Resolved by the House of Representatives of the Fifty-eighth Legislature of the State of Texas, the Senate concurring, That the visiting Governors and other officials of Mexico be invited to attend and to address a Joint Session of this Legislature on Thursday, May 9, at 11:30 a.m. in the House Chamber.


The resolution was referred to the Committee on Rules.

TO CONGRATULATE THE HONORABLE PAUL FLOYD

Mr. Miller offered the following resolution:

H. S. R. No. 444

Whereas, One of the Gentlemen from Harris County is thirty-four years old on May 4, 1963; and

Whereas, The said gentleman from Harris County is admired greatly by his colleagues in the House of Representatives and is worthy of a Resolution in his honor; and

Whereas, The said gentleman from Harris County served his country in the United States Navy as is evident by his crew-cut; and

Whereas, The said gentleman from Harris County is known as a forthright, direct and forceful speaker, sometimes to the consternation of his colleagues; and

Whereas, His fashion of laughter is such that it cannot be reproduced by any known device and therefore belongs solely to the sounds of history and will ricochet down the halls of Time; and

Whereas, It is fitting that we call special attention to his capabilities as a lawyer, gentleman, legislator, sportsman, and as the greatest "Peckerwood" of them all; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-eighth Legislature of the State of Texas extends birthday congratulations to Representative Paul Floyd and wishes him continued success, health and happiness.
A quorum of the House was announced present.

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

"Our Heavenly Father, are there giants in our midst: Men who stand head and shoulders taller than those around them? O Lord, if there are no giants in the land to whom we can turn for leadership, will Thou search the hearts of these Thy servants, to see if one might rise to new heights of honor in our troubled world. Grant that one from our number might reach to new influence in our world of economics, politics, law or their chosen profession. There must be giants, upon whom Thou hast placed Thy hand. We must have ones to whom we can turn; trusting in their judgment and talents as leaders amongst men, and set aside by Thee.

"Through Christ Our Lord we pray.—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Smith of Bexar for today on motion of Mr. Adams.

Mr. Petty for today on motion of Mr. Pendleton.

Mr. Cowden was granted leave of absence for today on account of a death in his family, on motion of Mr. Crews.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 457, By Brooks, Floyd, Bass of Harris and Miller: In memory of Dr. James H. Hollimon.

May 6, 1963

HOUSE JOURNAL 1641

H. S. R. No. 471, By Cannon: In memory of Lonnie D. Wright.

SENATE BILLS ON FIRST READING

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

S. B. No. 290 to the Committee on Oil, Gas and Mining.
S. B. No. 215 to the Committee on Insurance.
S. B. No. 272 to the Committee on State Affairs.
S. B. No. 487 to the Committee on State Affairs.
S. B. No. 451 to the Committee on School Districts.
S. B. No. 464 to the Committee on Conservation and Reclamation.
S. B. No. 294 to the Committee on Oil, Gas and Mining.

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 Bass of Harris, Whatley, Duggan, Shutt, Eckhardt, Floyd, Grover, Brooks, Miller, Whitfield and Garrison:
H. B. No. 1056, A bill to be entitled "An Act adding a new article to the Revised Civil Statutes of Texas, 1925, to be known as Article 929a, authorizing the county clerks of certain counties to provide full and complete consolidated or master indexes of real property records, prepared and printed by data processing machinery; repealing all laws in conflict; and declaring an emergency."
Referred to the Committee on Counties.

By Garrison, Floyd, Shutt, Brooks, Miller, Duggan, Eckhardt, Whitfield, Whatley and Bass of Harris:
H. B. No. 1057, A bill to be entitled "An Act fixing the open season for killing wild quail in Atascosa County; fixing the number of quail that any person may kill or have in possession at any time; fixing a penalty for violation thereof; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Butler:
H. B. No. 1058, A bill to be entitled "An Act making it unlawful to hunt wild turkey in Wilson County; providing that this Act shall terminate on January 1, 1965, and shall be of no further force or effect thereafter; suspending all laws in conflict with this Act during the operation of this Act; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Butler:
H. B. No. 1059, A bill to be entitled "An Act making it unlawful to hunt axis deer in LaSalle County; providing that this Act shall terminate on January 1, 1965, and shall be of no further force or effect thereafter; suspending all laws in conflict with this Act during the operation of this Act; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Butler:
H. B. No. 1060, A bill to be entitled "An Act making it unlawful to hunt wild turkey in Wilson County; providing that this Act shall terminate on January 1, 1965, and shall be of no further force or effect thereafter; suspending all laws in conflict with this Act during the operation of this Act; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Butler:
H. B. No. 1056, A bill to be entitled "An Act making it unlawful to hunt wild turkey in LaSalle County; providing that this Act shall terminate on January 1, 1965, and shall be of no further force or effect thereafter; suspending all laws in conflict with this Act during the operation of this Act; and declaring an emergency."
Referred to the Committee on Game and Fisheries.
Bills

S. B. No. 1062, A bill to be entitled "An Act amending Article 79 of the Election Code of the State of Texas, as amended, (compiled as Article 7.14 of Vernon's Texas Election Code), by adding thereto a new Section 8a to provide for the use or various colors of ink in the printing of ballots in counties having a population in excess of one million (1,000,000) inhabitants according to the last preceding federal census, enacting other provisions relating to the subject; and declaring an emergency." Referred to the Committee on Privileges, Suffrage and Elections.

S. B. No. 278, "An Act relating to the establishment of a hospital district in accordance with the provisions of Section 9 of Article IX of the Constitution of the State of Texas, to be known as the Sweeny Hospital District, with boundaries coextensive with the boundaries of the Sweeny Independent School District; defining its purposes; providing for its administration, operation, financing, taxing powers and liabilities; prescribing procedures; providing for severability; reciting proof of publication of constitutional notice; and declaring an emergency." Referred to the Committee on Privileges, Suffrage and Elections.

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:

S. B. No. 47, "An Act providing for the deposit of all revenues derived from easements on property under the control of the Department of Corrections, together with all revenue received by the Department of Corrections as damages to property under its custody and control, to the Texas Department of Corrections Special Mineral Fund, created by the provisions of Senate Bill No. 354, Acts of the 52nd Legislature, Regular Session, 1951, Chapter 332, page 556; and declaring an emergency.

S. B. No. 50, "An Act establishing and providing for a State mental retardation school, regulating and providing for the operation of same, creating an Independent School District; and declaring an emergency.

S. B. No. 101, "An Act amending Chapter 75, Acts of the 50th Legislature, 1947 as amended (codified as Article 5240h of Vernon's Texas Civil Statutes), by allowing the exculpation of credits for 'creditable service' of an employee employed by two or more participating departments, if certain conditions are met; by providing for the retrospective application of this Act in favor of all persons eligible for benefits under the provisions hereof from and after January 1, 1969; and declaring an emergency."
viding for severability; repealing all 
laws in conflict; and declaring an 
emergency."

