toward Santa Anna's troops few words were spoken. Their minds and hearts were fixed on home, their families, their country. Reaching a point a few miles from where the supreme struggle was to be made the army halted. The weary men took shelter under the cover of a grove and slept a short time. General Houston rose at daybreak. Pickets were advanced from every direction and scouts were sent out. The scouts soon returned with the information that Santa Anna with his army was not far distant. As soon as the scouts returned with the information that Santa Anna's army had been located, fires were built preparatory to the cooking of the beeves previously dressed.

Whereas, April 21st has been set aside as a state-wide holiday and is generally observed.

Whereas, The Senate has shown a callousness and a complete disregard for the importance of this outstanding event in the history of our State and Nation, by failing to properly observe this memorable day; therefore, be it

Resolved, By the Senate of Texas, that the Senate pay proper tribute and respect to the memory of those great heroes who were responsible for our Liberty and Freedom, and that immediately upon the passage of this resolution the Senate stand adjourned until 10:30 o'clock a.m. Thursday morning in honor of the immortal heroes of San Jacinto.

The resolution was referred to the Committee on State Affairs.

Motion to Set House Bill 207 as Special Order

Senator Schwartz moved that H. B. No. 207 be set for Special Order at 11:00 o'clock a.m. on Thursday, April 6, 1967.

The motion was lost.

Record of Votes

Senators Schwartz, Patman, Wilson, Bernal, Brooks, Jordan, Kennard and Harrington asked to be recorded as voting "Yea" on the above motion.

Motion to Dispense With Consideration of House Bill 207

Senator Schwartz moved that the consideration of H. B. No. 207 be dispensed with indefinitely.

Senator Aikin raised the Point of Order that H. B. No. 207 was not before the Senate for consideration at this time.

The President sustained the Point of Order.

Welcome Resolution

S. R. No. 266—By Senator Herring:
Extending welcome to students of Highland Park School of Austin.

Adjournment

On motion of Senator Reagan the Senate at 8:08 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, March 20, 1967.

APPENDIX

Sent to Governor
March 16, 1967
S. B. No. 36
S. B. No. 64
S. B. No. 380

THIRTY-SEVENTH DAY
(Monday, March 20, 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
Bates
Bernal
Berry
Blanchard
Brooks
Christie
Cole
Connally
Creighton
Grover
Hall
Hardeman
Harrington
Hazlewood
Herring
Hightower
Jordan
Kennard
Mauzy
Moore
Parkhouse
Patman
Ratliff
Reagan
Schwartz
Strong
Wade
Watson
Wilson
Word

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 Thursday, March 16, 1967 was dispensed with and the Journal was approved.
Resolutions Signed

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

H. C. R. No. 51, Commending Southwestern Bell Telephone Company for its sense of public duty to the citizens of the State of Texas.

H. C. R. No. 55, In memory of Vincent W. Miller.

H. C. R. No. 62, Congratulating the citizens of Albany and Shackelford County on their presentation of the "Fort Griffin Fandangle."

H. C. R. No. 64, In memory of Karl Hoblitzelle.

Message From the House

Hall of the House of Representatives
Austin, Texas, March 20, 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:

H. C. R. No. 66, An invitation to the President of the United States of America, Lyndon Baines Johnson, to address a Joint Session of the 60th Legislature during its regular session.

H. B. No. 2, A bill to be entitled "An Act to provide an exemption from the limited sales, excise and use tax for casing, drill pipe, tubing, and other pipe sold, leased, or rented for use offshore outside the territorial limits of the state; amending Article 20.04, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 234, A bill to be entitled "An Act relating to the purchase of a residence for the president of Texas Technological College; and declaring an emergency."

H. B. No. 329, A bill to be entitled "An Act amending Acts 1961, 57th Legislature of the State of Texas, Regular Session, Chapter 349, by authorizing the District to issue its bonds in the denomination of $100.00 and any multiple thereof; and declaring an emergency."

H. B. No. 398, A bill to be entitled "An Act relating to the permissible tax rate in certain common school districts; amending Chapter 226, Acts of the 52nd Legislature, 1951 (Article 2802i-29, Vernon's Texas Civil Statutes), by adding a new Section 1A; and declaring an emergency."

H. B. No. 399, A bill to be entitled "An Act authorizing certain independent school districts to issue time warrants; and declaring an emergency."

