

S.R. 379 - by Clower: Extending welcome to Richard Kordus.

S.R. 380 - by Aikin: Extending welcome to Milton Guttierrez.

RECESS

On motion of Senator Aikin the Senate at 12:38 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(March 23, 1977)

S.C.R. 69

FORTIETH DAY

(Continued)

(Thursday, March 24, 1977)

AFTER RECESS

The Senate met at 8:30 o'clock a.m. and was called to order by Senator Adams.

INTERGOVERNMENTAL RELATIONS COMMITTEE GRANTED PERMISSION TO MEET

On motion of Senator Snelson and by unanimous consent, the Committee on Intergovernmental Relations was granted permission to meet while the Senate was in Session.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in the Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 32**.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

S.B. 53 (Doggett) Relating to granting certain inheritance rights to and from an illegitimate child. (31-0)(31-0)

S.B. 401 (Truan, Farabee, Williams) Relating to certification of manufacturer, assembler, and installers of boilers. (31-0)(31-0)

- S.B. 433** (Mauzy, Braecklein) Relating to the definition of "junked vehicle." (31-0)(31-0)
- C.S.S.B. 443** (Jones of Harris) Amending the Firemen's and Policemen's Civil Service Act. (31-0)(31-0)
- S.B. 496** (Parker) Relating to the use of school buses for nonschool activities. (31-0)(31-0)
- C.S.S.B. 511** (Snelson) Relating to purchases of certain supplies, materials, services, and equipment for state use. (31-0)(31-0)
- S.B. 512** (Snelson) Relating to raising the monetary requirement for written agreements or contracts between state agencies. (31-0)(31-0)
- C.S.S.B. 602** (Williams) Relating to exemption of certain persons and organizations who install and service fire alarm systems from certain licensing requirements. (31-0)(31-0)
- S.B. 609** (Mauzy) Relating to persons authorized to conduct marriage ceremonies. (31-0)(31-0)
- S.B. 616** (Jones of Harris) Relating to the allowance in lieu of exempt property. (31-0)(31-0)
- S.B. 617** (Jones of Harris) Relating to the amount of funeral and last sickness expenses in the order of payment of claims in the administration of estates. (31-0)(31-0)
- C.S.S.B. 637** (Parker) Relating to changing the name of Lamar University at Jefferson and Orange Counties to Lamar University at Port Arthur. (31-0)(31-0)
- S.B. 638** (Brooks) Relating to state agency funding of property damage insurance. (31-0)(31-0)
- S.B. 641** (Creighton) Relating to the practice of engineering. (31-0)(31-0)
- S.B. 713** (Adams) Relating to the election of the directors of Sabine County Hospital District. (31-0)(31-0)
- C.S.S.B. 718** (Parker) Relating to membership, compensation, and authority of the Liberty County Juvenile Board. (31-0)(31-0)
- S.B. 726** (Brooks) Relating to the prevention, eradication and control of tuberculosis. (31-0)(31-0)
- S.B. 757** (Brooks) Relating to the establishment, operation, and maintenance of a foreign trade zone at the Houston port of entry. (31-0)(31-0)
- C.S.S.B. 772** (Mauzy) Relating to bailiffs for certain courts in Dallas County. (31-0)(31-0)
- C.S.S.B. 773** (Doggett) Relating to construction of certain buildings to make them accessible to the handicapped. (31-0)(31-0)

- S.B. 791** (Doggett) Relating to refusal of benefits under a will or inheritance. (31-0)(31-0)
- S.B. 804** (Moore) Relating to dentists, the practice of dentistry and its regulation. (31-0)(31-0)
- S.B. 809** (Doggett) Relating to the defense of lack of privity of contract when the defendant is a manufacturer. (31-0)(31-0)
- S.B. 812** (Mauzy) Relating to the composition of the First Administrative Judicial District. (31-0)(31-0)
- S.B. 823** (Snelson) Relating to the care after the age of 18 years of persons residing in facilities operated by the Texas Youth Council. (31-0) (31-0)
- S.B. 849** (Williams) Relating to the duties of the presiding judge of municipal courts of record in certain cities. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"
- S.B. 893** (Moore) Relating to the practice of dentistry. (31-0)(31-0)
- S.B. 1048** (Truan) Relating to qualifications of members of the Texas Rehabilitation Commission. (31-0) (31-0)
- C.S.S.B. 1160** (Moore) Relating to the filing of financial statements with the secretary of state by candidates for certain offices. (31-0) (31-0)
- C.S.S.B. 1161** (Moore) Increasing the fee collected by the secretary of state for issuing a notary public commission. (31-0)(31-0)
- S.C.R. 16** (Clower) Requesting all cities within the state's Standard Metropolitan Statistical Areas to consider the adoption of ordinances regulation the automobile repair business. (vv)
- S.C.R. 29** (Mauzy) Directing the State Board of Education to provide current information necessary for decisions of the legislature and the State Board of Education. (vv)
- S.C.R. 30** (Mauzy) Directing the State Board of Education to revise its accreditation standards. (vv)
- S.C.R. 55** (Traeger) Granting Sue Greer permission to sue the State of Texas. (vv)
- S.C.R. 57** (Mauzy) Creating a special interim committee to study coordination across agency lines and educational programs for all migratory children. (vv)
- S.C.R. 58** (Clower) Granting E. W. Hable and Sons, Inc., permission to sue the State of Texas. (vv)
- S.C.R. 62** (Mauzy) Creating a special interim committee to study loan programs for students enrolled in eligible postsecondary educational institutions. (vv)
- S.C.R. 63** (Doggett) Granting City National Bank permission to sue the State of Texas. (vv)

