tion, transportation, treatment and disposal of wastes, and to condemn property and issue bonds for such purposes; authorizing certain public agencies to contract with such districts and authorities to obtain waste collection, transportation, treatment and disposal services and to levy taxes if voted and to obtain and use other revenue to pay for such services, and to sell or permit the use of existing facilities of public agencies; providing for repeal of Chapter 263, Acts of the 59th Legislature, but preserving all other laws; providing severability; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 13, 1967.

Hon. Preston Smith, President of the Senate.

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

S. B. No. 392, "An Act authorizing the Board of Directors of Texas A&M University to agree with any municipality or public agency as defined in the Municipal Airports Act whereby the airport in Brazos County now operated under the supervision of said Board of Directors may be operated by such municipality or public agency upon terms and conditions mutually agreeable to all parties; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

FORTY-NINTH DAY
(Monday, April 17, 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
Connor
Creighton
Grover
Hardeman
Harrington
Halewood
Herring
Hightower
Hauser
Henderson
Hester
Hightower
Hixson
Hollister
Humphrey
Jordan
Kennard
Mauzy
Moore
Parkhouse
Patman
Ratliff
Reagan
Schwartz
Strong
Wade
Watson
Wilson
Word

Absent—Excused

Hall

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, April 13, 1967, was dispensed with and the Journal was approved.

Leave of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 17, 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:

The House has concurred in Senate amendments to House Bill No. 1229 by vote of 144 ayes, 1 noes.

H. B. No. 360, A bill to be entitled "An Act relating to eligibility for parole; amending Section 15, Article 42.12, Code of Criminal Procedure, 1965, and declaring an emergency."

H. B. No. 780, A bill to be entitled "An Act relating to proceedings against children for certain offenses; giving the juvenile court exclusive jurisdiction in certain cases; establishing a procedure for waiver of jurisdiction and transfer for criminal proceedings in certain cases; amending Sections 3, 5, 6, 12 and 13, Chapter 204, Acts of the 48th Legislature, 1943, as amended (Article 2338-1, Vernon's Texas Civil Statutes); amending Article 30, Penal Code of Texas, 1925; and declaring an emergency."

H. B. No. 790, A bill to be entitled
An Act authorizing counties to enter into cooperative agreements to provide probation services and detention and diagnostic facilities for juvenile delinquents; and declaring an emergency.


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

Bills and Resolutions Signed

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

S. B. No. 186, A bill to be entitled "An Act validating all school districts, including all types of junior and regional college districts, together with the boundaries and names thereof; validating the creation, abolition, and conversion of all such school districts, and all changes in boundaries in all such school districts, etc., and declaring an emergency."

S. B. No. 80, A bill to be entitled "An Act changing the name of the State Board of Chiropractic Examiners to the Texas State Board of Podiatric Examiners; etc.; and declaring an emergency."

S. B. No. 263, A bill to be entitled "An Act to be cited as the 'Regional Sewage Disposal Act' authorizing public agencies created under Article XVI, Section 59 of the Constitution to purchase, construct, improve, repair, operate and maintain sewage disposal systems and to condemn property therefor; etc.; and declaring an emergency."

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.

S. C. R. No. 49, Commending and congratulating the 147th Fighter Group, Texas Air National Guard.

S. B. No. 392, A bill to be entitled "An Act authorizing the Board of Directors of Texas A&M University to agree with any municipality or public agency as defined in the Municipal Airports Act whereby the airport in Brazos County now operated under the supervision of said Board of Directors may be operated by such municipality or public agency upon terms and conditions mutually agreeable to all parties; and declaring an emergency."

H. C. R. No. 91, Expressing appreciation to the people of Texas and citizens of Falfurrias for their efforts in creating the Texas Ranger Museum.

H. C. R. No. 90, Extending congratulations to the Ex-Students Association of Texas Technological College upon their loyalty and enthusiasm, and sending good wishes for the celebration of "Tech Day."