H. B. No. 540, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 515, (codified as Article 8280-304, V.A.C.S.) to provide for the sale of bonds by Turkey Creek Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 541, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 521, (codified as Article 8280-309, V.A.C.S.) to provide for the sale of bonds by Timberlake Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 606, (codified as Article 8280-326, V.A.C.S.) to provide for the sale of bonds by Sequoia Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the
H. B. No. 543, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 621, (codified as Article 8280-333, V.A.C.S.) to provide for the sale of bonds by West Road Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 544, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 619 (codified as Article 8280-331, V.A.C.S.) to provide for the sale of bonds by Briarwick Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 545, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 618, (codified as Article 8280-330, V.A.C.S.) to provide for the sale of bonds by Wilcrest Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 546, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 604, (codified as Article 8280-324, V.A.C.S.) to provide for the sale of bonds by Clear Woods Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 547, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 602 (codified as Article 8280-332, V.A.C.S.) to provide for the sale of bonds by Bender Road Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 548, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 605, (codified as Article 8280-325, V.A.C.S.) to provide for the sale of bonds by Inverness Forest Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency."

H. B. No. 549, A bill to be entitled "An Act amending Section 18 of
Acts 1965, 59th Legislature, Chapter 622, (codified as Article 8280-334, V.A.C.S.) to provide for the sale of bonds by Bordersville Improvement District and the exchange of bonds for property and the minimum price of bonds at such sale or exchange and their maximum rate of interest; enacting other matters related to the aforementioned subjects; determining and finding that the requirements of Article 10, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for a severability clause; and declaring an emergency.”

H. B. No. 641, A bill to be entitled “An Act authorizing the Texas National Guard Armory Board to convey by special warranty deed to the Corps of Engineers, U. S. Army, all right, title and interests in all or any part of the lands at Camp Maxey and to accept from the Corps of Engineers conveyance of other lands to be received in exchange, and further authorizing the Texas National Guard Armory Board to buy, sell, convey and exchange any or all such lands, including mineral interests, for the purpose of joining the various tracts within a common perimeter to reduce or eliminate privately owned tracts that would require right of ingress and egress at Camp Maxey; and declaring an emergency.”

H. B. No. 700, A bill to be entitled “An Act relating to the abolition of the office of county superintendent in certain counties; and declaring an emergency.”

H. B. No. 701, A bill to be entitled “An Act relating to the annual salaries of assistants to the county school superintendent in certain counties; and declaring an emergency.”

H. B. No. 645, A bill to be entitled “An Act placing the wildlife resources of Duval County, except antlerless deer, under the regulatory authority of the Parks and Wildlife Commission; amending Sections 1 and 14, Chapter 287, Acts of the 58th Legislature, 1963; repealing local laws in conflict; and declaring an emergency.”

H. B. No. 618, A bill to be entitled “An Act providing for the appointment of a tax assessor-collector for Cameron County Fresh Water Supply District No. 1 of Port Isabel, and providing for a change in the compensation of the supervisors of the District; amending Chapter 538, Acts of the 59th Legislature, Regular Session, 1965, by adding Sections 2A and 2B; and declaring an emergency.”

H. B. No. 597, A bill to be entitled “An Act amending Section 1 of Acts of the 58th Legislature, Regular Session, 1963, Chapter 376, as amended, to include Caldwell as one of the Counties to which the Act applies; repealing conflicting laws; and declaring an emergency.”

H. B. No. 590, A bill to be entitled “An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Comal County to the list of counties regulated, repealing conflicting Acts; and declaring an emergency.”

H. B. No. 529, A bill to be entitled “An Act limiting the provisions of this Act to the County of Lampasas making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal, fur-bearing animal or fish in said County; prescribing the legislative policy with respect to the wildlife resources in said County; excluding certain sheep; conferring upon the Game and Fish Commission authority to regulate, by proclamation, order, rule or regulation, the taking of game birds, game animals, fur-bearing animals and fish of said County; requiring the Game and Fish Commission to make investigations with respect to the depletion and waste of the wildlife resources of said County; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the said wildlife resources of said County; defining depletion, waste and wildlife resources; providing for the issuance of the antlerless deer permits; providing for the adoption of proclamations, orders, rules and regulations of the Game and Fish Commission; providing for County Commissioners’ approval in such County on an order, rule or regulation adopted by the Commission; providing for the effective period of regulations; providing for the publication of the regulations; providing for the authority of the Commission;
providing a penalty for the violation of any of the provisions of this Act as well as any order, rule, or regulation of the Commission; providing for the forfeiture of licenses; making it unlawful to purchase a new license and providing a penalty therefor; requiring certain records to be kept by bailees for hire for processing and/or storage of deer; providing for repeal of all conflicting laws and for the effective date of this Act; providing a saving clause; and declaring an emergency."

