APPENDIX

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 14, 1963

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

Sir: Your Committee on Engrossed Bills to whom was referred H. J. R. No. 77, proposing an amendment to Section 7 of Article V of the Constitution of the State of Texas, so as to provide for a Board for apportioning the State into Judicial Districts in the event the Legislature fails to make such apportionment; providing for the issuance of the necessary proclamation by the Governor.

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

SIXTY-NINTH DAY

(Thursday, May 16, 1963)

The House met at 3:00 o'clock p.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............ Caldwell
Adams.................... Casias
Allen.................... Cannon
Arledge............... Carpenter
Atwell............ Carriker
Bail..................... Cavness
Banfield............. Chapman
Barnes............. Cherry
Basal of Bowles.. Clayton
Base of Harris.... Cole
Beckham........... Collins
Berry............... Cook
Birksner.......... Cory
Blaine............ Cotton
Boyseun........... Cooghan
Brooks....... Cowden
Brown.............. Crews
Brown of Galveston.. Davis
Brown of Taylor.... de la Garza
Butler............. Delk
Cain.................. Doke
Dagan.............. Markgraf
Dungan............. Miller
Ekhartd............. Morgan
Edwards............ Moyer
Buchtel........... Murray
Fairchild........ Mutschler
Finney............. Nugent
Fletcher........... Parker
Floyd............. Parmer
Ford............. Parsley
Forston... Pearcy
Garrison........ Mellows
Gibbons......... Pennington
Gladden........ Pety
Grenn............... Pigrin
Grover............. Price
Guffey.............. Quillian
Halness of Brazos. Rapp
Hallmark........ Rappan
Harding......... Richardson
Haring........... Ritter
Harris............ Roberts
of Galveston.... Rodiguez
Harris of Dallas.. Rosson
Haynes of Orange.. Satterwhite
Healy............. Schiller
Hefton............. Scoggins
Hendryx......... Segret
Hines.............. Shannon
Hollowell........ Shipley
Houston......... Shutt
Hughes............. Simpson
Isacks............ Slack
Jamison.......... Slider
Jarvis............ Smith of Jefferson
Johnson of Dallas.. Stewart
Johnson of Bexar.. Stollenwerk
Kilpatrick....... Thompson
Klager........... Thurmond
Knapp............ Townsend
Kothmann........ Trager
Lack............... Walker
Ligarde.......... Ward
McClintock.... Weldon
McDonald........ Wells
of Hidalgo.... Whatley
McDonald of Musk........ Wheeler
McGregor......... Whitfield
McIntapny..... Wieling
McNutt.......... Wilson
Macatee.......... Woods
Mann................ Absent—Excused

Absent—Excused

Adams............. McLaughlin
Koliba........... Smith of Bexar

A quorum of the House was announced present.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:
Mr. Adams for today on motion of Mr. Parsley.
Mr. Smith of Bexar for today on motion of Mr. Esquivel.

ADDRESS BY THE HONORABLE CHARLES R. SCOGGINS

On motion of the Honorable Bill Clayton the following address by the Honorable Charles R. Scoggins, addressing the House on personal privilege on today, was ordered printed in the Journal:

Some of the members of this House have asserted that Senate Bill No. 230 is a slap in the face of the United Nations. In a way it is! It is a firm reminder that the United Nations is an International organization dedicated to preserving peace, not preserving liberty. There is a definite difference. There is peace in Russia today, but I question the amount of liberty.

This bill is a reminder that we are a state united with 49 other states under one constitutional government and that we are a sovereign nation whose domestic affairs shall continue to be solved by a representative form of government elected by the citizens of these United States—and so it is with this great State of Texas. It is also a reminder that we, the people of Texas, as a part of these United States, believe and reaffirm our belief that the national foreign policy is best determined by Americans who will not be influenced by those who advocate a policy designed to serve their goals of a World Court, a World Police Force, and International Disarmament with all nations reduced and subjugated to more equal members with a sovereign government of their own.

It has become highly unpopular to speak out in opposition to any of the functions of the U.N. If you disagree with any portion of the U.N. or act of the U.N., you are immediately labeled by the radical left wing as anti-U.N. and an isolationist. No Mr. Smith agree whole-heartedly with any organization, person or group of persons, and no man can stick to his principles and convictions and be popular with everyone, any more than no man can be all things to all people and remain honest.

You heard a man get up here last Friday and defend the U.N. per se. You heard him beg that you not trample on the patriotism of such great men as Senator Tom Connally.

What was Senator Tom Connally's interest in the United Nations affair? He merely refused to place all his faith in the U.N. He authored the famous "Connally Reservation" which was an amendment to Senate Resolution 196 of 1946, a treaty between the United States and the United Nations. The Connally Amendment states: "Disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States." In essence this says that any matter decided upon by the Security Council of the United Nations will not be binding to the United States if the United States determines that it falls within the domestic jurisdiction of the United States.

Is this the thinking of a man who would put the fate of this nation in the hands of a group of nations, mostly of which do not even understand our system of government and some of which who are bound and determined to destroy it. I say NO! —a thousand times NO! To suggest otherwise is to smear the name of this great statesman to whom we owe so much.

To you of little faith in the abilities of these United States and her true allies—to you who have little faith in this nation under God—to you who believe that others with foreign backgrounds and ideas are more capable of meeting this nation's responsibilities—either domestic or foreign—to you who defend the U.N. as the savior of all mankind and is the last resort to preserving peace—to you who want the flag of the U.N. to be flown on the property owned by the taxpayers of this state along with Ole Glory with all that she stands for and the flag of this great State of Texas and all that she stands for—I say to you—that those who disagree with you, those who still believe in the abilities of this State and Nation, those who realize what these two flags behind me stand for and honor the sacrifices it took to keep them there, those who refuse to share their glory.

May 16, 1963 HOUSE JOURNAL 2035

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It has become highly unpopular to speak out in opposition to any of the functions of the U.N. If you disagree with any portion of the U.N. or act of the U.N., you are immediately labeled by the radical left wing as anti-U.N. and an isolationist. No Mr. Smith agree whole-heartedly with any organization, person or group of persons, and no man can stick to his principles and convictions and be popular with everyone, any more than no man can be all things to all people and remain honest.

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CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Johnson of Dallas moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the Local and Uncontested Calendar which were considered on the previous Legislative Day.

The motion prevailed without objection.

HOUSE BILL NO. 878 ON THIRD READING

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

H. B. No. 878, A bill to be entitled "An act relating to the appointment, qualifications, duties and compensation of official shorthand reporters for the District Courts of the 117th, 94th, 28th and 106th Judicial Districts of Texas, and for County Court at Law No. 1 and County Court at Law No. 2, Nueces County, Texas, shall each appoint an official shorthand reporter for his respective Judicial District or Court in the manner now provided for District Courts and County Courts at Law In this state, who shall have the same qualifications and whose duties shall in every respect be the same as now provided by law. Said official shorthand reporters shall receive a salary of not less than Six Thousand Six Hundred ($6,600) and not more than Eight Thousand Five Hundred ($8,500) per annum, said salary to be fixed and determined by the Judges of the District Courts of the 117th, 94th, 28th and 106th Judicial Districts of Texas, subject to the consent and approval of the Commissioners Courts of the counties composing said Judicial Districts, and the respective Judges of County Court at Law No. 1 and County Court at Law No. 2 of Nueces County, Texas, subject to the consent and approval of the Commissioners Court of Nueces County, Texas, and shall be in addition to transcript fees, fees for statements of facts and all other fees."

Sec. 2. Where any of said Judicial Districts include more than one county, the salary of the official shorthand reporter for such Judicial Districts shall be paid by the counties composing such Judicial Districts in accordance with the proportion that the population of each county bears to the total population of the Judicial District as shown by the last preceding federal census. Such salaries shall be paid in equal monthly installments, and may be paid out of the general fund or any other fund available for such purpose as may be determined by the County Commissioners Court.

Sec. 3. From and after passage of this Act all provisions relating to official shorthand reporters and their duties in District Courts shall in all respects govern, except that the salary of the official shorthand reporters for the 117th, 94th, 28th and 106th Judicial Districts of Texas, and the County Court at Law No. 1 and County Court at Law No. 2 of Nueces County, Texas, shall be fixed

Amend House Bill 878 by striking Section 1, Section 2, and Section 3 and substituting in lieu thereof the following:

Section 1. The Judges of the District Courts of the 117th, 94th, 28th and 106th Judicial Districts of Texas, and the Judges of County Court at Law No. 1, and County Court at Law No. 2, Nueces County, Texas, shall each appoint an official shorthand reporter for his respective Judicial District or Court in the manner now provided for District Courts and County Courts at Law In this state, who shall have the same qualifications and whose duties shall in every respect be the same as now provided by law. Said official shorthand reporters shall receive a salary of not less than Six Thousand Six Hundred ($6,600) and not more than Eight Thousand Five Hundred ($8,500) per annum, said salary to be fixed and determined by the Judges of the District Courts of the 117th, 94th, 28th and 106th Judicial Districts of Texas, subject to the consent and approval of the Commissioners Courts of the counties composing said Judicial Districts, and the respective Judges of County Court at Law No. 1 and County Court at Law No. 2 of Nueces County, Texas, subject to the consent and approval of the Commissioners Court of Nueces County, Texas, and shall be in addition to transcript fees, fees for statements of facts and all other fees.

Amendment No. 1

Amend House Bill 878 by striking Section 1, Section 2, and Section 3 and substituting in lieu thereof the following:

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and determined as provided in this Act.

The amendment was adopted without objection.

H. B. No. 878 was then passed.

RECORD OF VOTE

Mr. Hollowell requested to be recorded as voting Nay on passage of H. B. No. 878.

SENATE BILL NO. 393 ON THIRD READING

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

S. B. No. 393. A bill to be entitled "An Act amending Chapter 30, Acts of the 57th Legislature, Third Called Session, 1962, changing the manner of appointment and terms of the members of the Old Galveston Commission; repealing the possible power of the Commission to charge non-residents admission fees to public places; changing the prerequisites for the election creating the Commission; authorizing the Commission to regulate business within the Old Galveston Quarter; repealing provisions for traffic control, prohibiting the issuance of bonds; amending the previous provisions for elections; and declaring an emergency."

The bill was read third time.

Mr. Caldwell offered the following amendment to the bill:

Substitute for Committee Amendment No. 1

Amend Senate Bill 393 by substituting the following for Section 3 of the bill:

Section 3. Section 10 of the Old Galveston Quarter Act, Chapter 30, Acts of the 57th Legislature, Third Called Session, 1962, is hereby amended so as to read as follows:

Section 10. The Commission may regulate the types and location of business as well as business hours within the Quarter where such regulation does not conflict with any State Law or City Ordinance and "may sell or lease, for periods not to exceed twenty (20) years, real or personal property for use within the Quarter which it may acquire by purchase or gift; provided that the Commission shall have no power of eminent domain."

The amendment was adopted without objection.

H. B. No. 393 was then passed.

RECORD OF VOTE

Mr. Hollowell requested to be recorded as voting Nay on passage of S. B. No. 393.

HOUSE BILL NO. 379 ON THIRD READING

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

H. B. No. 379. A bill to be entitled "An Act to amend the Harris County Road Law, Acts, 1913, Thirty-third Legislature, Special Laws, Chapter 17, Page 64, as amended, by amending Section 31-C of said Harris County Road Law, which said Section 31-C was added by Acts 1947, Fiftieth Legislature, Chapter 205, Page 358, amended by Acts 1955, Fifty-third Legislature, Chapter 385, Page 924, and amended by Acts 1959, Fifty-sixth Legislature, Chapter 68, Page 120; providing a severability clause; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 517 ON THIRD READING

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

H. B. No. 517. A bill to be entitled "An Act prescribing allotment of principal units, in certain types of school districts, establishing the sal-
The Speaker laid before the House, on its third reading and final passage, H. B. No. 643, A bill to be entitled "An Act amending Section 1 of Chapter 103, Acts of the 56th Legislature, 1959, relating to the open season on squirrels in Rusk County; and declaring an emergency." The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 747, A bill to be entitled "An Act amending Section 3 under Section 1 of Chapter 316, Acts of the Forty-fourth Legislature, Regular Session, 1935, as amended by Chapter 140, Acts of the Forty-sixth Legislature, Regular Session, 1945, and Chapter 222, Acts of the Fifty-third Legislature, Regular Session, 1953 (codified as Section 3 of Article 3899b, Vernon's Texas Civil Statutes), to allow the commissioners court of the county to increase the allowance for the use of personally owned automobiles of the County Tax Assessor and Collector and his deputies; enacting other provisions related to the subject, and declaring an emergency." The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 644, A bill to be entitled "An Act amending Section 1 of Chapter 137, Acts of the 54th Legislature, 1955; to change the open season on squirrels in Panola County; and declaring an emergency." The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 645, A bill to be entitled "An Act prescribing an open season on quail in Panola County; providing a penalty for hunting quail in such county during closed season; repealing conflicting laws; and declaring an emergency." The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 664, A bill to be entitled "An Act abolishing the office of County Superintendent of Public Instruction in certain counties; providing that the county judge shall be the ex officio county superintendent; providing for the compensation for the ex officio county superintendent; and declaring an emergency." The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 747, A bill to be entitled "An Act amending Section 2 of Chapter 664, Acts of the 80th Legislature, Regular Session, 1995, relating to selection of jurors by the jury wheel system so as to make its provisions applicable to additional counties; and declaring an emergency." The bill was read third time and was passed.
May 16, 1963

H. B. No. 885. A bill to be entitled "An Act amending Article 2094 of the Revised Civil Statutes of Texas, 1935, as last amended by Section 1 of Chapter 147, Acts of the 55th Legislature, Regular Session, 1957, relating to the selection of jurors by the jury wheel system so as to make its provisions applicable to certain additional counties; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 894 ON THIRD READING

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

H. B. No. 894, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 506, Acts of the 52nd Legislature, 1951, as last amended, which relates to the jurisdiction and composition of the 135th Judicial District, to provide that such District Court shall have exclusive criminal jurisdiction, as provided by the Constitution and general laws of this State to District Courts in Victoria County, and to provide for the transfer of such criminal cases now on the docket of the 24th District Court to the 135th District Court in Victoria County; creating the office of District Attorney for the 135th Judicial District for Victoria County; providing the method of appointment and subsequent election of such District Attorney; providing a secretary; providing for salaries and manner of payment; limiting the jurisdiction of the District Attorney for the 135th Judicial District, providing a severance clause; providing a severance clause; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 951 ON THIRD READING

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

H. B. No. 951, A bill to be entitled "An Act relating to the taking of one wild doe during the open season for deer in said county; making it unlawful to hunt or take wild doe in said county without first obtaining a "doe tag," or to possess the carcass of any wild doe killed in or taken from said county without attaching thereto a doe tag; making it unlawful to use in any season more than one doe tag issued under this Act or to use any such doe tag not issued to the user, or to use any such doe tag on more than one antlerless deer; providing for the administration of the doe tags and the disposition of the fees and fines collected thereunder; providing certain exemptions; providing penalties for the violation of any of the provisions of this Act; repealing all laws in conflict therewith; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 968 ON THIRD READING

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

H. B. No. 968, A bill to be entitled "An Act to amend Article IV of Chapter 197, Acts of the 57th Legislature, 1951, to provide that such District Court shall have exclusive criminal jurisdiction, as provided by the Constitution and general laws of this State to District Courts in San Benito County, and to provide for the transfer of such criminal cases now on the docket of the 126th District Court to the 334th District Court in San Benito County; creating the office of District Attorney for the 334th District Court for San Benito County; providing the method of appointment and subsequent election of such District Attorney; providing a secretary; providing for salaries and manner of payment; limiting the jurisdiction of the District Attorney for the 334th Judicial District; providing a severance clause; providing a severance clause; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 1039 ON THIRD READING

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

H. B. No. 1039, A bill to be entitled "An Act prescribing an open season and bag limit for deer in Bowie County; making it unlawful to take deer in said county by certain methods; making it unlawful to hunt deer in said county at night;
proscribing penalties for unlawful taking of deer in said county; providing a penalty for use of devices for taking fish in Bowie County in violation of rules and regulations of the Game and Fish Commission, and providing that possession of illegal devices on or near the public waters of said county is prima facie evidence of a violation; providing that the provisions of this Act relating to deer shall terminate on December 1, 1968, and shall be of no further force or effect, thereafter, and suspending inconsistent laws during the operation of said provisions; providing for severability; and declaring an emergency.

The bill was read third time and was passed.

