SEVENTEENTH DAY

(Wednesday, February 8, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin       Hightower
Bates       Jordan
Bernal      Kennard
Berry       Mauzy
Blanchard   Moore
Brooks      Parkhouse
Christie    Patman
Cole        Ratliff
Connally    Reagan
Creighton   Schwartz
Grover      Strong
Hall        Wade
Hardeman    Watson
Harrington  Wilson
Hazlewood   Word
Herring

A quorum was announced present.

Brother P. D. O'Brian of Houston offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 8, 1967.

Hon. Preston Smith, President of the Senate.

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

H. B. No. 59, A bill to be entitled "An Act removing Glasscock County from the list of counties specifically exempted from the Texas law governing the sale, use, and transportation of herbicides; amending Section 17, Chapter 349, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 135b-4 Vernon's Texas Civil Statutes); and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 20

Senator Cole offered the following resolution:

S. C. R. No. 20, Commending Mrs. Peggy Ramsay for her dedicated service to her fellowman.

Whereas, A Texas lady, Mrs. Peggy Ramsay, is serving as National Commander, Ladies Auxiliary, Disabled American Veterans; and

Whereas, Her work in the Auxiliary is legendary, as she served her unit as Commander and in most all of the other unit offices, including Treasurer and Adjutant; and

Whereas, Mrs. Ramsay served as VAVS Representative and Deputy at the Houston Veteran's Hospital and has been a regularly scheduled volunteer doing companion escort service; and

Whereas, Having served her unit so faithfully and well, she then served the Department of Texas as Chairman of several of the committees and in several positions in the Region and then as Department Commander; and

Whereas, After outstanding service in the Department of Texas, she then moved to the National level and she has held the office of National Executive Committee Woman of the 14th District, as National 2nd Junior Vice Commander, National First Junior Vice Commander, and National Senior Vice Commander; and

Whereas, Her achievements are most noteworthy and she has served this organization as a tireless and compassionate volunteer; and

Whereas, Mrs. Ramsay has been a devoted wife to her husband, Joe, and a loving guidance to her 19 year old twins, Carl, a sophomore in the Cadet Corps at Texas A&M University, and Carol, a Sam Houston State College sophomore, who are fine young citizens; and

Whereas, The Senate of the State of Texas, the House of Representatives concurring, wishes to commend Mrs. Ramsay for her dedicated service to her fellowman; now, therefore, be it

Resolved, That a copy of this Resolution, bearing the official seal of the Senate, be sent her as a token of esteem and appreciation by the Texas Legislature.

The resolution was read.
On motion of Senator Cole and by unanimous consent the resolution was considered immediately and was adopted.

Reports of Standing Committees

Senator Reagan submitted the following reports:

Austin, Texas, February 8, 1967.
Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on Banking, to which was referred S. B. No. 122, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Chairman.

Austin, Texas, February 8, 1967.
Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on Banking, to which was referred S. B. No. 41, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Chairman.

Senator Watson submitted the following report:

Austin, Texas, February 8, 1967.
Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on Insurance, to which was referred S. E. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

WATSON, Chairman.

C. S. S. B. No. 19 was read the first time.

Senator Herring submitted the following reports:

Austin, Texas, February 8, 1967.
Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on Jurisprudence, to which was referred S. E. No. 45, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.
Austin, Texas, February 8, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 19, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas, February 8, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 132, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas, February 8, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 127, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 127 was read the first time.

Senator Hall submitted the following reports:

Austin, Texas, February 7, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 176, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas, February 7, 1967.
Hon. Preston Smith, President of the Senate.