S. B. No. 315, "An Act amending 
Sections 1, Sections 1, 2, 3, 6, 7, 
13, 14, and 18 of Chapter 101, Acts 
of the 43rd Legislature, First Called 
Session, 1933, as last amended by 
Chapter 427, Acts of the 57th Leg­ 
islature, Regular Session, 1961, 
(codified as Article 6243b of Ver­ 
non's Texas Civil Statutes), relating 
to the Firemen and Policemen pen­ 
sion fund in cities of more than two 
hundred seventy-five thousand (275,- 
000) and less than three hundred 
thousand (300,000) inhabitants; 
providing for enlarging the member­ 
ship in the board of trustees; in­ 
creasing the maximum amount de­ 
ductible; making participation com­ 
pulsory within specified age limit; 
and declaring an emergency."

PERMISSION GRANTED 
FOR THE 
INTRODUCTION OF HOUSE BILLS

Mr. Gibbens called up with Sen­ 
ate Amendments for consideration at 
this time,

H. B. No. 148, A bill to be entitled 
"An Act to amend the subject 
matter of the Texas Unemploy­ 
ment Compensation Act, as amended; 
Chapter 482, Acts of the 44th Leg­ 
islature, Third Called Session, 1936, 
as amended, and as embraced in sub­ 
section (d) of Section 4 providing 
for benefit eligibility conditions; pro­ 
viding for an effective date for this 
Act; and declaring an emergency." 

On motion of Mr. Gibbens, the 
House concurred in the 
Senate 
Amendments to H. B. No. 148.

TEXT OF SENATE AMENDMENTS 
TO HOUSE BILL NO. 148

Senate Amendment No. 1
Amend Section 1 of House Bill 148 
to read as follows:

Section 1. That subsection (d) of 
Section 4 of the Texas Unemploy­ 
ment Compensation Act, as amend­ 
ed, Chapter 482, Acts of the 44th Leg­ 
islature, Third Called Session, 1936, 
as amended, be amended to read as follows:

"Benefit Eligibility Conditions 

"Section 4. An unemployed in­ 
dividual shall be eligible to receive 
benefits with respect to any benefit 
period only if the Commission finds 
that:

"(d) He is available for work and 
actively seeking suitable work."

Senate Amendment No. 2
Amend caption to conform to body 
of bill.

Senate Amendment No. 3
Amend H. B. No. 148 by adding 
Section 5 thereto as follows:

"Section 5. "Actively seeking suit­ 
able work," as used herein, shall 
mean that the unemployed indivi­ 
dual must have applied for suitable 
employment daily, excluding Satur­ 
days, Sundays, and holidays, during 
each seven (7) day period prior to
day of each registration for unemployment compensation benefits. Applicants' oral assertion or statement shall be proof of such active seeking of employment as above set out. Applicants at the time of each registration shall sign such forms as may be required by the Rules and Regulations of the Texas Employment Commission."

Senate Amendment No. 4
Amend caption to conform to body of bill.

MESSAGE FROM THE SENATE
Austin, Texas, May 6, 1963
Hon. Byron Tunnell, Speaker of the House of Representatives.

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

S. C. R. No. 64, By Cole: Resolution in memory of James P. (Jake) Hamblen, Houston businessman.

S. C. R. No. 65, By Krueger: Instructing Enrolling and Engrossing Clerk of the House to make certain corrections in H. B. No. 4 immediately.

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

MOTION TO INSTRUCT COMMITTEE ON MUNICIPAL AND PRIVATE CORPORATIONS TO REPORT H. B. NO. 4

Mr. Kothmann moved to instruct the Committee on Municipal and Private Corporations to report H. B. No. 4 immediately.

Mr. Slack moved to table the motion.

A record vote was requested on the motion to table.

The motion to table the motion to instruct the Committee on Municipal and Private Corporations to report H. B. No. 4 immediately was lost by the following vote:

Yea--64
Adams Allen Arledge Atwell Butler
Cain Canales Carnes Chapman Clayton Cole Cory Covington
Crain Crenshaw Davis Duncan Dungan
Fletcher Folden Foreman Gibson Halcomb Hamblen Hallmark
Harris of Dallas Healy Hefton Hendryx Holloway Houston
Jamison Klagler Knapp McClintock

Nay--73
Alaniz Ball Baas Baas of Bexar Beckham Berry Birchner Blaine Bridges Brooks Brown
Butler Cannon Carriker Cherry Collins Cook Coughran Cowies de la Garza Duggan Edwards Esquivel Finch Ford Garrison Gladden Gladden Glenn Green Grover Guffey Harding

Hart Harris of Galveston Harris of Orange Heers Harris Bexar Hefton Hendryx Thompson Holloway Traeger Ward Wheeler Woods

McDonald McNutt Mackay Morgan Moyer Murray Muenster Nugent Parsley Pendleton Pipkin Price Quilliam Read

Rosem Satterwhite Schiller Hallmark Simpson Slack Gladwell Stollenwerck Thompson Townsed Traeger Ward Wheeler Woods

Ligarde McDonald of Rust McGregor McLaughlin Mann Markgraf Miller

Cleary Niemeyer Parker Parmer Pearcy Pooler Rapp Richards Richardson Ritter Rodrigues Ritter Rogers Shannon Shepler Shutt
May 6, 1963

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<th>Present</th>
<th>Not Voting</th>
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<td>Smith of Jefferson</td>
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<td>Stewart</td>
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<td>Thurmond</td>
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<td>Weldon</td>
<td>Wilson</td>
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<td>Wells</td>
<td>Present</td>
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- Doke: Absent
- Caldwell: Johnson of Dallas
- Fairchild: Roberts
- Hinson: Walker
- Hughes: Absent

- Carpenter: Petty
- Cowden: Smith of Bexar

(The above record vote was requested by Mr. Esquivel, Mr. Johnson of Bexar, and Mr. Floyd.)

A record vote was requested on the motion to instruct the Committee on Municipal and Private Corporations.

The vote of the House was taken on the motion to instruct the Committee on Municipal and Private Corporations to report H. B. No. 4 immediately, and the vote was announced Yeas 66, Nays 68 and 3 present-not voting.

A verification of the vote was requested and was granted.

