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
Bates
Bernal
Berry
Blanchard
Brooks
Christie
Cole
Connally
Creighton
Grover
Hall
Hardeman
Harrington
Hazelwood
Hassell
Herrin
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.
H. B. No. 254, A bill to be entitled "An Act providing for an offense for certain persons to record or wilfully overhear by means of instruments telephone or telegraph communications without permission, or to obtain or divulge such communications; providing a penalty in certain instances for the use or possession of instruments commonly used for eavesdropping; providing for Ex-Parte orders to obtain such communications; providing penalties for violation of this act; providing a severability clause; and declaring an emergency."

H. B. No. 136, A bill to be entitled "An Act amending Article 7590, Revised Civil Statutes of Texas, 1925, to provide that appeals from decisions of the Texas Water Rights Commission concerning applications for permits to divert water from one watershed to another conform to the appeal provisions contained in Section 12, Article 7477, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

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

Senate Bill 468 Re-referred
On motion of Senator Moore and by unanimous consent S. B. No. 468 was withdrawn from the Committee on Legislative, Congressional and Judicial Districts and re-referred to the Committee on Counties, Cities and Towns.

Reports of Standing Committees
Senator Watson submitted the following reports:

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on Insurance, to which was referred S. B. No. 192, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

WATSON, Chairman.

Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on State Affairs, to which was referred S. B. No. 502, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on State Affairs, to which was referred S. B. No. 268, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on State Affairs, to which was referred S. B. No. 382, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on State Affairs, to which was referred S. B. No. 475, 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.

HARDEMAN, Chairman.
Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 491, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 492, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 340, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 409, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 459, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 415, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 360, 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.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the
Senate.
Sir: We, your Committee on State
Affairs, to which was referred H. B.
No. 193, 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.

HARDEMAN, Chairman.
No. 341, 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.

HARDEMAN, Chairman.

Senator Kennard submitted the following reports:

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred S. B. No. 275, 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.

KENNARD, Chairman.

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred S. B. No. 438, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

KENNARD, Chairman.

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred S. B. No. 437, 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.

KENNARD, Chairman.

C. S. S. B. No. 437 was read the first time.

Senator Hall submitted the following reports:

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 112, 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.

HALL, Chairman

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. J. R. No. 17, 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.

MOORE, Chairman.

Austin, Texas,
March 21, 1967.

Senator Moore submitted the following reports:

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 33, 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.

MOORE, Chairman.

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred H. J. R. No. 17, 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.

MOORE, Chairman.

Senate Bill 525 on First Reading

Senator Hardeman 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  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

By Senator Brooks:
S. B. No. 526, A bill to be entitled "An Act amending Art. 3267 of the Revised Civil Statutes of 1925 of Texas by adding thereto paragraph (a) which provides for the payment of attorneys' fees, appraisers' fees and expenses by a condemnor who dismisses a condemnation case after proceeding to trial with a condemnation case to the point of a verdict of the court or jury and attempts to dismiss prior to entry of judgment on the verdict, providing for an effective date, and declaring an emergency."

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

To the Committee on Jurisprudence.

Senate Bill 527 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—31

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

By Senator Herring:
S. B. No. 527, A bill to be entitled "An Act amending Article 14.19 of Chapter 14, Title 122A, "Taxation-General", Revised Civil Statutes of Texas (1925), as amended, by adding a new Subdivision (C) thereto which provides that the inheritance tax lien shall not attach to stock in a corporation incorporated and existing under the laws of the State of Texas that is owned by a non-resident decedent or his estate, and that such stock may be transferred without obtaining an
authorization for transfer and release of lien from the Comptroller of Public Accounts; and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 528 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:

Yea—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 Herring:

S. B. No. 528, A bill to be entitled "An Act amending Article 14.015 of Chapter 14, Title 122A, "Taxation-General", Revised Civil Statutes of Texas (1925), as amended, by adding a new Subsection (4) which exempts from the Texas Inheritance Tax the value of an annuity or other payment received by a named beneficiary which qualifies for exemption from the Federal Estate Tax under Subsection (c) of Section 2039 of the Internal Revenue Code of 1954, as now or hereafter amended; and declaring an emergency."

