course" on communism and let it stand as evidence that we are truly patriotic... Professionally, however, we have an inescapable duty to the young people to teach with honesty and intelligence to the end that their vision of problems may be unclouded by bias and prejudice. In every generation fears have pressed in upon the populace to such an extent that the schools have been brought under fire. I think it is needed to view the current situation in this context."

If, however, this House in its judgment feels that such a unit of study is desirable, I urge you to accept the committee substitute. I urge you to permit our children to purse truth and knowledge as we have been permitted to pursue it. I know that there are many sincere Americans who have accepted pressure group programs in the name of patriotism and as a means of defense against Communism. But the issue is this: Shall our children's education be governed by pressure groups or by informed scholars and educators. I select the latter. I hope you will.

ADDRESS BY THE HONORABLE H. O. NIEMEYER

The following address by Mr. Niemeyer, made in addressing the House on the substitute amendment, offered by Mr. Allen and Mr. Niemeyer, for the Committee Amendment No. 1 to H. B. No. 164 was ordered printed in the Journal:

Mr. Speaker and Members of the House:

It is very seldom that I use this mike and I will not use it long now. It is my sincere feeling that I must say a few words in regard to H. B. 164, since I was chairman of the sub-committee to which this bill was referred. The majority of the Members on this Committee were opposed to the bill in its original form. After studying the bill for several weeks and discussing it with others, I, too, found that it could stand a lot of revision. That is why this amendment to H. B. 164 has been laid out.

Many schools now have a very good program that teaches the very things pointed out in this amendment. This amendment tends to reach those schools which are not now teaching similar courses. I think all schools now teach Americanism but are not teaching the evils of communism.

This course is not mandatory. It only requires all schools to offer the 1/2 credit course.

Another change in this amendment from the original bill that is very good, is the fact that it gives the Department of Education together with the State Board of Education the full authority to set up the operation and procedure of this course. This would permit the course to be fitted into our present course of study with the least amount of interruption.

In order for us to be true Americans, we must understand the meaning of others. Patriotism comes from knowledge, insight and behavior developed through the study of subjects which constitute the academic curriculum of the school and home.

I have never dealt with personalities of the House; I have always considered the bill before the House. I think the Quilliam amendment is good but I feel the amendment I have introduced is better; I therefore move the adoption of my amendment.

MESSAGE FROM THE SENATE

Austin, Texas, April 10, 1963

Hon. Byron Tunnell, Speaker of the House of Representatives.
April 10, 1963  HOUSE JOURNAL  1049

Sir: I am directed by the Senate to inform the House that the Senate has passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 380 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 380, A bill to be entitled "An Act amending Section 1 of Chapter 84, Acts of the 43rd Legislature, First Called Session, 1933, as amended (compiled as Article 28a, Vernon's Texas Civil Statutes), to provide that weekly newspapers shall be allowed to miss two (2) publication issues in twelve (12) months and still retain their status as newspapers eligible to publish legal notices of every kind; and declaring an emergency."

The bill was read third time and was passed.

Mr. Smith of Jefferson moved to reconsider the vote by which H. B. No. 395 was passed and to table the motion to reconsider.

The motion to table prevailed.

LEAVES OF ABSENCE GRANTED

Mr. Gibbens was granted leave of absence for the remainder of the day on account of important business, on motion of Mr. Crews.
House Bill No. 451 on Third Reading

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

H. B. No. 451. A bill to be entitled "An Act amending Section 1 of Article 122A, 'Taxation-General,' Chapter 1, Acts of the 68th Legislature, Third Called Session, 1963 (complied as Section 1 of Article 122A 'Taxation-General,' Vernon's Texas Civil Statutes), to provide that certain motor fuel purchased or otherwise acquired outside of the State of Texas and brought into this State by any person who is returning thereto immediately following an absence therefrom for a period of less than twenty-four (24) hours duration shall be subject to the excise tax levied on the first use of such motor fuel in this State and payable by such person as the Comptroller may prescribe; providing for an effective date; and declaring an emergency."

The bill was read third time and was passed.

House Bill No. 484 on Third Reading

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

H. B. No. 484. A bill to be entitled "An Act regulating the operation, purchase, and acquisition of aircraft by state agencies, departments and institutions and the use thereof, and providing for sale or disposal of all state owned executive-type aircraft by all agencies, departments and institutions, with the exception of the Texas Department of Public Safety: defining 'executive-type aircraft' as aircraft with horsepower in excess of 250; exempting the Texas National Guard and the Texas State Guard from the provisions of this act; prescribing records to be kept on use and operation of state-owned aircraft and for annual audit thereof; prescribing procedure for purchase and acquisition and operation and maintenance of aircraft by state agencies, departments and institutions; and declaring an emergency."