The roll of those voting Nay was again called and the verified vote resulted as follows:

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<td>Alaniz</td>
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<td>of Galveston</td>
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- Caldwell: of Galveston
- Canales: Hardesty of Orange
- Canelon | Isakka |
- Carrick | Jarvis |
- Cherry | Johnson of Bexar |
- Collins | Kilpatrick |
- Cowles | Koliba |
- Duggan | Kothmann |
- Eckhardt | Lack |
- Esquivel | Ligarde |
- McGregor | Ritter |
- McLain | Roberts |
- McLaurin | Rodriguez |
- Manso | Segrest |
- Markgraf | Shannon |
- Miller | Shipler |
- Murray | Shutt |
- Niemand | Smith of Jefferson |
- Parker | Stewart |
- Farmer | Waldo |
- Peary | Wells |
- Peeler | Whatley |
- Rapp | Whitefield |
- Wilson | Present |

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<td>Adams</td>
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<td>Hallmark</td>
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- Present: Not Voting
- Doke: Absent
- Edwards: Guffey

- Cook | Hinson |
- Crews | Hughes |
- de la Garza | Johnson of Dallas |
- Harding | Pippin |
- Healy: Absent

- Carpenter: Petty
- Cowden | Smith of Bexar |
The Speaker stated that the motion to instruct the Committee on Municipal and Private Corporations to report H. B. No. 4 immediately was lost by the above vote.

REASON FOR VOTE

Reason for vote on motion to instruct, Record Vote No. 3, May 6, 1963, Municipal and Private Corporations Committee to report on House Bill 4:

I cast my vote in favor of the above motion for the reason that I do not approve of two members of the House tying up any type of legislation. On final vote, I will probably vote against House Bill 4, but I do feel that the author of House Bill 4, or the author of any bill, has the right for the entire committee of twenty-one to pass on his bill, and not a majority of a sub-committee of three.

The records will reflect that I voted in favor of a previous motion to table the above motion. I was in the telephone booth at the time this motion to table was voted on, and someone, without my knowledge or consent, voted me Aye on this motion.

MURRAY.

BILLS AND RESOLUTIONS SIGNED CONGRATULATORY RESOLUTIONS ADOPTED

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

H. B. No. 314, “An Act to amend Article 1093 of Chapter 9, Title 28, Revised Civil Statutes of Texas, 1925, respecting notice required of hearing on assessments for street improvements; and declaring an emergency.”

H. B. No. 316, “An Act to amend Article 1211 of Chapter 17, Title 28, Revised Civil Statutes of Texas, 1915, respecting notice required of hearing on assessments for street improvements; and declaring an emergency.”

H. B. No. 317, “An Act to amend Article 1098 of Chapter 9, Title 28, Revised Civil Statutes of Texas, 1925, respecting notice required of hearing on assessments for street improvements; and declaring an emergency.”

H. B. No. 422, “An Act authorizing the Board of Regents of the State Teachers Colleges to accept gifts and donations in order to establish a research center to be known as the Killgore Research Center on the campus of West Texas State College; making provisions for the disbursement of the money received and for the maintenance and administration of the research center; granting the administration of the college authority to conduct a permanent research program, in conjunction with the donors; providing for severability; and declaring an emergency.”

H. C. R. No. 21, To petition the Congress to call a convention for the purpose of proposing an amendment to Article V of the Constitution of the United States.

H. C. R. No. 57, Providing for the removal of the bones of Setalnte.

H. C. R. No. 69, Congratulating Radio Station KAJC-FM.

H. C. R. No. 72, Authorizing the Enrolling and Engrossing Clerk of the House to make certain corrections in H. B. No. 955.

H. S. R. No. 455, By Parker: Extending greetings to Future Nurses Club of Thomas Jefferson High School, Port Arthur, Texas.

H. S. R. No. 458, By Townsend: Commending T. O. Patt.

H. S. R. No. 459, By Esquivel: Welcoming the Eighth Grade Class of St. James Catholic School of San Antonio.

H. S. R. No. 462, By Allen: Honoring Judson High School, Judson, Texas.

H. S. R. No. 463, By Foreman, Cain, Ritter and Cavness: Honoring the Fourth Grade Class of Rosedale Elementary School, Austin, Texas.

H. S. R. No. 465, By Cole: Congratulating Mrs. Ruth Ohmert.
Mr. Crews offered the following resolution:

H. S. R. No. 469

Whereas, Sam Houston State College and the headquarters of the Texas Department of Corrections are located in Huntsville, Texas; and
Whereas, The proximity of these institutions appears to place Sam Houston State College in a uniquely favorable position to utilize the resources of the Texas Department of Corrections in developing an outstanding program of training and study in the exploration of crime as a social phenomenon, rehabilitation of criminals, and related subjects; and
Whereas, The development of such a program would be of great benefit to the people of this state and nation; now, therefore, be it
Resolved, That the administrative staffs of these institutions be directed to explore cooperatively the feasibility of developing a continuing program of statistical research, training and study in criminology, penology and related fields, and in particular to explore the feasibility of instituting an in-service training program for custodial officers of the Department of Corrections, and a program for the training of professional penologists; and be it further
Resolved, That this initial survey be conducted without the appropriation of additional funds for that purpose; and be it further
Resolved, That the administrative staffs of these institutions be directed to submit a report on this matter to the 59th Legislature of the State of Texas no later than one week after that Legislature formally convenes.

The resolution was referred to the Committee on State Affairs.

REQUESTING AN INTERIM COMMITTEE TO STUDY "OPERATION TEEN-AGER"

Mr. Crain offered the following resolution:

H. S. R. No. 468

Whereas, One of the most dramatic and effective deterrents to juvenile crime in Texas has been "Operation Teen-ager"; and
Whereas, "Operation Teen-ager," an unusual public service, was conceived by a convict and originated in Texas in February 1961; and
Whereas, This program has drawn national attention as a crime deterrent, particularly for borderline, confused youths; and
Whereas, "Operation Teen-ager" is a dramatic first-hand presentation by actual convicts, inmates of the Texas Department of Corrections, of their stories of how they got into trouble; and
Whereas, More than 400,000 Texans have witnessed the program since it was first presented to a Parent-Teacher Association meeting at Conroe; and
Whereas, The Department of Corrections has been swamped with requests for production of the program; and
Whereas, A video film of "Operation Teen-ager" has been made; now therefore be it
Resolved, That the Speaker of the House of Representatives be, and is hereby, authorized to appoint an interim committee to investigate the feasibility of making available to the school children of Texas, and other interested parties, through the Texas Education Agency, additional films of "Operation Teen-ager" in order to take advantage of the benefits to be derived from further extension of this highly educational program; and be it further
Resolved, That the Texas Education Agency, the Texas Department of Corrections, the Texas Youth Council and all other State departments, agencies and institutions be requested to cooperate fully with said interim committee in its deliberations in order that it may de-
develop sound recommendations to the next Legislature and Governor as to the possibilities of expansion through motion picture media of "Operation Teen-ager."

The resolution was referred to the Committee on State Affairs.