S.C.R. 67 (Doggett) Granting Alamo Title, Inc., and Gunn Title of San Antonio, Inc., permission to sue the State of Texas. (vv)

S.C.R. 68 (Sherman) Granting Phillips Petroleum permission to sue the State of Texas. (vv)

S.C.R. 70 (Schwartz) Granting Shirley Danesi, et al, permission to sue the State of Texas. (vv)

S.R. 335 (Adams) Instructing the chairman of the Subcommittee on Nominations to call meetings and public hearings during the interim. (vv)

H.B. 97 (Santiesteban) Relating to the right of defense counsel to inspect a probation report. (31-0)(31-0)

H.B. 148 (Harris) Relating to providing for discovery and production of documents and interrogatories to parties in agency proceedings. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

H.B. 372 (Jones of Taylor) Relating to the composition and creation of the 52nd and 242nd Judicial Districts. (31-0)(31-0)

H.B. 720 (Brooks) Authorizing the head of a mental hospital to discharge a resident patient absent without authority from a state hospital for a period of eighteen months. (31-0)(31-0)

H.B. 754 (Creighton) Relating to the State Youth Development Council. (31-0)(31-0)

The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment printed following bill number, as well as vote on suspension of Constitutional Three-Day Rule and final passage.)

C.S.S.B. 387 (Jones of Harris) Relating to continuing legal education of municipal court judges. (31-0)(31-0)

Senator Jones of Harris offered the following amendment to the bill:

Amend Section 1 of **C.S.S.B. 387** to read as follows:

"Section 1. Each municipal court judge in the State of Texas who is not a licensed attorney in this state may complete successfully within one year from the date he is first elected or appointed, or if he is in office on the effective date of this Act, within one year from the effective date of this Act, a 24-hour [~~40-hour~~] course in the performance of his duties. Thereafter, he may complete a minimum of 8 [~~20~~] hours each year. The course may be completed in an accredited state-supported school of higher education or in a continuing education course, program, seminar, or law school or law enforcement school approved by the Texas Judicial Council."

Amend Section 2 of **C.S.S.B. 387** to read as follows:

"Sec. 2. Each municipal court judge in the State of Texas who is a licensed attorney and in good standing with the State Bar Association may complete

successfully within one year from the date he is first elected or appointed, or if he is in office on the effective date of this Act, within one year from the effective date of this Act, an 8-hour ~~[20-hour]~~ course in the performance of his duties. Thereafter, he may complete an 8-hour ~~[16-hour]~~ course each year. The course may be completed in an accredited state-supported school of higher education or in a continuing education course, program, or seminar approved by the Texas Judicial Council."

The amendment was read and was adopted.

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

S.B. 513 (Snelson) Transferring the comptroller's property inventory responsibilities. (31-0)(31-0)

Senator Snelson offered the following committee amendment:

Amend **S.B. 513** by striking "Fifty Dollars (\$50.00)" on page 4, line 16 and substituting in lieu thereof, "Two hundred and fifty Dollars (\$250.00)."

The committee amendment was read and was adopted.

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

S.B. 666 (Mengden) Relating to the records of secondhand metal dealers. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

Senator Mengden offered the following committee amendment to the bill:

Amend **S.B. No. 666** by striking "thumbprint" in quoted Subdivision (2) of Section 1 and substituting "photograph taken on the date of the sale."

The committee amendment was read and was adopted.

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

S.B. 806 (Schwartz) Relating to the creation of the County Court No. 3 of Galveston County. (31-0)(31-0)

Senator Schwartz offered the following amendment to the bill:

Amend Senate Bill 806 all below the enacting clause and substitute in lieu thereof the following:

Section 1. There is created on the effective date of this Act a court to be held in Galveston County to be known as the "County Court No. 2 of Galveston County."

Sec. 2. (a) The County Court No. 2 of Galveston County shall have the same jurisdiction over criminal matters that is now or may be vested in county courts having jurisdiction in criminal actions, matters, and proceedings under the constitution and laws of Texas and shall have appellate jurisdiction in all appeals in criminal cases from justice courts and municipal courts within Galveston County.

The judge of the court shall have the same powers, rights, and privileges as to criminal matters as are now or may be vested in the judges of county courts having criminal jurisdiction.

(b) The County Court No. 2 of Galveston County shall have the same jurisdiction and powers in civil actions, matters, and proceedings that are now or may be conferred by law upon and vested in the County Court of Galveston County, the County Court No. 1 and the Probate County Court of Galveston County, and the judges thereof. The jurisdiction of the County Court of Galveston County and Probate County Court and the County Courts Nos. 1 and 2 of Galveston County, over all such actions, matters, and proceedings, civil and criminal, within Galveston County, shall be concurrent.