The bill was read third time.

Mr. Haines of Branco offered the following amendment to the bill:

Amend H. B. 484 by adding a new section to be known as Section 2: Section 1 and 2 of this Act shall not apply to aircraft presently owned by educational institutions when such aircraft have been acquired by gift.

The amendment offered by Mr. Haines of Branco was lost.

H. B. No. 484 was then passed.
Mr. Arledge moved to reconsider the vote by which H. B. No. 684 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.

The motion prevailed.

The Benediction was offered by Representative Wilson Foreman, as follows:

"Dear Heavenly Father, we thank Thee for Thy guidance in our deliberations in the decisions made in this House today. We now pray, Dear Heavenly Father, that Thou wilt guide and direct each of us in our committee meetings and direct each of us safely back in this House tomorrow.

"In Thy Name's Sake these things are asked.—Amen."

In accordance with the motion to recess, the House, at 3:58 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, as follows:


Municipal and Private Corporations: S. B. No. 315.

Liquor Regulation: H. B. No. 91.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 8, 1963

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 49. A bill to be entitled "An Act amending certain parts of Acts 1933, Forty-third Legislature, page 849, Chapter 241, as amended by Acts 1934, Forty-third Legislature, Second Called Session, page 61, Chapter 21, by Acts 1945, Forty-seventh Legislature, page 625, Chapter 317, by Acts 1943, Forty-eighth Legislature, page 33, Chapter 31, and by Acts 1941, Fifty-seventh Legislature, page 964, Chapter 157, Section 1, particularly Subsection (a) thereof, by providing for transfer to and vesting in the Department of Public Safety of the State of Texas all authority and power heretofore delegated and granted by said Acts to the Commissioner of Labor Statistics with respect to boxing contests and wrestling matches; providing for transfer of personnel, property, equipment and records now a part of and the duties, functions and responsibilities of the Bureau of Labor Statistics and placement under jurisdiction of the Department of Public Safety; further defining its power and duties; repealing all conflicting laws but retaining in full force and effect existing provisions regulating boxing and wrestling; providing for transfer of funds credited to the Bureau of Labor Statistics to the credit of the Department of Public Safety; providing severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.
eral Census which has not previously established the office of Medical Examiner and which does not have therein a reputable medical school; providing for the calling of an election; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 8, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 165, A bill to be entitled "An Act amending Articles 1577 and 1577a, as amended, and adding Article 1678, Penal Code of Texas, 1935, concerning employment of children; repealing Article 6181, Revised Civil Statutes of Texas, 1925, and all other laws and parts of laws in conflict herewith; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 8, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 167, A bill to be entitled "An Act authorizing establishment of Rehabilitation Districts to provide education, training, special services and guidance for handicapped persons; providing for its financing and administration; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 8, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 169, A bill to be entitled "An Act amending Articles 725b of the Penal Code, Acts 1937, Forty-fifth Legislature, Third Called Session, 1936, as amended, and as embraced in Subsection (d) of Section 4 providing for benefit eligibility conditions; providing for an effective date for this Act; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 8, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 172, A bill to be entitled "An Act relating to Automobile Service Clubs; defining certain terms; providing for a deposit of security prior to doing business and the issuance of a certificate of authority upon the giving of such security; providing for annual renewal of certificate of authority; providing for registration of salesman or agents and prescribing a fee therefor; providing for filing of information with the State Board of Insurance and an annual license fee to be paid to said Board; providing for revocation or suspension of licenses or certificates of authority; providing certain advertising limitations and certain exemptions; providing for regulations of service contracts; prohibiting solicitation for unauthorized
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automobile clubs; providing for penalties for violations of this Act; providing for severability; providing for an effective date; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 8, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 350, A bill to be entitled
"An Act amending Section 1 of Chapter 84, Acts of the Forty-third Legislature, First Called Session, 1933, as amended (compiled as Article 288, Vernon's Texas Civil Statutes), to provide that weekly newspapers shall be allowed to miss two (2) publication issues in twelve (12) months and still retain their status as newspapers eligible to publish legal notices of every kind; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 380, A bill to be entitled
"An Act amending Section 1 of Article 9.02 of Chapter 9, Title 122A, 'Taxation-General,' Chapter 1, Acts of the Fifty-sixth Legislature, Third Called Session, 1959 (compiled as Section 1 of Article 9.02 of Title 122A, 'Taxation-General,' Vernon's Texas Civil Statutes), to provide that certain motor fuel purchased or otherwise acquired outside of the State of Texas and brought into this State by any person who is returning thereto immediately following an absence therefrom for a period of less than twenty-four (24) hours duration shall be subject to the excise tax levied on the first use of such motor fuel in this State and payable by such person as the Comptroller may prescribe; providing for an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 395, A bill to be entitled
"An Act declaring the policy of the State of Texas to be that no person shall be denied the right to work, to earn a living, and to support himself and his family solely because of age; providing that no agency, board, commission, department, or institution of the government of the State of Texas, nor any political subdivision of the State, shall establish a maximum age for employment, nor deny a citizen of this State employment solely because of age; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 680, A bill to be entitled
"An Act authorizing independent school districts to borrow money for current maintenance expenses; providing for the method of evidencing such loans by the issuance of negotiable notes; prescribing the conditions under which such notes may be issued; enacting other provisions related to the subject; providing that this Act is cumulative of Article 2827, Vernon's Annotated Revised Civil Statutes of Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 8, 1963