H. C. R. No. 11, Advising the Coordinating Board, Texas College and University System, to work with Sam Houston State College on certain objectives.

H. C. R. No. 92, Inviting the Honorable Hubert H. Humphrey, Vice President of the United States, to address a Joint Session of the 60th Legislature at 12:30 p.m. on April 24, 1967.

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; etc.; and declaring an emergency."

H. B. No. 108, A bill to be entitled "An Act relating to disability compensation and death benefits to be awarded when members of the military forces of the state are killed or incur a disability while performing a military duty; amending Section 10, Article 5783, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1229, A bill to be entitled "An Act relating to the assessment and collection of taxes for any in-
dependent school district having two hundred thousand (200,000) or more scholastics according to the preceding official scholastic census and wherein there is situated all or part of a city having a population of nine hundred thousand (900,000) or more inhabitants according to the last Federal Census; etc.; and declaring an emergency."

Committee to Escort The Honorable Ralph Yarborough to the Joint Session

The President announced the appointment of the following as a Committee to escort The Honorable Ralph Yarborough, United States Senator, pursuant to the provisions of H. C. R. No. 35:


Session for the Consideration of Local and Uncontested Bills Calendar

On motion of Senator Hardeman and by unanimous consent the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar at 9:00 o'clock a.m. on Thursday, April 20, 1967.

Reports of Standing Committee

Senator Parkhouse submitted the following reports:

Austin, Texas, April 17, 1967.
Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 558, 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.

PARKHOUSE, Chairman.

Austin, Texas, April 17, 1967.
Hon. Preston Smith, President of the Senate.
Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 342, 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.

PARKHOUSE, Chairman.

Senate Bill 558 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent S. B. No. 558 was ordered not printed.

Senate Bill 560 on First Reading

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—30

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

Absent—Excused
Hall

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

By Senator Schwartz:
S. B. No. 560, A bill to be entitled "An Act to authorize the board of trustees of certain independent school districts to fix the date of election of trustees on a certain date and to provide for the election of trustees by a majority vote; and declaring an emergency."

To the Committee on Education.

Senate Bill 561 on First Reading

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—30

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

By Senator Schwartz:

S. B. No. 561, A bill to be entitled "An Act relating to the terms of office of the mayor and aldermen of certain towns and villages; amending Article 1143, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 17, 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. 95, In memory of the Honorable James A. Hairgrove.

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

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. 1080, to Committee on Insurance.

H. B. No. 758, to Committee on State Affairs.

H. B. No. 157, to Committee on State Affairs.

H. B. No. 811, to Committee on Counties, Cities and Towns.

H. B. No. 514, to Committee on State Affairs.

H. B. No. 452, to Committee on Banking.

H. B. No. 512, to Committee on Oil and Gas.

H. B. No. 632, to Committee on State Affairs.

H. B. No. 685, to Committee on Counties, Cities and Towns.

H. B. No. 686, to Committee on Counties, Cities and Towns.

H. B. No. 83, to Committee on Jurisprudence.

H. B. No. 557, to Committee on State Affairs.

H. B. No. 712, to Committee on Insurance.

H. B. No. 770, to Committee on Education.

H. B. No. 997, to Committee on Counties, Cities and Towns.

Motion to Recess

Senator Hardeman moved that the Senate take recess until 10:30 o'clock a.m. tomorrow Subject to the Joint Session.

Senator Watson moved that the Senate take recess until 2:00 o'clock p.m. today Subject to the Joint Session.

Question first on the motion to take recess until 10:30 o'clock a.m. tomorrow, the motion was lost.

Question next on the motion to take recess until 2:00 o'clock p.m. today.

The motion was lost by the following vote:

Yeas—11

Aikin
Bates
Creighton
Grover
Hazlewood
Hightower

Kennard
Ratliff
Reagan
Watson
Wilson

Nays—16

Bernal
Berry
Absent
Harrington
Herring

Absent—Excused
Hall

Senator Brooks moved that the Senate take recess until 2:30 o'clock p.m. today.