To the Committee on State Affairs.

House Bills on First Reading

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

H. B. No. 2, to Committee on State Affairs.

H. B. No. 4, to Committee on Game and Fish.

H. B. No. 50, to Committee on Game and Fish.

H. B. No. 95, to Committee on Counties, Cities and Towns.

H. B. No. 101, to Committee on Counties, Cities and Towns.

H. B. No. 160, to Committee on State Affairs.

H. B. No. 183, to Committee on Counties, Cities and Towns.

H. B. No. 234, to Committee on State Departments and Institutions.

H. B. No. 277, to Committee on Game and Fish.

H. B. No. 329, to Committee on Water and Conservation.

H. B. No. 398, to Committee on Education.

H. B. No. 399, to Committee on Education.

H. B. No. 431, to Committee on Game and Fish.

H. B. No. 432, to Committee on Game and Fish.

H. B. No. 464, to Committee on Counties, Cities and Towns.

H. B. No. 529, to Committee on Game and Fish.

H. B. No. 540, to Committee on Water and Conservation.

H. B. No. 541, to Committee on Water and Conservation.

H. B. No. 542, to Committee on Water and Conservation.

H. B. No. 543, to Committee on Water and Conservation.

H. B. No. 544, to Committee on Water and Conservation.

H. B. No. 545, to Committee on Water and Conservation.

H. B. No. 546, to Committee on Water and Conservation.

H. B. No. 547, to Committee on Water and Conservation.
H. B. No. 548, to Committee on Water and Conservation.

H. B. No. 549, to Committee on Water and Conservation.

H. B. No. 590, to Committee on Game and Fish.

H. B. No. 597, to Committee on Game and Fish.

H. B. No. 618, to Committee on Water and Conservation.

H. B. No. 641, to Committee on State Affairs.

H. B. No. 645, to Committee on Game and Fish.

H. B. No. 700, to Committee on Counties, Cities and Towns.

H. B. No. 701, to Committee on Counties, Cities and Towns.

H. B. No. 82, to Committee on Game and Fish.

H. B. No. 136, to Committee on Water and Conservation.

H. B. No. 254, to Committee on Jurisprudence.

House Concurrent Resolution 66 on Second Reading

The President laid before the Senate the following resolution:

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

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

House Concurrent Resolution 68 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 68, Memorial resolution for Neil A. Addington.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

House Concurrent Resolution 67 on Second Reading

The President laid before the Senate the following resolution:


The resolution was read.

On motion of Senator Aikin and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 44

Senator Herring offered the following resolution:

S. C. R. No. 44, Providing for half-day holiday on Good Friday for State employees.

Whereas, Friday, the twenty-fourth of March, 1967, is Good Friday, a Holy Day for Christians of all denominations; and

Whereas, Religious services are being held in churches throughout the State in observance of this day; and

Whereas, It is proper and desirable that State employees be afforded the opportunity of participating in the religious services of their faith on this occasion; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That all State departments and institutions be closed for a half-day, emergency services excepted, beginning at twelve o’clock noon, on Friday, March 24, 1967.