H. B. No. 464, A bill to be entitled "An Act relating to the creation, administration, powers, duties, and financing of the Lynn County Hospital District comprising all of Lynn County, Texas; and declaring an emergency."

H. B. No. 432, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Fort Bend County to the list of counties regulated; and declaring an emergency."

H. B. No. 431, A bill to be entitled "An Act relating to hunting quail in Cherokee County; prescribing a penalty; repealing Chapter 586, Acts of the 47th Legislature, Regular Session, 1941; and declaring an emergency."

S. B. No. 44, A bill to be entitled "An Act constituting a local law for the maintenance of public roads and highways in Dallas County by amending Section 2 and Section 3 of Chapter 62, Acts of the Fifty-Ninth Legislature, Regular Session, to provide additional purposes for which certificates of indebtedness may be issued and to increase the amount of certificates of indebtedness which shall be issued; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 73, A bill to be entitled "An Act abolishing the McLennan County Water Control and Improvement District—Bosqueville Hills; and repealing Chapter 29, Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 8280-272, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 4, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Brazoria County to the list of counties regulated; and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act relating to hunting wild quail in Lamb County; amending Section 15, Chapter 36, Acts of the 51st Legislature, 1st Called Session, 1950 (Article 978n-1, Vernon's Texas Penal Code;) and declaring an emergency."

H. B. No. 101, A bill to be entitled "An Act providing for the creation of West Grayson Hospital District over a portion of Grayson County, Texas, prescribing a procedure for an election on the creation of the district and the levy of a tax in an amount not to exceed 75 cents on the $100 valuation for its maintenance, support, and payment of indebtedness; providing for powers of the district and its governing body and its procedures in the governing of said district; enacting other provisions incident and related to the subject and purpose; providing for severability; and declaring an emergency."

H. B. No. 160, A bill to be entitled "An Act authorizing cities of more than 10,000 inhabitants, according to the last preceding federal census, to adopt a program whereby upon consent of any municipal employee a stipulated amount will be withheld from his monthly salary or wages to be forwarded to this bona-fide employee's association in payment of membership dues; providing penalties for violation; and declaring an emergency."

H. B. No. 183, A bill to be entitled "An Act providing for the creation of a countywide hospital district in Schleicher County; providing for an election in the county to create a countywide hospital district; providing for the levy of a tax for the district for the purpose of maintaining and operating the district, paying indebtedness assumed by the district and bonds issued by the district; providing for the issuance of bonds by the district 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 refunding bonds and prescribing limitations on such power; providing bonds issued or assumed by the district shall be lawful investments and collateral for certain funds; providing for the selection of a governing body of such hospital district, their tenure of office and powers and duties in carrying out the provisions of the Act; prescribing a procedure for the adoption of a budget, the selection of a depository, and the power of eminent domain, which power is conferred upon the district; prescribing a fiscal year; prohibiting the levy of taxes by the county or a city located therein for hospital purposes and restricting the powers of the county in question where a district is established to levy taxes for the care of indigents under certain circumstances; providing for severability; and declaring an emergency.

H. B. No. 277, A bill to be entitled “An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Dallas County to the list of counties regulated; and declaring an emergency.”

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 520 on First Reading

Senator Herring moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

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

Absent
Kennard

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Herring:
S. B. No. 520, A bill to be entitled “An Act amending Section 2-316, Chapter 721, Acts of the 59th Legislature, Regular Session, 1965, providing that implied warranties shall not be applicable to a contract for the sale of human blood, blood plasma, or tissue or organs and such blood, blood plasma, or tissue or organ shall be considered medical services rather than commodities; and declaring an emergency.”

To the Committee on Jurisprudence.

Senate Bill 521 on First Reading

Senator Bernal moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

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

Absent
Kennard

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Bernal:
S. B. No. 521, A bill to be entitled “An Act to protect the blind and incapacitated pedestrians on public streets and highways; requiring vehicles to come to a full stop in cer-
tain cases; restricting the use of certain colored canes by other pedestrians; and imposing penalties. Amending Section 1, Chapter 76, Acts of the 52nd Legislature, Regular Session, 1951."

To the Committee on Jurisprudence.