Senator Watson raised the Point of Order that there had been no business transacted since the previous motions to take recess.

The President sustained the Point of Order.

Senate Resolution 425

Senator Moore offered the following resolution:

Whereas, On Saturday, April 8, 1967, Miss Josephine Taylor of Bryan, Texas, was crowned Miss Texas Teen at the Seventh Annual Miss Texas Teen Pageant held at Prairie View A. & M. College, Prairie View, Texas; and

Whereas, Miss Taylor won the title over 35 contestants featuring representatives from high schools throughout Texas; and

Whereas, She was named the most attractive girl at Kemp; she is choir sweetheart and hopes to become a professional model; and

Whereas, She received $500 scholarships from the Seven-Up Company and the Prairie View Press Club; she also received a crown, watch, trophy and a set of pearls; and

Whereas, Miss Taylor is a 19-year-old senior at E. A. Kemp High School, Bryan, Texas; and

Whereas, The recognition Miss Taylor received in this State contest has helped to give Kemp High School one of its highest honors; and

Whereas, She is the daughter of Mr. and Mrs. Maxie Taylor of 1207 California Street in Bryan, Texas; now, therefore, be it

Resolved, That the Senate of the State of Texas do extend its congratulations to Miss Josephine Taylor on winning the honor and title of Miss Texas Teen; and, be it further

Resolved, That a page in today's Senate Journal be devoted to this expression of the Senate's admiration.

The resolution was read and was adopted.

Joint Session

(To hear address of The Honorable Ralph Yarborough, United States Senator)

The President announced at 11:00 o'clock a.m., the time had arrived to hear an address by Senator Ralph Yarborough, pursuant to the provisions of H. C. R. No. 35.

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

On invitation of the Speaker of the House, the President occupied a seat on the Speaker's Platform.

The Honorable Ralph Yarborough, Senior Senator of Texas, was escorted to the Speaker's Rostrum by Senators Hardeman, Bates, Jordan, Ratliff and Mauzy, on the part of the Senate, and Representatives Parker, Golden, Caldwell, Vickery, Johnson of Bexar, Weldon, Miller, Richardson, Smith and Allen of Harris.

The President called the Senate to order, and announced a quorum of the Senate present.

Honorable Ben Barnes, Speaker of the House of Representatives, called the House to order and announced a quorum of the House present.

The Speaker presented Senator Hardeman, and he introduced Senator Yarborough to the Joint Session.

Senator Yarborough addressed the Joint Session as follows:

Mr. Speaker, Governor Smith, Fellow Legislators, Friends, and Visitors:
It is a great personal pleasure and a high privilege to visit with you
today in this Legislative Hall in the State Capitol Building of Texas, to accept your invitation so generously extended by Joint Resolution to address this Joint Session of the Legislature of Texas, a body recently certified by the United States Ambassador to Australia (Edward Clark) "to be the greatest deliberative body in the world."

This is no mean invitation. Presidents and Prime Ministers are proud to come here and address you. Cabinet officers and Ambassadors make a virtual parade, insofar as you open the door, and Vice-Presidents wait in the wings.

And well they might because two of your former members have become powerful Speakers of the United States House of Representatives (John Nance Garner and Sam Rayburn), and one of them, John Nance Garner, served eight years as Vice-President of the United States. A former page boy in the Texas Legislature, who learned his first politics here, Lyndon Baines Johnson, now resides in The White House as President of the United States of America.

About half of our Texas Representatives in Congress served here first, and learned the legislative process in this body before moving on to the national Legislature. The tendency grows among the voters of Texas to send to the national Congress men with previous legislative experience in this body.