HERRING

SCHWARTZ

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 290

Senator Brooks offered the following resolution:

Whereas, On Friday, March 17, 1967, at 5:30 p.m., Theresa Fregia, daughter of Mr. and Mrs. Grady Davis of Votaw, in Hardin County, became trapped in an abandoned well casing; and
Whereas, The rapid dispatch of drilling equipment by Mr. Leland Lawson, Vice-President of Lane Texas Company, made possible the drilling of an emergency rescue shaft in time to save the child from possible drowning; and
Whereas, The accuracy and precision with which the shaft was drilled by Mr. Bill Faught and Mr. Gordon Kinder materially assisted the rescue; and
Whereas, Mr. Ransome S. Bill, Jr., head of the Mercy Corps, a veteran of World War II, in descending into a 42-inch casing parallel to the abandoned well shaft in which Theresa Fregia was trapped, showed personal heroism of the highest order; and
Whereas, All those who gave unreservedly of their time and effort have earned our gratitude; now, therefore be it
Resolved, That the Senate of the State of Texas, by this Resolution, extend its heartfelt thanks and congratulations to all those who worked to save Theresa Fregia; and be it further
Resolved, That copies of this Resolution be prepared under the Seal of the Senate and forwarded to Leland Lawson, Bill Faught, Gordon Kinder, and Ransome S. Bill, Jr.

The resolution was read and was adopted.

Notice of Local and Uncontested Bills Calendar Session

On motion of Senator Hall and by unanimous consent the Senate agreed to hold a session at 9:00 o'clock a.m. on March 30, 1967, for the purpose of considering a Local and Uncontested Bills Calendar.

Senate Bill 454 Re-referred

On motion of Senator Bernal and by unanimous consent S. B. No. 454 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Jurisprudence.

Recess

On motion of Senator Wilson the Senate at 11:47 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Senate Bill 50 on Second Reading

On motion of Senator Berry 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 engrossment:

S. B. No. 50, A bill to be entitled "An Act relating to the exemption from taxation of certain non-profit corporations formed to prevent cruelty to animals and to promote humane treatment of animals; amending Subdivision 7, Article 7150, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 50 on Third Reading

Senator Berry moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Absent

| Jordan      |       |
| Kennard     |       |
| Moore       |       |
| Parkhouse   |       |
| Watson      |       |

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

The bill was read third time and was passed.
Record of Vote

Senator Grover asked to be recorded as voting "Nay" on the final passage of S. B. No. 50.

Committee Substitute for Senate Bill 28 on Second Reading

On motion of Senator Wade 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 engrossment:

C. S. S. B. No. 28, A bill to be entitled "An Act authorizing the Central Education Agency to establish a special program for pre-school children who have language and learning disorders and providing for the method of financing the program; and declaring an emergency."

The bill was read second time.

Senator Wade offered the following amendment to the bill:

Amend C. S. S. B. No. 28 by striking out all of Section 1 and substituting in lieu thereof the following Section 1 to read as follows:

Section 1. a. A special program for pre-school children who have language disorders sufficiently severe to prevent adequate progress in speech development shall be developed by the Central Education Agency under policies and regulations established by the State Board of Education. The purpose of the program shall be to prepare such children for entry into the first grade of the Texas public schools with a command of some form of communication with others.

b. Provided, however, that the State-wide total of all classroom teacher units allocated for such pre-school children who have language disorders, for the scholastic year 1967-68, shall be limited to six (6) classroom teacher units and for the scholastic year 1968-69, shall be limited to twelve (12) classroom teacher units. It is the intention of the Legislature that these six and twelve classroom teacher units for the respective years be allocated as a pilot study only, to ascertain the most practical and effective means of educating pre-school children who have such language disorders.

The amendment was read and was adopted.

Senator Blanchard offered the following amendment to the bill:

Amend C. S. S. B. No. 28 by adding a new sentence after the word purposes on line 47, Section 3 to read as follows, to-wit:

"This program shall automatically terminate at the expiration of two years from the date of its inception."

The amendment was read and was adopted.