HOUSE BILL NO. 1045 ON THIRD READING

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

H. B. No. 1045, A bill to be entitled “An Act reenacting and amending Chapter 75, Acts of the 56th Legislature, 1941, (compiled as Article 6243g-1 of Vernon’s Texas Civil Statutes), as amended, relating to Pension Systems for policemen in cities of nine hundred thousand ($900,000) or more inhabitants which do not now have a police, firemen and fire alarm operators pension system organized under another law; declaring an emergency.”

The bill was read third time and was passed.

RECORD OF VOTE

Mr. Hollowell requested to be recorded as voting Nay on the passage of H. B. No. 1045.

HOUSE BILL NO. 1053 ON THIRD READING

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

H. B. No. 1053, A bill to be entitled “An Act amending Chapter 6 of the Water Title, Special Laws, p. 1062, Acts of the 46th Legislature, Regular Session, 1933, as amended by Section 1 of Chapter 82, Acts of the 55th Legislature, 1957, by the addition of a new Section 2A; providing for the election of the Board of Directors of the Upper Guadalupe River Authority after the effective date of this Act; providing for staggered six (6) year terms for the Directors; and declaring an emergency.”

The bill was read third time and was passed.

HOUSE BILL NO. 1054 ON THIRD READING

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

H. B. No. 1054, 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 of 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.”

The bill was read third time and was passed.

HOUSE BILL NO. 1071 ON THIRD READING

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

H. B. No. 1071, A bill to be entitled “An Act to amend Sections 3, 4, 5 and 6 of Chapter 343, Acts of the 47th Legislature, Regular Session, 1921 (compiled as Sections 3, 4, 5 and 6 of Article 4494g-6, Vernon’s Civil Statutes of Texas), relating to the Wichita County Hospital District; and declaring an emergency.”

The bill was read third time and was passed.

HOUSE BILL NO. 1076 ON THIRD READING

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

H. B. No. 1076, A bill to be entitled “An Act relating to deer in San Saba County; and declaring an emergency.”
The bill was read third time and was passed.

HOUSE BILL NO. 1083 ON THIRD READING

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

H. B. No. 1083, A bill to be entitled "An Act prescribing the minimum and maximum salary to be paid to the official shorthand reporter for the 124th Judicial District, prescribing the method of fixing and paying such salary; and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE

Mr. Hollowell requested to be recorded as voting Nay on passage of H. B. No. 1083.

HOUSE BILL NO. 1084 ON THIRD READING

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

H. B. No. 1084, A bill to be entitled "An Act amending Section 186a of the Election Code of Texas, as added by Section 1 of Chapter 494, Acts of the 55th Legislature, 1957, as amended, relating to filing fees for candidates for State Representative or State Senator in primary election in certain counties; and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE

Mr. Hollowell requested to be recorded as voting Nay on passage of H. B. No. 1084.

HOUSE BILL NO. 142 ON THIRD READING

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

H. B. No. 142, A bill to be entitled "An Act to prohibit the shooting or discharging of guns and firearms in, on, along or across any railroad right-of-way; and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE

Messrs. Rosson, Ward, Harding, Cain and Haring requested to be recorded as voting Nay on passage of H. B. No. 142.

HOUSE BILL NO. 160 ON THIRD READING

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

H. B. No. 160, A bill to be entitled "An Act amending Subsection O of Article 20.04 of Chapter 20, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, so as to exempt from taxes the receipts from the sale, lease or rental of and the storage, use or other consumption in this state of tangible personal property used for or in connection with the loading or unloading from or onto ships, vessels, or barges of freight or cargo imported from this state; and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE

Messrs. Rosson and Cain requested to be recorded as voting Nay on passage of H. B. No. 160.

HOUSE BILL NO. 210 ON THIRD READING

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

H. B. No. 210, A bill to be entitled "An Act amending Paragraph a, Subsection (4), Section 1, Article III of Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended, compiled as Paragraph a, Subsection (4), Section 1 of Article 2922-13, Vernon’s Texas Civil Statutes, by redefining the term 'exceptional children' so as to include emotionally disturbed children; defining 'emotionally disturbed children,' and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE

Mr. Hollowell requested to be recorded as voting Nay on passage of H. B. No. 210.

HOUSE BILL NO. 217 ON THIRD READING

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

H. B. No. 217, A bill to be entitled "An Act to enact a new Section 256-1d, Subsection (5), of the Rules of Criminal Procedure of the Supreme Court of Texas, and declaring an emergency."

The bill was read third time and was passed.
H. B. No. 217, A bill to be entitled "An Act repealing Chapter 21 (Admission Tax), as amended, of Acts 56th Legislature, Third Called Session, Chapter 1; providing an effective date and declaring an emergency."
The bill was read third time and was passed.

HOUSE BILL NO. 231 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
H. B. No. 231, A bill to be entitled "An Act relating to arbitrations pursuant to written agreements of the parties, expressly excluding all arbitrations relating to any labor union contract and all affecting controversies between any employer and any employee of the employer or their respective representatives; being an Act which repeals Articles 224 through 238 of the Revised Civil Statutes of Texas of 1925, which deal with 'Arbitration in General,' subject to a savings clause; and providing that the effective date of the repeal shall be January 1, 1964; and enacting a new statute to be known as the 'Texas General Arbitration Act' replacing said repealed Articles, the new statute to become effective January 1, 1964, etc.; and declaring an emergency."
The bill was read third time and was passed.

RECORD OF VOTE
Messrs. Rosson, Klag, Harding and Crain requested to be recorded as voting Nay on passage of H. B. No. 231.

REASON FOR VOTE
I request to be recorded as voting No on H. B. No. 231, this bill will permit those who are in a superior bargaining position to force those with whom they contract to give up rights which they would not ordinarily forego.

JAMES KLAGER

HOUSE BILL NO. 303 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
H. B. No. 303, A bill to be entitled "An Act requiring approval by a majority of the board of trustees of certain independent school districts prior to detachment of any territory from such districts, in addition to the requirements of Chapter 47, Acts of the 41st Legislature, First Called Session, 1939, as amended (compiled as Article 2742f, Vernon's Texas Civil Statutes); repealing all laws in conflict and declaring an emergency."
The bill was read third time and was passed.
May 16, 1963  HOUSE JOURNAL 2043

amended; and declaring an emergency.''

The bill was read third time and was passed.

RECORD OF VOTE
Mr. Harding requested to be recorded as voting Nay on passage of
H. B. No. 331.

HOUSE BILL NO. 452 ON THIRD READING

The Speaker laid before the House, on its third reading and final pass-
age, H. B. No. 452, A bill to be entitled "An Act relating to per diem for
members of the Board of Vocational Nurse Examiners; amending Article
4528c, Section 4 (d) so as to authorize per diem for each member of the
Board in the amount of Twenty Dollars ($20.00) for each day of atten-
dance; containing an emergency clause."

The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final pass-
age, H. B. No. 537, A bill to be entitled "An Act relating to per diem for
members of the Board of Vocational Nurse Examiners; amending Article
4528c, Section 4 (d) so as to authorize per diem for each member of the
Board in the amount of Twenty Dollars ($20.00) for each day of atten-
dance; containing an emergency clause."

The bill was read third time and was passed.

RECORD OF VOTE
Mr. Hollowell requested to be recorded as voting Nay on passage of
H. B. No. 658.

HOUSE BILL NO. 514 ON THIRD READING

The Speaker laid before the House, on its third reading and final pass-
age, H. B. No. 514, A bill to be entitled "An Act amending Article 1551 of
the Penal Code of the State of Texas, relating to the offense of obtaining
board or lodging by means of trick or deception or false or fraudulent
representations and refusal to pay therefor, to increase the penalty to
felony grade; and also to add a new provision prohibiting any person
from leaving the premises of any hotel, motor hotel, inn or tourist
court with intent not to pay for the services received; establishing a pre-
sumption of departure not to pay, under certain circumstances; and
providing penalties for violations; and declaring an emergency."

The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final pass-
age, H. B. No. 658, A bill to be entitled "An Act relating to fees to be
charged by the State Board of Insurance; amending Article 4.07 of
Chapter Four of the Insurance Code to provide that the State Board of
Insurance shall set and collect a sales charge for making copies of any
paper of record, except that the Board may make and distribute
copies of papers containing rating information without charge or for
such charges as the Board shall deem appropriate to administer premium
rating laws, by proper dissemination of rating information; and declaring
an emergency."

The bill was read third time and was passed.

The Speaker laid before the House, on its third reading and final pass-
age, H. B. No. 656, A bill to be entitled "An Act relating to fees to be
charged by the State Board of Insurance; amending Article 4.07 of
Chapter Four of the Insurance Code to provide that the State Board of
Insurance shall set and collect a sales charge for making copies of any
paper of record, except that the Board may make and distribute
copies of papers containing rating information without charge or for
such charges as the Board shall deem appropriate to administer premium
rating laws, by proper dissemination of rating information; and declaring
an emergency."

The bill was read third time and was passed.
H. B. No. 666, A bill to be entitled
"An Act limiting the provisions of this Act to Institutions of higher learning situated in certain counties, providing that upon petition by the governing board of any such institution which is located partly in one and partly in another of two adjacent incorporated cities, the petitioned city may annex that portion of the campus which is located in the other city; providing for notice to the other city; providing for a hearing on the petition and for annexation of such territory by the petitioned city and discontinuance thereof as a part of the other city; repealing all laws in conflict; and declaring an emergency.''

The bill was read third time and was passed.

HOUSE BILL NO. 677 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 677, A bill to be entitled
"An Act to provide that required credits in a course or courses which place special emphasis upon the Constitution of the United States for teacher certification need not be acquired in a college or university in Texas; amending Section 4 and Subdivision b of Section 13 of Chapter 149, Acts of the 54th Legislature, Regular Session, 1955; and declaring an emergency.''

The bill was read third time and was passed.

HOUSE BILL NO. 746 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 746, A bill to be entitled
"An Act providing that an indictment of any elective or appointive holder of public office for certain felonies may be presented within three years after leaving office and not thereafter; providing that Act shall be cumulative; repealing laws in conflict; and declaring an emergency.''

The bill was read third time and was passed.

HOUSE BILL NO. 768 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 768, A bill to be entitled
"An Act amending Articles 3937 and 3939 of the Revised Civil Statutes, 1925, as amended to allow the County Tax Assessor-Collector to charge additional fees for the assessment and collection of taxes on behalf of drainage districts, road districts, or other political subdivisions of the county, and water control and improvement districts; and declaring an emergency.''

The bill was read third time and was passed.

HOUSE BILL NO. 817 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 817, A bill to be entitled
"An Act authorizing the establishment of residential institutions for custodial care of severely physically handicapped persons under the jurisdiction of the Board for Texas State Hospitals and Special Schools; setting out the powers and duties of the Board in the establishment and operation of such institutions; providing requirements for admission to such facilities; and declaring an emergency.''

The bill was read third time and was passed.
tion to the audit reports of the regular county auditors or other special audit reports that are made pursuant to Articles 1638 and 1641, as amended, of the Revised Civil Statutes of Texas and Chapter 124, Acts of the 55th Legislature, 1957; providing that the first annual audit shall be made in 1964 and completed prior to December 31, 1964; repealing Chapter 144, Acts of the 56th Legislature, 1959, and all other laws in conflict; and declaring an emergency."

The bill was read third time and was passed.

**HOUSE BILL NO. 942 ON THIRD READING**

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

H. B. No. 942, A bill to be entitled "An Act amending Section 34 of Chapter 173, Acts of the 47th Legislature, 1961 (compiled as Section 34 of Article 6687b of Vernon's Texas Civil Statutes), which provides a penalty for driving while one's license is cancelled, suspended or revoked, so as to apply the penalty also to persons who drive after having allowed the license to expire; and declaring an emergency."

The bill was read third time and was passed.

**RECORD OF VOTE**

Mr. Haring and Mr. Segrest requested to be recorded as voting Nay on passage of H. B. No. 942.

**REASON FOR VOTE**

I request to be shown as voting No on H. B. No. 942 because up to six months imprisonment for driving after license has expired or canceled seems to me to be unreasonable.

**SEGREST**

**HOUSE BILL NO. 1001 ON THIRD READING**

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

H. B. No. 1001, A bill to be entitled "An Act defining the benefits of a member of the Teacher Retirement System who has attained a retirement status; providing for the exemption of annuity payments, contributions, optional benefit payments, death and survivor benefits, and the monies in the various funds of the...
System from any state, county, or local taxes, or any legal process whatsoever, and prohibiting assignment except as specifically provided in S.B. 290, Acts 54th Legislature, Regular Session, 1955, Chapter 530, as amended; providing survivor benefits for certain persons; providing a savings clause; and declaring an emergency.

The bill was read third time and was passed.

HOUSE BILL NO. 1006 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 1006, A bill to be entitled "An Act amending Chapter 373, Acts 57th Legislature, 1961, codified as Article 4476-5, Vernon's Annotated Civil Statutes, by adding a new section thereto to be known as Section 23, requiring registration for wholesalers and distributors of drugs and medicines with the Commissioner of Health; providing for the revocation, cancellation or suspension of such registration; setting certain fees; providing penalties for violation of the Act; providing for severability; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 1019 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, 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 that the Act shall not be construed as validating any boundary change made or attempted to be made by an ex parte order, 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; providing a saving clause; and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE

Mr. Rosson requested to be recorded as voting Nay on passage of H. B. No. 1019.

HOUSE BILL NO. 1048 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 1048, A bill to be entitled "An Act amending the Texas Probate Code by adding a new Section 404A to allow the guardian to make all funeral arrangements for a deceased ward, to pay all such expenses out of the estate of the deceased ward, and to allow such guardian to pay all other existing debts as the court may approve; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 1064 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 1064, A bill to be entitled "An Act amending Article 5646, Revised Civil Statutes of Texas, 1925, so as to provide for the period of notice stipulation in contracts between federal prime contractors and their subcontractors; and declaring an emergency."

The bill was read third time and was passed.
The bill was read third time and was passed.

RECORD OF VOTE
Mr. Hollowell requested to be recorded as voting Nay on passage of S. B. No. 25.

SENATE BILL NO. 94 ON THIRD READING
The Speaker laid before the House, on its third reading and final passage.

S. B. No. 94, A bill to be entitled "An Act validating the incorporation of cities and towns heretofore incorporated or attempted to be incorporated under the general laws of Texas; validating the boundary lines thereof, as said boundaries may have been changed by Ordinance since the original incorporation; validating governmental proceedings; validating the adoption of Home Rule Charters, validating the charters so adopted and providing that said charters so adopted shall constitute the Home Rule Charters of such cities and towns; validating elections held for the election of members of the governing body of such cities and towns and the assumption of office; providing that this Act shall not be construed as validating any such incorporation proceeding, boundary, charter or act if the validity thereof is involved in litigation on the effective date of this Act and such litigation is ultimately determined against the validity thereof; providing a saving clause and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE
Messrs. Cotten, Cram and Rosson requested to be recorded as voting Nay on passage of S. B. No. 25.

SENATE BILL NO. 215 ON THIRD READING
The Speaker laid before the House, on its third reading and final passage.

S. B. No. 215, A bill to be entitled "An Act amending Article 3.11 of the Insurance Code of the State of Texas to provide for the valuation of certain guarantees in life insurance policies
and coupons issued on or after the operative date of Article 3.44a; amending Article 3.48 to enact the Standard Valuation Law prescribing requirements for the valuation of the reserve liabilities for life insurance policies and annuity and pure endowment contracts; repealing Article 3.30; amending Sections 7 and 8 of Article 3.44, to provide for non-forfeiture benefits and cash surrender values of life insurance policies issued on or after the operative date of Article 3.44a; amending Chapter Three, Insurance Code of the State of Texas, so as to add thereto a new Article 3.44a enacting the Standard Non-Forfeiture Law prescribing requirements for the computation of non-forfeiture benefits and cash surrender values for life insurance policies; amending Article 3.46 to limit the application of said Article to policies and contracts issued prior to the operative date of Article 3.44a; amending Article 3.50 relating to group life insurance policies, to repeal Sections 4 and 5 thereof and amend Section 3 thereof; amending subsections (e), (f) and (g) of Section 2 of Article 3.28 to provide for non-forfeiture benefits and cash surrender values of industrial life insurance policies issued on or after the operative date of Article 3.44a; repealing Article 11.08 and amending Article 11.10 to make the provisions hereof applicable to domestic mutual life insurance companies; providing a severability clause; and declaring an emergency.

The bill was read third time and was passed.