We in the Senate of the United States have a closer historical connection with the Legislature than members of the House in Washington, because until the adoption of the 17th Amendment in 1913, United States Senators were elected by State Legislatures. Of the twenty-five men who have served Texas in the United States Senate since Texas entered the Union more than sixscore years ago, fourteen were elected to that body by the Legislature of Texas. Four were appointed by the Governor, and were not elected by the Legislature or the people. Only nine of the United States Senators from Texas have been elected by the people, two of those nine, Charles A. Culberson and Morris Sheppard, having been first elected by your body. Included among those elected to the United States Senate by you were such giants as Sam Houston, John H. Reagan, and Thomas J. Rusk, the only Texan ever elected President Pro Tempore of the United States Senate.

Many able men have served in the Legislature of Texas. Their capacity has a double importance for the State. The more able your Legislature, the better laws Texas will have, and the more able will be your representatives in Washington, so many come from this body.

My treasured visits with the Legislature of Texas began when I was a student in the University of Texas, and came to the floor of the House to visit Ben Woodall, Representative from Harrison County, who was my deskmate in the Law School.

But my first official service to you came in 1931, as an Assistant Attorney General to James V. Allred at a time when the Attorney General's offices were on the ground floor of this Capitol, just under the House of Representatives. There I worked for four years, closely with the Legislature in many fields drafting many bills or amendments for members.

You returned the aid manifold.

In 1935, when Governor James V. Allred appointed me as one of the original members of the Board of Directors of the Lower Colorado River Authority, the Senate confirmed me.

When an appointment as District Judge in Travis County by Governor James V. Allred followed in 1936, the Senate confirmed me again.

On April 2, 1957, the people of Texas elected me to the United States Senate. The Pool Bill was pending in the Senate, efforts were made to jam it through, change the laws, hold up my certification, and attempt by the new law and a mandamus suit in the courts, to force me to run another race. The Senate of Texas blocked that scheme. Sworn in on April 29, 1957, this month completes ten years of service by me in the United States Senate. My thanks go particularly to the Senate of Texas. All the Governor's horsemen and all the Governor's men couldn't railroad the Pool Bill into immediate effect in the Texas Senate in 1957. It is a genuine deliberative body.

It is a real pleasure to come here to express my triple thanks to the Senate of Texas for three times confirming my appointment or election.
to office. Three times the action of the Senate of Texas had a major effect on my life.

In the old days, when Senators were elected by the Legislatures of the States, it was customary for Senators to come back between terms and give an accounting for their services. Though Senators are now elected directly by the people, it seems not amiss, due to the close cooperation needed between the legislative bodies of the State and Nation for the most effective and efficient government for all the people, for your Senators to come before the Legislatures now and give some account of what they have done or tried to do for the State. This response today is to your invitation, to give some accounting of my stewardship, some report of some of the fields of my endeavors for the past ten years, though time will not permit the touching of all of these.

For ten years in the Senate, conservation has been one of my chief interests; conservation of land, soil, water, wildlife, and above all, conservation of human resources, the greatest of all. In these ten years in the Senate, my legislative goals have been conservation and improvement of all natural and human resources.

In the field of land conservation, in addition to all the usual and conventional land conservation measures, the expansion of the National Park System in Texas has been one of my chief areas of effort. Ten years ago, Texas had one National Park, The Big Bend. To expand this National Park system in Texas, my efforts have been concentrated on three areas, the Padre Island National Seashore Park, Texas, very close to my heart—the Big Thicket National Park. It was re-introduced by me this past January. At first, support for the Big Thicket Bill was stand-offish—some were wary as to whether sufficient support would be forthcoming. This House of Representatives answered all the doubting Thomases in Washington with your sweeping Resolution No. 20 of January 20, 1967, by Glenn Vickery, endorsing the Big Thicket National Park Bill.

Never before had a House of the Legislature of Texas given such a sweeping endorsement of any work of mine. By your vote of 139 to 0, you endorsed the proposed Big Thicket National Park. I placed your resolution in the CONGRESSIONAL RECORD, mailed it to those in high places, and paraded it on a legislative flagpole. It was read in high places, and it is having a great beneficial effect in marshalling support for the Big Thicket National Park.