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Hardeman, Word, Ratliff and Christie:

S. B. No. 183, A bill to be entitled "An Act concerning the importation of sheep; repealing Section 15s, Ch. 141, Acts, 38th Leg., R.S. 1923, (Art. 1516, Vernon's Penal Code of Texas, 1925); amending Sections 22 and 23, Ch. 63, Acts of the 40th Leg., 1st Called Session, 1927 (Art. 1525a, Vernon's Penal Code of Texas, 1925); and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Patman:

S. B. No. 184, A bill to be entitled "An Act to amend Acts of the 53rd Legislature, Regular Session, 1953, Chapter 342, codified in Vernon's as Article 7465a, Vernon's Civil Statutes, as amended, relating to the regulation of the practice of veterinary medicine; providing for an increase in the per diem compensation of Board members; providing for the revocation or suspension of licenses or refusal of a license to any individual convicted of a felony under the laws of this or any other state of the United States or of the United States; providing that on August 31st of each year, all money in excess of Forty Thousand Dollars ($40,000) remaining in the "Veterinary Fund" shall revert to the General Revenue Fund of the State Treasury; providing a severability clause; providing for the repeal of laws in conflict herewith; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senators Kennard, Schwartz, Brooks, Jordan, Mauzy, Moore, Bernal, Watson, Strong, Wilson, Bates, Herrring, Harrington, Berry, Hall, Wade, Christie and Cole:
S. B. No. 185, A bill to be entitled “An Act relating to actions by state or local government officers or employees that discriminate against persons because of the person’s race, religion, color, or national origin; and declaring an emergency.”

To the Committee on Jurisprudence.

By Senators Kennard and Creighton:

S. B. No. 186, A bill to be entitled “An Act validating all school districts, including all types of junior and regional college districts, together with the boundaries and names thereof; validating the creation, abolition, and conversion of all such school districts, and all changes in boundaries in all such school districts; validating the election of certain members to boards of trustees; validating the annexation of territory and the divestiture or separation from municipal control in all municipally controlled school districts; validating all bonds, bond taxes, maintenance taxes, and bond assumptions and the elections authorizing same, of and in all school districts, including all types of junior and regional college districts; providing this Act shall not be construed as validating any boundary change made or attempted to be made by any ex-parte order, resolution, or other 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 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.”

To the Committee on Counties, Cities and Towns.

By Senator Moore:

S. B. No. 188, A bill to be entitled “An Act relating to commodities purchased by the State Board of Control; amending Section 5, Chapter 304, Acts of the 55th Legislature, Regular Session, 1957 (Article 664-3, Vernon’s Texas Civil Statutes), to add fuel, oil, and grease used in motor vehicles transporting school children; and declaring an emergency.”

To the Committee on Counties, Cities and Towns.

By Senator Kennard:

S. B. No. 189, A bill to be entitled “An Act relating to the compensation of firemen in certain cities of this state; and declaring an emergency.”

To the Committee on Counties, Cities and Towns.

By Senator Watson:

S. B. No. 190, A bill to be entitled “An Act relating to the compensation of the official shorthand reporters for the 19th, 54th, and 74th Judicial Districts of Texas; and declaring an emergency.”

To the Committee on Counties, Cities and Towns.

By Senator Moore:

S. B. No. 191, A bill to be entitled “An Act to amend Article 4.03 of the Texas Business Corporation Act, Acts of 1955, 54th Legislature, page 239, Chapter 64, as amended, by adding a new Section C to said Article 4.03 relating to class voting on amendments so as to provide that Section B of Article 4.03 shall not apply to the holders of the outstanding shares of any class not entitled to vote on a proposed amendment by virtue of the provisions of the Articles of Incorporation if the provisions of the Articles of Incorporation applicable to such class set forth specific limitations and restrictions within which the corporation may take the action contemplated by the proposed amendment and if the action contemplated by the proposed amendment is within the limitations and
providing the Board of Regents of The University of Texas with the authority to establish, conduct and operate educational institutions under the jurisdiction of existing governing boards of state-supported colleges and universities; authorizing and directing boards of state-supported colleges and universities, until the Coordinating Board accepts the terms of this Act, except for changing the membership of the boards; providing that the respective boards shall take no action pursuant to the terms of this Act, except for the planning authorized herein and the acceptance of gifts, grants, or donations, until the Coordinating Board, Texas College and University System, shall make certain findings specified herein; providing a severability clause; and declaring an emergency.”