SENATE BILL NO. 233 ON THIRD READING

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

"S. B. No. 233, A bill to be entitled "An Act to amend Section 3 of Article 3.44 and subsection (e) of Section 2 of Article 3.28 of the Insurance Code of Texas, Acts of 1951, 52nd Legislature, Page 663, Chapter 491, as amended, so as to clarify when life insurance policies shall be incontestable, providing for a severability clause; and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTES

Messrs. Brooks, Cherry, Cotten, Crain and Rowan requested to be recorded as voting Nay on passage of S. B. No. 233.

SENATE BILL NO. 245 ON THIRD READING

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

"S. B. No. 245, A bill to be entitled "An Act amending Chapter 146, Acts of the 45th Legislature, 1921, as amended (compiled as Article 693a of Vernon's Texas Civil Statutes), so as to allow cities and counties to acquire historical museums, buildings, sites and landmarks, and sites of archaeological or paleontological interest; and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 298 ON THIRD READING

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

"S. B. No. 298, A bill to be entitled "An Act amending Section 44, Chapter VII, Article 9, of the Texas Banking Code of 1945, codified as Article 343-709, Revised Civil Statutes of Texas, 1925, by adding a provision prohibiting banks from disclosing the amount deposited by any depositor to third parties except where the depositor or the bank is made a proper or necessary party in a court of competent jurisdiction; and declaring an emergency."

The bill was read third time and was passed.

RECORD OF VOTE

Mr. Cherry requested to be recorded as voting Nay on passage of S. B. No. 298.

SENATE BILL NO. 300 ON THIRD READING

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

"S. B. No. 300, A bill to be entitled "An Act to amend Paragraph (8) of
Art. 4.01, Chapter 4, Sec. 1, Title 122A, Taxation - General, Revised Civil Statutes of Texas, Acts of the 56th Legislature, 3rd Called Session, 1959, Chap. 1, page 201, and to amend Art. 4.02, Chap. 4, Sec. 1, Title 122A, Taxation - General, Revised Civil Statutes of Texas, Acts of the 56th Legislature, 3rd Called Session, 1959, Chap. 1, page 201, so that the volume of oil produced and subject to tax may be measured or determined by tank tables or by meter or meters or by other measuring device or devices capable of accurately measuring ‘production’ or ‘total oil produced’, and declaring an emergency.

The bill was read third time and was passed.

SENATE BILL NO. 317 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
S. B. No. 317, A bill to be entitled “An Act amending Article 19, Revised Civil Statutes of Texas, 1925, to permit examination and copying of original instruments filed for record; and declaring an emergency.”

The bill was read third time and was passed.

RECORD OF VOTES


SENATE BILL NO. 320 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
S. B. No. 320, A bill to be entitled “An Act authorizing cities having a population over 650,000 according to the most recent federal census to construct buildings, improvements and structures to be used in its park or fairgrounds for exhibitions, concessions and entertainment, to acquire land therefor, and to acquire, repair, improve and enlarge buildings, etc.; and declaring an emergency.”

The bill was read third time and was passed.

SENATE BILL NO. 424 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
S. B. No. 424, A bill to be entitled “An Act authorizing the governing body of any incorporated city or town (including home rule cities) to lease any city-owned swimming pool to be operated by lessee as a public swimming pool under such terms and conditions as may be agreed upon by such governing body and lessee; providing for the authorization and execution of the lease and lease agreement; providing the term to be covered by such lease; and declaring an emergency.”

The bill was read third time and was passed.

RECORD OF VOTE

Messrs. Brooks and Cherry requested to be recorded as voting Nay on passage of S. B. No. 424.

SENATE BILL NO. 444 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
S. B. No. 444, A bill to be entitled “An Act amending Subsection (b) of Section 1, House Bill No. 603, Chapter 500, Page 1430, General and Special Laws of the State of Texas, 52nd Legislature, Regular Session, 1951, as amended, and being codified as Subsection (b) of Section 1 of Article 695g, Vernon’s Texas Civil Statutes; redefining ‘employment’ as the term is used in this Act so as to exclude from the Federal old-age survivors’ insurance system service in any policeman’s position, which is subject to an existing Retirement System at the time the agreement is undertaken, in incorporated cities having a population of 250,000 or more according to the most recent decennial Federal census prior to the date of said agreement; providing a repealing clause, a saving clause, and declaring an emergency.”
The bill was read third time and was passed.

RECORD OF VOTE
Mr. Hollowell requested to be recorded as voting Nay on passage of S. B. No. 444.

SENATE BILL NO. 477 ON THIRD READING
The Speaker laid before the House, on its third reading and final passage, S. B. No. 477, A bill to be entitled "An Act authorizing creation and organization of a committee to study ways and means of treating, correcting and rehabilitating sociopathic personalities, providing funds to finance such study; and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 481 ON THIRD READING
The Speaker laid before the House, on its third reading and final passage, S. B. No. 481, A bill to be entitled "An Act authorizing all junior college districts which may overlap pre-existing boundaries of other junior college districts to disannex the overlapping territory; providing the method of such disannexation; and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 993 ON THIRD READING
The Speaker laid before the House, on its third reading and final passage, H. B. No. 993, A bill to be entitled "An Act providing that in certain counties the county commissioners court may, under prescribed conditions, transfer money from one of the funds created by Section 3 of Chapter 464, Acts of the 81st Legislature, 1949, to the other fund; and declaring an emergency."

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

Yea—146

Aliens

Arledge
Arrell
Arts
Ashley
Baisley
Banksfield
Barnes
Bass of Bowie
Beckham
Berry
Birkner
Blaine
Blystone
Boyce
Boyce
Bridges
Brooks
Brown
Brown of Galveston
Brown of Taylor
Butler
Cain
Calwell
Canales
Cannon
Carpenter
Carrillo
Carrillo
Chapman
Cherry
Clayton
Cole
Collins
Cook
Corzine
Cotting
Coughran
Cowden
Cowles
Craw
Crews
Cuff
Cot
Cox
Darrington
Darden
Dawson
Davis
Davis
de la Garza
Duke
Duggan
Duncan
Dickert
Edwards
Eguiluz
Eleuthrian
Fairchild
Fay
Finn
Fitcher
Fletcher
Floyd
Fondren
Foreman
Garrone
Gibbs
Gidley
Gidley
Green
Groover
Gulf
Halifax
Hallmark
Harding
Haring
Harris
Harris of Galveston
Harris of Dallas

Harnes of Orange
Hasty
Heflin
Hendrix
Hines
Hollis
Hollis
Horton
Hughes
Iseaches
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Kilpatrick
Kissinger
Koehn
Kothmann
Leg
Ligarde
McClintock
McDonald
McDonald of Hidalgo
McDonald of Rock
McGregor
McLain
McNutt
Magno
Mann
Markgraf
Miller
Morgan
Mower
Murray
Mussheller
Niemeyer
Nugent
Parker
Parton
Pax
Pearcy
Peeler
Pendleton
Petty
Phipps
Price
Richardson
Ritcher
Ritter
Roberts
Rodriguez
Roseman
Schiller
Segal
Segrest
Shannon
Shipley
Shott
Shott
Smith of Jefferson
Stewart
Stoltenwerck
May 16, 1963

<table>
<thead>
<tr>
<th>Absent—Excused</th>
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<tbody>
<tr>
<td>Adams</td>
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<tr>
<td>Koliba</td>
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</table>

**HOUSE BILL NO. 1066 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage, H.B. No. 1066, A bill to be entitled "An Act providing for the creation of a hospital district to be known as Caprock Hospital District with boundaries coextensive with the boundaries of Commissioners' Precincts 1, 2 and 4 of Floyd County, providing for elections on the questions of the creation of such District and the levy of a tax not to exceed Seventy-five Cents (75¢) for its maintenance and support, the indebtedness assumed, and the payment of bonds issued by it; providing the transfer of hospital facilities and assumption of indebtedness and assets; providing the District with power to issue bonds, and methods for authorizing same, for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes, and for any and all such purposes, and for the refunding of such bonds; providing that bonds issued by the District shall be lawful investments and security for certain funds; providing a governing body for such District, its powers and duties and the tenure of its members; withdrawing authority for the sale of bonds or levy of taxes for hospital purposes by any other municipality or political subdivision therein; enacting other provisions incident and germane to the subject and purpose of this Act; providing a severance clause and declaring an emergency."

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

<table>
<thead>
<tr>
<th>Yeas—145</th>
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<tr>
<td>Alaniz</td>
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<tr>
<td>Allen</td>
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**Bill Read Third Time and Passed by Following Vote:**

<table>
<thead>
<tr>
<th>Yeas—145</th>
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<tbody>
<tr>
<td>Alaniz</td>
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<tr>
<td>Allen</td>
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</tbody>
</table>
The Speaker laid before the House, on its third reading and final passage, S.B. No. 310, A bill to be entitled "An Act relating to the abolishing of the office of county superintendent in all counties of this state having a population not less than sixteen thousand, eight hundred and twenty (16,820) and not more than sixteen thousand, nine hundred and twenty (16,920) according to the last preceding federal census; and declaring an emergency."

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>146</th>
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<tbody>
<tr>
<td>Acctn</td>
<td></td>
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<tr>
<td>Adams</td>
<td>Koliba</td>
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<tr>
<td>of Bexar</td>
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</tbody>
</table>

**SENATE BILL NO. 310 ON THIRD READING**

S. B. No. 310, A bill to be entitled "An Act relating to the abolishing of the office of county superintendent in all counties of this state having a population not less than sixteen thousand, eight hundred and twenty (16,820) and not more than sixteen thousand, nine hundred and twenty (16,920) according to the last preceding federal census; and declaring an emergency."

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>146</th>
</tr>
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<tbody>
<tr>
<td>Acctn</td>
<td></td>
</tr>
<tr>
<td>Adams</td>
<td>Koliba</td>
</tr>
<tr>
<td>of Bexar</td>
<td></td>
</tr>
</tbody>
</table>

**SENATE BILL NO. 322 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage, S.B. No. 322, A bill to be entitled "An Act amending Article 1660 of the Revised Civil Statutes of Texas, 1925, as amended, to provide for sixty (60) assistants in addition to the first assistant to the county auditor in counties having between one hundred thousand (100,000) and one hundred and forty thousand (140,000) inhabitants, and to provide ten (10) such additional assistants in counties having between one hundred and
forty thousand (140,000) and two hundred and seventy-five thousand (275,000) inhabitants, in each instance according to the last preceding federal census; and declaring an emergency."

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

**Yeas-145**

- Alaniz
- Allen
- Arledge
- Atwell
- Ball
- Banfield
- Barnes
- Bass of Bowie
- Bass of Harris
- Beckham
- Berry
- Birkner
- Blaine
- Boysen
- Bridges
- Brooks
- Brown of Galveston
- Brown of Taylor
- Butler
- Caldwell
- Canales
- Cannon
- Carpenter
- Carriker
- Cavness
- Chapman
- Cherry
- Clayton
- Cole
- Collins
- Cook
- Cory
- Cotten
- Coughran
- Cowden
- Cowles
- Crow
- de la Garza
- Deeds
- Dugan
- Duncan
- Enzweiler
- Fairchild
- Finney
- Fletcher
- Floyd
- Foul
den
- Foreman
- Garrison
- Peeler
- Pettit
- Pipkin
- Price
- Quilliam
- Rapp
- Richards
- Richardson
- Ritter
- Roberts
- Rodrigues
- Rossen
- Satterwhite
- Schiller
- Segrest
- Shepard
- Shutt
- Simpson
- Slack
- Slater
- Smith
- Smith of Bexar
- Smoot
- Snead
- Snell
- Sonneborn
- Stuckenbrok
- Tatum
- Taylor
- Thompson
- Townsend
- Truett
- Walker
- Ward
- Warden
- Weidman
- Wells
- Whatley
- Wheeler
- Whitfield
- Wiegand
- Wilson
- Woods

**Absent—Excused**

- Adams McLaughlin
- Koliba
- Smith of Bexar

**SENATE BILL NO. 399 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage, S. B. No. 399, A bill to be entitled "An Act amending S. B. 101, Acts of the 57th Legislature 1961, by providing a permissible salary increase for the Judge of said Court of Domestic Relations; providing free transfer of cases between the District Courts and the Court of Domestic Relations of Galveston County; amending the term of office of the Judge of said Court to correspond with the Constitution of the State of Texas; and declaring an emergency."

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

**Yeas-145**

- Alaniz
- Allen
- Arledge
- Atwell
- Ball
- Banfield
- Barnes
- Bass of Bowie
- Bass of Harris
- Beckham
- Berry
- Birkner
- Blaine
- Boysen
- Bridges
- Brooks
- Brown of Galveston
- Brown of Taylor
- Butler
- Caldwell
- Canales
- Cannon
- Carpenter
- Carriker
- Cavness
- Chapman
- Cherry
- Clayton
- Cole
- Collins
- Cook
- Cory
- Cotten
- Coughran
- Cowden
- Cowles
- Crow
- de la Garza
- Deeds
- Dugan
- Duncan
- Enzweiler
- Fairchild
- Finney
- Fletcher
- Floyd
- Foul
den
- Foreman
- Garrison
- Peeler
- Pettit
- Pipkin
- Price
- Quilliam
- Rapp
- Richards
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- Tatum
- Taylor
- Thompson
- Townsend
- Truett
- Walker
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- Warden
- Weidman
- Wells
- Whatley
- Wheeler
- Whitfield
- Wiegand
- Wilson
- Woods
The Speaker laid before the House, on its third reading and final passage, H. B. No. 541, A bill to be entitled "An Act amending Chapter 154, Acts of the 49th Legislature, Regular Session, 1927, as amended (codified as Article 200a, V.T.C.S.), by amending Section 2 thereof so as to provide for the appointment of retired judges as presiding judges of the administrative judicial districts as well as regular judges, in the discretion of the Governor; and declaring an emergency."

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

Yeas-145

Absents-Excused

Adams

Koliba

H. B. No. 541 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
May 16, 1963  HOUSE JOURNAL  2055

Morgan -songpins  Morgan  Cherry  McDonald
Moyer  Segret  Murray  Clayton  McDonald  of Rusk
Munster  Shannon  Murray  Cole  McDonald  of Rusk
Niemeier  Shutt  Parker  Collins  McIlvory
Nesbit  Simpson  Parker  Cook  McNutt
Parker  Sleek  Parker  Cory  Macias
Parsley  Slade  Parsley  Coughran  Mann
Peeler  Smith of Jefferson  Peeler  Cowden  Markgraf
Pendleton  Thompson  Pendleton  Cowles  Miller
Pettit  Thurgood  Pettit  Crain  Morgan
Pike  Townsend  Pike  Crews  Moyer
Price  Traeger  Price  Davis  Murray
Quilliam  Walker  Quilliam  Davis  Muncher
Rapp  Ward  Rapp  Dugan  Nogent
Richards  Weidon  Richards  Dugan  Parker
Richardson  Wells  Richardson  Edwards  Parmer
Ritter  Whitley  Ritter  Edgell  Parmer
Rodriguez  Wheeler  Rodriguez  Esquivel  Parmer
Rosson  Whittington  Rosson  Fairchild  Peer
Rosserwhite  Wieting  Rosserwhite  Finney  Pendleton
Schiller  Wilson  Schiller  Fletcher  Peeler
Schlegel  Woods  Schlegel  Floyd  Petty
Absent-Excused  Adams  McLaughlin  Sergeant  Price
Adams  McLaughlin  Koliba  Smith of Bexar

HOUSE BILL NO. 1044 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 1044, A bill to be entitled "An Act amending the Texas Shrimp Conservation Act by adding thereto a new Section 11A, making it lawful to transport in Texas coastal waters, under certain conditions, any trawl or equipment lawfully used in the waters of another state or foreign nation; and declaring an emergency."

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

Texas-145

Adams  Bridges  Adams  Colley  McDonald
Allen  Brooks  Allen  Colle  McDonald  of Rusk
Arlington  Brown  Arlington  Collins  McIlvory
Austin  Brown of Galveston  Austin  Cook  McNutt
Ball  Brown of Taylor  Ball  Cory  Macias
Baughfield  Butler  Baughfield  Coughran  Mann
Barnes  Calm  Barnes  Cowden  Markgraf
Base of Bowie  Caldwell  Base of Bowie  Cowles  Miller
Beckham  Canales  Beckham  Crain  Morgan
Berry  Carpenter  Berry  Crews  Moyer
Birkner  Carriker  Birkner  Davis  Murray
Blaine  Carvasser  Blaine  Davis  Muncher
Boysen  Chapman  Boysen  Dugan  Nogent

Absent-Excused  Adams  McLaughlin  Koliba  Smith of Bexar
The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1055, A bill to be entitled "An Act to amend Chapter 472, Acts of the 56th Legislature, Regular Session, 1967, by adding a new section to such Act making the bonds issued by hospital authorities pursuant to such Act, authorized investments, and making them eligible to secure public funds; and declaring an emergency."