So here this morning, my heart is full of gratitude to the Texas Legislature for three times confirming me in office, and for three times putting your stamp of approval on National Park projects to which years of my efforts have been devoted.

We can be proud of that joint conservation record, fellow legislators. This Legislature of Texas might
justly be called the Conservation Legislature.

We jointly have much to be proud of, but we must not sleep on our laurels. We must push forward together on the greater tasks that lie ahead in the fields of human opportunity.

As one who taught three years in Texas public schools, represented the State Superintendent and the Permanent University Fund and Permanent School Funds for four years as Assistant Attorney General (1931-34), represented the Texas State Teachers Association for four years as its General Counsel (1947-51), taught briefly in the University of Texas Law School, and served on the Texas Board of Law Examiners for four years (1947-51), I believe that education is the greatest need in Texas today. Unfortunately it is an area of our greatest governmental lag.

As of now, we stand 32nd among the States in education, not nearly as high as we were a year or two after the Gillmer-Aikin Bill passed in the late 1940's.

The educational system of Texas has seen much improvement the past ten years, but not as much as most states. We are far behind the average state rate of improvement for the past ten years, and rate only 43rd among the States in the rate of improvement of our teacher pay in these past ten years. That is one reason why we have sunk to 32nd place nationally in education.

As a member of the Senate Education Subcommittee these past nine years, a co-author of the National Defense Education Act of 1958, a staunch advocate of all the Federal educational legislation since that time, I have helped pump many millions of federal dollars into Texas education these past nine years. These federal dollars have helped every state improve its educational systems these past nine years, but they have helped most those states, of which Texas is one, which lag behind the national average of advancement in education.

Among the many Federal educational acts of the last ten years which have aided Texas vastly, the following are some of the most important:

The National Defense Education Act of 1958
The Higher Education Facilities Act
The Medical Education Act
The Dental Education Act
The Vocational Education Act of 1965
The Elementary and Secondary Education Act of 1965
The Veterinary Education Act of 1966
The educational section of the Mental Health Act of 1963
The Cold War GI Bill of 1966
One act calling for a fuller report is the Cold War GI Bill, which was first introduced by me in 1959. It drew the immediate opposition of the Defense Department, the Veterans Administration, the Bureau of the Budget—all the executive agencies. It was the most prolonged, bitter, and difficult legislative fight of my lifetime.

Those who drafted men into service were not willing to let them have a fair chance in life after they came back. I believe that the men who are fighting our country's battles on the far-flung battlefields of the world are entitled to readjustment and an education on their return.

After seven long years the Cold War GI Bill was signed into law in March 1966. Already nearly five million veterans have been discharged and are eligible to go to school under its provisions, to high school, college, trade, or vocational school. Over a quarter-million of these discharged Cold War veterans are right here in Texas. Encourage them to go back to school. They are not receiving as much encouragement to use these benefits as they should receive. Encourage these veterans to get that education so essential to their success in life.

But the opposition to the GI Bill scored too: they cut out the training, on-the-farm training, and on-the-job training, and reduced the amount of time credits, and the amount of monthly payments, below the level of the Korean Veterans GI Bill entitlement and payments.

This session my revised Cold War GI Bill, S. 9, of this 90th Congress is pending, to give our veterans coming out of service all the educational opportunities a veteran of the Korean War received. The Cold War GI Bill last year obtained for the Cold War Veterans about 75% of the benefits veterans of the Korean Conflict
received. It's time now for the Congress to give these Cold War Veterans the rest of their deserved educational opportunity.

What do all of these Federal education acts mean to Texas? In benefits to students, the aid is incalculable. In dollars, Federal aid to Texas in education increased from $15,000,000 in 1957 to $180,000,000 in 1966. Under the National Defense Education Act, approximately 100,000 students have gone to college in Texas with NDEA loans. Colleges all over Texas are building classrooms, libraries, and laboratories under the Higher Education Facilities Act. A new medical school has been constructed at San Antonio, partly with Federal aid, and other medical schools, badly needed in Texas, are being considered by this Legislature. Many thousands of school teachers have gone to summer institutes under the National Defense Education Act of 1958.