On motion of Senator Wade and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Committee Substitute for Senate Bill 28 on Third Reading

Senator Wade moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30
Aikin
Bates
Bernal
Berry
Blanchard
Brooks
Christie
Cole
Connally
Creighton
Grover
Hall
Hardeman
Harrington
Hazlewood
Watson
Yeas—30
Herring
Hightower
Jordan
Kennard
Mauzy
Moore
Parkhouse
Patman
Ratliff
Reagan
Schwartz
Strong
Wade
Wilson
Word
Absent
Watson

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

The bill was read third time and was passed.
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:

S. C. R. No. 43, In memory of Neil A. Addington.

H. B. No. 814, Creating the commission on Organization of the Executive Branch of the Government and providing for its powers, duties, and procedures; and creating an emergency.

H. B. No. 584, Amending Paragraph (b), Subsection 5 of Section 10, of Chapter 470, Acts of the Regular Session, 45th Legislature, 1937, as amended by Chapter 530, Acts Regular Session, 54th Legislature, 1955, and further amended (codified as Subsection 5(b), Section 10, Article 2922-1, Vernon's Civil Statutes of Texas); to provide for the payment of a Five Dollar ($5.00) annual membership fee by each member of the Teacher Retirement System; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(Senator Reagan in Chair.)

Committee Substitute
Senate Bill 29 on Second Reading

On motion of Senator Wade 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 engrossment:

C. S. S. B. No. 29, A bill to be entitled "An Act amending Paragraph a, Subsection (4), Section 1, Article III, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 2922-13, Vernon’s Texas Civil Statutes), by re-defining the term “exceptional children” to include language and learning handicapped children; defining “language and learning handicapped children”; and declaring an emergency."

The bill was read second time.

Senator Blanchard offered the following amendment to the bill:

Amend C. S. S. B. No. 29 by adding a sentence after the word children at the end of Section 1 to read as follows, to-wit:

“This program shall automatically terminate at the end of 2 years from its inception.”

The amendment was read and was adopted.

On motion of Senator Wade and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

(President in the Chair.)

Committee Substitute
Senate Bill 29 on Third Reading

Senator Wade moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

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

Nays—1

Hardeman

Absent

Watson

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

The bill was read third time and was passed.
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. 584, to Committee on Education.

Senate Joint Resolution 14 on Second Reading

Senator Wilson asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 14 for consideration at this time.

There was objection.

Senator Wilson then moved to suspend the regular order of business and take up S. J. R. No. 14 for consideration at this time.

The motion prevailed by the following vote:

Yea—23
Bates
Bernal
Berry
Blanchard
Brooks
Christie
Cole
Connally
Creighton
Hardeman
Harrington
Hazlewood

Nay—7
Aikin
Grover
Hall
Herring
Watson

The President laid before the Senate on its second reading and passage to engrossment:

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.

The resolution was read the second time.

Senator Strong offered the following amendment to the resolution:

Amend S. J. R. No. 14 by adding the following sentence immediately after the first sentence in Sec. 52a:

"The tax revenue, the utility revenue, and the revenue from services of any county, city or town may not be used to pay any bonds issued pursuant to this authority nor the interest thereon."

STRONG
BLANCHARD

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the resolution:

Amend S. J. R. No. 14 by striking Section 1 and substituting in lieu thereof the following:

"Section 1. That Article III, Constitution of the State of Texas, be amended by adding a new Section 52a to read as follows:

Section 52a. The Legislature shall have the power to authorize cities, counties, and towns to issue revenue bonds for industrial development purposes, or in aid thereof; provided, that property acquired from proceeds of the bonds shall be subject to ad valorem taxes. Legislation passed in anticipation of the adoption of this amendment shall not be invalid solely because of its anticipatory nature. Cities having more than Five Thousand (5,000) inhabitants shall not be authorized to issue such bonds in an aggregate principal amount in excess of the debt authorized by Article XI, Section 5 of the Constitution of the State of Texas as amended."

The amendment was read.

Senator Strong raised the Point of Order that the amendment was not in order in that it seeks to amend the section of the resolution that was amended by the previous amendment at the same stage of the resolution.

The President sustained the Point of Order.

Pending discussion by Senator Parkhouse of the resolution, Senator Jordan occupied the Chair.