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

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

H. B. No. 1075, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to convey certain lands in Wood County, Texas; describing the manner of sale and disposition of proceeds; reserving to the State of Texas certain portions of the oil, gas, and other minerals in and under said lands or that may be produced therefrom, together with all bonuses, rents or royalties derived therefrom; providing for the leasing of said minerals; and declaring an emergency."

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

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The Speaker laid before the House, on its third reading and final passage, S. B. No. 73, a bill to be entitled "An Act authorizing and empowering the Board of Directors of the Agricultural and Mechanical College of Texas, acting by the Chancellor of The Texas Agricultural and Mechanical College System, in consideration of the value to be determined by appraisers, to execute and deliver a deed to certain land in Angelina County to the Hudson Independent School District of Angelina County, which said land is a part of the land under control of the Texas Agricultural Experiment Station, an agency under the supervision of said Board of Directors, etc., and declaring an emergency."

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

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

Yeas—146

The Speaker laid before the House, on its third reading and final passage, S. B. No. 74, a bill to be entitled "An Act authorizing an eligible city, as defined therein, upon the adoption of the provisions hereof, to provide for the construction of improvements to the water and sewer systems, either or both, and the construction of street improvements under certain circumstances and conditions and to assess a part of the cost of such improvements against benefited or abutting property and the owners thereof, and as to street improvements authorizing the levy of a special tax against railway, street railway or interurban using, occupying or crossing any street in certain instances; providing procedures in connection with such assessment program and for the enforcement and collection of such assessments, etc.; and declaring an emergency."
SENATE BILL NO. 328 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 328, A bill to be entitled "An Act relating to the payment or distribution of cash or property by any business organization or association to persons registered on its books as the owners of shares or certificates, under certain conditions and which funds or property are now held, etc., and declaring an emergency."

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

Yeas—145

Absant—Excused

Adams Koliba

SENATE BILL NO. 328 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 328, A bill to be entitled "An Act relating to the payment or distribution of cash or property by any business organization or association to persons registered on its books as the owners of shares or certificates, under certain conditions and which funds or property are now held, etc., and declaring an emergency."

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

Yeas—145

Absant—Excused

Adams Koliba
SENATE BILL NO. 388 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 388, A bill to be entitled "An Act to amend Article 6.04 of Chapter 205, Acts of the Fifty-seventh Legislature, 1961, compiled as Article 1302-6.04 in Vernon's Revised Civil Statutes of Texas as a part of the Uniform Stock Transfer Act, to provide that whenever two or more registered owners of corporate shares have given the corporation notice or a written agreement between them providing for the disposition of all rights of a shareholder on his death, or for survivorship in the remaining owners, no liability will accrue to the corporation because of any claim adverse to the ownership shown in the agreement, unless the corporation has notice of such claims and declaring an emergency."

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

Yeas—144

Abstentions—Excused

McLaughlin Smith of Bexar

Harris Pearcy

of Galveston Peeler

Harris of Dallas Pendleton

Haynes of Orange Petty

Healy Phipps

Heflin Price

Hendry Quilliam

Hinson Rapp

Hollowell Richards

Houston Richardson

Hughes Ritter

Imsacks Rotarte

Jameison Rodrigues

Jarvis Rosson

Johnson of Dallas Satterwhite

Johnson of Bexar Schiller

Kilpatrick Suggs

Kliger Sagree

Knapp Shannon

Kotbmann Shapley

Lack Shutt

Ligarde Simpson

McClintock Slack

McDonald Silder

McDonald of Hidalgo Smith of Jefferson

McDonald of Rusk Stewart

McGregor Hollenwerp

McIlhenny Thompson

McNutt Thurmond

Maceo Townsend

Mann Traeger

Markgraf Walker

Miller Ward

Morgan Weidon

Moyer Wells

Murray Whaley

Mutchler Wheeler

Niemeyer Whitefield

Nugent Wintle

Parker Wilson

Parmer Woods

Parrish Wren

Peters Cotten

Abstent—Excused

Adams McLaughlin

Koliba Smith of Bexar

SENATE BILL NO. 451 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, S. B. No. 451, A bill to be entitled "An Act to amend Section 1, Acts, 1929, Regular Season, Chap. 314, Page 694, as amended, (codified as Art. 911 b, Title 25, Vernon's Annotated Revised Civil Statutes of Texas), by adding a new subsection numbered '111' defining certain terms, and declaring an emergency."
The bill was read third time and was passed by the following vote:

**Year—144**

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**Absent—Excused**

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| Smith of Bexar |  |

**SENATE BILL NO. 489 ON THIRD READING**

The Speaker laid before the House, on its third reading and final pass-
age, S. B. No. 489, A bill to be entitled "An Act providing that in the ac-
quisition of rights-of-way by or for the Texas Highway Department, the cost of relocating or adjusting eligi-
gle utility facilities shall be treated as a right-of-way cost; providing for the validation of previous contracts; and declaring an emergency."

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

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

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MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 510, By Banfield: In memory of the Reverend Hugo Probst.

H. S. R. No. 511, By Banfield: In memory of Harry C. Bernshausen.

H. S. R. No. 512, By Crews, Woods, Klager, Wheeler, Cain, Satterwhite, Peeler and Cotten: In memory of George Cowden. On motion of Mr. Foreman, and by unanimous consent, the names of all Members were added to H. S. R. No. 512 as signers thereof.


H. S. R. No. 531, By Brooks: In memory of Allan A. Silberg.

H. S. R. No. 628, By Cavness, Foreman, Cain and Ritter: In memory of Mrs. Jane A. North.

HOUSE BILL ON FIRST READING

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

By Cannon:

H. B. No. 1085, A bill to be entitled "An Act providing that no changes in boundaries of independent school districts having 400 schoolists or more and being located in counties having a population between 20,300 and 20,450, according to the last preceding Federal census, shall be made unless previously approved by the board of trustees or board of education thereof; enacting other provisions relating thereto; and declaring an emergency."

Referred to the Committee on School Districts.
PERMISSION GRANTED FOR THE INTRODUCTION OF A HOUSE BILL

Mr. Mann moved to suspend all necessary rules in order to introduce H. B. No. 1086 at this time.

The motion prevailed without objection.

LEAVE OF ABSENCE GRANTED

Mr. Woods was granted leave of absence for the remainder of the day on account of important business, on motion of Mr. Bass or Harris.

S. J. R. NO. 10 RE-REFERRED

Mr. Miller moved to suspend all necessary rules in order that he might then make a motion to re-refer S. J. R. No. 10 from the Committee on Constitutional Amendments to the Committee on State Hospitals and Special Schools.

A record vote was requested on the motion to suspend the rules.

The motion to suspend the necessary rules in order that a motion may be made to re-refer S. J. R. No. 10 prevailed by the following vote:

Year—109


Yeas—109


Nays—32

Ball Berry Brown of Taylor Butler Caldwell Canales Carrillo Clayton Cole Cullen Cowden Davis Duke Duncan Fairchild Hallmark Haring Harling Harris Harris of Galveston Harris of Dallas Haynes of Orange Hetty Hinson Hollowell Houston Hughes Iaasaka Jamison Jarvis Johnson of Bexar Kilpatrick Kipk ——

Absent—Excused

Adams Smith of Bexar Koliba Woods McLaughlin

Mr. Miller then moved that S. J. R. No. 10 be re-referred from the Committee on Constitutional Amendments to the Committee on State Hospitals and Special Schools.

A record vote was requested on the motion to re-refer S. J. R. No. 10.

The motion to re-refer S. J. R. No. 10 from the Committee on Constitu-
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(The above record vote was requested by Mr. Roberts, Mr. Collins and Mr. Miller.)
TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 330

SENATE AMENDMENT NO. 1

Amend House Bill No. 330 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1: Pursuant to authority granted by the provisions of Section 9 of Article IX of the Constitution of the State of Texas, North Wheeler County Hospital District is hereby authorized to be created and as created shall have boundaries coextensive with the boundaries of Commissioners Precincts One (1) and Two (2) of Wheeler County, as constituted on January 1, 1963, and possess such rights, powers and duties as are hereinafter prescribed.

Section 2: Purposes of District. The District herein authorized to be created shall provide for the establishment of a hospital or hospital system within said District by the purchase, construction, acquisition, repair or renovation of buildings and improvements and the equipping of same and the administration thereof for hospital purposes. Such district shall assume full responsibility for providing medical and hospital care for its needy inhabitants. There being no hospital, hospital system or hospital facilities of any nature presently owned by Wheeler County or any City or Town therein no provisions are made herein for the transfer of properties or equipment or the assumption of any outstanding indebtedness incurred by them for hospital purposes as is permitted by the aforementioned constitutional provisions in the case of existing County, City or Town hospitals, hospital systems or hospital facilities.

Section 3: Creation of District. The District shall not be created nor shall any tax therein be authorized unless and until such creation and such tax are approved by a majority of the qualified property taxpaying electors of the District voting at an election called for such purpose. Such election may be initiated by the Commissioners Court of Wheeler County upon its own motion and shall be called by said Commissioners Court upon presentation of a petition therefore signed by at least fifty (50) qualified property taxing electors of the District voting at an election called for such purpose. Such election may be initiated by the Commissioners Court of Wheeler County upon its own motion and shall be called by said Commissioners Court upon presentation of a petition therefore signed by at least fifty (50) qualified property taxing electors of the District. Such election shall be held not less than thirty (30) nor more than sixty (60) days from the time such election is ordered by the Commissioners Court. The order calling the election shall specify the
time and places of holding same, the form of ballot and the preceding judge for each voting place. Notice of election shall be given by publishing a substantial copy of the election order in a newspaper of general circulation in said District once a week for two consecutive weeks, the first publication to appear at least fourteen (14) days prior to the date established for the election. The failure of any such election shall not operate to prohibit the calling and holding of subsequent elections for the same purpose. At said election there shall be submitted to the qualified property taxing electors of said District the proposition of whether or not North Wheeler County Hospital District shall be created with authority to levy annual taxes at a rate not to exceed Seventy-five Cents ($0.75) on the One Hundred Dollars valuation of all taxable property within such District for the purpose of meeting the requirements of the District's bonds, and its maintenance and operating expenses, and a majority of the qualified property taxing electors of the District voting at said election in favor of the proposition shall be sufficient for its adoption. The ballots shall have printed thereon the following:

"FOR the creation of a hospital district; providing for the levy of a tax not to exceed Seventy-five Cents ($0.75) on the One Hundred Dollars valuation of all taxable property within such District for the purpose of meeting the requirements of the District's bonds, and its maintenance and operating expenses, and a majority of the qualified property taxing electors of the District voting at said election in favor of the proposition shall be sufficient for its adoption. The ballots shall have printed thereon the following:

"AGAINST the creation of a hospital district; providing for the levy of a tax not to exceed Seventy-five Cents ($0.75) on the One Hundred Dollars valuation of all taxable property within such District for the purpose of meeting the requirements of the District's bonds, and its maintenance and operating expenses, and a majority of the qualified property taxing electors of the District voting at said election in favor of the proposition shall be sufficient for its adoption. The ballots shall have printed thereon the following:

Section 4: District Management. Within ten days after such election is held the Commissioners Court of said County shall convene and canvass the returns thereof and in the event such election results favorably to the proposition specified in Section 3 hereof, said Court shall be governed by a Board of Directors to consist of five (5) members, who shall serve without pay. Each such Director must at the time of his election or appointment hereunder, be a resident of the District, own property subject to taxation therein and be more than twenty-one (21) years of age. Not less than fifteen (15) nor more than twenty-five (25) days after the District is declared established by the Commissioners Court shall call an election for the five (5) directors who will serve as the district's first Board of Directors, this election to be held on a date not more than thirty (30) days after the day of the passage of the Commissioners Court order calling same but on such date as will permit publication of an election notice in a newspaper of general circulation in Wheeler County one (1) time not less than ten (10) days prior to such election date. Any candidate desiring to be voted upon as a first director shall, no later than three (3) days prior to the day of passage of the Commissioners Court order calling the election, present a petition to that Court signed by such candidate and not less than five (5) qualified voters residing in the candidate's voting precinct, requesting that his name be placed upon the official ballot. For the purpose of selecting directors, the hospital district shall be divided into five (5) voting precincts which shall be made up of the parts of the following school districts which lie within the hospital district, using school district boundaries as of January 1, 1883, as follows: Allison, Kallam, Biscoe, Wheeler plus any part of Sections 14 and 18 of Block 23, H & G. N. Survey that are within the boundaries of the hospital district, and Mobestie plus any part of Sections 49 and 70 of Block 24 of H and G. N. Survey that are within the boundaries of the hospital district. Any territory within the hospital district, but not within one of the five (5) school districts, shall be added to the nearest hospital district voting precinct by the action of the board of directors of the hospital district. Each voting precinct of the hospital district shall be represented by one (1) director who must reside within the voting precinct. The regular term of each director shall be for two (2) years but after the first called election, the directors by lot shall select three (3) directors for two (2) year terms, and two (2) directors for one (1) year terms. The first year terms
shall be ended on the date of the first annual election as heretofore provided. No person shall be appointed or elected as a member of the board of directors of said hospital district unless he is a resident of the voting precinct thereof and owns property subject to taxation therein and unless at the time of such election or appointment he shall be more than twenty-one (21) years of age. Each member of the board of directors shall qualify by executing the constitutional oath of office and shall execute a good and sufficient commercial bond for One Thousand Dollars ($1,000.00) payable to said district conditioned upon the faithful performance of his duties, and such oath and bond shall be deposited with the depository bank of the district for safekeeping. The cost of this bond shall be an expense of the hospital district.

The Board of Directors shall organize by electing one (1) of their number as president, and one (1) as vice-president and one (1) as secretary. Any three (3) members of the board of directors shall constitute a quorum and a concurrence of three (3) shall be sufficient in all matters pertaining to the business of the district. All vacancies in the office of director shall be filled for the unexpired term by appointment of the remaining members of the board of directors. In the event the number of directors shall be reduced to less than three (3) for any reason, the remaining directors shall immediately call a special election to fill said vacancies, and upon failure to do so a district court may, upon application of any voter or taxpayer of the district, issue a mandate requiring the board of directors to fill said vacancies. The Board of Directors shall have the authority to employ such persons, to contract with any county or incorporated municipality located outside Wheeler County for the care and treatment of the sick, diseased or injured persons of any such county or municipality and shall have the authority to contract with the State.
of Texas and agencies of the federal government, for treatment of sick, diseased or injured persons for whom the State of Texas or the Federal Government are responsible. The Board of Directors is also authorized to enter into such contracts or agreements with the State of Texas or the Federal Government as may be required to establish or continue a retirement program for the benefit of the District's employees.

Section 6: Fiscal Year—Audit—Accounting. The District shall be operated on a fiscal year commencing on October 1 of each year and ending on September 30 of the succeeding year and it shall cause an audit to be made of the financial condition of said district which shall at all times be open to inspection at the principal office of the District. In addition the Administrator or Manager shall prepare an annual budget for approval by the Board of Directors of said District. As soon as practical after the close of each fiscal year the Administrator or Manager shall prepare for the Board a full sworn statement of all moneys belonging to the District and a full account of the disbursements of same.

Section 7: Authorization of Bonds and Levy of Tax. The Board of Directors of the Hospital District shall have the power and authority to issue and sell its bonds in the name and upon the faith and credit of such Hospital District for the purchase, construction, acquisition, repair of renovation of buildings and improvements and equipping the same for hospitals and the hospital system as determined by the Board, and for any or all of such purposes. The first issue of bonds of the district shall not exceed a maximum interest rate of six (6%) per cent per annum. At the time of the issuance of any such bonds a tax shall be levied by the Board sufficient to create an interest and sinking fund and to pay the interest on and principal of such bonds as same mature, providing such tax together with any other taxes levied for said District shall exceed Seventy-five Cents ($0.75) on each One Hundred Dollars ($100) valuation of taxable property in any one year. Such bonds shall be issued under the provisions of Chapter 1, Title 23 of the Revised Civil Statutes of Texas, as amended, but shall be executed in the name of the Hospital District and in its behalf by the President of the Board and attested by the Secretary as provided by Article 717c, V.C.S., and shall be subject to the same requirements in the matter of the approval by the Attorney General of Texas and registration by the Comptroller of Public Accounts of the State of Texas as are by law provided for approval and registration of bonds issued by counties. After approval of any such bonds by the Attorney General and registration by the Comptroller, said bonds shall be incontestable. No bond shall be issued by such hospital district except refunding bonds, unless authorized by the Board of Directors of the District who own taxable property therein and who have duly rendered the same for taxation, voting at an election called for such purpose. Such election shall be called by the Board of Directors and held in accordance with the provisions of Chapter 1, Title 22 of the Revised Civil Statutes of Texas, as amended, and except as therein otherwise provided, shall be conducted in accordance with the general laws of Texas pertaining to elections. The District shall make provisions for defraying the costs of all elections called and held under the provisions of this Act. The bond election order shall specify the date of the election, the amount of bonds to be authorised, the maximum maturity thereof, the maximum rate of interest they are to bear, the place or places where the election shall be held and the presiding officers thereof. The bonds of the District may be issued for the purpose of refunding and paying off any bonds theretofore issued by such District. Such refunding bonds may be sold and the proceeds thereof applied to the payment of outstanding bonds, or may be exchanged in whole or in part for not less than a like principal amount of such outstanding bonds; provided that if refunding bonds are to be exchanged for a like amount of said outstanding bonds, such refunding bonds shall bear interest at the same or lower rate than borne by the bonds refunded, unless it is shown mathematically that a saving will result in the total amount of interest to be paid on said refunding bonds; and provided further that if such refund-
The Board of Directors of the District shall have the power to prescribe the method and manner of making purchases and expenditures, by and for such Hospital District, and also shall be authorized to prescribe all accounting and control procedures and to make such rules and regulations as may be required to carry out the provisions of this Act.