PROPOSING AN AMENDMENT TO THE HOUSE RULES RELATIVE TO RECOGNIZING VISITORS IN THE HOUSE

Mr. Miller offered the following resolution:

H. S. R. No. 460

Be it Resolved by the House of Representatives of the State of Texas:

Except when the House is standing at ease, the Speaker shall not recognize any visitor or visitors other than persons who may, under Section 1 of Rule XXVIII, be admitted to the area on the floor of the House enclosed by the railing when the House is in session.

The resolution was referred to the Committee on Rules.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Duggan offered the following resolution:

H. C. R. No. 81

Whereas, F & C Engineering Company, a Delaware Corporation, with its principal office located at Houston, Texas, is asserting a claim against the State of Texas and the State Highway Department, arising out of a contract with the Texas Highway Department, dated August 3, 1960, involving Project Number FG14(38), FG14(39) and US14(46) Control 37-12-4 and 8 and 37-12-15 and 16, U. S. Highway 59 in Harris and Fort Bend Counties; and

Whereas, Said F & C Engineering Company is asserting its claim on the ground that the Texas Highway Department did not design a concrete batch composed of proper properties of cement, sand, gravel and water for the project for the period from the middle of November 1960 to the early part of May 1961, although the materials are alleged to have met said contract specifications and as a result, it is further asserted that the Texas Highway Department would not use the design of concrete batches supplied by F & C Engineering Company, on the project; and

Whereas, Said F & C Engineering Company desires to institute a suit in the proper jurisdiction for the determination and declaration of rights and liabilities of the parties herein mentioned and for such other relief as may be appropriate in said cause as determined by the laws of the State of Texas and the issuance and service of process upon the State of Texas and the Texas Highway Department to be issued according to the rules of law and the rules of civil procedure; now, therefore be it

Resolved, By the Legislature of the State of Texas, that authority be and it is hereby granted to F & C Engineering Company, its successors or assigns, to institute suit against the State of Texas and the Texas Highway Department, or either of them, in a court of proper jurisdiction for a determination and declaration of the rights and liabilities of the parties to a suit as may be developed by the pleadings therein and for such other relief as may be appropriate under the laws of the State of Texas and the rules of civil procedure; and be it further

Resolved, By the Legislature of the State of Texas, that authority be and it is hereby granted to F & C Engineering Company, its successors or assigns, to institute suit against the State of Texas and the Texas Highway Department, or either of them, in a court of proper jurisdiction for a determination and declaration of the rights and liabilities of the parties to a suit as may be developed by the pleadings therein and for such other relief as may be appropriate under the laws of the State of Texas and the rules of civil procedure; and be it further

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the Departments or Agencies of the State of Texas, or any of the political subdivisions of the State of Texas, 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 in said suit 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 defense, of fact as well as law, that may be asserted by or available to the State of Texas, or any of the Departments or Agencies of the State
of Texas, or any of the political subdivisions of the State of Texas, in said suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on State Affairs.

RELATIVE TO CONTINGENT EXPENSES OF HOUSE MEMBERS

Mr. Schiller offered the following resolution:

H. S. R. No. 467

Whereas, The Members of the House of Representatives are now engaged in performing the many duties and responsibilities of the Fifty-eighth Legislature; and

Whereas, Incidental expenses of postage, telephone calls and office supplies are necessary for the Members to adequately carry on their various official tasks for the Session; now, therefore, be it

Resolved by the House of Representatives, That each Member of the House be permitted to expend not more than Seven Hundred Dollars ($700) for contingent expenses during the Regular Session of the Fifty-eighth Legislature.

The resolution was referred to the Committee on Contingent Expenses.

PROVIDING FOR AN INTERIM COMMITTEE TO MAKE A STUDY OF SALT WATER POLLUTION

Mr. Ward offered the following resolution:

H. S. R. No. 456

Whereas, The vast land resources of Texas, so essential to production of food for our State and Nation, are being threatened by salt pollution; and

Whereas, Surface water in ponds, streams and shallow water wells is being or has been ruined in many areas, thus making the water useless for humans, wildlife, and domestic animals; and

Whereas, In addition to threatening our food supply, this pollution of our irreplaceable lands and water is leading to a decrease in the value of the lands, thereby resulting in a lowered tax base with concomitant decreases in local, county and State revenues; and

Whereas, The loss of a pure water supply has resulted in increased production costs for many Texas farmers and ranchers, thus lowering their net income and, in turn, affecting the entire economy of the State; and

Whereas, The growing oil development throughout the State is directly correlated with the marked increase in salt pollution despite regulations and laws for cementing or plugging or setting surface pipe on oil wells; and

Whereas, It is often difficult to determine or trace responsibility for pollution and Texas farmers and ranchers are viewing this growing danger to our food supply and our economy with alarm; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That an interim committee of seven members, five to be appointed by the Speaker from the membership of the House and two citizen members to be appointed by the Governor, is hereby created to make a study of salt water pollution to the soil and surface water of Texas to determine:

(1) if existing laws are adequate to control salt water pollution from man-made causes, should strengthened enforcement and policing be provided; (2) if corrective legislation should be devised and, if so, what form this legislation should take and what funds should be provided to insure the placing of responsibility for pollution and the enforcement of the laws relating thereto; and (3) What new research or implementation of old research should be made in order that the best possible methods of preventing salt pollution might be employed in Texas; and, be it further

Resolved, That expenses of legislative Members of the Committee shall be paid under provisions for such purposes in the Appropriations Act; and, be it further

Resolved, That the Committee shall conclude its investigations and make its report, together with recommendations and drafts of proposed legislation, to the Regular Session of the Fifty-ninth Legislature.

The resolution was referred to the Committee on State Affairs.
TO NAME CHARLES R. SCOGGINS, II, AND CYNTHIA HOPE SCOGGINS AS MASCOTS OF THE HOUSE

Mr. Harris of Dallas offered the following resolution:
H. S. R. No. 454

Whereas, It has been ascertained that Charles R. Scoggins, II, six, and Cynthia Hope Scoggins, eight, are proper candidates for Mascot of the House of Representatives; and
Whereas, They are the engaging children of our newest colleague, the Honorable Charles R. Scoggins of Corpus Christi, and his charming wife Bobbie; and
Whereas, Grandparents of the children are Mr. and Mrs. J. H. Flowers and Mr. and Mrs. C. H. Scoggins; now, therefore, be it
Resolved, That Charles R. Scoggins, II, and Cynthia Hope Scoggins be, and they are hereby, named Mascots of the House of Representatives of the State of Texas, and that their photographs be placed on the picture panel of this House; and, be it
further
Resolved, That they be given copies of this Resolution to keep as a momento of this official action.

The resolution was referred to the Committee on Rules.