But one of the greatest advantages of the Federal education acts of the last nine years has been the equipment of high schools and junior colleges with laboratories for teaching of science, engineering, foreign languages, and other subjects. Equipment of the electronic age has been brought into the classroom through Federal grants and loans, and the quality of education has been increased very, very much faster than ever would have happened without these Federal grants.

Tens of thousands of Cold War GI veterans are in school today in Texas because of the Cold War GI Bill of 1966.

There is an old myth in Texas, formerly often repeated in the press, that when we send our Federal dollars to Washington, only 10¢ on the dollar travels back, that 90¢ was eaten up in Federal salaries by "tax eaters." That is a myth for those who still believe in witches and hobgoblins.

You are referred to page 676 of the Dallas News Texas Almanac for 1966-67, where it is shown that Texas paid into the Federal government $4,240,000,000 in 1964, and received back $4,419,000,000 the same year. But this nearly 4½ billion dollars received back in cash in Texas in 1964 from the Federal government was not all the benefit that Texas received in Federal payments. In addition, we received our proportional share of all the Federal money spent overseas on our armed forces deployed abroad, our diplomatic and ambassadorial services, our foreign aid expenditures, all of the things for which the greatest nation on earth spends money abroad. In addition, we receive our proportional share of the expense of educating those youths from Texas in schools abroad, and in the Army, Navy, Air Force, Coast Guard, and Merchant Marine Academies, in Gallaudet College for the Deaf in Washington, and many other federal schools to which students from Texas go on payments from the Federal government.

Fellow Texans, we can only receive all of this payment in excess of taxes that we pay in, because we are a low per capita income state. If our level of income in Texas were to go up to the national average, of course we could not receive more money than we pay in. We receive back more money than we pay in because we are a low income, low wage, depressed income State.

Our chief problem in Texas has been low wages, and a below-national level of educational attainment. We are 34th in the Nation in average annual per capita income despite the fact that we are 6th in the Nation in gross resources. California, New York, and New Jersey, and other industrialized states have an annual per capita income of over $3,000 a year; the national average is over $2,500 a year. Our Texas average is $2,339 per person per year. Texas is not a poor state, but it is a poor-income-for-the-people-of-Texas state.

So fellow legislators, first and foremost, Texas needs better education and a better lot for all our people. In fact, Texas needs more education, not more intoxication.

Texas has 688,000 families in the poverty bracket, more by far than any other state, regardless of the population of the other state. These approximately 700,000 families represent 3½ million people, one-third of Texas' total population of 10½ million. With our vast resources, it is a disgrace and a shame that a third of the people of Texas live in the poverty bracket of the Nation, while the national average is about one-fifth of the people of the nation living in the poverty bracket of income achievement and level of productivity and earnings.
Earnings and education are the prime needs of Texas. So it is time to report on the Federal Minimum Wage Law of 1966, achieved after many days of hearings before the Senate Labor Subcommittee, of which I am Chairman, with four volumes of printed testimony, with weeks of executive meetings of the Subcommittee on Labor and the full Labor and Public Welfare Committee, and with days of debate on the floor of the United States Senate, where some amendments were adopted by one vote, and some were lost by tie votes—the bill was so carefully considered and so hard fought—line by line.

You have had experience in such matters with billions of dollars a year at stake. The third house was in the galleries, fighting the 1966 Minimum Wage Bill which was floor managed by me in the United States Senate.

But we won, and for the first time in history, the protection of the Federal Minimum Wage Law was extended to workers in laundries, hotels, motels, restaurants, hospitals, and nursing homes.