(c) In addition to the other jurisdiction granted in this section, the County Court No. 2 of Galveston County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$10,000, exclusive of interest.

Sec. 3. (a) Criminal cases shall be filed and docketed sequentially in the County Court No. 1 of Galveston County and County Court No. 2 of Galveston County. Civil cases shall be filed and docketed sequentially in the County Court No. 1, County Court No. 2, and the Probate County Court of Galveston County. Upon the effective date of this Act, the civil cases now filed and docketed in County Court No. 1 shall be refiled in an equal and proportionate manner among the County Court No. 1, County Court No. 2, and the Probate County Court of Galveston County. The criminal cases now filed and docketed in County Court No. 1 shall be refiled in an equal and proportionate manner between County Court No. 1 and County Court No. 2.

(b) Probate matters, mental illness cases, alcoholism hearings, and condemnation cases shall continue to be filed and docketed in the County Court of Galveston County and the Probate County Court of Galveston County in the same manner as they have been heretofore filed and docketed, except as may otherwise be agreed upon by consent of all judges of the county courts of Galveston County and the county probate court.

Sec. 4. The clerk of the County Court No. 2 of Galveston County shall keep a separate docket for the court, in the same manner as now or may be provided by law for the keeping of dockets for the County Court of Galveston County and the County Court No. 1 and the Probate County Court of Galveston County. He shall tax the official court reporter's fee as costs in civil actions in the County Court No. 2 of Galveston County in like manner as the fee is taxed in civil cases in the district courts of this state. The judge of the County Court of Galveston County and the judges of the Probate County Court and the County Courts Nos. 1 and 2 of Galveston County may, with the consent of the judge of the court to which transfer is to be made, transfer civil or criminal actions, matters, and proceedings from his respective court to any one of the other courts by entry of an order to that effect upon the docket of his court. The judge of the court to which any such action, matter, or proceeding, civil or criminal, shall have been transferred, shall have jurisdiction to hear and determine the matter or matters and render and enter the necessary and proper orders, decrees, and judgments therein, and in the same manner and with the same force and effect as if the case, action, matter, or proceeding had been originally filed in the court to which transferred. However, no cause, action, matter, case, or proceeding shall be transferred without the consent of the judge of the court to which it is transferred.

Sec. 5. The judge of the County Court No. 2 of Galveston County, together with the judges of the County Court of Galveston County and the County Court No. 1 and the Probate County Court of Galveston County, may, at any time, exchange benches and may, at any time, sit and act for and with each other in any civil or

criminal case, matter, or proceeding now or hereafter pending in their courts, and all such acts thus performed by any of the judges shall be valid and binding on all parties to such cases, matters, and proceedings.

Sec. 6. The practice in the County Court No. 2 of Galveston County shall be the same as prescribed by law relating to county courts and county courts at law. Appeals and writs of error may be taken from judgments and orders of the County Court No. 2 of Galveston County, and from judgments and orders of the judge thereof, in civil and criminal cases and in the same manner as now is or may hereafter be prescribed by law relating to such appeals and writs of error. Appeals may also be taken from interlocutory orders of the County Court No. 2 of Galveston County appointing a receiver or from orders overruling a motion to vacate or appointing a receiver. The procedure and manner in which the appeals from interlocutory orders are taken shall be governed by the laws relating to appeals from similar orders of the district courts throughout this state.

Sec. 7. The judge of the County Court No. 2 of Galveston County with the approval of the commissioners court may appoint an official shorthand reporter for the County Court No. 2, who shall be well-skilled in his profession and shall be a sworn officer of the court and shall hold his office at the pleasure of the court. All of the provisions of Chapter 13, Title 42, Revised Civil Statutes of Texas, 1925, as amended, and all other applicable provisions of the law relating to "official court reporters" shall apply to the official shorthand reporter herein authorized to be appointed. The official shorthand reporter shall be entitled to the same compensation, to be paid in the same manner, as provided for the official shorthand reporters of the district courts of Galveston County.

Sec. 8. The county clerk of Galveston County shall be the clerk of the County Court No. 2 of Galveston County. The court shall have a seal consisting of a star of five points with the words "County Court No. 2 of Galveston County" engraved thereon. The sheriff of Galveston County shall appoint a deputy to attend the court when required by the judge.

Sec. 9. The criminal district attorney of Galveston County shall represent the state in all prosecutions in the County Court No. 2 of Galveston County as provided by law for prosecutions in county courts and shall be entitled to the same fees as in other cases.

Sec. 10. There shall be elected a judge of the County Court No. 2 of Galveston County, who shall have been a duly licensed and practicing member of the State Bar of Texas for not less than five years, who shall be well-versed in the laws of the state, and who shall have resided in and been actively engaged in the practice of law in Galveston County for a period of not less than four years prior to his election. When this Act becomes effective, the commissioners court shall appoint a judge of the County Court No. 2 of Galveston County, who shall have the qualifications prescribed in this section and who shall serve until the next general election and until his successor shall have been duly elected and have qualified. Beginning at the general election in 1978 and every fourth year thereafter, there shall be elected by the qualified voters of the county a judge of the County Court No. 2 for a regular term of four years as provided by the Texas Constitution. A vacancy thereafter occurring in the office of the judge of the County Court at Law No. 2 of Galveston County shall be filled by the Commissioners Court of Galveston County, and the appointee shall hold office until the next succeeding general election and until his successor shall be duly elected and have qualified.