TO PROVIDE FOR AN INTERIM STUDY COMMITTEE FOR THE OIL AND GAS INDUSTRY

Mr. Doke offered the following resolution:
H. S. R. No. 453

Whereas, The Oil and Gas Industry is by far the most important factor in the economy of Texas, grossing over $4 billion; and
Whereas, Since Texas reserves are nearly half that of the entire nation, it has taken the brunt of the attack on overproduction; and
Whereas, Oil and gas production in Texas is so restricted that it has suffered far more than other states from loss of markets; and
Whereas, The various proposals to remedy this deplorable situation have been met with objections that "This is not the proper approach;" and
Whereas, If we do not find a solution to this problem soon, federal regulation may be the next step; now, therefore, be it
Resolved, By the House of Representatives of the 58th Legislature of Texas:

Section 1. That an Interim Study Committees of the House of Representatives be constituted, and the same is hereby authorized and provided, to give diligent study to all phases of the Oil and Gas Industry in Texas, together with its various related industries, with the view of finding a practical solution to the problems confronting this declining industry in Texas.
Sec. 2. That said committee shall consist of five (5) members of this House, to be appointed by the Speaker, who shall name its chairman. This committee shall elect from among its members a vice-chairman and a secretary. Any vacancy on said committee shall be filled by appointment by the Speaker. Three or more members shall constitute a quorum. Said Committees shall meet, organize, and promulgate the rules and procedure by which it shall function, including the times and places for meeting, between the date of the adoption of this resolution and the date of the convening of the Regular Session of the 59th Legislature. It shall have full authority to continue or initiate inquiries and hearings into matters relating to the various problems of the Texas Oil and Gas Industry, pipeline refineries, marketing, marginal and other exempt wells, salt domes, slant holes, lack of sufficient policing of the fields, over production in general, and related problems.
Sec. 3. The committee is hereby authorized to request the assistance of the Railroad Commission, the Texas Legislative Council, the Attorney General's Department, the General Land Office, and other State agencies and officers, and it shall be their duty to assist the committee when requested to do so.
Sec. 4. The committee shall have authority to employ and compensate assistants in any study to obtain services in addition to services of State agencies.
Sec. 5. The committee shall make reports to the members of the 58th...
Legislature and to the 59th Legislature as it may deem necessary and appropriate.

Sec. 6. Members of the committee shall be reimbursed for their actual and necessary expenses incurred while engaged in the work of the committee, and while traveling between their places of residence and the places where meetings of the committee are held, provided, however, the total of said expense for legislative members shall not exceed $2,000. Compensation of its employees, expenses of the members, and all other expenses of the committee, shall be paid out of the appropriation for mileage and per diem and contingent expenses of the 58th Legislature. All payrolls and traveling expense vouchers shall be approved by the chairman of the committee and the Speaker of the House of Representatives before payment.

Signed: Doke and Cook

The resolution was referred to the Committee on State Affairs.

RELATIVE TO CERTAIN ACTION BY THE HONORABLE FOY KOHLER AND THE EMBASSY STAFF

Mr. Walker offered the following resolution:

H. C. R. No. 75

Whereas, On May 1, 1963, the United States Ambassador to Russia, the Honorable Foy Kohler, and the staff of the Embassy boycotted the Soviet May Day celebrations in Red Square, and

Whereas, Cuban Premier Fidel Castro took a leading part in said May Day celebrations, and

Whereas, Since the United States established relations with the Soviet Union in 1933, the United States Embassy had on no prior occasion boycotted Soviet May Day celebrations, and

Whereas, The people of the State of Texas construe the Ambassador’s and Embassy’s boycotting of said May Day celebrations as a public expression of disapproval and distrust of Cuban Premier Fidel Castro, and

Whereas, The Legislature of the State of Texas is in hearty accord with the attitude indicated by the boycotting of the May Day celebration and is desirous of expressing its approval and commendation of the actions of the Honorable Foy Kohler and the Embassy staff, and

Whereas, The Legislature of the State of Texas wholeheartedly endorses a firm and positive stand by the officials of the Government of the United States upon the Cuban question; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, By this resolution does approve and endorse the action of the Honorable Foy Kohler and the Embassy staff in boycotting the Soviet May Day celebration; and, be it further

Resolved, A copy of this resolution be sent to the Honorable Foy Kohler, the President and the Vice-President of the United States, the Secretary of State of the United States, the Texas Senators, and the Representatives of the State of Texas in the National Congress.

Signed: Walker, Miller and Shutt.

The resolution was referred to the Committee on State Affairs.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Atwell offered the following resolution:

H. C. R. No. 76

Be it resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Fifty-eighth Legislature of the State of Texas do adjourn sine die at 12:00 o'clock midnight, Friday, May 24, 1963.

Signed: Atwell and Cook.

Mr. McGregor moved that further consideration of H. C. R. No. 76 be postponed for one week, until next Monday, May 13, at 11:00 o'clock a.m.

Mr. Atwell moved to table the motion to postpone further consideration of H. C. R. No. 76 and the motion to table prevailed.

H. C. R. No. 76 was then adopted.

AUTHORIZING CERTAIN CORRECTIONS IN H. B. NO. 565

Mr. Cory offered the following resolution:
Whereas, House Bill No. 685 has passed the House and the Senate and is now in the Engrossing and Enrolling Department of the House; and

Whereas, Certain language was inadvertently omitted that is necessary to the intent of the Bill; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Engrossing and Enrolling Clerk of the House be and is hereby directed to insert the words "members of the Judiciary" after the word "Governor" and before the words "Members of the Legislature" in Section 2, Subsection (c) of said Bill.

The resolution was adopted.

Mr. Segrest moved to reconsider the vote by which H. C. R. No. 79 was adopted, and the motion to reconsider prevailed without objection.

A record vote was requested on the adoption of H. C. R. No. 79.