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 684, A bill to be entitled
"An Act amending Section 1 of Article 8.02 of Chapter 8, Title 122A, 'Taxation-General,' Chapter 1, Acts of the Fifty-sixth Legislature, Third Called Session, 1959 (compiled as Section 1 of Article 8.02 of Title 122A, 'Taxation-General,' Vernon's Texas Civil Statutes), to provide that certain motor fuel purchased or otherwise acquired outside of the State of Texas and brought into this State by any person who is returning thereto immediately following an absence therefrom for a period of less than twenty-four (24) hours duration shall be subject to the excise tax levied on the first use of such motor fuel in this State and payable by such person as the Comptroller may prescribe; providing for an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 8, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.
"An Act regulating the operation, purchase, and acquisition of aircraft by State agencies, departments, and institutions, and the use thereof, and providing for sale or disposal of all State-owned executive-type aircraft by all agencies, departments and institutions, with the exception of the Texas Department of Public Safety; defining "executive-type aircraft" as aircraft with horsepower in excess of three hundred (300); exempting the Texas National Guard, the Texas Air National Guard and the Texas State Guard from the provisions of this Act; prescribing records to be kept on use and operation of State-owned aircraft and for annual audit thereof; prescribing procedure for purchase and acquisition and operation and maintenance of aircraft by State agencies, departments and institutions; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

Austin, Texas, April 9, 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. 68, House Concurrent Resolution commending Dr. Charles W. Castner for his service to the State of Texas.

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.
Mr. Bass of Bowie offered the following resolution:

H. S. R. No. 379, In Memory of the Honorable Jasper Newton Reed.

Whereas, Earthly labors in the ministry and as a public official dedicated to the welfare of his people have ended for Jasper Newton Reed of Texarkana; and

Whereas, His passing at the age of eighty-seven on March 28, 1963, is a time for tribute as well as sorrow for his life had been richly lived in the service of his fellowmen; and

Whereas, Mr. Reed was a member of the Texas House of Representatives for eight years. Elected in 1933, he represented the First District in the Forty-third, Forty-fourth, Forty-fifth and Forty-seventh Legislatures; and

Whereas, He served the Walnut Street Church of Christ in Texarkana as minister for many years and since his semi-retirement had continued in its leadership as an elder; and

Whereas, He was born February 11, 1876, in South Carolina and had lived in Texarkana most of his life; and

Whereas, Surviving are his wife; two daughters, Mrs. J. W. Shumake and Miss Eddie Otha Reed; and one son, J. C. Reed, all of Texarkana; three sisters, Mrs. C. M. Stacks and Mrs. Georgia Ferrin of Texarkana, and Mrs. Earl Bradshaw of Dallas; one brother, Walter Reed of DeKalb; two grandchildren, two great grandchildren and several nieces and nephews; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-eighth Legislature of the State of Texas extols the worthy life of this venerable church and public leader, and that copies of this Resolution be sent to his family; and, be it further

Resolved, That when the House adjourns this day it do so in memory of Jasper Newton Reed.

The resolution was unanimously adopted by a rising vote.