Sec. 11. (a) The judge of the County Court No. 2 of Galveston County shall take the oath of office prescribed by the constitution, but no bond shall be required of him.

(b) The Commissioners Court of Galveston County shall fix the yearly salary of the judge of the County Court No. 2 of Galveston County at the same salary paid

all judges of other county courts and the Probate County Court of Galveston County. The salary shall be paid to each judge in equal monthly installments out of the General Fund of Galveston County by warrants drawn on the county treasury on orders of the Commissioners Court of Galveston County.

Sec. 12. A special judge may be appointed or elected for the County Court No. 2 of Galveston County in the same manner as may now or hereafter be provided by the general laws of this state relating to the appointment and election of special judges. Every special judge appointed or elected for the court shall receive for the services he may actually perform the same amount of pay which the regular judge of the court would be entitled to receive for such services.

Sec. 13. The County Court No. 2 of Galveston County, or the judge thereof, shall have power to grant all writs necessary to the enforcement of the jurisdiction of the court and to issue writs of habeas corpus in cases where the offense charged is within the jurisdiction of the court or of any other court in Galveston County of inferior jurisdiction to the County Court No. 2 of Galveston County.

Sec. 14. The County Court No. 2 of Galveston County shall hold six terms of court commencing on the first Monday in January, March, May, July, September, and November of each year, and each term shall continue until the business of the court is disposed of. No term of the court shall extend beyond the date fixed for the commencement of the succeeding term except pursuant to an order entered on the minutes during the term to be extended.

Sec. 15. The judge of the County Court No. 2 shall be a member of the Juvenile Board of Galveston County and shall have the same jurisdiction over juvenile proceedings as the judges of the County Court No. 1, the Probate County Court, and the Court of Domestic Relations for Galveston County, with juvenile proceedings filed sequentially in the County Court No. 1, the Probate County Court, the County Court No. 2, and the Court of Domestic Relations.

Sec. 16. Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 1970-342, Vernon's Texas Civil Statutes), is amended by adding Section 1b to read as follows:

"Section 1b. (a) The name of the Probate Court of Galveston County is changed to the 'Probate County Court of Galveston County,' and the seal of the court shall contain the words 'Probate County Court of Galveston County.'

"(b) In addition to all other jurisdiction granted by law to the Probate County Court of Galveston County, the court has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$10,000, exclusive of interest.

"(c) The judge of the Probate County Court of Galveston County may with the approval of the commissioners court appoint an official shorthand reporter for the Probate County Court, who shall be well-skilled in his profession and shall be a sworn officer of the court and shall hold his office at the pleasure of the court. All of the provisions of Chapter 13, Title 42, Revised Civil Statutes of Texas, 1925, as amended, and all other applicable provisions of the law relating to 'official court reporters' shall apply to the official shorthand reporter herein authorized to be appointed. The official shorthand reporter shall be entitled to the same compensation, to be paid in the same manner, as provided for the official shorthand reporters of the district courts of Galveston County. The court reporter shall be required primarily to report cases in the Probate County Court of Galveston County, but may be made available, when not engaged in a jury trial in that court, to report jury trials in the County Court of Galveston County and to the district attorney for examining trials in justice courts."

Sec. 17. Section 2, Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), is amended by adding Subsection (c) to read as follows:

"(c) In addition to the other jurisdiction granted in this section, the County Court No. 1 of Galveston County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$10,000, exclusive of interest."

Sec. 18. Sections 7 and 12, Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), are amended to read as follows:

"Section 7. ~~The judge of [Judges of the County Court of Galveston County,]~~ the County Court No. 1 of Galveston County may with the approval of the commissioners court ~~[and the County Court No. 2 of Galveston County shall]~~ appoint an official shorthand reporter for the County Court No. 1, who shall be well-skilled in his profession and shall be a sworn officer of the court, and shall hold his office at the pleasure of the court. All of the provisions of Chapter 13, Title 42, Revised Civil Statutes of Texas, 1925, as amended, and all other applicable provisions of the law relating to 'official court reporters' shall apply to the official shorthand reporter herein authorized to be appointed. Such official shorthand reporter shall be entitled to the same compensation, to be paid in the same manner, as provided for the official shorthand reporters of the district courts of Galveston County, Texas. Said court reporter shall be required primarily to report cases in the County Court No. 1 of Galveston County, but may ~~[shall]~~ be made available, when not engaged in a jury trial in said court, to report jury trials in the County Court of Galveston County and ~~[the County Court No. 2 of Galveston County and]~~ to the District Attorney for examining trials in Justice Courts ~~[and trials in the Court of Domestic Relations]."~~

"Section 12. A special judge may be appointed or elected for the County Court No. 1 of Galveston County in the same manner as may now or hereafter be provided by the General Laws of this state relating to the appointment and election of special judges. Every such special judge thus appointed or elected for said court shall receive for the services he may actually perform the same amount of pay which the regular judge of said court would be entitled to receive for such services ~~[- and said amount to be paid to such special judge shall be deducted from or paid out of the salary of the regular judge of said court]."~~

Sec. 19. The provisions of this Act take effect on September 1, 1977.