Senate Bill 522 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Brooks:
S. B. No. 522, A bill to be entitled "An Act amending Article 3932 of Vernon's Annotated Civil Statutes of the State of Texas, as last amended by Chapter 20, paragraph 6, Acts 1930, 41st Legislature, 4th Called Session, relating to ex-officio services of County Clerks; providing compensation for ex-officio services of County Clerks in counties having a population of 1,200,000, or more, according to the latest federal census; repealing all laws, or parts of laws, in conflict only to the extent of conflict; providing for severability; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 523 on First Reading

Senator Brooks moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin Bates Bernal Berry Blanchard Brooks Christie Cole Connally Creighton Grover Hall Hardeman Harrington Hazlewood Herring


The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Brooks:

S. B. No. 523, A bill to be entitled "An Act amending Article 3266 Sec. 3 of the Revised Civil Statutes of Texas of 1925 for the addition of a paragraph (a) to give county courts at law and district courts trying condemnation cases to set a fee for the special commissioners who act as arbitrators in such cases in an amount of not less than $10.00 to be charged as costs of the court in such cases. Providing for an effective date, and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 524 on First Reading

Senator Hall moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin Bates Bernal Berry Blanchard Brooks Christie Cole Connally Creighton Grover Hall Hardeman Harrington Hazlewood Herring


The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hall:

S. B. No. 524, A bill to be entitled "An Act relating to automobile mileage expenses for county auditors; amending Title 34, Revised Civil Statutes of Texas, 1925, by adding a new Article 1650a; and declaring an emergency."

To the Committee on Counties, Cities and Towns.
House Bills and Resolutions
on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. J. R. No. 17, to Committee on Constitutional Amendments.

H. B. No. 91, to Committee on Jurisprudence.

H. B. No. 188, to Committee on Counties, Cities and Towns.

H. B. No. 287, to Committee on Jurisprudence.

H. B. No. 278, to Committee on Jurisprudence.

H. B. No. 37, to Committee on State Affairs.

H. B. No. 689, to Committee on Game and Fish.

H. C. R. No. 16, to Committee on State Affairs.

Senate Resolution 271

Senator Hardeman offered the following resolution:

Whereas, Our sister Commonwealth of Nebraska, known as the “Cornhusker State,” by legislative enactment in 1945, and formerly known as the “Tree Planter State,” by legislative Act of 1895, is observing its centennial of statehood; and

Whereas, This great undulating plain, situated near the center of the United States, consists of four regions: the loess, the sandhills, the high plains and the Bad Lands. The Platte, its dominant river extending across the entire state, made Nebraska the chief highway across the continent from earliest times; and

Whereas, During two and a half centuries before 1803, when the Louisiana Territory, of which Nebraska was a part, was acquired by the United States, Spanish and French explorers and French fur traders occasionally entered the area which is now Nebraska. While Francisco Vasquez de Coronado, the first white man to penetrate the northern plains, probably did not reach Nebraska in his fruitless search for the mythical Kingdom of Quivira in 1541, nevertheless, the legend of Coronado has been incorporated into the literature and pageantry of the state; and

Whereas, In 1714 de Bourgmont, a French adventurer, ascended the Missouri River to the mouth of the Platte, referring to it as the Nebraska, or flat water. Some six years later, in 1720, Colonel Pedro de Villasur led a Spanish expedition into the area which was massacred by the Pawnee Indians along the Platte. Following the close of the French and Indian War and the Peace of Paris in 1763, French fur traders ascended the Missouri to trade with the Indians and erected a small, temporary fort in 1795; and

Whereas, Following the Louisiana Purchase in 1803, a period of exploration was initiated by Lewis and Clark (1804-1806) which continued through 1857, and included expeditions led by such daring and renowned explorers as Lieutenant Zebulon Pike, Major Stephen H. Long, Colonel Henry Dodge, Lieutenant John C. Fremont, and Lieutenant G. H. Warren. Reports from these explorers publicized important facts and features of the region. Also, two fur traders—Manuel Lisa and William H. Ashley—pioneered travel on the Missouri River and through the Platte Valley to the Rocky Mountains. With increasing fur trade and settlement, forts were established, beginning with Fort Atkinson (1819-1827), a military post on the present site of Fort Calhoun, which became the site of the earliest organized white activity in the area. Bellevue, established in 1823 and the oldest permanent settlement, was important to the fur trade. It served as a missionary center and in the administration of Indian Affairs; and

Whereas, Fort Kearney was established in 1846, where Nebraska City now stands. In 1848, it was relocated on the Platte, near the present City of Kearney, to protect Oregon homeseekers over the Oregon Trail and the Mormons, led by Brigham Young, en route to the Valley of the Great Salt Lake. Gold seekers bound for California and Colorado added to the heavy traffic on the trail; and