H. C. R. No. 79 was adopted by the following vote:

**Yeas—144**

Adams de la Garza
Allen Doke
Atwell Duggan
Ball Edwards
Barnes Erskine
Bassal Fairchild
Bass of Bowie Pinney
Bass of Harris Fletcher
Beckham Floyd
Berry Foudren
Birker Foreman
Blaine Garrison
Boyson Gibson
Bridges Gladden
Brooks Glenn
Brown Green
of Galveston Grover
Brown of Taylor Guffey
Butler Haines of Brazos
Cain Hallmark
Caldwell Harding
Canales Harlington
Cannon Harris
Carrillo Harrington
Carver Harris of Dallas
Carver Harris of Orange
Chapman Heflin
Cherry Henry
Clayton Hendrix
Collins Hinson
Cook Hollowell
Cory Houston
Cotten Hughes
Coughran Iaacks
Cowies Jamieson
Craw Carnes
Crow Johnson of Bexar
Dave Kilpatrick
May 6, 1963

HOUSE JOURNAL

Klager Richards
Knapp Richardson
Koliba Ritter
Kothmann Roberts
Lack Rodriguez
Ligarde Rosson
McClinton Satterwhite
McDonald Schiller
of Hidalgo Scoggins
McDonald of Rusk Segrest
McGregor Shannon
Mcilhany Shipley
McLaughlin Shutt
McNutt Simpson
Mann Slider
Macatee Smith of Jefferson
Miller Stewart
Murray Thurmund
Motzcher Townsend
Niemeyer Traeger
Nugent Walker
Parker Weldon
Parsley Wells
Pearcy Whately
Peeler Wheeler
Pendleton Whitfield
Pipkin Wicling
Price Wilson
Quilliam Woods

Absents
Johnson of Dallas Absent—Excused
Carpenter Petty
Cowart Smith of Bexar

AUTHORIZING CERTAIN CORRECTIONS IN H. B. NO. 148

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 65

Whereas, House Bill No. 148 has passed the Senate and the House of Representatives and is now in the House Enrolling Room; and

Whereas, By inadvertency, Senate Amendment No. 2 by Hall to House Bill No. 148 was adopted to add Section 5 and the amendment was intended to be an addition at the end of Section 4(d) in the Bill; now, therefore, be it

Resolved By the Senate of The State of Texas, The House of Representatives Concurring, That the Enrolling and Engrossing Clerk of the House be and is hereby instructed to add Senate Amendment No. 5 by Hall to the end of Section 4(d) of House Bill No. 148.

The resolution was adopted without objection.

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 12:08 o'clock p.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.

SENATE BILL NO. 270 ON SECOND READING

Mr. Hughes moved that the necessary rules be suspended for the purpose of taking up and considering at this time Senate Bill No. 270.

The motion prevailed without objection.

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

S. B. No. 270. A bill to be entitled "An Act to establish and adopt a Code of Criminal Procedure for the State of Texas by revising and rearranging the statutes of this State which pertain to the trial of criminal cases; and by making various changes in, omissions from, and additions to such statutes; defining the meaning of certain words and terms used in the Code; and fixing the effective date of the Code; validating certain proceedings had under existing and prior statutes; repealing statutes and all laws or parts of laws in conflict with the Code; containing a severability clause; and declaring an emergency."

The bill was read second time.

Mr. Hughes offered a substitute amendment to the bill, the amendment being signed by Messrs. Hughes, Parsley, Esquivel, Whatley, Satterwhite, Nugent and Duggan.

(Mr. Parsley occupied the Chair temporarily.)
(Speaker in the Chair.)

Mr. Whitfield offered the following amendment to the amendment offered by Mr. Hughes:

Amend the author's substitute for S. B. 270 by striking out all of "Article 43 through Article 43.26 inclusive."

Mr. Miller raised a point of order on further consideration of the amendment offered by Mr. Whitfield on the ground that the amendment is not germane to the amendment offered by Mr. Hughes.

COMMITTEE MEETING

Mr. Slider asked unanimous consent of the House that the Committee on Game and Fisheries be permitted to meet at this time.

There was no objection offered.

HOUSE AT EASE

At 2:22 o'clock p.m., the Speaker stated that the House would stand at ease.

(While the House stood at ease, Mr. Woods occupied the Chair temporarily.)

(Speaker in the Chair.)

At 2:35 o'clock p.m., the Speaker called the House to order.

The Speaker overruled the point of order raised by Mr. Miller against further consideration of the amendment offered by Mr. Whitfield.

Mr. Hughes moved to table the amendment offered by Mr. Whitfield.

A record vote was requested on the motion to table.

The motion to table the amendment offered by Mr. Whitfield to the amendment offered by Mr. Hughes prevailed by the following vote:

**Yeas—106**

- Adams
- Allen
- Arledge
- Atwell
- Ball
- Baedeker
- Baines
- Baines of Bowie
- Baines of Harris
- Chapman
- Clayton
- Cole
- Collins
- Cook
- Cory
- Cotten
- Coughran
- Cowies
- Crain
- Crews
- Davis
- de la Garza
- Duggan
- Duncan
- Edwards
- Fairchild
- Finney
- Fletcher
- Floyd
- Fondren
- Forceman
- Garrison
- Gibbons
- Glenn
- Green
- Grover
- Hallmark
- Harding
- Harling
- Harris of Dallas
- Haynes of Orange
- Healy
- Heflin
- Hendryx
- Hinson
- Houston
- Hughes
- Jarvis
- Johnson of Dallas
- Kilpatrick
- Klawer
- Kothmann
- McClinton
- McDonald
- McDonald of Hidalgo
- McDougal
- McDonald of Rusk
- McLaurin
- Macatee
- Mann
- Miller
- Morgan
- Moore
- Murray
- Mauser
- Niemeyer
- Nagel
- Parker
- Parsey
- Pendleton
- Price
- Quilliam
- Richards
- Richardson
- Rossen
- Satterwhite
- Schiller
- Sccogins
- Sexton
- Shapland
- Shipley
- Shultz
- Simpson
- Slack
- Smith of Jefferson
- Smith of Rusk
- Stilwell
- Thompson
- Thronson
- Townsend
- Traeger
- Walker
- Ward
- Whaley
- Wheeler
- Woods

**Nays—38**

- Bridges
- Brooks
- Brown
- Caldwell
- Cannon
- Carriker
- Cherry
- Eckhardt
- Enriquez
- Gladden
- Guffey
- Harlin of Bexar
- Harris of Galveston
- Hollowell
- Imbrick
- Jamison
- Johnson of Bexar
- Knapp
- Koliba
- Lack
- Legarde
- McGregor
- McIlhany
- Markgraf
- Farmer
- Peare
- Feaster
- Ficklin
- Fagg
- Roberts
- Rodriguez
- Stewart
- Walden
Mr. Cook asked unanimous consent of the House that the Committee on Oil, Gas and Mining be permitted to meet at this time.

There was no objection offered.

Mr. Glenn—Offered the following amendment to the amendment offered by Mr. Hughes:

To amend Substitute to S. B. No. 270.

To amend Article 30.01 of Chapter Thirty of the Hughes substitute for Senate Bill No. 270 by striking all of said Article 30.01 and substituting in lieu thereof the following:

"Article 30.01 (552)
Causes which disqualify.
No judge or justice of the peace shall sit in any case where he may be the party injured, or where he has expressed his opinion on the guilt or innocence of the accused, or where he has been of counsel for the State or the accused, or where the accused or the party injured may be connected with him by consanguinity or affinity within the third degree."

The amendment was adopted without objection.