Sec. 20. 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 September 1, 1977, and it is so enacted.

The amendment was read and was adopted.

Senator Schwartz offered the following amendment to the bill:

Amend Senate Bill 806 all above the enacting clause to read as follows:

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the County Court No. 2 of Galveston County; changing the name of the Probate Court of Galveston County to the Probate County Court of Galveston County; relating to the jurisdiction, court reporters, and other provisions for the Probate County Court and county courts of Galveston County; amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended

(Article 1970-342, Vernon's Texas Civil Statutes), by adding Section 1b; amending Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), by adding Subsection (c) to Section 2 and amending Sections 7 and 12; and declaring an emergency.

The amendment was read and was adopted.

S.B. 810 (Adams) Designating the official site of the Mission of Nuestra Senora de los Ais for archeological purposes. (31-0)(31-0)

Senator Adams offered the following committee amendment to the bill:

Amend **S.B. 810** on page 3, line 1, by striking the word "Historical".

On page 3, line 1, after the word "Register" and before the word "as", insert the words "of Historic Places".

The committee amendment was read and was adopted.

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

H.B. 502 (Kothmann) Relating to the compensation of judges in certain counties. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

Senator Mauzy offered the following amendment to the bill:

Amend H.B. No. 502 by striking all below the enacting clause and inserting the following:

Section 1. Subsection (c), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes), is amended to read as follows:

"(c) In all counties of this state having a population of not less than 750,000 nor more than 1,000,000 according to the last preceding Federal Census, the Commissioners Court shall fix the annual salaries of ~~county officials in amounts not to exceed the following:~~

~~[(1) The salary of the county judge, \$22,500; the county commissioners, \$22,000; district attorney, \$26,000; sheriff, \$22,000; tax assessor and collector, \$25,000; judges of the] county courts at law judges in an amount not less than \$25,000 annually and not to exceed nine-tenths of the total annual salary, including supplements, paid any district judge sitting in the county. [and county civil court at law, \$25,000; county clerk and district clerk, \$22,000; county treasurer, \$18,000.] Salaries fixed by this Section shall be payable in equal monthly installments. ~~justices of the peace and the constables may receive not to exceed \$16,000 per annum to be paid in equal monthly installments;] Nothing in Chapter 622, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 3912k, Vernon's Texas Civil Statutes), applies to judges of the county courts at law.~~~~

~~[(2) The county judge in those counties, shall be allowed, in addition to all other compensation in this subsection, a sum, to be set by the commissioners court, not to exceed \$4,500 per annum for serving as a member of the County Juvenile Board which shall be paid in 12 equal monthly installments out of the general fund of the county and which additional compensation shall be in addition to all other salary or other compensation now paid to the county judge.]'~~

Sec. 2. Chapter 322, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 1970-301h, Vernon's Texas Civil Statutes), is repealed.

Sec. 3. Section 1, Chapter 906, Acts of the 62nd Legislature, Regular Session, 1971 (Article 3883i-2, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. In all counties of this State having a population of not less than one million, two hundred thousand (1,200,000) [~~one million, five hundred thousand (1,500,000)~~] inhabitants, according to the last preceding Federal census, the Commissioners Court shall fix the salary of each of the Judges of the Probate Courts, Judges of the County Courts at Law, ~~and~~ Judges of the County Criminal Courts at Law, and the Judges of the County Criminal Courts of Appeals at not less than One Thousand Dollars (\$1,000) less per annum than the total annual salary, including supplements, received by Judges of the District Courts in such counties, which shall be paid in twelve (12) equal monthly installments."

Sec. 4. 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.

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend H.B. No. 502 by striking all above the enacting clause and inserting the following:

A BILL TO BE ENTITLED

AN ACT

relating to the compensation of judges in certain counties; amending Subsection (c), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes); amending Section 1, Chapter 906, Acts of the 62nd Legislature, Regular Session, 1971 (Article 3883i-2, Vernon's Texas Civil Statutes); repealing Chapter 322, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 1970-301h, Vernon's Texas Civil Statutes).

The amendment was read and was adopted.

CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

BILL SIGNED

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bill:

S.B. 291

ADJOURNMENT

On motion of Senator Aikin the Senate at 9:13 o'clock a.m. adjourned until 10:30 o'clock a.m. today.

FORTY-FIRST DAY
(Thursday, March 24, 1977)

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: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Clower.

A quorum was announced present.

The Reverend Efrain Buenfil, El Buen Pastor Presbyterian Church, Austin, Texas, offered the invocation as follows:

God our Father, we are continually asking Thee for something and You have given us everything. You have given us life and You have made that life new and meaningful in Jesus Christ. You have given us each other and this city and the world, and have given us responsibility. Help us in response to Your gifts, to be responsible.