Whereas, After treaties (1853-1854) with the various Indian tribes emphasized the importance of the area, a movement was begun for the organization of the Nebraska Territory which resulted in the introduction of a number of bills in the Congress. The final Kansas-Nebraska bill
in 1852, creating two territories, became the focal point of an intense struggle involving the extension of slavery, the removal of Indians, and rival routes for the proposed Pacific railway. On May 30, 1854, President Pierce signed the bill which provided that the territories should be slave or free as voted by the citizens of each, thus reversing the policy concerning the extension of slavery which had been established for the Louisiana Territory by the Missouri Compact of 1820. The enactment of the Kansas-Nebraska Bill in Congress engaged the attention of General Sam Houston, then a United States Senator from Texas, thereby providing a link between these great Commonweal-ths of the Union. The controversy over the Kansas-Nebraska Bill raged and led to the formation of the Republican Party, split the Democratic Party, and influenced events leading to the War Between the States; and

Whereas, With the organization of the territory, settlement increased and transportation was aided by the passage of the Union Pacific Railroad Act of 1862 and the Free Homestead Act of January 1, 1863. Although imminent, statehood was delayed until March 1, 1867, when Nebraska was proclaimed the 37th State of the Federal Union; and

Whereas, During its Century of Statehood, Nebraska has pioneered and flourished as a leader in agricultural and livestock production, and the State of Texas looks with pride on the progress and success of this younger sister with whom there are so many common interests; now, therefore, be it

Resolved by the Senate of the State of Texas, That it hereby recognizes the illustrious history and progress of the State of Nebraska and that this Resolution stand in salute to the Cornhusker State and her pridelful heritage as she celebrates this 100th anniversary of statehood; and, be it further

Resolved, That this Resolution be placed in the Journal of the Senate and that official copies, under the Seal of the Senate of Texas, be forwarded by the Secretary of the Senate to the Governor of the State of Nebraska, the Nebraska State Library, the United States Senators from Nebraska, and to the Presiding Officer of the Legislature of Nebraska.

The resolution was read and was adopted.

Senate Resolution 273

Senator Blanchard offered the following resolution:

Whereas, It is important to the effective transaction of the business of the Texas Senate that decorum exist at all times; and

Whereas, The members of the Texas Senate desire to work effectively and to reflect dignity not only to themselves but to the public; and

Whereas, The Members of the Senate, members of the press and the general public in the gallery have difficulty in hearing the business being transacted on the floor of the Senate; and

Whereas, Rule 99 of the Senate Rules sets forth persons who are entitled to the privileges of the floor; and

Whereas, It would greatly facilitate the business of the Senate and be of material benefit to all members of the Senate if such rule were strictly adhered to; now, therefore, be it

Resolved by the Senate, That all Members take due notice of said rule; and, be it further

Resolved, That the President of the Senate be requested to cooperate with the members of the Senate by sustaining a point of order and requesting the departure of any person not entitled to the privileges of the floor.

The resolution was read and was adopted.

Report of Standing Committee

Senator Hightower by unanimous consent submitted the following report:

Austin, Texas,
March 20, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to which was referred H. B. No. 65, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER, Chairman.
Senate Resolution 279

Senator Patman offered the following resolution:

Whereas, The costs of Texas State Government have risen constantly in recent years to such an extent that an undue burden is being placed upon the people of Texas to provide revenue to defray such costs; and

Whereas, From time to time and in various ways information comes to the attention of the Legislature which indicates clearly that through reasonable economies and the institution of improved management patterns many State departments, agencies and institutions can reduce their costs of operation without impairing their services rendered to the people of the State of Texas; and

Whereas, The Texas Senate has often in the past taken the lead in attempting to identify areas of waste and inefficiency wherever existing in Texas State Government and in eliminating the same; now, therefore,

be it

Resolved by the Senate of the State of Texas, That the following be accomplished:

Section 1. The Committee on Economy in State Government is hereby created, consisting of five (5) members to be appointed by the President of the Senate, three (3) of which shall be Members of the Senate and two (2) shall be members of the public. The terms of all members shall commence with their appointment and shall terminate on the convening of the next Regular Session of the Legislature following adoption of this Resolution. Vacancies occurring after appointment from any cause may be filled by the appointing officer.

When the membership of the Committee is complete, the acting chairman, who shall be that Senator ranking highest in seniority, shall call a meeting at which the members shall by a majority vote elect one of the Senator members as chairman and shall also by majority vote elect from the general membership a vice-chairman and a secretary. A majority of the Committee's membership is a quorum for the transaction of official business.