To the Committee on Jurisprudence.

By Senator Reagan:

S. B. No. 192, A bill to be entitled “An Act to amend Section 3 of Art. 10.02, and Section (a), Art. 10.03, Texas Insurance Code, expanding and changing the membership of the State Board of Insurance from three (3) to six (6); providing a severability clause, and declaring an emergency.”

To the Committee on Insurance.

By Senator Wilson:

S. B. No. 193, A bill to be entitled “An Act relating to adoption by a married person who is not legally an adult; amending Section 1, Chapter 177, General Laws, Acts of the 42nd Legislature, Regular Session, page 868, Chapter 491, to provide that credit for reserves for unearned premium liability and loss reserves shall be taken by ceding insurers provided that the assuming insurer qualifies by meeting certain standards; and declaring an emergency.”

To the Committee on Insurance.

By Senator Wilson:

S. B. No. 194, A bill to be entitled “An Act relating to emancipating married minor males; amending Article 4525, Revised Civil Statutes of Texas, 1925; and declaring an emergency.”

To the Committee on Jurisprudence.

By Senator Wilson:

S. B. No. 195, A bill to be entitled “An Act relating to the authority of cities and counties to issue revenue bonds for the purpose of acquiring property for industrial development purposes, and to lease such property; providing that the property is taxable; and declaring an emergency.”

To the Committee on Counties, Cities and Towns.

By Senators Blanchard, Jordan, Wade, Mauzy, Brooks, Grover, Hall, Schwartz and Cole:

S. B. No. 196, A bill to be entitled “An Act authorizing and directing the establishment of additional health related educational institutions under the jurisdiction of existing governing boards of state-supported colleges and universities; authorizing and directing the Board of Regents of The University of Texas System to establish a medical branch of The University of Texas within the City of Houston, Harris County, Texas, to be known as The University of Texas Medical School at Houston, and to transfer the Division of Continuing Education from The University of Texas Graduate School of Biomedical Sciences at Houston to The University of Texas Medical School at Houston; authorizing and directing the Board of Directors of Texas Technological College to establish a dental branch of Texas Technological College within the City of Lubbock, Lubbock County, Texas, to be known as The Texas Technological Medical School at Lubbock; authorizing and directing the Board of Regents of The University of Texas to establish a dental branch of The University of Texas within the City of Dallas, Dallas County, Texas, to be known as The University of Texas Dental School at Dallas; authorizing said boards to prescribe courses and to promulgate rules and regulations for the operation, control and management of the schools hereby authorized; authorizing the execution of affiliation or coordinating agreements and joint appointments; authorizing the acceptance of gifts, grants, and donations, including real estate, from any source in aid of the planning, establishment, conduct, and operation of the schools hereby authorized and in aid of the teaching and research conducted therein; authorizing the planning necessary for the establishment, conduct and operation of the schools hereby authorized; providing that the respective boards shall take no action pursuant to the terms of this Act, except for the planning authorized herein and the acceptance of gifts, grants, or donations, until the Coordinating Board, Texas College and University System, shall make certain findings specified herein; providing a severability clause; and declaring an emergency.”

To the Committee on State Affairs.

By Senator Grover:

S. B. No. 197, A bill to be entitled “An Act amending Section (a), Art. 10.02, and Section (a), Art. 10.03, Texas Insurance Code, expanding and changing the membership of the State Board of Insurance from three (3) to six (6); providing a severability clause, and declaring an emergency.”

To the Committee on Insurance.
By Senator Creighton:

S. J. R. No. 13, Proposing amendments to Sections 4, 22, and 23 of Article IV, Constitution of the State of Texas, so as to provide a four-year term of office for the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Treasurer, Commissioner of the General Land Office, Secretary of State, and certain statutory state officers.

To the Committee on Constitutional Amendments.