Enlarge our visions, Lord, our sights beyond our little worlds and give us eyes to see the hurts of others and ears to hear their cries for help. Set the State in our hearts, help us to see all its problems, help us to understand them and with the ability You have given us, help us to solve them. Measure our real concern for others not in terms of what we offer as money, but in terms of our willingness to enter the lives of others to guarantee under law the liberty of every individual. Bless our land with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion; from pride and arrogance and from every evil way. Defend our liberties and fashion into one happy people the multitudes brought hither out of many kindreds and tongues. Induce with the spirit of wisdom those to whom in Thy name we entrust the authority of government that there may be justice and peace at home, and that through obedience to Thy law we may show forth Thy praise among the nations of the earth. Take under Thy governance and protection Thy servants, the President, the governor of the state, the law givers, the judges and all who are entrusted with authority. Bless all the decisions to be made today and tomorrow. In Jesus' name we pray. Amen.

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.

ADJOURNMENT

On motion of Senator Aikin the Senate at 9:13 o'clock a.m. adjourned until 10:30 o'clock a.m. today.

FORTY-FIRST DAY
(Thursday, March 24, 1977)

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: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Clower.

A quorum was announced present.

The Reverend Efrain Buenfil, El Buen Pastor Presbyterian Church, Austin, Texas, offered the invocation as follows:

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Enlarge our visions, Lord, our sights beyond our little worlds and give us eyes to see the hurts of others and ears to hear their cries for help. Set the State in our hearts, help us to see all its problems, help us to understand them and with the ability You have given us, help us to solve them. Measure our real concern for others not in terms of what we offer as money, but in terms of our willingness to enter the lives of others to guarantee under law the liberty of every individual. Bless our land with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion; from pride and arrogance and from every evil way. Defend our liberties and fashion into one happy people the multitudes brought hither out of many kindreds and tongues. Induce with the spirit of wisdom those to whom in Thy name we entrust the authority of government that there may be justice and peace at home, and that through obedience to Thy law we may show forth Thy praise among the nations of the earth. Take under Thy governance and protection Thy servants, the President, the governor of the state, the law givers, the judges and all who are entrusted with authority. Bless all the decisions to be made today and tomorrow. In Jesus' name we pray. Amen.

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.

LEAVE OF ABSENCE

Senator Clower was granted leave of absence for today on account of illness on motion of Senator Jones of Harris.

REPORTS OF STANDING COMMITTEES

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

C.S.S.B. 339 (Read first time)
 C.S.S.B. 831 (Read first time)
 S.B. 871
 S.B. 914
 S.B. 915
 S.B. 920
 S.B. 922
 S.B. 1017

Senator Moore submitted the following report for the Committee on State Affairs:

S.B. 948
 S.B. 792
 S.B. 793
 S.B. 951
 S.B. 952
 S.B. 762
 S.B. 837 (Amended)
 C.S.S.B. 759 (Read first time)
 C.S.S.J.R. 48 (Read first time)

Senator Sherman submitted the following report for the Committee on Natural Resources:

S.B. 529
 H.B. 570
 S.B. 1172
 C.S.S.B. 373 (Read first time)
 C.S.S.B. 698 (Read first time)

SENATE BILL AND RESOLUTION ON FIRST READING

By unanimous consent, the following bill and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1196 by Harris State Affairs
 Relating to the granting of exemptions from State vehicle registration requirements for private institutions of higher learning; amending Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-3, Vernon's Texas Civil Statutes); and declaring an emergency.

S.C.R. 72 by Mengden

Jurisprudence

Memorializing the Congress of the United States to initiate an amendment to the U.S. Constitution to provide for the election of federal district court judges by the people of the district for six-year terms.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas
March 24, 1977

TO THE SENATE OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be a Member of the Board of Directors of the NUECES RIVER AUTHORITY: For a six-year term to expire February 1, 1983: Mr. Jerome Brite of Pleasanton, Atascosa County is being reappointed; Mr. O. D. (Buster) Dooley of Brackettville, Kinney County is being reappointed; Mr. George Morrill of Beeville, Bee County is being reappointed; Mr. C. Alvin Morris of Crystal City, Zavala County is being reappointed; The Honorable Allen Wood of Corpus Christi, Nueces County is being reappointed.

To be a Member of the UPPER GUADALUPE RIVER AUTHORITY: For a six-year term to expire November 1, 1982: Mr. John Mahaffey of Kerrville, Kerr County is being reappointed; Mr. Raymond Mosty of Center Point, Kerr County is being reappointed; Mr. Edgar Wallace of Kerrville, Kerr County is being reappointed.

To be a Member of the Board of Regents of STEPHEN F. AUSTIN STATE UNIVERSITY: For a six-year term to expire January 31, 1983: Mr. Robert C. Gray of Austin, Travis County is being reappointed; Mr. Walter C. Todd of Dallas, Dallas County is being reappointed; Mrs. Tom Wright of Nacogdoches, Nacogdoches County is being reappointed.