Sec. 2. The Committee shall be charged with the responsibility of determining any and all ways and means of eliminating unessential expenditures in Texas State Government operations; developing management procedures and patterns in the various State departments, agencies and institutions whereby State services authorized by law may be more economically and efficiently rendered to the people of this State; and reporting on these and other matters contributing to the general objectives of this Resolution to the Senate at such times and in such manner as it may deem desirable; and all State departments, agencies and institutions are hereby authorized and directed to cooperate fully and completely with the Committee in making the study and preparation of any reports.

Sec. 3. The Committee shall have the power to employ counsel and any other stenographic, clerical and professional assistance, and to defray the cost of telephone, telegraph, and supplies, upon approval in advance by the Senate Contingent Expense Committee, as needed in its work.

Sec. 4. The members of the Committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Act from the contingent expense fund of the Senate, and other necessary expenses of operation of the Committee, upon approval in advance by the Senate Contingent Expense Committee, shall also be paid from the contingent expense fund of the Senate.

Signed—Patman, Jordan, Harrington, Wilson, Kennard, Bernal.

The resolution was read and was adopted.

Record of Votes

Senators Parkhouse and Kennard asked to be recorded as voting "Nay" on the adoption of the above resolution.

Senate Bill 79 with House Amendments

Senator Watson called S. B. No. 79 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment 1

Amend Senate Bill No. 79 by striking all below the enacting clause and substituting the following:
Section 1. This Act applies to each independent school district, created under general or special law, having 500 or more scholastics according to the last preceding scholastic census,

(1) if the largest portion of the area of the school district is inside the boundaries of a county having a population of more than 150,000 and less than 151,000, according to the last preceding federal census; and

(2) if the district has, until the effective date of this Act, elected four trustees for two-year terms in even-numbered years, and elected three trustees for two-year terms in odd-numbered years.

Sec. 2. (a) The board of trustees of the independent school district may, by appropriate action, order that the candidates for trustee be voted upon and elected separately for positions on the board of trustees, and all candidates shall be designated on the official ballots according to the number of the position to which they seek election. The board shall hold an election each year to elect trustees for either two or three of the positions, as the case may be, as provided by Section 3 of this Act.

(b) If the order under Subsection (a) of this section is made during the 35-day period preceding the date of the next election of trustees, then the deadline for filing applications of candidates is extended through the 10th day after the date of the order, unless the 10th day follows the last permissible date for ordering the election, in which case the deadline for filing is extended only through the second day after the date the order under Subsection (a) of this section is made. If the order under Subsection (a) of this section is made after any person has filed an application as a candidate for trustee in a forthcoming election, the candidate may either file a new application with the secretary of the board of trustees of the school district, in which case the application must designate the position for which the applicant seeks election, or he may amend his previously filed application by designating the position for which he seeks election.

(c) Once a board of trustees has adopted the foregoing procedure for elections, the board or its successors may not rescind the action which adopted the foregoing procedure.

Sec. 3. (a) At the first odd-year election immediately following the date of the order made under Section 2(a) of this Act, positions 1, 2, and 3 shall be filled by election for two-year terms. Upon the expiration of the two-year term the positions are filled by election for three-year terms, and there shall be an election each third year to fill these positions.

(b) At the first even-year election following the election under Subsection (a) of this section, positions 4, 5, 6, and 7 shall be filled by election. At the first board meeting after the certificates of election are issued, the persons elected to these positions shall determine by drawing lots which two of them shall serve terms of two years and which two shall serve terms of three years. Thereafter, upon the expiration of the terms for these positions, the positions are filled by election for three-year terms.

Sec. 4. If a position is vacated before the term expires, the remaining trustees shall, by majority vote, select a person to serve in that position. A person so selected serves the unexpired term and the position is then filled by election.

Sec. 5. The importance of this legislation and the crowded condition of the calendars in both houses create 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 its passage, and it is so enacted.