Section 8: Bonds Exempt from Taxation. In carrying out the purposes of this Act the District will be performing an essential public function and any bonds issued by it and their transfer and the issuance thereof, including any profits made in the sale thereof, shall at all times be free from taxation by the State or any municipality or political subdivision thereof.

Section 9: Purchases and Expenditures. The Board of Directors of such District shall be the power to prescribe the method and manner of making purchases and expenditures, and also be authorized to prescribe all accounting and control procedures and to make such rules and regulations as may be required to carry out the provisions of this Act.

Section 10: District Depository. The Board of Directors of the District shall name one or more banks within Wheeler County to serve as depository for the funds of the District. All such funds shall, as derived and collected, be immediately deposited with such Depository Bank or Banks except that sufficient funds shall be remitted to the bank or banks for the payment of principal of and interest on the outstanding bonds of the District or other obligations assumed by it and in time that such money may be received by said bank or banks of payment on or prior to the date of maturity of such principal and interest so to be paid.

To the extent that funds in the Depository Bank or banks are not insured by the Federal deposit insurance corporation, they shall be secured in the manner provided by law for security of county funds. Membership on the Board of Directors of an officer or director of a bank shall not disqualify such bank from being designated as depository.

Section 11: Bonds Eligible for Investment and to Secure Deposits. All bonds of the District shall be and are hereby declared to be legal and authorized investments of banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, education trusts, guardians, and sinking funds of cities, towns, villages, counties, school districts or other political subdivisions of the State of Texas, and for all public funds of the State of Texas or its agencies, including the State Permanent School Fund. Such bonds shall be eligible to secure deposit of public funds of the State of Texas and public funds of cities, towns, villages, counties, school districts or other political subdivisions or corporations of the State of Texas; and such bonds shall be lawful and sufficient security for said deposits to the extent of their value when accompanied by all unmatured coupons appurtenant thereto.

Section 12: Eminent Domain. North Wheeler County Hospital District created hereunder shall have the right and power of eminent domain for the purpose of acquiring by condemnation any and all property of any kind and character in fee simple, or any lesser interest therein, within the boundaries of the District, necessary or convenient to the powers, rights and privileges conferred by this Act, in the manner provided by General Law with respect to condemnation.

Section 13: Levy, Assessment and Collection of Taxes. The District shall use Wheeler County, Texas, tax values and Wheeler County, Texas, tax rolls. District taxes shall be assessed and collected in the same manner as provided by law with relation to County taxes. The Tax Assessor and/or Collector of Wheeler County shall be charged and required to accomplish the assessment and collection of all taxes levied by and on behalf of the District and to promptly pay over the same to the District Depository. For his services the County Tax Assessor-Collector shall be allowed such compensation as may be provided for by contract with the District but not to exceed the amount allowed for assessment and collection of County taxes. Provided further that the amount allowed for collection shall not exceed one (1%) per cent of the amounts collected as may be determined by the board of directors but in no event in excess of Two Thousand Five Hundred Dollars ($2,500.00)
for any one (1) fiscal year. The bond of the County Tax Assessor-Collector shall stand as security for the proper performance of his duties as the County Tax Assessor-Collector of the District, or, if in the judgment of the District Board of Directors, it is necessary that additional bond payable to the District may be required, in all matters pertaining to the assessment, collection and enforcement of taxes for the District, the County Tax Assessor-Collector shall be authorized to act in all respects according to the laws of the State of Texas relating to State and County Taxes.

Section 14: Patients: Inquiry As to the Ability to Pay Liability of Relatives. Whenever a patient residing within the District has been admitted to the facilities thereof, the Administrator or Manager, shall cause inquiry to be made as to his circumstances and those of the relatives of such patient legally liable for his support. If it be found that such patient or said relatives are able to pay for his care and treatment, in whole or in part, an order shall be made directing such patient, or said relatives, to pay to the Hospital District for the support of such patient a specified sum per week in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The Administrator or Manager shall have power and authority to collect such sums from the estate of the patient or his relatives legally liable for his support in the manner provided by law for the collection of expenses in the last illnesses of a deceased person. If the Administrator or Manager finds that such patient or said relatives are not able to pay, either in whole or in part, for his care and treatment in such hospital, same shall become a charge upon the Hospital District as to the amount of the inability to pay. Should there be any dispute as to the ability to pay or doubt in the mind of the Administrator or Manager, the Board of Directors shall hear and determine same, after calling witnesses, and shall make such order or orders as may be proper.

Section 15: Donations. The Board of Directors of the Hospital District is authorized on behalf of such District to accept donations, gifts and endowments to be held in trust and administered by the Board of Directors for such purposes and under such directions, limitations, and provisions as may be prescribed in writing by the donor, not inconsistent with proper management and object of the Hospital District.

Section 16: Annual Budget. The Board of Directors of said Hospital District shall cause to be prepared an annual budget based upon the fiscal year of the Hospital District in accordance with the provisions of Section 6 hereof and prior to September 1st of each year shall give notice of the public hearing on the proposed budget. Such notice shall be published in a newspaper of general circulation in the County at least ten (10) days prior to the date set for the hearing.

Section 17: District Alone To Incur Indebtedness For Hospital Purposes. After creation of North Wheeler County Hospital District, neither Wheeler County or any other municipality or political subdivision shall thereafter issue bonds or other evidences of indebtedness or levy taxes for hospital purposes for medical treatment of indigent persons within said District and the said North Wheeler County Hospital District shall assume full responsibility for the operation of all hospital facilities for the furnishing of medical and hospital care of indigent persons.

Section 18: State Not To Be Obligated. The support and maintenance of the North Wheeler County Hospital District shall never become a charge against or obligation of the State of Texas, nor shall any direct appropriation be made by the Legislature for the construction, maintenance or improvement of any of the facilities of such District.

Section 19: Severability Clause. If any of the provisions of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 20: Proof Of Publication. Proof of Publication of the notice required in the enactment hereof under the provisions of Section 9 of Article IX of the Texas Constitution has been made in the manner and form provided by law pertaining to
the enactment of local and special laws and such notice is hereby found and declared proper and sufficient to satisfy such requirement.

Section 21: Emergency Clause. The fact that there is urgent need to provide for the creation of the North Wheeler County Hospital District, authorized by Section 9 of Article IX of the Texas Constitution, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days shall be suspended, and said rule is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Senate Amendment No. 2
Floor Amendment No. 2 to House Bill No. 330.

Amend House Bill No. 330 by striking all above the enacting clause and substituting in lieu thereof the following:

A BILL
To Be Entitled
An Act providing for the creation of North Wheeler County Hospital District with boundaries coextensive with the boundaries of Commissioners Precincts 1 and 2 of Wheeler County, pursuant to authority granted by Section 9 of Article IX of the Texas Constitution; providing for elections on the questions of the creation of such District and the levy of a tax not to exceed Seventy-five Cents (75¢) for its maintenance support and the payment of bonds issued by it; providing the District with power to issue bonds, and methods for authorizing same, for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes, and for any and all such purposes, and for the refunding of such bonds; providing that bonds issued by the District shall be lawful investments and security for certain funds; providing a governing body for such District, its powers and duties and the tenure of its members; withdrawing authority for the sale of bonds or levy of taxes for hospital purposes within the District by Wheeler County or any other municipality or political subdivision therein; enacting other provisions incident and germane to the subject and purpose of this Act; providing a severance clause and declaring an emergency.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 688

Mr. Doke submitted the following Conference Committee Report on House Bill No. 688:

Austin, Texas, May 14, 1963
Honorable Preston Smith, President of the Senate.
Honorable Byron Tunnell, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives, on H. B. No. 688, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

By Doke and Stewart.
H. B. 688
A BILL
To Be Entitled
An Act authorizing and directing the Board for Texas State Hospitals and Special Schools, acting by the Executive Director thereof, to execute and deliver to Midwestern University of Wichita Falls, Texas, a State-owned University, all rights and title to certain tracts of land located in Wichita County, Texas, and declaring an emergency.

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

Section 1. In consideration of the benefits accruing to the state from...
the maintenance of a first class University in that area, the Board for Texas State Hospitals and Special Schools, acting by its Executive Director, herein authorized and directed to execute and deliver to Midwestern University in Wichita Falls, Texas, a proper instrument conveying to the Board for Texas State Hospitals and Special Schools, none of which are conveyed to the Board for Texas State Hospitals and Special Schools. The instrument is to be approved by the Attorney General.

Plots No. 1 and 2 of the Wichita Falls State Hospital, Wichita County, Texas, described in 1 tract as follows:

Being 98.88 acres of land, more or less, out of the John A. Scott Survey No. 8, Abstract No. 391, and the John A. Scott Survey No. 7, Abstract No. 295, Wichita County, Texas, and more particularly described as follows:

Beginning at a point in a westerly line of the John A. Bingham tract, said point bearing N 39° 65' E a distance of 231.0 feet, more or less, to the southwest corner of the SW 1/4 of the John A. Scott Survey No. 7;

Thence N 0° 00' 07" W a distance of 207.4 feet, more or less, to a corner;

Thence N 48° 14' E along a southwesterly line of said Bingham tract a distance of 578.1 feet, more or less, to a corner;

Thence S 37° 04' 22" E a distance of 556.7 feet, more or less, to a corner;

Thence N 89° 47' E 660.2 feet, more or less, to the southeast corner of a 30.12 acre tract conveyed to State of Texas by Kemp and Kel! by deed, Vol. 95, Page 195, Deed Records of Wichita County, Texas;

Thence N 0° 00' 34" W 1,324 feet, more or less, to the northwest corner of said 20.12 acre tract;

Thence N 89° 53' E 658.5 feet, more or less, to the northeast corner of said 10.12 acre tract;

Thence S 0° 00' 37" W 1,323.5 feet, more or less, to the southeast corner of said 20.12 acre tract;

Thence N 89° 53' E 658.7 feet, more or less, to a point being the northeast corner of the SW 1/4 of the John A. Scott Survey No. 7, said point being the northeast corner of that tract of land conveyed to State of Texas by Kemp and Kel! and described by deed, Vol. 95, page 195, Deed Records of Wichita County, Texas;

Thence S 0° 00' 07" W 399.6 feet, more or less, to a corner;

Thence N 89° 45' W 2,280 feet, more or less, to a corner;

Thence S 27° 13 1/2' W a distance of 3,268.6 feet, more or less, to a corner in the northeast line of a tract of the F. W. and D. Railroad right-of-way;

Thence along the northeast line of said right-of-way the following three courses:

1. In a northwesterly direction along a curve to the right, said curve having a radius of 2,764.8 feet and a central angle of 2°00', a distance of 96.5 feet;

2. N 48°14' E a distance of 56.0 feet;

3. In a northwesterly direction along a curve to the right, said curve having a radius of 2,714.8 feet and a central angle of 4°25', a distance of 217.5 feet to a point in the western line of a county road called Lake Park Drive;

Thence in a northwesterly direction along said westerly line of Lake Park Drive, a distance of 192.7 feet to the beginning of a curve to the right;

Thence along said curve to the right, said curve having a radius of 2,288.6 feet and a central angle of 2°05', a distance of 224.6 feet;

Thence N 39° 42' E and continuing with said westerly line of Lake Park Drive, a distance of 192.7 feet to the beginning of a curve to the right;

Thence along said curve to the right, said curve having a radius of 2,280 feet and a central angle of 2°06', a distance of 1,186.8 feet to the end of said curve;

Thence S 5° 30' W a distance of 56.0 feet to a corner in the easterly line of Lake Park Drive;

Thence in a southwesterly direction with said easterly line of Lake Park Drive along a curve to the left, said curve having a radius of 798.5 feet and a central angle of 3°30', a distance of 48.8 feet to the most westerly corner of above stated John A. Bingham tract;
Thence with the following described nine (9) courses along southwesterly lines of the said John A. Bingham tract to the place of BEGINNING:

1. N 87°19' E, 235.2 feet, more or less;
2. S 66°31' E, 382.1 feet, more or less;
3. N 72°36' E, 189.2 feet, more or less;
4. N 21°08' E, 46.0 feet, more or less;
5. S 81°41' E, 295.8 feet, more or less;
6. N 39°11' E, 257.5 feet, more or less;
7. N 69°56' E, 585.1 feet, more or less;
8. N 80°19' E, 106.3 feet, more or less;
9. N 010°2 W, 114.5 feet, more or less, to the place of Beginning.

Plots 3, 4, 5, and the plot immediately west of 5 of the Wichita Falls State Hospital, Wichita County, Texas, described as follows:

Being 337.63 acres of land, more or less, out of Block 1, Kemp and Newby Sub. of Cherokee County School Lands, and being more particularly described as follows:

Beginning at the northeast corner of the SE 1/4 of the John A. Scott Survey No. 7, said point being the northeast corner of that tract of land conveyed to the State of Texas by Kemp & Kell, and described by deed recorded in Vol. 95, page 186, Deed Records of Wichita County, Texas:

Thence S 00°04 1/2' E, 1,250.0 feet, more or less, with the west line of said Block 1, Kemp and Newby Sub. of Cherokee County School Lands, to the northwest corner of said Block 1;

Thence S 89°55' E, 2,080.0 feet, more or less, with the west line of said Highway Department tract to the southwest corner of same;

Thence S 89°55' E, 768.0 feet, more or less, to a point in the east line of said Block 1, said point being the southeast corner of said Highway Department tract;

Thence S 00°17' E, 1,065.0 feet, more or less, with the east line of said Block 1, to a corner in the northwest line of Texas Highway No. 79;

Thence S 66°19' W with the northwest line of Texas Highway No. 79, a distance of 1,110.7 feet, more or less, to a corner;

Thence N 89°56' 1/2' W, 1,196 feet, more or less, to a corner;

Thence N 00°17' E, 27.5 feet, more or less, to a point in the center of a road;

Thence N 89°56' 1/2' W, 2199.8 feet, more or less, with the center of said road to a point for corner in the west line of the Cherokee County School Land Survey;

Thence N 00°07' E, 2666.9 feet, more or less, with the west line of said School Land Survey, to a point of BEGINNING.

Plot 6 of the lands of the Wichita Falls State Hospital, Wichita County, Texas, described as follows:

Being 83.32 acres of land out of the D. L. & C. Co. Survey, Abstract 613, Wichita County, Texas, and the Harvey Cox Survey, Abstract 67, Archer County, Texas, and more particularly described as follows:

Beginning at the northeast corner of the SE 1/4 of the D. L. & C. Co. Survey, described in Vol. 37, page 403, Deed Records of Wichita County, Texas:

Thence S 00°15' E, 3,251.2 feet, more or less, with the center of said Road to a point for corner;

Thence S 89°33' W, 1,586.0 feet, more or less, to a point in the northwest line of the W. F. and D. Railroad right-of-way;

Thence N 26°14' W with said northeast line a distance of 194.2 feet, more or less, to a corner;
Thence east a distance of 224.0 feet, more or less, to a corner;

Thence N 26° 14' W, 652.0 feet, more or less, to a corner;

Thence S 62° 46' W, 200.9 feet, more or less, to a corner;

Thence N 26° 14' W with said right-of-way line a distance of 158.6 feet, more or less, to a corner;

In the northeast line of the W. F. and D. Railroad right-of-way;

Thence N 26° 14' W, 652.0 feet, more or less, to a corner;

Thence S 26° 14' W, 3,188.7 feet, more or less, to the place of Beginning.