Mr. Gladden offered the following amendment to the amendment offered by Mr. Hughes:

Amend Hughes substitute to S. B. No. 270 by striking Article 35.23, and substituting in lieu thereof a new Article 35.23 to read as follows:

"Article 35.23. (623,668) Jurors shall not separate
The court may adjourn veniremen to any day of the term. When a jury has been sworn in any felony case, those so sworn shall be kept together and shall not be permitted to separate until a verdict has been rendered or the jury finally discharged, unless by permission of the court, with the consent of each party and in charge of an officer. If such jurors are kept overnight, facilities shall be provided for female jurors separate and apart from the facilities provided for male jurors, and such jurors shall be permitted to separate to the extent of housing female jurors separate and apart from male jurors, even in those instances in which they are otherwise kept together. In misdemeanor cases the court may, at its discretion, permit jurors to separate at any time before the verdict. In any case in which the jury is permitted to separate, the court shall give the jurors proper instructions with regard to their conduct as jurors when so separated."

The amendment was adopted.

Mr. Gladden moved to reconsider the vote by which the above amendment offered by Mr. Gladden to the amendment offered by Mr. Hughes was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Eckhardt offered the following amendment to the amendment offered by Mr. Hughes:

Amend Hughes substitute to S. B. No. 270 by adding in Article 14.06 (217) of Chapter 14 thereof, after the language now contained in such article the following:

"Failure to comply with the mandatory provisions of this Article shall render any evidence secured from the accused while in custody inadmissible against the accused, provided, however, that this provision shall not apply to res gestae statements which are otherwise admissible."

Mr. Hughes moved to table the amendment offered by Mr. Eckhardt, and the motion to table prevailed.

Mr. Eckhardt offered the following amendment to the amendment offered by Mr. Hughes:

Amend Hughes substitute to S. B. No. 270 by striking all of Article
Mr. Hughes moved to table the amendment offered by Mr. Eckhardt and the motion to table prevailed.

Mr. Eckhardt offered the following amendment to the amendment offered by Mr. Hughes:

Amend House Journal 46.20 to strike from Article 36.16 thereof the first item under the language "A challenge for cause may be made by the prosecution for any of the following reasons" which reads as follows:

"1. That the juror has conscientious scruples in regard to the infliction of the punishment of death for crime, in a capital case."

Mr. Hughes moved to table the amendment offered by Mr. Eckhardt.

A record vote was requested on the motion to table.

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

Yea—114

Adams
Allen
Arledge
Atwell
Ball
Barnes
Barnes
Beckham
Bennett
Blair
Boyce
Brown of Taylor
Butler
Cain
Caill
Calaway
Carnes
Carroll
Charles
Chavez
Clayton
Cole
Collins
Cook
Corb
Cotton
Cowles
Crain

Nays—26

Kilpatrick
Klager
Kothmann
Ligarde
McClinton
McDonald
of Hidalgo
McLaughlin
McNutt
Macatee
Mann
Markgraf
Miller
Morgan
Moyer
Murray
Mutschler
Niemyer
Nugent
Parsley
Percy
Peniston
Perez
Quilliam
Richards
Richardson
Robert
Roberta
Rosa
Satterwhite
Schiller
Scoogins
Segrest
Shannon
Shipley
Shutt
Simpson
Smith
Smith
of Jefferson
Stewart
Stollenwerck
Thurmond
Townsend
Trager
Walker
Ward
Wells
Whaler
Wheeler
Wiles
Woods

(Kilpatrick Roberts
Klager Rosson
Kothmann Batterwhite
Ligarde Schiller
McClinton Scoogins
McDonald Segrest
of Hidalgo Shannon
McLaughlin Shipley
McNutt Shutt
Macatee Simpson
Mann Black
Markgraf Rider
Miller Smith
of Jefferson
Morgan Stewart
Moyer Stollenwerck
Mutschler Thompson
Niemyer Townsend
Nugent Trager
Parsley Walker
Percy Ward
Peniston Wells
Perez Whaler
Quilliam Wheeler
Richards Wiles
Richardson Woods

(The above record vote was requested by Mr. Whitfield, Mr. Alans and Mr. Eckhardt.)

Mr. Bridges offered the following amendment to the amendment offered by Mr. Hughes:

Amend the Author's substitute by adding a new section to be numbered 46.27 to read as follows:
"The provisions of Art. 43.14 through Art. 43.25 are hereby sus-
pended for five (5) years from the date of this Act."

Mr. Hughes moved to table the
amendment offered by Mr. Bridges, and the motion to table prevailed.

COMMITTEE MEETING

Mr. Grover asked unanimous con-
sent of the House that the Commit-
tee on Counties be permitted to meet
at this time.

There was no objection offered.

Mr. Esquivel offered the follow-
ing amendment to the amendment
offered by Mr. Hughes:

Amend Hughes substitute to S. B.
270 by removing the word "felony"
from Sub-section 2a of Section A of
Article 42.12 of said substitute.

The amendment was adopted with-
out objection.

Mr. Glenn offered the follow-
ing amendment to the amendment
offered by Mr. Hughes:

To amend the Substitute to S. B.
270 to amend Article 38.23 of Chap-
ter 38 of the Hughes substitute for
Senate Bill 270 by striking all of
said Article 38.23 and substituting
in lieu thereof the following:

"Article 38.23 (727a) Evidence not
to be used. No evidence obtained by
an officer or other person in viola-
tion of any provision of the Con-
sitution or laws of the United States
or of this State shall be admitted in
evidence against the accused on
the trial of any criminal case."

The amendment was adopted with-
out objection.

Mr. Wieting offered the follow-
ing amendment to the amendment
offered by Mr. Hughes:

Amend the Author's substitute
Article 43.14 by striking the follow-
ing after the word execution:

"Not less than thirty days from
the day of sentence," and substitut-
ing in lieu thereof the following:

"Which execution shall not be
carried out for a period of two years
from the day of sentence."

Mr. Hughes moved to table the
amendment offered by Mr. Wieting.
A record vote was requested on
the motion to table.

The motion to table the amend-
ment offered by Mr. Wieting prevail-
ed by the following vote:

Yeas-81
Adams    Hefton
Allen     Hendryx
Aridgo    Houston
Atwell    Hughes
Bail      Jarvis
Beauford  Johnson of Dallas
Barnes    Kilpatrick
Bass of Bowie McDonnell
Bass of Harris McElhany
Beckham   McLaughlin
Berry     Blaine
Bingham   McNutt
Boykin    Macias
Brown of Taylor Mann
Butler    Miller
Canales   Morgan
Canyon    Moyer
Clayton   Matscher
Cole      Nugent
Collins   Parker
Cotten    Parsley
Coughran  Price
Crain     Rosson
Crews     Satterwhite
Davis     Schiller
Duke      Scoggins
Duggan    Shannon
Esquivel  Shipley
Fairchild  Shutt
Finney    Simpson
Fiori     Slack
Fondren    Smith of Jefferson
Farrar    Stewart
Gibbons   Suellenwerck
Gleaves    Thurmond
Groover   Towns
Harrington Traeger
Harding    Walker
Harris of Dallas Whatley
Hartley    Woods

Nays-63
Alaniz    Caldwell
Birch    Cannon
Bridges  Carrilker
Brooks   Carmean
Brown of Galveston Chess
Cox     Cherry
Cain     Cowles
Mr. I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to S. B. 194 by Viva Voce Vote.