Committee Amendment 2

Unanimous consent granted to amend caption of S. B. No. 79 to conform to body of bill.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 19 with House Amendment

Senator Watson called S. B. No. 19 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:
Committee Amendment 1

Amend Senate Bill 19 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 2, Chapter 397, Acts of the 54th Legislature, 1955, as amended by Chapter 154, Acts of the 59th Legislature, 1965 (Article 3.70-2, Vernon’s Texas Insurance Code), is amended by adding Subsection B to read as follows:

B. No policy of accident and sickness insurance shall make benefits contingent upon treatment or examination by a particular practitioner or by particular practitioners of the healing arts hereinafter designated unless such policy contains a provision designating the practitioner or practitioners who will be recognized by the insurer and those who will not be recognized by the insurer. Such provision may be located in the “Exceptions” or “Exceptions and Reductions” provisions, or elsewhere in the policy, or by endorsement attached to the policy, at the insurer’s option. In designating the practitioners who will and will not be recognized, such provision shall use the following terms: Doctor of Medicine, Doctor of Osteopathy, Doctor of Dentistry, Doctor of Chiropractic, Doctor of Optometry, Doctor of Podiatry. For the purposes of this act, such designations shall have the following meanings:

Doctor of Medicine: One licensed by the Texas State Board of Medical Examiners on the basis of the degree “Doctor of Medicine”;

Doctor of Osteopathy: One licensed by the Texas State Board of Medical Examiners on the basis of the degree of “Doctor of Osteopathy”;

Doctor of Dentistry: One licensed by the State Board of Dental Examiners;

Doctor of Chiropractic: One licensed by the Texas Board of Chiropractic Examiners;

Doctor of Optometry: One licensed by the Texas State Board of Examiners in Optometry; and

Doctor of Podiatry: One licensed by the State Board of Chiropody Examiners."

"Section 2. Section 8, Chapter 397, Acts of the 54th Legislature, 1955 (Article 3.70-8, Vernon’s Texas Insurance Code), is amended to read as follows:


“Nothing in this Act shall apply to or affect (1) any policy of workmen’s compensation insurance or any policy of liability insurance with or without supplementary expense coverage therein; or (2) any policy or contract of reinsurance; or (3) any blanket or group policy of insurance except as provided in Section 2, Subsection B; or (4) life insurance, endowment or annuity contracts, or contracts supplemental thereto which contain only such provisions relating to accident and sickness insurance as (a) provide additional benefits in case of death or dismemberment or loss of sight by accident, or as (b) operate to safeguard such contracts against lapse, or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally and permanently disabled, as defined by the contract or supplemental contract, or (5) any policy written under the provisions of Senate Bill No. 208, Acts 51st Legislature, 1949.”

“Section 3. This Act shall take effect January 1, 1968, and shall apply to all accident and sickness policies issued and delivered in the State of Texas or issued for delivery in the State of Texas after such date, but shall not apply to any policies issued and delivered in the State of Texas or issued for delivery in the State of Texas prior to such date. With respect to any policy forms approved by the State Board of Insurance prior to the effective date hereof, an insurer is authorized to achieve compliance with this Act by the use of endorsements or riders, provided such endorsements or riders are approved by the State Board of Insurance as being in compliance with this Act.”

“Section 4. All laws, or parts of laws, in conflict with the provisions of this Act are hereby repealed to the extent of the conflict only.”

“Section 5. If any Section, paragraph or provision of this Act be declared unconstitutional or invalid for any reason, such holding shall not in any manner affect the remaining Sections, paragraphs or provisions of this Act, but the same shall remain in full force and effect.”

“Section 6. The importance of this legislation and the crowded condition of the calendars in both houses create
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 shall take effect and be in force from and after its passage, and it is so enacted."

Senator Watson moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 34 Laid on Table

On motion of Senator Hardeman, and by unanimous consent, S. B. No. 34 was Laid on the Table.

Senate Joint Resolution 5 on Second Reading

The President laid before the Senate as Unfinished Business S. J. R. No. 5 on its second reading with an amendment by Senator Hardeman pending (the resolution having been read the second time on Monday, March 13, 1967).

Question—Shall the amendment by Senator Hardeman to S. J. R. No. 5 be adopted?

Senator Moore moved to table the amendment by Senator Hardeman.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table prevailed by the following vote:

Yeas—22

Aikin
Berry
Brooks
Christie
Cole
Grover
Hall
Harrington
Hazlewood
Herring

Nays—9

Bates
Bernal
Blanchard
Connally
Creighton
Hardeman

Senator Kennard offered the following amendment to the resolution:

Amend S. J. R. No. 5 by adding the following words after the word "sex" wherever it appears in the resolution:

"race, color, creed, or national origin."

The amendment was read.

Senator Moore raised the Point of Order that the amendment was not germane to the resolution.

The President over-ruled the Point of Order.