Mr. Hendryx moved to suspend all necessary rules in order to take up and to concur in the Senate Amendments to H. B. No. 680.

The motion prevailed without objection.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 680

Senate Amendment No. 1
Amend H. B. No. 680 by adding after the word “notes” in line twenty (20) the following: “provided that at no time shall said loans exceed 75% of the previous year’s income.”

Senate Amendment No. 2
Amend H. B. No. 680 by adding after the word “independent” in line one (1) of Section One (1) the following: “or consolidated.”

Senate Amendment No. 3
Amend caption to conform to body of bill.

MESSAGE FROM THE SENATE

Austin, Texas, May 14, 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 adopted the Conference Committee Report on House Bill 48 by aye vote.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to Senate Bill No. 85 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators: Watson, Chairman; Calhoun, Hilles, Reagan and Parkhouse.

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

S. C. R. No. 86. By Dies: Authorizing certain requirements in House Bill No. 48.

H. B. No. 413. By McLain: Granting certain privileges to county jail prisoners for good conduct; and declaring an emergency.
H. B. No. 849, By Canales: Authorizing a hospital district co-extensive with the boundaries of Brooks County; and declaring an emergency.

H. B. No. 109, By Pipkin: Relating to studies and investigations conducted by the Game and Fish Commission; and declaring an emergency. (As amended)

H. B. No. 162, By Garrison: Placing Paregoric on list of narcotic drugs to be sold by prescription only; and declaring an emergency.

The Senate has adopted Conference Committee Report on House Bill No. 888 by viva voce vote.

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

H. B. No. 410, By Johnson of Dallas: Creating Probate Court Number 2 of Dallas County; and declaring an emergency. (As amended)

H. B. No. 443, By Jarvis: Relating to nursery growers and dealers; and declaring an emergency.

H. B. No. 738, By Adams: Authorizing County Industrial Training School Districts to provide vocational training for residents; and declaring an emergency. (As amended).

H. C. R. No. 76, By Atwell: Providing for sine die adjournment of the Regular Session of the Fifty-eighth Legislature at 12:00 o'clock midnight, Friday, May 24, 1963.

H. B. No. 291, Conferring power of eminent domain on Board of Regents of University of Houston; and declaring an emergency.

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

PAGES EXCUSED

On motion of Mr. Nugent, and by unanimous consent of the House, the Pages were excused for the remainder of the day.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 48

Mr. Fairchild submitted the following Conference Committee Report on House Bill No. 48:

Austin, Texas, May 15, 1963
Hon. Preston Smith, President of the Senate
Hon. Byron Tunnell, Speaker of the House of Representatives

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on House Bill No. 48, have met and adjusted our differences and beg leave to recommend that House Bill No. 48 be passed in the form attached hereto.

Respectfully submitted,

DIES,
HATTS,
MOORE,
CREIGHTON,
RALPH M. HALL,
On the part of the Senate.

FAIRCHILD,
FONDREN,
BUTLER,
JAS. L. SLIDER,
DAVID CREWS,
On the part of the House.

By Fairchild:

H. B. No. 48. A bill to be entitled "An Act amending the Texas Motor Vehicle Safety-Responsibility Act relating to the deposit of security following certain accidents, the proof of financial responsibility in certain instances, the suspension of certain licenses, registrations and non-resident operating privileges, and certain penalties; providing for severability; and declaring an emergency."

Be It Enacted By The Legislature of The State of Texas:

Section 1. Subsection 19 of Section 1 of Article 1 of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"19. Proof of Financial Responsibility. Proof of ability to respond in damages for liability, on account of accidents occurring subsequent to

"
the effective date of said proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and in the amount of Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one accident.

Sec. 2. Subsection (b) of Section 2 of Article II of the Texas Motor Vehicle Safety-Responsibility Act is hereby amended and a new Subsection (d) is added to said section, to read as follows:

"(b) Any order or act of the Department, under the provisions of this Act, may be subject to review within thirty (30) days after notice thereof, or thereafter for good cause shown, by appeal to the county court at law at the instance of any party in interest in and in the county wherein the person aggrieved by such order or act resides, or if there be no county court at law therein, then in the county court of said county, or if there be no county court having jurisdiction, then such jurisdiction shall be in the district court of said county, and such appeal shall be by trial de novo. The court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the Department, with the exception that no stay of such order or decision shall be granted staying an order of suspension by the Department of Public Safety that is based on a final judgment rendered against any person in this state by a court of competent jurisdiction growing out of the use of a motor vehicle in this state when said judgment is a sustaining final judgment and unsatisfied; further, an appeal shall not operate as a stay of any such other orders or decisions of the Department of Public Safety where the aggrieved party was involved in an accident involving a motor vehicle which he was operating if he was charged with a violation of any of the laws of the State of Texas, or any of its political subdivisions, and said complaint or indictment is pending at the time the appeal from an order or decision of the Department of Public Safety is filed, unless the aggrieved party shall file proof of financial responsibility with the Department of Public Safety as a condition precedent to the obtaining of said stay and maintain said proof of financial responsibility until dismissal of said complaint or indictment or for such period of time as provided for in Section 2(d) of this Act. If the aggrieved party shall at the time of said appeal in lieu of proof of financial responsibility file with the court and the Department of Public Safety an affidavit setting forth specific facts which would entitle the aggrieved party to an acquittal of the complaint or indictment filed against the aggrieved party, he shall be entitled to a temporary stay of the order of the Department of Public Safety without the necessity of filing proof of financial responsibility. Upon the filing of such affidavit, the cause shall take priority upon the court's docket in said Court where said complaint or indictment is pending and if the same is not tried within forty-five (45) days from the date of filing of such complaint or indictment, shall there after be subject to transfer to such county or district court of an adjoining county upon the filing of a motion therefor by the aggrieved party. If within ninety (90) days from the date of the original suspension or order by the Department of Public Safety, the Department has not received a certified copy of a judgment of the court acquitting the aggrieved party, the Department of Public Safety shall again order the driver's license and the registration of all motor vehicles registered in the aggrieved party's name suspended and from said order of the Department of Public Safety, no appeal shall operate as a stay unless the aggrieved party files with the Department of Public Safety, as an absolute condition precedent to the obtaining of a stay, proof of financial responsibility and maintain said proof of financial responsibility until said complaint or indictment has been dismissed or if the aggrieved party has plead guilty or been convicted for the period of time provided for in Section 2(d) of this Act. Upon the disposition of said complaint or indictment either by a plea of guilty or final conviction, the aggrieved party who shall have plead
guilty or been finally convicted and has previously filed proof of financial responsibility as a condition precedent to obtaining a stay from an order of suspension of the Department of Public Safety, must maintain said proof of financial responsibility with the Department of Public Safety for that period of time provided for in Section 2(d) of this Act. If no stay order has been previously applied for prior to a plea of guilty or final conviction, the aggrieved party can obtain a stay from any order or decision of the Department of Public Safety if said party will file with the Department of Public Safety as a condition precedent to the obtaining of a stay of said order or decision proof of financial responsibility and maintain said proof of financial responsibility as provided for in Section 2(d) of this Act. Where the aggrieved party has been found not guilty to the complaint or indictment filed against him, or said complaint or indictment has been dismissed, filing of proof of financial responsibility shall not be a condition precedent to the granting of a stay order of suspension of the Department of Public Safety, and prior filing of proof of financial responsibility with the Department, shall be sufficient provided it contains the information required herein. The Department may rely upon the accuracy of the information unless and until it has reason to believe that the information is erroneous. If such operator is physically incapable of making such report, the owner of the motor vehicle involved in such accident shall, within ten (10) days after learning of the accident, make such report. The operator or the owner shall furnish such additional relevant information as the Department shall require.

"(d) Whenever a person has been convicted or pleas guilty to a violation of any of the laws of the State of Texas, or to any political subdivision, growing out of a motor vehicle accident, as specified in Section 2(b) of this Act, and said party is required in the proof of financial responsibility as a condition precedent to the obtaining of a stay of any order or decision of the Department of Public Safety, said proof of financial responsibility shall be maintained with said Department of Public Safety by said party for a period of three (3) years from date of final conviction or plea of guilty.

Sec. 3. Section 4 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 4. The operator of every motor vehicle which is in any manner involved in an accident within the State, in which any person is killed or injured or in which damage to the property of any one person, including himself, to an apparent extent of at least One Hundred Dollars ($100) is sustained, shall within ten (10) days after such accident report the matter in writing to the Department. Such report, the form of which shall be prescribed by the Department, shall contain information to enable the Department to determine whether the requirements for the deposit of security under Section 5 are inapplicable by reason of the existence of insurance or other exceptions specified in this Act. Any written report of accident in accordance with Section 4, Chapter 421, Acts of the Fifty-second Legislature, Regular Session, 1947, as last amended by Chapter 365, Acts of the Fifty-third Legislature, Regular Session, 1955, compiled as Article 6701d, Section 44, Vernon's Texas Civil Statutes, if actually made to the Department, shall be sufficient provided it also contains the information required herein. In any original action brought against the Department of Public Safety to enjoin or order the enforcement of any order of the Department of Public Safety issued under this Act,"
the Department does not have on file evidence satisfactory to it that the person who would otherwise be required to file security under Subsection (b) of this Section has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in Installments with respect to all claims for injuries or damages resulting from the accident, the Department shall determine the amount of security which shall be sufficient in its judgment, and in no event less than Two Hundred Dollars ($200) to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each operator or owner.

"(b) The Department shall, within sixty (60) days after the receipt of such report of a motor vehicle accident, suspend the license and all registrations of each operator and owner of a motor vehicle in any manner involved in such accident, and if such operator or owner is a nonresident the privilege of operating a motor vehicle within this State, and the privilege of the use within this State of any motor vehicle owned by him unless such operator, owner or operator and owner shall give proof of financial responsibility, provide notice of such suspension shall be sent by the Department to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security and the necessity for proof of financial responsibility. Where erroneous information is given the Department with respect to the matters set forth in Subsections 1, 2 and 3 of Subsection (c) of this Section, it shall take appropriate action as hereinbefore provided, within sixty (60) days after receipt of it by it or correct information with respect to said matters.

"(c) This Section shall not apply unless the conditions stated in Section 4 nor:

"1. To such operator or owner if such owner had in effect at the time of such accident a motor vehicle liability policy with respect to the motor vehicle involved in such accident;

"2. To such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident a motor vehicle liability policy or bond with respect to his operation of motor vehicles not owned by him;

"3. To any person employed by the government of the United States, when such person is acting within the scope or office of his employment;

"4. To such operator or owner if the liability of such operator or owner for damages resulting from such accident is in the judgment of the Department, covered by any other form of liability insurance policy or bond; nor

"6. To any person qualifying as a self-insurer under Section 34 of this Act, or to any person operating a motor vehicle for such self-insurer.

"No such policy or bond shall be effective under this Section or under Section 7 unless issued by an insurance company or surety company authorized to write motor vehicle liability insurance in this State, except that if such motor vehicle was not registered in this State, or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy, or the most recent renewal thereof, such policy or bond shall not be effective under this Section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the Department to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident; providing, however, that such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than Ten Thousand Dollars ($10,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and,
if the accident has resulted in injury to or destruction of property, to a limit of not less than Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one accident.

"6. Wherever the word "bond" appears in this Section or this Act, it shall mean a bond filed with and approved by the Department of Public Safety."

Sec. 5. Section 6 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 6. The requirements as to security, proof of financial responsibility and suspension in Section 5 shall not apply:

"1. To the operator or the owner of a motor vehicle involved in an accident wherein no injury or damage was caused to the person or property of any one other than such operator or owner;

"2. To the operator or the owner of a motor vehicle legally parked or legally stopped at a traffic signal at the time of the accident;

"3. To the owner of a motor vehicle if at the time of the accident the vehicle was being operated without such permission; or

"4. If, prior to the date that the Department would otherwise suspend license and registration of non-resident's operating privilege under Section 5, there be filed with the Department evidence satisfactory to it that the person, who would otherwise have to file security and proof, has been released from liability or been finally adjudicated not to be liable or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments, with respect to all claims for injuries or damages resulting from the accident."

Sec. 6. Section 7 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 7. The license and registration and nonresident's operating privilege suspended as provided in Section 5 shall remain so suspended and shall not be renewed nor shall any such license or registration be issued to such person until:

"1. Such person shall deposit and file or there shall be deposited and filed on his behalf the security and proof required under Section 5 and under this Section; or

"2. Two (2) years shall have elapsed following the date of such accident and evidence satisfactory to the Department has been filed with it that during such period no action for damages arising out of the accident has been instituted, provided such person files proof of financial responsibility; or

"3. Evidence satisfactory to the Department has been filed with it of a release from liability, or a final adjudication of nonliability, or a duly acknowledged written agreement, in accordance with Subdivision 4 of Section 4; provided, however, in the event there shall be any default in the payment of any installment under any duly acknowledged written agreement, then, upon notice of such default, the Department shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting which shall not be restored unless and until

"(a) Such person deposits and thereafter maintains security as required under Section 6 in such amount as the Department may then determine and files proof of financial responsibility; or

"(b) Two (2) years shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this State, provided such person gives proof of financial responsibility."

Sec. 7. Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new section to be known as Section 7A, which shall read as follows:

"Reinstatement—Fees

"Section 7A. Whenever a license or registration, or nonresident's operating privilege is suspended and
the filling of proof of financial responsibility is, under this article, made a prerequisite to reinstatement thereof, or to the issuance of a new license or registration, no such license or registration, or nonresident's operating privilege shall be reinstated or new license or registration shall be issued unless the license or registrat or nonresident, in addition to complying with other provisions of this Article, pays to the Department a fee of Ten Dollars ($10) in addition to any other fees which may be required by law. Only one such fee shall be paid by any one person regardless of the number of licenses and registrations to be reinstated for or issued to such person in connection with such payment. "The fees paid pursuant to this Section shall be used by the Department to administer the provisions of this Article." Sec. 8. Subsection (c) of Section 8 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows: "(c) Upon receipt of such certification that the operating privilege of a resident of this State has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for the payment of judgments arising from failure to deposit security for the payment of judgments arising out of a motor vehicle accident or to the proof of financial responsibility, under circumstances which would require the Department to suspend a nonresident's operating privilege had the accident occurred in this State, the Department shall suspend the license and all the registrations of such resident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state relating to the deposit of such security and proof of financial responsibility." Sec. 9. Section 9 of Article III of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows: "Section 9. The security required under this Article may be by cash deposit or by bond written by an insurance company duly authorized to execute surety bonds in this State in the amount the Department may require or in such other form and in such amount as the Department may require but in no case less than $200.00 nor in excess of the limits specified in Section 9. in reference to the acceptable limits of a policy. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while such deposit is in the custody of the Department or the State Treasurer of the State of Texas, the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons; provided, however, that a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident and the same motor vehicle. "The Department may reduce the amount of security ordered in any case within six (6) months after the date of the accident if, in its judgment, the amount ordered is excessive. In case the security originally ordered has been deposited the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith, notwithstanding the provisions of Section 10." Sec. 10. Section 10 of Article III of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows: "Section 10. 'Cash' security deposited in compliance with the requirements of this Article shall be placed by the Department in the custody of the State Treasurer and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question in an action at law, begun not later than two (2) years after the date of such accident, or within two (2) years after the date of deposit of any security under Subdivision 3 of Section 7, or to the payment in settlement, agreed to by the depositor, of a claim or claims arising out of such accident. Such deposit or any balance thereof shall be returned to the depositor or his personal representative when evidence satisfactory to the Department has been
filed with it that there has been a release from liability, or a final adjudication of nonliability, or a duly acknowledged agreement, in accordance with Subdivision 4 of Section 6, or whenever, after the expiration of two (2) years from the date of the accident, or within two (2) years after the date of deposit, of any security under Subdivision 3 of Section 7, the Department shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid."

Sec. 11. Section 11 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 11. Upon the filing of the report required by Section 4, the action taken by the Department pursuant to this Article, the findings, if any, of the Department upon which such action is based, nor the security or proof of financial responsibility filed as provided in this Article shall be referred to in any way, nor be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages."

Sec. 13. Section 13 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 13. (a) Upon the receipt of a certified copy of a judgment, the Department shall forthwith suspend the license and all registrations and any nonresident's operating privilege of any person against whom such judgment was rendered, except as hereinafter otherwise provided in this Section and in Section 16 of this Act.