Mr. I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to S. B. 43 by Viva Voce Vote.

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

S. B. No. 106, By Creighton: Providing that Game Wardens may make arrests for the entering without consent of the owner of enclosed lands for the purpose of hunting, fishing or camping; and declaring an emergency.

The Senate has adopted the Conference Committee Report on Senate Bill No. 231 by Viva Voce Vote.

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

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. 661, “An Act relating to re-employment of retired auxiliary school employees; providing that they may be employed on a substitute basis for a period not to exceed eighty (80) days in any one school year; providing a penalty for employment in excess of eighty (80) days; and declaring an emergency.”

H. B. No. 782, “An Act amending Chapter 466, House Bill No. 77, Second Called Session, 44th Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon’s Penal Code as Article 666 and 667, by adding to Section 15 of Article 1 a new paragraph to be designated (7b) to provide for a United States bonded liquor export permit authorizing the holder thereof to engage in the business of importing, transporting, and warehousing United States bonded liquor and the exporting of the same in less than wholesale quantities; defining the authority of such permit holders; setting the fee for such permits; providing
May 6, 1963
HOUSE JOURNAL 1659

that the authority granted to such permit holders is cumulative of and not in lieu of requirements of federal law in the conduct of such operations; specifying that such permits shall not be required of the holder of any other type of permit which under the Texas Liquor Control Act and the Rules and Regulations of the Texas Liquor Control Board, authorized the exportation of liquor in compliance with the requirements of federal law; authorizing those who on the effective date of the Act are engaged in the business of exporting United States bonded liquor from the United States to continue to engage in such operations until their applications for permits under this Act have been acted upon provided such applications are filed within thirty (30) days after the effective date of this Act; providing for severability, and declaring an emergency.

H. B. No. 92, "An Act authorizing the Commissioners Court of any county bordering on the Gulf of Mexico or the tidewater limits thereof to regulate the speed of motor vehicles on beaches which are open and accessible to the public, and also to prohibit the littering of such beaches; providing for receptacles for such litter and posting of signs; prohibiting that the Commissioners Courts of such counties may authorize sheriffs and other persons to enforce such regulations; authorizing such Commissioners Courts to provide penalties for violations of these regulations within limitations; repealing Section 8 of Chapter 19, Acts of the Fifty-sixth Legislature, Second Called Session, 1959 (compiled as Article 6415d of Vernon's Texas Civil Statutes), and all other laws and parts of laws in conflict herewith; providing certain exceptions; restricting certain regulatory powers of the Commissioners Court; providing for severability; and declaring an emergency."

H. B. No. 358, "An Act amending Chapter 52, Acts, Fifty-second Legislature, 1951, as amended by Chapter 49, Acts, Fifty-fifth Legislature, 1957 (compiled as Article 559a-14 of Vernon's Texas Civil Statutes), providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court, and all other district courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

H. B. No. 446, "An Act amending Article 8306 of the Revised Civil Statutes of Texas, 1925, relating to workers' compensation law, by amending Section 2 of that Article and by adding a Section 3a; amending Section 2 of that Article to provide that persons employed both within and without this State shall be counted in determining the number of persons employed by any firm, person or corporation, whether the firm, person or corporation is resident within or without this State; adding a Section 2a to that Article to provide that employment of labor in Texas by a nonresident shall be equivalent to employment by a nonresident of the Chairman of the Industrial Accident Board of the State as his agent for service of process in certain actions against
said nonresident to recover for injuries to employees occurring in the course of their employment in this State, and to provide that the manner and method of service in such cases shall be the same as that prescribed in Chapter 128, Acts of the Forty-first Legislature, Regular Session, 1929, as amended; providing for severability; and declaring an emergency."

H. B. No. 952, "An Act creating 'Dalby Springs Conservation District' under and in accordance with the provisions of Article XVI, Section 59 of the Constitution, comprising certain territory lying wholly in Bowie County, Texas, for the purpose of providing a source of water supply and the distribution thereof for municipal, domestic and industrial use, processing and transporting it, and in connection therewith to construct, establish and maintain storm and sanitary sewers; prescribing the rights, powers, duties and authority of the District; providing that in the event the District, in the exercise of the power of eminent domain or power of relocalization, or any other power granted hereunder, makes necessary the relocation, raising, rerouting or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties, and facilities, or pipeline, all such necessary relocalization, raising, rerouting, changing of grade or alteration of conservation shall be accomplished at the sole expense of the District; providing for the government thereof; providing for elections; defining the powers of the District, for taxes and collection of revenues, and authorizing the approval of bonds by the Attorney General; and declaring an emergency."

PROVIDING FOR THE CONSIDERATION OF A LOCAL AND UNCONTESTED CALENDAR

Mr. Shannon moved that the necessary rules be suspended in order to set a Local and Uncontested Calendar for 8:00 o'clock a.m., next Wednesday, May 9, 1963.

The motion prevailed.

ADJOURNMENT

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

The motion prevailed.

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

In accordance with the motion to adjourn, the House, at 5:15 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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


Oil, Gas and Mining: S. B. No. 290, S. B. No. 396.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, May 6, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 822, An Act authorizing the Board of Regents of the State Teachers Colleges to accept gifts and donations in order to establish a research center to be known as the Killgore Research Center on the campus of West Texas State College, making provisions for the distribution of the moneys received and for the maintenance and administration of the research center; granting the administration of the college authority to conduct a permanent research program in con-
May 6, 1963  HOUSE JOURNAL  1661

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 61, providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 6, 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. 69, congratulating Radio Station KAJC-FM on receiving a news award from United Press-International.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 6, 1963

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 152, a bill to be entitled "An Act to amend the subject matter of the Texas Unemployment Compensation Act, as amended, Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, 1936, as amended, and as embraced in the subsections (a), (b), (c), and (f) of Section 5 providing for disqualification for benefits; providing for an effective date for this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

SENT TO GOVERNOR
May 6, 1963

H. B. No. 314.
H. B. No. 316.
H. B. No. 317.
H. B. No. 523.
H. C. R. No. 21.
H. C. R. No. 67.
H. C. R. No. 69.
H. C. R. No. 72.