Senator Moore then moved to table the amendment by Senator Kennard.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table the amendment was lost by the following vote:

Yeas—14

Aikin
Berry
Brooks
Christie
Creighton
Grover
Hall
Harrington
Herring
Hightower
Jordan
Kennard
Moore
Reagan
Schwartz

Nays—17

Bates
Bernal
Blanchard
Connally
Creighton
Hardeman
Harrington
Jordan
Kennard
Mauzy
Moore
Parkhouse
Patman
Ratliff
Schwartz
Strong
Wade
Word

Question recurring on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment was adopted by the following vote:

Yeas—26

Bates
Bernal
Blanchard
Christie
Creighton
Hardeman
Harrington
Hazlewood
Herring

Nays—9

Bates
Blanchard
Connally
Creighton
Hardeman

Mauzy
Ratliff
Wade
Word

Herring
Kennard
Moore
Parkhouse
Patman
Ratliff
Schwartz
Strong
Wade
Word
Schwartz                Watson
Strong                  Wilson
Wade                    Word

Nays—5

Aikin                    Connally
Brooks                  Hall
Cole

The resolution as amended was passed to engrossment.

Senate Joint Resolution 5 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

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

Nays—2

Connally                Creighton

The President then laid the resolution before the Senate on its third reading and final passage.

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

Yeas—29

Aikin                    Harrington
Bates                    Hazelwood
Bernal                   Herring
Berry                    Hightower
Blanchard               Jordan
Brooks                   Kennard
Christie                Mauzy
Cole                     Moore
Grover                   Parkhouse
Hall                     Patman
Hardeman                Ratliff

Reagan                   Watson
Strong                   Word
Wade

Nays—2

Connally                Creighton

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 20, 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. 127, A bill to be entitled “An Act amending Sec. 9, Chap. 18 p. 444, Acts of the 44th Legislature, Regular Session, 1935 (Art. 4413 (9), Vernon’s Civil Statutes), affecting the appointment, promotion, and discharges of officers and employees of the Department of Public Safety so as to eliminate from the law the requirement of Texas residence at the time of application for employment; and declaring an emergency.”

H. B. No. 95, A bill to be entitled “An Act changing the name of the Criminal District Court of Tarrant County; changing the term of the Criminal District Court No. 3 of Tarrant County; authorizing exchange of benches among all District and Criminal District Judges in Tarrant County; providing for the alternate return of indictments to the Criminal District Courts of Tarrant County; amending Subsections B and F, Sections 101, Chapter 442, Acts of the 59th Legislature, Regular Session, 1965 (Article 52-87b, Vernon’s Texas Code of Criminal Procedure); and declaring an emergency.”

S. C. R. No. 41, Congratulating University of Texas students who appeared on the General Electric College Bowl.

S. C. R. No. 42, In memory of Mrs. Maudie Moore.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Memorial Resolutions

S. R. No. 267—By Senator Watson:
Memorial resolution for John Gauer.
S. R. No. 268—By Senator Watson: Memorial resolution for Grover C. Meredith.

S. R. No. 269—By Senator Watson: Memorial resolution for Gust Lehrmann.

S. R. No. 270—By Senator Watson: Memorial resolution for Mrs. Katie Tiner.

S. R. No. 274—By Senator Herring: Memorial resolution for Sister Mary Rose Matthews.

Welcome and Congratulatory Resolutions

S. R. No. 272—By Senator Blanchard: Extending congratulations to Miss Nancy Rae Parker and Ricky Dan Haley.

S. R. No. 275—By Senator Herring: Extending welcome to Marie Burton, Charity Ray and Mildred Mohle of Lockhart.

S. R. No. 276—By Senators Bernal and Bernal: Commending students and principal of Marshall High School of San Antonio for interest in government.


S. R. No. 278—By Senator Brooks: Extending congratulations to Pasadena Chapter of American Legion Post 521.

S. R. No. 280—By Senator Herring: Extending welcome to Third Grade Class of Metz Elementary School of Austin.

Adjournment

On motion of Senator Hardeman the Senate at 11:45 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

THIRTY-EIGHTH DAY
(Tuesday March 21, 1967)

The Senate met at 11:00 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
Hazelwood Word
Herring

A quorum was announced present.

The 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.

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. 41, Congratulating University of Texas students who appeared on the General Electric College Bowl.

S. C. R. No. 42, Memorial resolution for Mrs. Maudie Moore.

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 21, 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:


H. B. No. 82, A bill to be entitled "An Act amending Article 875, Penal Code of Texas, 1925, as amended, so as to exclude pelicans from the unprotected bird list; and declaring an emergency."

H. C. R. No. 68, In memory of Neil A. Addington.