(b) If the judgment creditor consents in writing, in such form as the Department may prescribe, that the judgment debtor be allowed license and registration or nonresident's operating privilege, the same may be allowed by the Department, in its discretion, for six (6) months from the date of such consent and thereafter until such consent is revoked in writing, notwithstanding default in the payment of such judgment, or of any instalments thereof prescribed in Section 16, provided the judgment debtor furnishes proof of financial responsibility.

(c) Notwithstanding any other provision of this Act any person whose license, registration or nonresident's operating privilege has been suspended, or is about to be suspended shall become subject to suspension under this Article, may relieve himself from the effect of the judgment by filing with the Department satisfactory evidence that there was in effect at the time of the accident out of which the judgment arose a policy of liability insurance covering the operation of the motor vehicle involved and filed with the Department an affidavit stating that at the time of the accident upon which the judgment has been rendered he was insured, that the insurer is liable to pay such judgment, and the reason, if known, why the insurance company has not paid the judgment. He shall also file the original policy of insurance or a certified copy thereof, if available, and such other documents as the Department may require to show that the loss, injury, or damage for which the judgment was rendered, was covered by the policy of insurance.

If the Department is satisfied from such papers that the insurer was authorized to issue the policy of insurance in this State at the time of issuing the policy and that such insurer is liable to pay such judgment, at least to the extent and for the amounts provided in this Article, the Department shall not suspend the license, registration or nonresident's operating privilege, or if already suspended, shall reinstate them.

Any person whose license, registration or nonresident's operating privilege has heretofore been suspended under the provisions of this Article may take advantage of this section."

Sec. 15. Section 15 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 15. Judgments herein referred to shall, for the purpose of this Act only, be deemed satisfied:

"1. When Ten Thousand Dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one
person as the result of any one accident;

3. When, subject to such limit of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one person, the sum of Twenty Thousand Dollars ($20,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one accident; or

4. When Five Thousand Dollars ($5,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident;

"Provided, however, payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section."

Sec. 15. Subsections (a) and (b) of Section 21 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 17. (a) Whenever the Department, under any law of the State, suspends or revokes the license of any person upon receiving record of a conviction or any person upon receiving record of a plea of guilty, and such person was not the owner of the motor vehicle used at the time of the violation resulting in the conviction or the plea of guilty, the Department shall also suspend the license and all registrations in the name of the owner of the motor vehicle so used. If such vehicle was operated with such owner's permission or consent at the time of the violation unless such owner has previously given, or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by any such person.

"(c) Licenses and registrations suspended or revoked under this section shall remain suspended or revoked and shall not at any time thereafter be renewed nor shall any license be thereafter issued to such person, nor shall any motor vehicle be thereafter registered in the name of such person until permitted under the Motor Vehicle Laws of this State and not then unless and until it shall give and thereafter maintain proof of financial responsibility.

"(d) If a person is not licensed but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for (or pleads guilty to any such offense) any offense requiring the suspension or revocation of license, or for operating a motor vehicle upon the highways without being licensed to do so, and for operating an unregistered motor vehicle upon the highways, no license shall thereafter be issued to such person and no motor vehicle shall continue to be registered or thereafter be registered in the name of such person until he shall give and thereafter maintain proof of financial responsibility.

"(e) Whenever the Department suspends or revokes a nonresident's operating privilege by reason of a conviction, forfeiture of bail or a plea of guilty, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility."

Sec. 16. Subsections (a) and (b) of Section 21 of Article IV of the
Texas Motor Vehicle Safety-Responsibility Act are amended to read hereafter as follows:

"Section 21. (a) A 'motor vehicle liability policy' as said term is used in this Act shall mean an owner's or an operator's policy of liability insurance, certified as provided in Section 19 or Section 20 as proof of financial responsibility, and issued, except as otherwise provided in Section 20, by an insurance company duly authorized to write motor vehicle liability insurance in this State, to or for the benefit of the person named therein as insured.

"(b) Such owner's policy of liability insurance:

"1. Shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby to be granted; and

"2. Shall pay on behalf of the insured named therein and any other person, as insured, using any such motor vehicle or motor vehicles with the express or implied permission of such named insured, all sums which the insured shall become legally obligated to pay as damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows:

Ten Thousand Dollars ($10,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one accident."

Sec. 16. Section 25 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 25. (a) Proof of financial responsibility may be evidenced by the certificate of the State Treasurer that the person named therein has purchased with him Twenty-five Thousand Dollars ($25,000) in cash, or securities such as may legally be purchased by savings banks or for trust funds of a market value of Twenty-five Thousand Dollars ($25,000). The State Treasurer shall not accept any such deposit and issue a certificate therefor and the Department shall not accept such certificate, unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

"(b) Such deposit shall be held by the State Treasurer to satisfy, in accordance with the provisions of this Act, any execution on a judgment issued against such person making the deposit, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after such deposit was made. Money or securities so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages as aforesaid."

Sec. 17. Section 28 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 28. Whenever any proof of financial responsibility filed under the provisions of this Act no longer fulfills the purpose for which required, the Department shall for the purpose of this Act, require other proof as required by this Act and shall suspend the license and all registrations or any nonresident's operating privilege pending the filing of such other proof."

Sec. 18. Section 23 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Section 29. The Department shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the Department shall direct and the State Treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this Act as proof of financial responsibility, or the Department shall waive
the requirement of filing proof, in any of the following events:

"1. At any time after five (5) years from the date such proof was required when, during the five-year period preceding the request, the Department has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration or nonresident's operating privilege of the person by or for whom such proof was furnished; or

"2. In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle; or

"3. In the event the person who has given proof surrenders his license and registration in the Department;

"Provided, however, that the Department shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages upon liability covered by such proof is then pending or any judgment upon any such liability is then unsatisfied, or in the event the person who has filed such bond or deposited such money or securities has, within two (2) years immediately preceding such request, been involved as an operator or owner in any motor vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that he has been released from all of his liability, or has been finally adjudicated not to be liable for such injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the Department.

"Whenever any person whose proof has been cancelled or returned under Subdivision 2 of this Section applies for a license or registration within a period of five (5) years from the date proof was originally required, any such application shall be refused unless the applicant shall re-establish such proof for the remainder of such five-year period."

Sec. 19. Section 31 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended to read as follows:

"Section 31. Any person whose license or registration shall have been suspended as herein provided, or whose policy of insurance or bond, when required under this Act, shall have been cancelled or terminated, or who shall neglect to furnish other proof upon request of the Department shall immediately return his license and registration to the Department. If any person shall fail to return to the Department the license or registration as provided herein, the Department shall forthwith direct any peace officer to secure possession thereof and to return the same to the Department, and the Department shall send a certified copy of the act or order of the Department requiring the return of the license or registration to the sheriff of the county of the person's last known address. The sheriff or his deputy shall immediately upon receipt of the certified copy secure possession of the license or registration and return the same to the Department. The director of the Department of Public Safety or a person designated by him shall file a complaint in any court of competent jurisdiction under Subsection (d) of Section 32 against any person who has reason to believe has wilfully failed to return license or registration as required herein."

Sec. 19. Subsection (b) of Section 32 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended to read as follows:

"(b) Any person who gives information required in a report or otherwise as provided for in Section 4, knowing or having reason to believe that such information is false, or who shall forge or, without authority, sign any evidence of proof of financial responsibility, or who files or offers for filing any such evidence of proof knowing or having reason to believe that it is forged or signed without authority, shall be fined not more than One Thousand Dollars ($1,000) or imprisoned for not more than one year, or both."

Sec. 31. Section 32 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new Subsection to be
known as (f) which shall read as follows:

“(f) Any person who is required to maintain proof of financial responsibility under this Act and who, during the period financial responsibility is required to be maintained, drives any motor vehicle owned by him upon any highway or knowingly permits any motor vehicle owned by him to be operated by another upon any highway, except as permitted under this Act, when proof of financial responsibility is not in force, shall be fined not more than Five Hundred Dollars ($500) or imprisoned not exceeding six (6) months, or both.”

Sec. 22. Section 32 of Article V of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new subsection to be known as (g) which shall read as follows:

“(g) Any case now or hereafter pending on the docket of any court involving prosecution under any provision of this Act shall be given precedence on the docket of such court and prosecution shall proceed with all due diligence.”

Sec. 23. This Act shall take effect and be in force from and after January 1, 1964.

Sec. 24. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 25. The fact that many innocent victims of traffic accidents are unable to obtain adequate compensation for injuries and damages due to the financial inability of the responsible party to respond in damages creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after January 1, 1964, and it is so enacted.

Mr. Fairchild moved that the Conference Committee Report on H. B. No. 48 be adopted.

Mr. de la Garza moved, as a substitute motion for the motion by Mr. Fairchild, that the Conference Committee Report on H. B. No. 48 be not adopted, and that a new Conference Committee be appointed to adjust the differences between the two houses on the bill.

Mr. Fairchild moved to table the substitute motion by Mr. de la Garza, and the motion to table was lost.

The vote of the House was taken on the substitute motion by Mr. de la Garza that the House do not adopt the Conference Committee Report on H. B. No. 48, and the vote was announced Yea 72, Nays 66, and 5 present—not voting.

A verification of the vote was requested, and was granted.

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

Yea—68

Allen
Atwell
Bass of Bowie
Beckham
Berry
Birkner
Boyse
Brown
Brown of Galveston
Carpenter
Carriker
Carr
Carr
Collins
Cocin
Crain
Crain
de la Garza
Duggan
Dungan
Eberhardt
Edwards
Fletcher
Glena
Green
Grover
Guffey
Haines of Brazos
Harding
Haynes of Orange
Hefon
Hinson
Hollowell
Hanes
Kilpatrick
Knapp
Lack
McClintock
McDonald
McDonald of Hidalgo
McDonald of Rusk
McIlhany
Mcnair
Mack
Morgan
Moyer
Mutchener
Niemeyer
Nugent
Parker
Parmer
Pendleton
Pettey
Pipkin
Quilliam

Mr. de la Garza moved, as a substitute motion for the motion by Mr. Fairchild, that the Conference Committee Report on H. B. No. 48 be not adopted, and that a new Conference Committee be appointed to adjust the differences between the two Houses on the bill. The vote of the House was taken on the substitute motion by Mr. de la Garza that the House do not adopt the Conference Committee Report on H. B. No. 48, and the vote was announced Yea 72, Nays 66, and 5 present—not voting.

A verification of the vote was requested, and was granted.

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

Yea—68

Allen
Atwell
Bass of Bowie
Beckham
Berry
Birkner
Boyse
Brown
Brown of Galveston
Carpenter
Carriker
Carr
Carr
Collins
Cocin
Crain
Crain
de la Garza
Duggan
Dungan
Eberhardt
Edwards
Fletcher
Glena
Green
Grover
Guffey
Haines of Brazos
Harding
Haynes of Orange
Hefon
Hinson
Hollowell
Hanes
Kilpatrick
Knapp
Lack
McClintock
McDonald
McDonald of Hidalgo
McDonald of Rusk
McIlhany
Mcnair
Mack
Morgan
Moyer
Mutchener
Niemeyer
Nugent
Parker
Parmer
Pendleton
Pettey
Pipkin
Quilliam
The Speaker stated that the substitute motion by Mr. de la Garza, that the House do not adopt the Conference Committee Report on H. B. No. 48 and to request that a new Conference Committee be ap-

pointed to adjust the differences between the two Houses on the bill, prevailed by the above vote.

Mr. Collins moved to reconsider the vote by which the substitute motion by Mr. de la Garza prevailed.

Mr. de la Garza moved to table the motion to reconsider the vote.

A record vote was requested on the motion to table.

The motion to table the motion to reconsider the vote by which the substitute motion by Mr. de la Garza prevailed, was lost by the following vote:

<table>
<thead>
<tr>
<th>Yea</th>
<th>67</th>
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</thead>
<tbody>
<tr>
<td>Allen</td>
<td>1</td>
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<tr>
<td>Bass of Bowie</td>
<td>1</td>
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<tr>
<td>Beckham</td>
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<td>Berry</td>
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<tr>
<td>Birkner</td>
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<td>Boyens</td>
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<td>Brooks</td>
<td>1</td>
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<tr>
<td>Brown</td>
<td>1</td>
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<tr>
<td>Brown of Galveston</td>
<td>1</td>
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<tr>
<td>Canales</td>
<td>1</td>
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<tr>
<td>Carpenter</td>
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<td>Carricker</td>
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<tr>
<td>Cherry</td>
<td>1</td>
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<tr>
<td>Cole</td>
<td>1</td>
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<tr>
<td>de la Garza</td>
<td>1</td>
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<td>Deegan</td>
<td>1</td>
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<tr>
<td>Dungan</td>
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<td>Eckhardt</td>
<td>1</td>
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<td>Edwards</td>
<td>1</td>
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<td>Esquivel</td>
<td>1</td>
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<tr>
<td>Fitch</td>
<td>1</td>
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<td>Gladden</td>
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<td>Glenn</td>
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<td>Groover</td>
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<td>Guffey</td>
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<td>Haines of Brazos</td>
<td>1</td>
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<td>Harding</td>
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<td>Haynes of Orange</td>
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<td>Hollowell</td>
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<td>Issacks</td>
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<td>Jamison</td>
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<tr>
<td>Johnson of Bexar</td>
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Nays--71

<table>
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<tr>
<th>Absent</th>
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<tbody>
<tr>
<td>Adkins</td>
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<td>Atwell</td>
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<td>Baker</td>
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<td>Blaine</td>
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<td>Bridges</td>
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<td>Brown of Taylor</td>
<td>1</td>
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<td>Bunn</td>
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<td>Caldwell</td>
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<td>Chapman</td>
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<td>Clayton</td>
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<td>Cook</td>
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<td>Guffey</td>
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<td>Johnson of Bexar</td>
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<tr>
<td>Kilpatrick</td>
<td>1</td>
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</tbody>
</table>

Nays--71

The Speaker stated that the substitute motion by Mr. de la Garza, that the House do not adopt the Conference Committee Report on H. B. No. 48 and to request that a new Conference Committee be ap-
A record vote was requested on the motion to reconsider the vote by which the substitute motion by Mr. de la Garza prevailed.

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>69</td>
</tr>
</tbody>
</table>

Present—not voting: 3

Present—Not Voting: 3

Coughran
Garrison

Absent:

Nay—68

Allen
Bass of Bowie
Beckham
Berry
Birkner
Boysen
Brooks
Brown
Brown of Galveston
Canales
Carpenter
Carriker
Cherry
Cole
Crain
Gann
Dunnigan
Eckhardt
Edwards
Enquirod
Fletcher
Zadinen

Bass of Harris
Blaine
Bridges
Brown of Taylor
Butler
Cain
Calwell
Cannon
Chapman
Cheyton
Collins
Cook
Cory
Cook
Cowden
Cotter
Cowles
Crews
Davis
Fairchild
Finney
Fondren
Foreman
Gibbons
Green
Hallmark
Haring
Harris
Hendryx
Hersch
Houston
Huff
Hughes
Jarvis
Jarvis of Dallas
Johnson of Dallas
Klager
Kothmann
McGregor
McNutt
Mann
Miller
Moyer
Nugent
Parsley
Pearcy
Peeler
Richards
Satterwhite
Scoggins
Shannon
Shipley
Simpson
Slack
Slider
Stollenwerck
Thompson
Thurmond
Walker
Wells
Whitfield
Whitfield
Wilson
Wolfe
Whatley

Absent—Excused:

Adams
Koliba
McLaughlin

Bash of Harris
Blaine
Bridges
Brown of Taylor
Butler
Johnson of Dallas
Hendryx
Klager
Kothmann
McNutt
Mann
Miller
Moyer
Nugent
Pearcy
Peeler
Richards
Satterwhite
Scoggins
Shannon
Shipley
Simpson
Slack
Slider
Stollenwerck
Thompson
Thurmond
Walker
Wells
Whitfield
Whitfield
Wilson
Wolfe
Whatley

May 16, 1963

Clayton
Collins
Cook
Cory
Cotter
Cowden
Cowles
Crain
Crews
Davis
Fairchild
Finney
Floyd
Fondren
Foreman
Gibbons
Green
Hallmark
Haring
Harris
Hendryx
Hersch
Hilburn
Hollis
Hollowell
Horn
Hosford
Huff
Hughes
Jarvis
Jarvis of Dallas
Johnson of Dallas
Klager
Kothmann
Cannon
Miller
Moyer
Nugent
Pearcy
Peeler
Richards
Satterwhite
Shannon
Shipley
Simpson
Slack
Slider
Stollenwerck
Thompson
Thurmond
Walker
Wells
Whatley
Whitfield
Wilson
Wolfe
Whatley

2087
The Speaker stated that the motion to reconsider the vote, by which the substitute motion by Mr. de la Garza prevailed, that the House do not adopt the Conference Committee Report on H. B. No. 48 and that a new Conference Committee be appointed to adjust the differences between the two houses on the bill, prevailed by the above vote.