Pending further discussion by Senator Parkhouse of the resolution, Senator Strong raised the Point of Order that Senator Parkhouse was not confining his remarks to the resolution.
The Presiding Officer (Senator Jordan in the Chair) gave Senator Parkhouse a first warning to confine his remarks to the subject of the resolution.

(President in the Chair.)

Question—Shall S. J. R. No. 14 be passed to engrossment?

Record of Vote

On motion of Senator Hall and by unanimous consent his record vote on suspending the regular order of business on S. J. R. No. 14 will be changed from "Yea" to "Nay."

Bills Signed

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

S. B. No. 19, A bill to be entitled "An Act requiring the identification of practitioners of the healing arts who are included and excluded under the medical coverage provided in an accident and sickness insurance policy; amending Chapter 397, Acts of the 54th Legislature, 1955, by adding Subsection B to Section 2, as amended (Article 3.70-2, Vernon's Texas Insurance Code), and by amending Section 8 (Article 3.70-8, Vernon's Texas Insurance Code); providing an effective date, with certain approval authority in the State Board of Insurance as authorized by this Act; repealing laws in conflict; 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."

S. B. No. 79, A bill to be entitled "An Act relating to the election of school trustees in certain counties; and declaring an emergency."

S. B. No. 127, A bill to be entitled "An Act amending Sec. 9, Chap. 181, p. 444, Acts of the 44th Legislature, Regular Session, 1935 (Art. 4412 (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."

Senate Bill 529 on First Reading

By unanimous consent Senator Schwartz 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
Grover
Hall
Harrington
Hazlewood
Herring
Hightower
Jordan
Kennard
Maunzy
Moore
Parkhouse
Patman
Ratliff
Reagan
Schwartz
Strong
Wade
Watson
Wilson
Word

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

By Senator Schwartz:

S. B. No. 529, A bill to be entitled "An Act validating the proceedings and ordinances by incorporated cities annexing or attempting to annex areas that include the entire territory of a water control and improvement district where a public hearing has been held; validating the boundaries
of such city after such annexation or attempted annexation; providing certain limitations as to the application of the Act; providing a savings clause; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Joint Resolution 14 on Second Reading

The Senate resumed consideration of the pending business (same being S. J. R. No. 14 on its passage to engrossment).

Question—Shall S. J. R. No. 14 be passed to engrossment?

Motion to Adjourn

Senator Hardeman moved that the Senate stand adjourned to 10:30 o'clock a.m. tomorrow.

The motion was lost.

Senate Joint Resolution 14 on Second Reading

The Senate resumed consideration of the pending business (same being S. J. R. No. 14 on its passage to engrossment).

Question—Shall S. J. R. No. 14 be passed to engrossment?

Pending further discussion by Senator Parkhouse of the resolution, Senator Wilson raised the Point of Order that Senator Parkhouse was not confining his remarks to the resolution.

The President sustained the Point of Order and gave Senator Parkhouse a second warning to confine his remarks to the subject of the resolution.

Senator Hardeman raised the Point of Order that there was not a quorum of the Senate present.

The President directed the Secretary of the Senate to call the roll to ascertain the Members of the Senate present.

The roll was called and the following Senators were present:

Aikin Creighton
Bates Hall
Bernal Hardeman
Brooks Harrington
Cole Hazlewood
Connally Herring

Hightower Reagan
Jordan Schwartz
Mauzy Strong
Parkhouse Wade
Patman Wilson
Ratliff Word

Absent

Berry Kennard
Blanchard Moore
Christie Watson
Grover

The resolution as amended was passed to engrossment.

Record of Votes

Senators Parkhouse, Hall, Reagan, Mauzy, Herring and Aikin asked to be recorded as voting "Nay" on the passage of S. J. R. No. 14 to engrossment.