For the first time in history the Federal Minimum Wage Law was made applicable to farm labor. Back in 1938 before the first Federal Minimum Wage Law of 1939 was passed, Franklin D. Roosevelt recommended that the protection of the Minimum Wage Law be extended to those who labored "on the farm and in the factory." But until 1966, no minimum wage protection had ever been given to native domestic farm labor.

Under the 1966 law, those who have as many as seven full-time laborers working on a farm during any one quarter of a year come under the provisions of the Minimum Wage Law. Thus, the law covers only about 14% of the farms and ranches of the United States, but it covers 40% of the farm labor. A majority of the farms of the United States hire no farm labor; the work is done by the farmer and his family or others living with them. A vast number of farmers in the United States hire only one or two or three farm laborers; only a small percentage of the farms of the United States hire over three farm laborers, and this law does not apply unless a farmer hires at least seven farm laborers during a full quarter in the year. But it covers the big corporation type farms as shown by the fact that 40% of the hired farm workers of America work on 14% of the farms.

This Minimum Wage Law will aid the small farmers of America, because when the big corporation type farm pays farm labor 40¢ to 70¢ an hour the family farmer must compete with that corporation-type low paid labor, and he is putting his labor and his family's labor in the fields on the block at 40¢ to 70¢ an hour. In addition to this labor the family farmer has his capital invested in land and equipment. A low wage to farm labor means that all these family farmers are working, and their families are working, at the lowest wages in the state, and they will ultimately be driven off the farm, unless the competition of the low wage laborer on the big corporation-type farm is brought up to some reasonable figure.

The Federal Minimum Wage Law covering the big corporation-type farms will help the family farmers of America. We in Texas have a bigger stake in this law than any other state, because we have over 300,000 farm operators in Texas, most of them small family farmers. Now they will be in a fairer competitive position and have a fairer chance to survive than they had before the Federal Minimum Wage Law was passed.

The Federal Minimum Wage Law cannot cover everything. It should not cover everything. It was not intended to cover everything. It was intended mainly to cover the large operations that have a traceable effect on interstate commerce. That is why there are exemptions for most employers, dependent upon the size of the operation, the small employer generally being exempt.

Local conditions can be covered only by State minimum wage laws. Thirty-seven states have minimum wage laws. All of the industrial states have minimum wage laws, except Texas. All states in the higher income brackets of the Nation have minimum wage laws. Recently a Belden Poll showed that an overwhelming majority of the people of Texas want a state minimum wage law.

More people were aided in Texas by the new Federal Minimum Wage Law than in any other state, because Texas was the only large population state without a minimum wage law, and it is a low wage state. This new Federal Minimum Wage Law is sometimes called the widows law, because it protects people working in
laundries, hotels, motels, and restaurants, many of whom are widows supporting children, working to hold their families together. Our investigations showed that some laundries in Texas were paying 33c, 40c, 42c, 45c, 47c, 50c, or 70c per hour, to women working in them. Why should any man object to paying a nickel more for having his shirt laundered in order to let those women draw the minimum wage of $1.00 per hour for that hard laundry work?

It is my belief that the overwhelming majority of the people of Texas desire that Texas move forward in education, income, standard of living, in the enjoyment of the good life by all of our people—and the advancement of Texas into the third quarter of the 20th century.

My immediate ancestors and family have lived in Texas for 120 years. There were Yarboroughs, a branch of our family, in Houston’s army at San Jacinto. Texas is my home, and its history and traditions are my life. The evidences of that history line the walls of this historic room in this great Capitol Building. They stir me as they stir you, and as they have stirred Texans for generations.

I grew up in Henderson County, steeped in the traditions of John H. Reagan, O. M. Roberts, and Jim Hogg. John H. Reagan went to this Legislature from a district including Henderson County, then became District Judge and Congressman from my old Home District, Postmaster General of the Confederacy, United States Senator, and Railroad Commissioner. One of the all-time greats of Texas, O. M. Roberts, was elected to office first in that district and served as District Judge in that district including Henderson County. Jim Hogg was elected District Attorney by a district that included Henderson County, before he came on to his great fame as one of the all-time giants of Texas in public service. To John H. Reagan, O. M. Roberts, and Jim Hogg public service was a public trust. To them honor and integrity were dearer than life itself. It was a part of the mores of the country in which I grew to manhood. Public office was not held for the enrichment of the pocketbook, but for the ennoblement of man.