A record vote was requested on the substitute motion by Mr. de la Garza. The substitute motion by Mr. de la Garza was then lost by the following vote:

**Yeas---68**

Allen
Arendge
Bass of Bowie
Beckham
Berry
Birkner
Boyson
Brooks
Brown
Carpenter
Carriker
Cherry
cola
Coughran
Crisis
de la Garza
Dargan
Dunagan
Eickhardt
Edward
Edwards
Eikel
Fletcher
Gladden
Glen
Grover
Guffey
Hains of Brazos
Harding

**Nays---69**

Alanis
Atwell
Ball
Bailey
Barnes
Bass of Harris
Blaine
Bridges
Brown of Taylor
Butler
Cain
Caldwell
Canes
Canion
Chapman
Clayton
Collins
Cook
Cory
Cotten
Cowden
Cowles
Crews
Davis
Fairchild
Floyd
Fondren
Foreman
Gibbens
Green
Hallmark
Harrington
Harrison
Harris
Harrison of Galveston
Harris of Dallas

**Present---Not Voting**

Cavness
Garrison

**Absent---Excused**

Adams
Koliba
McLaughlin

**Question then recurring on the motion by Mr. Fairchild that the House adopt the Conference Committee Report on H. B. No. 48, a record vote was requested.**

The vote of the House was taken on the motion to adopt the Conference Committee Report on H. B. No. 48
and the vote was announced Yeas 68, Nay's 67 and 5 present-not voting.

A verification of the vote was re­quested and was granted.

The roll or those voting Yea was again called and the verified vote resulted as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Present-Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>68</td>
<td>67</td>
<td>5</td>
</tr>
</tbody>
</table>

**Reason for Vote**

**May 16, 1963**

I voted against House Bill No. 48, which passed the House of Rep-
resentatives by only one vote, because I do not believe the Legislature should dictate the amount of insurance the people of my District should purchase. These people are able to determine their insurance needs by themselves.

Milton J. Schiller
District 45

CONFERENCE COMMITTEE APPOINTED ON S. B. NO. 85

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on S. B. No. 85:

Messrs. Walker, Chairman; Atwell, Duggan, Shipley and Shutt.

AUTHORIZING CERTAIN CORRECTIONS IN H. B. NO. 500

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

SENATE CONCURRENT RESOLUTION NO. 80

Whereas, House Bill No. 500 has finally passed both the House and Senate and is now in the House Enrolling Room; and

Whereas, For the purpose of clarification certain minor corrections are necessary; now, therefore, be it

Resolved, by the Senate of Texas, that the Engrossing and Enrolling Clerk of the House be and is hereby directed to insert the words “at Houston” after the words “The University of Texas Graduate School of Biomedical Science,” “Graduate School of Biomedical Sciences,” and “The University of Texas Postgraduate School of Medicine” wherever they appear in said bill; and, in Section 1 of said bill insert the words “having an M.D. degree or Ph.D. degree in one of the Biomedical Sciences” before the word “who” as said word first appears in the second sentence of said Section.

The resolution was adopted.

ADJOURNMENT

Mr. Mann moved that the House adjourn until 9:00 o'clock a.m. tomorrow.

Mr. Allen moved that the House recess until 9:00 o'clock a.m. tomorrow.

Mr. Hendryx moved that the House adjourn until 11:00 o'clock a.m. next Monday.

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

The motion to adjourn until 9:00 o'clock a.m. tomorrow prevailed.

The Benediction was offered by the Honorable Otha Birkner.

In accordance with the motion to adjourn, the House, at 6:03 o'clock p.m., adjourned until 9:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Agriculture: S. B. No. 340,

Appropriations: S. B. No. 484.


Game and Fisheries: S. B. No. 467, S. B. No. 456.


Privileges, Suffrage and Elections: H. B. No. 1084.

Public Lands and Buildings: S. B. No. 482, S. B. No. 491.

REPORTS OF THE COMMITTEE ON 
ENROLLED BILLS

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of 
the House of Representatives.

Sir: Your Committee on Enrolled 
Bills to whom was referred

H. B. No. 105, An Act abolishing 
The Rule in Shelley's Case, The Rule 
Forbidding a Remainder to the 
Grantor's Heirs, and the Doctrine of 
Worthier Title; and declaring an 
emergency.

Has carefully compared same and 
finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of 
the House of Representatives.

Sir: Your Committee on Enrolled 
Bills to whom was referred

H. B. No. 161, An Act amending 
Article 4053, Revised Civil Statutes 
of Texas, 1925, authorizing the 
Parks and Wildlife Commission to issue 
permits for the taking, carrying 
away or disturbing of marl, gravel, 
sand, shells or mudshell under cer­
tain conditions; directing the Parks 
and Wildlife Commission to take into 
consideration any injurious effect to 
oysters, oyster beds and fish inhabi­
ting waters, as well as the industrial 
requirements of the State; requiring 
findings of fact in orders on denying 
applications for permit; authorizing 
the Parks and Wildlife Commission 
to remove and replant oysters; de­
fining the rights of State 

oil and gas 

lessees; providing 

for 

severability; 

and declaring an emergency.

Has carefully compared same and 
finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of 
the House of Representatives.

Sir: Your Committee on Enrolled 
Bills to whom was referred

H. B. No. 165, An Act amending 
Articles 1577 and 1578a, as amend­
ed, and adding Article 1578b. Penal 
Code of Texas, 1925, concerning em­
ployment of children; repealing Ar­
ticle 5181, Revised Civil Statutes 
of Texas, 1925, and all other laws 
and parts of laws in conflict here­
with; and declaring an emergency.

Has carefully compared same and 
finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of 
the House of Representatives.

Sir: Your Committee on Enrolled 
Bills to whom was referred

H. B. No. 204, An Act to amend 
the subject matter of the Texas Un­
employment Compensation Act, as 
amended, Chapter 482, Acts of the 
Forty-fourth Legislature, Third Cal­
ed Session, 1936, as amended, and 
as embraced in Section 5 providing 
for disqualification for benefits by 
adding to Section 5 a new subsection 
to be known as (g) pertaining to 
certain students; providing for an 
effective date for this Act; and de­
claring an emergency.

Has carefully compared same and 
finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of 
the House of Representatives.

Sir: Your Committee on Enrolled 
Bills to whom was referred

H. B. No. 254, An Act making it 
unlawful for a fisherman engaged 
commercially in a joint adventure 
or other undertaking whereby he 
receives a percentage of proceeds of 
sale of catch, or a share of the catch, 
or who is employed on a salary or 
other basis, to sell, or to offer for 
sale, except in the regular course of 
business, or without the consent of 
his employer, fish, shrimp, oysters 
or other seafood; and making it un­
lawful for any person to purchase 
from any such fisherman any such 
fish, shrimp, oysters or other sea­
food; providing penalties and venue 
and a saving clause; and declaring 
an emergency.

May 16, 1963

HOUSE JOURNAL

2091

ed, and adding Article 1578b. Penal 
Code of Texas, 1925, concerning em­
ployment of children; repealing Ar­
ticle 5181, Revised Civil Statutes 
of Texas, 1925, and all other laws 
and parts of laws in conflict here­
with; and declaring an emergency.

Has carefully compared same and 
finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of 
the House of Representatives.

Sir: Your Committee on Enrolled 
Bills to whom was referred

H. B. No. 165, An Act amending 
Articles 1577 and 1578a, as amend­
Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 318, An Act fixing a maximum salary for court reporters in judicial districts composed of two counties, one of which has a population of not less than one hundred and fifty thousand (150,000) and not more than two hundred thousand (200,000) and either of which borders on the Republic of Mexico; providing for apportionment of payment of salaries between counties on the basis of population; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 371, An Act changing the name of San Jacinto State Park to San Jacinto Battleground, and the name of the San Jacinto State Park Commission to San Jacinto Battleground Commission; and changing the name of Fannin State Park to Fannin State Battleground and the name of Fannin State Park Commission to Fannin State Battleground Commission; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 344, An Act amending Section 1 of Chapter 360, Acts of the Fifty-fourth Legislature, 1956 (revised as Article 2775a-1 of Vernon's Texas Civil Statutes), to provide for the election of school trustees in independent school districts of one thousand (1,000) or more schoolatics, and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 369, An Act requiring identification signs on vehicles hauling citrus fruit in bulk and requiring that drivers of such vehicles have papers concerning the citrus fruit being hauled; providing for exemptions from such requirements; providing penalties for violations; repealing conflicting laws; providing for severability; providing an effective date; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 371, An Act changing the name of San Jacinto State Park to San Jacinto Battleground, and the name of the San Jacinto State Park Commission to San Jacinto Battleground Commission; and changing the name of Fannin State Park to Fannin State Battleground and the name of Fannin State Park Commission to Fannin State Battleground Commission; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.
May 16, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 447, An Act to amend House Bill No. 92, Acts, Fifty-first Legislature, 1949, page 88, Chapter 53, codified as Article 52-160B, Code of Criminal Procedure of the State of Texas, relating to the compensation to be paid the Criminal District Attorney of Jefferson County, Texas, and the appointment of assistants and other personnel; containing a severability clause; repealing all laws in conflict herewith; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 562, An Act amending Subsection (a) of Section 15 of Chapter 179, Acts of the Fifty-sixth Legislature, Regular Session, 1959, as amended, to provide for the enforcement of the Water Safety Act by game wardens on Lake Texoma, Lake Texarkana, Garrison-Little Elm Lake, Caddo Lake and Lake O’ the Pines, in addition to the enforcement by peace officers of this State and its political subdivisions; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 560, An Act validating proceedings heretofore had in connection with the creation, organization and operation of the Fannin County Water Control and Improvement District Number One and providing said District shall continue to exist as a conservation and reclamation district under Article XVI, Section 59 of the Constitution of Texas; finding that all property located within the boundaries thereof will be benefited; that no hearing on exclusions or plan of taxation shall be necessary but that the ad valorem plan of taxation shall be used; providing procedures for the holding of an election for the issuance of bonds and the manner in which they shall be issued and sold; providing that bonds issued by the District will be legal and authorized investments and eligible to secure deposits in certain circumstances; declaring the District essential to preservation and conservation of natural resources of the State; providing the provisions of the Act shall be cumulative of prior Acts on the subject; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Regular Session, 1963 (codified as Article 3899b of Vernon's Texas Civil Statutes) by adding thereto Section 1a, to provide that in all counties having a population in excess of one million and two hundred thousand (1,200,000) inhabitants according to the last preceding Federal Census, in addition to the expenditures now authorized, the Commissioners Court of such counties may furnish Justices of the Peace, courthouses, offices and office furniture and furnish Constables offices and office furniture; enacting other provisions related to the subject; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 629, An Act making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to hunt, take or kill, or possess, any game bird or game animal in Cameron, Jim Wells, Hidalgo and Starr Counties, including the waters of the Laguna Madre, but excluding the waters of the Gulf of Mexico, at any time; to take, kill or trap, or attempt to take, kill or trap any game animal in said Counties or to take or attempt to take any fish or other aquatic life or marine animals from said Counties by any means or method; providing the powers, duties and authority of the Game and Fish Commission; requiring the Game and Fish Commission to make investigations with respect to the depletion and waste of the wildlife resources of said Counties; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said Counties; defining depletion and waste; providing for the issuance of the antlerless deer permit; providing for a public hearing; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission and the effective period thereof; providing for the publication of the regulations; providing venue for suits to test the validity of this Act or of the proclamations, rules, regulations or orders of the Commission; providing for a penalty; providing for the forfeiture of licenses; defining wildlife resources; suspending certain laws; prescribing a period of time within which the Game and Fish Commission may conclude its investigations, hold its hearings, and promulgate its proclamations, rules, regulations and orders; and providing a severability clause.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 696, An Act authorizing the Board for Texas State Hospitals...
May 16, 1963

HOUSE JOURNAL

2095

and Special Schools to sell certain land located in Cherokee County, Texas, being a part of the Rusk State Hospital; prescribing the procedure, terms and conditions of sale; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 682, An Act relating to requiring the Commissioners Court of Lubbock County to supplement the salaries of the District Judges of the 99th and 140th Judicial Districts of Texas; requiring the Commissioners Courts of Lubbock and Crosby Counties to supplement the salary of the District Judge of the 72nd Judicial District of Texas; making other provisions relating thereto, providing a severability clause, and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 691, An Act amending Section 2 of Chapter 53, Acts of the Fortieth Legislature, First Called Session, 1927, as last amended, and compiled as Section 2 of Article 696a, Vernon’s Annotated Penal Code of the State of Texas; excepting refuse, garbage, rubbish or junk processed and treated in accordance with rules and standards promulgated by the State Department of Health from those provisions making it unlawful to dump, deposit, or leave refuse, garbage, rubbish or junk within three hundred (300) yards of any public highway; requiring said Department to promulgate such rules and standards; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 759, An Act amending Sections 1 and 2 of Chapter 237, Acts of the Fifty-fourth Legislature, 1955, which relates to the hunting of wild pheasants in Hidalgo County, by adding the months of February and March to the open season and changing the minimum size of tract to two hundred and fifty (250) acres; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 778, An Act amending Section 11 of Chapter 520, Acts of the Fifty-first Legislature, 1949 (compiled as Section 11 of Article 1970-110a, Vernon’s Revised Civil Statutes of Texas), to provide for the Probate Judge to act as presiding Judge for the County Judge acting in probate matters in the event of absence, disqualification or incapacity; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 972, An Act authorizing any independent school district having an assessed valuation for school tax purposes of Four Million, Two Hundred and Fifty Thousand Dollars ($4,250,000) or more but less than Six Million Dollars ($6,000,000), and lying within a county having a population of seventy-five thousand (75,000) or more but less than eighty thousand (80,000), according to the last preceding Federal Census, to levy a combined bond and maintenance tax not to exceed
Two Dollars ($2) per One Hundred Dollars ($100) valuation of taxable property located therein; providing that such tax shall not be effective until authorized by majority vote of the qualified taxpaying voters residing in such districts; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1968
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 998, An Act amending Section 1 of Chapter 177, Acts of the Thirty-sixth Legislature, Regular Session, 1926, as amended by Section 1 of Chapter 257, Acts of the Fifty-fifth Legislature, Regular Session, 1947, compiled as Section 1 of Article 923m, Vernon’s Annotated Penal Code, so as to exclude coyote (nutria) from definition as a fur-bearing animal; providing for severability; repealing conflicting laws; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1968
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 1010, An Act prohibiting the use of certain methods for taking fish in certain lakes in Wood County; providing a penalty for violations; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1968
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 1017, An Act amending Arts. of the Fifty-first Legislature, Regular Session, 1949, Chapter 147, Page 570, 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.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.
Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 1022, An Act amending Chapter 78, Acts of the Fifty-seventh Legislature, Third Called Session, 1962, by inserting a new Section 2A providing for the appointment of the Juvenile and Probation Officer of Runnels County by the Juvenile Board; describing his duties; providing for his compensation; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred


Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 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. 38, granting permission to George Rich of Houston, Harris County, Texas, to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Austin, Texas, May 15, 1963

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 161

H. B. No. 165

H. B. No. 204

H. B. No. 264

H. B. No. 318

H. B. No. 344

H. B. No. 369

H. B. No. 371

H. B. No. 385

H. B. No. 447

H. B. No. 459

H. B. No. 560

H. B. No. 662

H. B. No. 574

H. B. No. 606

H. B. No. 607

H. B. No. 630

H. B. No. 656

H. B. No. 682

H. B. No. 691

H. B. No. 759

H. B. No. 778

H. B. No. 972

H. B. No. 984

H. B. No. 998

H. B. No. 1009

H. B. No. 1010

H. B. No. 1017

H. B. No. 1022

H. B. No. 105

H. B. No. 204

H. B. No. 264

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H. B. No. 344

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H. B. No. 984

H. B. No. 998

H. B. No. 1009

H. B. No. 1010

H. B. No. 1017

H. B. No. 1022
The House met at 9:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

<table>
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<th>Member Name</th>
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Absent—Excused

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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 ask Thy blessings upon these men and women who have worked so hard for the people they represent. We ask in a special prayer, Thy continued watch care over the people of our State. Help us all, O Lord, to do what we have claimed to be, and to never be satisfied with less than the goal we have set for our lives.

“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. Niemeyer for today on motion of Mr. Dungan.

Mr. Adams for today on motion of Mr. Parton.

Mr. Richard USS for today on motion of Mr. Green.