Motion to Place Senate Joint Resolution 14 on Third Reading

Senator Wilson 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. 14 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—19
Bates Jordan
Bernal Kennard
Berry Moore
Brooks Patman
Cole Ratliff
Connally Schwartz
Hardeman Strong
Harrington Wilson
Hazlewood Word
Hightower

Nays—8
Aikin Mauzy
Creighton Parkhouse
Hall Reagan
Herring Watson

Absent

Blanchard Grover
Christie Wade

Senate Bill 308 on Second Reading

On motion of Senator Aikin 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 engrossment:

S. B. No. 308, A bill to be entitled "An Act amending Article 8309, Revised Civil Statutes, 1925, the same being Part 4 of the Workmen's Compensation Law, as said Article 8309 has been heretofore amended, by amending Section 1a of said Article to permit insurance coverage as employees to be carried on executive officers of corporations which are subscribers under this law, including charitable, religious, educational and other nonprofit corporations as well as business corporations etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 308 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 308 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin  Hightower
Bates  Jordan
Bernal  Kennard
Berry  Mauzy
Blanchard  Moore
Brooks  Parkhouse
Christie  Patman
Cole  Ratliff
Connally  Reagan
Creighton  Schwartz
Hall  Strong
Hardeman  Watson
Harrington  Wilson
Hazzlewood  Word
Herring  

Absent
Grover  Wade

Senate Bill 33 on Second Reading

On motion of Senator Word 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 engrossment:

S. B. No. 33, A bill to be entitled "An Act relating to the rights, duties, privileges, powers, and liabilities of spouses; revising and amending Chapters 2 and 3, Title 75, Revised Civil Statutes of Texas, 1925; amending Articles 6632, 6647, 1065, 5518, 5519, and 5535; amending the Insurance Code by adding a new Article 3.49-3; repealing Articles 1300, 1983, 1985, 4611, 4612, 4616, 6605, 6608, 6648, 6649, 6650, and 6651, Revised Civil Statutes of Texas, 1925; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 33 by adding the following at the end of Section 3 of Article 4618:

"In the exercise of its equity powers, the Court may impose such conditions and restrictions as it deems necessary to protect the rights of the other spouse; the Court may require a bond conditioned on faithful administration of the proceeds or may require that all or a portion of the proceeds be paid into the registry of the court, to be disbursed in accordance with the Court's further directions."

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

Yeas—29
Aikin  Berry
Bates  Bernal
The amendment was read and was adopted.

On motion of Senator Word and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 33 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 33 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26
Bates
Bernal
Berry
Brooks
Christie
Cole
Connally
Creighton
Hall
Hardeman
Harrington
Hazlewood
Hightower
Strong
Watson
Wilson

Nays—2
Aikin
Herring
Absant
Blanchard
Wade
Grover

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

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

Yeas—26
Bates
Bernal
Berry
Brooks
Christie
Cole
Connally
Creighton
Hall
Hardeman
Harrington
Hazlewood
Hightower
Strong
Watson
Wilson

Nays—2
Aikin
Herring
Absant
Blanchard
Wade
Grover

Welcome Resolutions

S. R. No. 281—By Senator Creighton: Extending welcome to the members of the Civics Class of Brock School in Parker County.

S. R. No. 282—By Senators Berry and Bernal: Extending welcome to students of Alamo Heights High School of San Antonio.

S. R. No. 283—By Senator Patman: Extending welcome and privileges of floor for the day to Miss Mary Lillian McNeely.

S. R. No. 284—By Senators Herring and Schwartz: Extending welcome to
TUESDAY, MARCH 21, 1967

the Junior and Senior Classes of Texas School for the Blind.

S. R. No. 285—By Senator Herring: Extending welcome to students of the Fourth and Fifth Grades of Rosedale Shool of Austin.