On this bedrock of integrity and effort we will be judged. As Abraham Lincoln said:

“We cannot escape history. We will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the last generation.”

The burdens upon a legislator are heavy. The pitfalls through which he must steer a good measure are many, if he is to bring it into the law and help educate, elevate, and enoble the people. His actions will be misinterpreted by his enemies and efforts will be made by selfish interests to mislead his constituents, to try to make them believe that he has not represented their best interests, when that was his sole aim.

To accomplish your dreams, to accomplish what legislators should accomplish, to do for the people what a representative democracy should do, we must with the poet be ready:

“To dream the impossible dream,
To fight the unbeatable foe
To reach the unreachable star,
To go where the brave dare not go.”

Fellow legislators, the quest is ours.

God bless you.

The Speaker then presented Representative Will Smith and he presented Senator Yarborough a copy of “Members of the Texas Legislature” for his Texana Collection.

The President at 11:38 o’clock a.m. declared the purpose of the Joint Session concluded and requested the Senate to retire to its Chamber.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:40 o’clock a.m.

House Bill 777 Re-referred

On motion of Senator Hardeman and by unanimous consent H. B. No. 777 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

Memorial Resolution

S. R. No. 423—By Senator Watson:

Memorial resolution for Dr. John Thompson.
Welcome Resolution

S. R. No. 424—By Senator Herring:
Extending welcome to Seventh and Eighth Grade students from Buda Junior High School.

Recess

On motion of Senator Hardeman the Senate at 11:52 o'clock a.m. took recess until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

April 17, 1967
S. B. No. 392
S. B. No. 186
S. B. No. 263
S. B. No. 80
S. J. R. No. 14
S. C. R. No. 49

FORTY-NINTH DAY
(Continued)
Tuesday, April 18, 1967

After Recess

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

Message From the House

Hall of the House of Representatives
Austin, Texas,

April 18, 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. 172, A bill to be entitled "An Act authorizing the State Soil and Water Conservation Board to receive and expend moneys for certain projects and programs; providing that the board may acquire and dispose of both real and personal property in furtherance of the purposes and provisions of this Act; providing that the board may enact and promulgate certain rules and regulations; providing that certain funds received by the board shall be deposited with the state treasurer; providing for the manner in which such funds deposited with the state treasurer may be withdrawn, making certain provisions relating to the board's use of appropriations; providing that all laws or parts of laws in conflict with this Act are repealed to the extent of the conflict; providing a severability clause; and declaring an emergency."

S. J. R. No. 4, Proposing an amendment to the Constitution of the State of Texas, amending Section 48a of Article III thereof, so as to provide for contributions on the basis of the full salary of members of the Teacher Retirement System; providing for the submission of the proposed amendment to a vote of the people at an election and for proclamation and publication thereof.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 428

By unanimous consent Senator Herring offered the following resolution:

Whereas, Miss Janis Paige has honored us with her presence in the Senate Chamber this morning;

Whereas, This lovely star of stage, screen and television is visiting our Capital City in connection with the forthcoming release of her latest film, "Welcome to Hard Times"; and

Whereas, Miss Paige is an accomplished actress whose outstanding performances in such productions as "Pajama Game," "Damn Yankees," "South Pacific," "High Button Shoes," "Follow the Boys," "Guys and Dolls," and many others have endeared her to a public which has found genuine enjoyment in her great talent and versatility; and

Whereas, Despite a full and busy career as a wife and actress, Miss Paige has devoted much of her time to the entertainment of servicemen, at home and overseas, and has recent-