To be a Member of the Board of Directors of the RIO GRANDE VALLEY POLLUTION CONTROL AUTHORITY: For a two-year term to expire April 30, 1977: Dr. Armando Cuellar of Weslaco, Hidalgo County is replacing Mr. Justo L. Cisneros of Brownsville, Cameron County who resigned.

For a two-year term to expire April 30, 1978: Mr. James L. Evans of Port Isabel, Cameron County is replacing Mr. Jim Mathis of Edinburg, Hidalgo County who resigned.

To be a Member of the Board of Directors of the RUNNELS COUNTY WATER AUTHORITY: For a six-year term to expire January 1, 1981: Mr. Elliott J. Kemp of Ballinger, Runnels County is replacing Mr. Harley H. Hilliard of Norton, Runnels County whose term expired.

For a six-year term to expire January 1, 1983: Mr. Wesley M. Hays of Winters, Runnels County is replacing Mr. P. M. Davis of Winters, Runnels County who is deceased; Mr. Ernest E. Thormeyer of Winters, Runnels County is being reappointed.

To be a Member of the Board of Directors of the EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT: For a two-year term to expire January 13, 1979: Mr. Charles H. Freeman, Jr. of Pleasanton, Wilson County is being reappointed.

To be a Member of the FINANCE COMMISSION OF TEXAS: For a six-year term to expire February 1, 1983: Mr. Raymond L. Thompson of Vega, Oldham County is replacing Mr. J. H. Bain, Jr. of Stockdale, Wilson County whose term expired.

To be a Member of the Board of Directors of the LAVACA COUNTY FLOOD CONTROL DISTRICT NUMBER 3: For a two-year term to expire January 1, 1979: Mr. Robert Joseph Pesek of Hallettsville, Lavaca County is being reappointed; Mr. Paul A. Najvar of Hallettsville, Lavaca County is being reappointed.

To be a Member of the Board of Regents of EAST TEXAS STATE UNIVERSITY: For a six-year term to expire February 15, 1983: Mr. Leon J. Coker, Jr. of Texarkana, Bowie County is being reappointed; Mr. Thomas B. Steely of Paris, Lamar County is being reappointed; Mr. Cloyd D. Young of Dallas, Dallas County is being reappointed.

To be a Member of the Board of Directors of the UPPER COLORADO RIVER AUTHORITY: For a six-year term to expire January 1, 1983: Mr. Everett Grindstaff, Jr. of Ballinger, Runnels County is being reappointed; Mr. Leonard Cumbie Ivey, Sr. of Robert Lee, Coke County is being reappointed; Mr. John R. (Dick) Salmon of San Angelo, Tom Green County is being reappointed.

To be a Member of the ANTIQUITIES COMMITTEE: For a two-year term to expire January 19, 1979: Dr. William Curry Holden of Lubbock, Lubbock County is being reappointed; Dr. William W. Newcomb, Jr. of Austin, Travis County is being reappointed; Dr. Denver Fred Wendorf of Dallas, Dallas County is being reappointed.

To be a Member of the TEXAS BOARD OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES: For a six-year term to expire January 31, 1979: Mr. Herbert Joe Kelpen, Sr. of Cypress, Harris County is replacing Mr. James T. Hale, Jr. of Houston, Harris County who resigned.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

SENATE RESOLUTION 384

Senator Adams offered the following resolution:

WHEREAS, Senate Bill 52 of the 64th Legislature does not provide for a holiday in observance of Easter; now, therefore, be it

RESOLVED by the Senate of the 65th Legislature, that permission is hereby granted to allow Senate staff to observe the Easter holiday from noon April 8, 1977, through Monday, April 11, 1977.

The resolution was read and was adopted.

COMMITTEE SUBSTITUTE SENATE BILL 440 ON THIRD READING

Senator Jones of Harris moved to suspend the regular order of business to take up on its third reading and final passage:

C.S.S.B. 440, Relating to the licensing and regulation of speech pathologists and audiologists; providing penalties.

The motion prevailed by the following vote: Yeas 22, Nays 8.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Jones of Harris, Jones of Taylor, Longoria, Mauzy, McKnight, Meier, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan.

Nays: Hance, Harris, Kothmann, Lombardino, Mengden, Moore, Patman, Williams.

Absent-excused: Clower.

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 23, Nays 7.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Longoria, Mauzy, McKnight, Meier, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan.

Nays: Harris, Kothmann, Lombardino, Mengden, Moore, Patman, Williams.

Absent-excused: Clower.

MESSAGE FROM THE HOUSE

House Chamber
March 24, 1977

Honorable William P. Hobby
President of the Senate

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

S.B. 114, A bill to be entitled An Act permitting a voter who expects to serve as a poll watcher in an election precinct other than the precinct of his residence to vote absentee by personal appearance; amending Paragraph (a), Subdivision 1, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code).