S. R. No. 286—By Senator Herring: Extending welcome to students of Second Grade Class of Casis School of Austin.

S. R. No. 287—By Senator Schwartz: Extending welcome to Cub Scouts of La Marque.

S. R. No. 288—By Senator Kenneth: Extending welcome to the Senior Class of Azle High School.

S. R. No. 289—By Senator Bernal: Extending welcome to students of Eighth Grade Social Studies Classes of Dwight Junior High School of South San Antonio.

S. R. No. 291—By Senator Watson: Extending welcome to Mr. and Mrs. Kenneth Manning.


S. B. No. 294—By Senators Hall, Parkhouse and Wade: Extending welcome to Lee Holt Mauzy.


S. R. No. 296—By Senator Harrington: Extending welcome to Bob Montagne, Glenn Seale, Marlin Shelton and Walter Schexnyder.

Adjournment

On motion of Senator Hardeman the Senate at 4:25 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 79, "An Act relating to the election of school trustees in certain counties; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 44, "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 59th 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."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 73, "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."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.
Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-
grossed and Enrolled Bills, to which was referred:

S. B. No. 127, "An Act amending Section 9, Chapter 181, page 444, Acts of the 44th Legislature, Regular Session, 1935 (Article 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."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 19, "An Act requiring the identification of practitioners of the healing arts who are included and excluded under the medical coverage provided in an accident and sickness insurance policy; amending Chapter 397, Acts of the 54th Legislature, 1955, by adding Subsection B to Section 2, as amended (Article 3.70-2, Vernon's Texas Insurance Code), and by amending Section 8 (Article 3.70-8, Vernon's Texas Insurance Code); providing an effective date, with certain approval authority in the State Board of Insurance as authorized by this Act; repealing laws in conflict; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

March 21, 1967

S. C. R. No. 41

S. C. R. No. 42
In Memory of

Neil A. Addington

Senator Cole offered the following resolution:

(Senate Concurrent Resolution 43)

Whereas, A beloved friend and highly-respected member of the Capitol press corps, Neil A. Addington, is mourned today in the legislative halls after his death in Houston on Monday, March 20, 1967; and

Whereas, An outstanding journalist, he had gained recognition for his articles in nearly every phase of his newspaper career; he was widely known in political circles and in the news industry in New Mexico before he joined The Houston Post in 1955, and as capitol reporter for the Santa Fe New Mexican he received awards for exposing a scandal in the New Mexico National Guard; he won the coveted Headliners Club Austin award in both 1965 and 1966—first for a series on state schools for the mentally retarded, and later for a series on proposed State constitutional amendments; and

Whereas, His reporting of the news was fair and impartial, and he was acknowledged by all who came in contact with him and his work to be a careful, high-principled, objective reporter; and

Whereas, In World War II he served two years and eight months in the Marine Corps and gave his military service the same devotion that was so notable during his professional career; he participated in two of the bloodiest campaigns in the history of the corps—Iwo Jima and Okinawa; and

Whereas, The untimely death, at the age of 42, of this great and good man, this newspaperman of honor, dedication, and integrity, whose work brought him the affection as well as the respect of those in state government, is a great loss to the journalism profession and to the State; now, therefore, be it

Resolved by the Senate of the 60th Legislature, the House of Representatives concurring, That the Texas Legislature by this Resolution pay tribute to Neil A. Addington and express deep and sincere appreciation for his service to journalism and the people of Texas; and, be it further

Resolved, That the Members of the Legislature of the State of Texas extend heartfelt sympathy to the members of his family; to his wife, Marjorie Louise Hafner Addington; to his children, Kandis Louise, Michael Terrance, Kerry Lynn, and Kathleen; and to his mother, Mrs. Fred Boyd of Topeka, Kansas; and, be it further

Resolved, That official copies of this Resolution be prepared for his wife and mother, and that when the Senate and the House of Representatives adjourn this day, that they do so in memory of Neil A. Addington.

COLE
GROVER
BROOKS


The resolution was read.

On motion of Senator Word and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

On motion of Senator Cole and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.