By Senators Wilson, Word, Wade and Moore:

S. J. R. No. 14, Proposing an amendment to Article III, Constitution of the State of Texas, by adding a new Section 52a to give the Legislature the power to authorize cities and counties to issue revenue bonds for industrial development purposes.

To the Committee on Constitutional Amendments.

House Bill on First Reading

The following bill received from the House was read the first time and referred to the Committee indicated:

H. B. No. 59, To the Committee on Counties, Cities and Towns.

Co-Author of Senate Bill 158

On motion of Senator Mauzy and by unanimous consent he will be shown as Co-author of S. B. No. 158.

Co-Author of Senate Bill 196

On motion of Senator Blanchard and by unanimous consent Senator Schwartz will be shown as Co-author of S. B. No. 196.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 8, 1967.

Hon. Preston Smith, President of the Senate.

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

S. B. No. 23, A bill to be entitled “An Act amending Article 8274, Revised Civil Statutes of Texas, 1925, as amended, to increase the rate of pilotage; and declaring an emergency.”

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 15—Memorial resolution for Dr. Gordon B. McFarland, Sr.

S. C. R. No. 16—Memorial resolution for Van M. Lamm.

S. C. R. No. 17—Memorial resolution for Charles K. Word, Sr.

H. C. R. No. 21—Recognizing Dr. F. L. McDonald, president of Lamar State College of Technology, for his outstanding and dedicated service.

House Bill 87 Ordered Not Printed

Senator Hall asked unanimous consent that H. B. No. 87 be ordered not printed.

There was objection.

Senator Hall then moved that H. B. No. 87 be ordered not printed.

Pending discussion by Senator Parkhouse of the motion not to print, Senator Watson raised the Point of Order that a motion not to print was not debatable.

The President sustained the Point of Order.

Question on the motion that H. B. No. 87 be ordered not printed, the motion prevailed by the following vote:

Yeas—26

Aikin
Bates
Bernal
Berry
Blanchard
Christie
Cole
Creighton
Grover
Hall
Hardeman
Harrington
Herring
Hightower
Jordan
Kennard
Mauzy
Moore
Patman
Ratliff
Reagan
Strong
Wade
Watson
Wilson
Word
Nays—3
Brooks Schwartz
Parkhouse
Absent
Connally Hazlewood

House Bill 87 on Second Reading

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading (the bill having been submitted as an emergency by the Governor.)

H. B. No. 87, A bill to be entitled "An Act making supplemental appropriations to the Water Development Board, to the Coordinating Board, Texas College and University System, and to the Attorney General's Office; repealing laws in conflict; and declaring an emergency."

The bill was read second time.

Senator Blanchard offered the following amendment to the bill:

Amend H. B. No. 87 by deleting Section 4 therefrom and renumbering succeeding Sections accordingly.

BLANCHARD
STRONG

The amendment was read.

Question—Shall the amendment by Senators Blanchard and Strong to H. B. No. 87 be adopted?

Congratulatory and Welcome Resolutions

S. R. No. 98—By Senator Reagan: Extending congratulations to Mr. and Mrs. Fred Quaille of Corpus Christi on their Golden Wedding Anniversary.


S. R. No. 100—By Senator Moore: Extending welcome to students of Colbert High School of Dayton and their teachers and sponsors.

S. R. No. 101—By Senator Connally: Extending welcome to students of Austwell-Tivoli High School of Tivoli.

Adjournment

On motion of Senator Strong the Senate at 11:40 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to the Governor
February 8, 1967
S. C. R. No. 15
S. C. R. No. 16
S. C. R. No. 17

EIGHTEENTH DAY
(Thursday, February 9, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin Hightower
Bates Jordan
Bernal Kennard
Berry Mauzy
Blanchard Moore
Brooks Parkhouse
Christie Patman
Cole Ratliff
Connally Reagan
Creighton Schwartz
Grover Strong
Hall Wade
Hardeman Watson
Harrington Wilson
Hasslewood Word
Herring

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas, February 9, 1967.
Hon. Preston Smith, President of the Senate.