S.B. 185, A bill to be entitled An Act relating to the powers and duties of certain pipeline companies for the transportation of coal and to the regulation of

these pipeline companies as common carriers; amending Articles 6018, 6019, 6023, and 6022, Revised Civil Statutes of Texas, 1925. (With amendments)

S.B. 111. A bill to be entitled An Act relating to the allocation of funds to public junior and community colleges to cover the loss of tuition and laboratory fees resulting from tuition and fees set aside under the Texas Public Education Grants Program and from tuition and fee exemptions under Sections 54.201 through 54.209 of the Texas Education Code; adding Section 61.073 to Chapter 61, Texas Education Code.

S.B. 117. A bill to be entitled An Act relating to the possession of firearms in the automobile or hunting camp of bow hunters during the special archery season; amending Section 62.054, Parks and Wildlife Code.

S.B. 97. A bill to be entitled An Act relating to the senate sitting as a court of impeachment; amending Article 5963, Revised Civil Statutes of Texas, 1925.

S.B. 25. A bill to be entitled An Act relating to hunting and fishing license requirements for certain disabled veterans of the armed forces of the United States; amending Subsection (a), Section 46.003, Parks and Wildlife Code; adding a Section 42.0041 to Chapter 42, Parks and Wildlife Code. (With amendment)

H.C.R. 50. Authorizing C. E. Gladden to sue the State.

H.C.R. 53. Providing that Capitol Historical Marker be placed in permanent position on Capitol Grounds.

H.C.R. 74. In memory of Judge Elbert Reeves, former State Representative.

H.C.R. 75. Expressing concern of Legislature for children visiting parks where animals are shown and may be petted with danger to child.

H.C.R. 1. Requesting a review by the Social Security Administration regulations governing certification of representative payees.

H.C.R. 2. Granting permission to W. H. Hunt, Jr., and Annie L. Hunt to sue the State.

H.C.R. 26. Granting permission to Border Road Construction Company to sue the State.

H.C.R. 29. Granting permission to Mario Figueroa to sue the State.

H.C.R. 43. Granting permission to National Seafoods, Incorporated, to sue the State.

H.C.R. 47. Granting permission to Kathleen Burke Dunbar to sue the State.

S.C.R. 5. Granting Fred Franke, Inc. permission to sue the State of Texas and TDC and the State Board of Control. (With amendment)

S.C.R. 13. Granting Fleetwood Construction Company permission to sue the State of Texas.

S.C.R. 14. Granting Fleetwood Construction Company permission to sue the State of Texas.

S.C.R. 18. Granting Evie Wooten permission to sue the State of Texas.

S.C.R. 19. Granting Lewis and Gale Woodruff permission to sue the State of Texas.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILL 1159 ON THIRD READING

Senator Moore asked unanimous consent to suspend the regular order of business to take up on its third reading and final passage:

S.B. 1159. Providing a procedure whereby the governing body of certain cities, towns and villages may hold a special election to determine whether or not powers of recall, initiative and referendum powers shall be adopted by such city; amending Chapter 3 of Title 28, Revised Civil Statutes.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up **S.B. 1159** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 4, Present-Not Voting 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Sherman, Snelson, Traeger, Williams.

Nays: Mauzy, Patman, Schwartz, Truan.

Present-Not Voting: Ogg.

Absent-excused: Clower.

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 23, Nays 6, Present-Not Voting 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Snelson, Traeger, Williams.

Nays: Hance, Mauzy, Patman, Schwartz, Sherman, Truan.

Present-Not Voting: Ogg.

Absent-excused: Clower.

EXECUTIVE SESSION

The President announced that the time had arrived for an Executive Session of the Senate. (Senator Andujar having given Notice on yesterday.)

Senator Mauzy moved that Senate Rule 41 be suspended in order to consider nominations scheduled for today in open session.

The motion was lost by the following vote: Yeas 12, Nays 17.

Yeas: Aikin, Braecklein, Brooks, Doggett, Jones of Harris, Longoria, Mauzy, Parker, Patman, Schwartz, Sherman, Truan.

Nays: Adams, Andujar, Creighton, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Snelson, Traeger, Williams.

Absent: Santiesteban.

Absent-excused: Clower.

Accordingly, the President at 11:04 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the President called the Senate to order as In Legislative Session at 11:27 o'clock a.m.

The President asked if there were requests to sever nominees.

There were no requests to sever.

Senator McKnight moved confirmation of those nominees reported by the Committee on State Affairs, Sub-Committee on Nominations and considered in Executive Session.

The following nominees were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Clower.

NOMINEES CONFIRMED

To be a Member of the TEXAS COSMETOLOGY COMMISSION: Ms. Sally J. Cooney, Harris County.

To be Members of the Board of Regents, MIDWESTERN STATE UNIVERSITY: Sherrill Burba, Young County; R. E. (Gene) Chambers, Wichita County; Frank J. Douthitt, Clay County (reappointment); W. M. Thacker, Jr., Wichita County (reappointment).

To be Members of the Board of Regents, PAN AMERICAN UNIVERSITY: Mrs. Ramiro Guerra, Hidalgo County; Raul Tijerina, Jr., Cameron County (reappointment); John Lloyd Bluntzer, Nueces County.

To be Members of the Board of Regents, WEST TEXAS STATE UNIVERSITY: James R. Lovell, Moore County; Mrs. B. M. (Lennie) Sims, Collingsworth County; John M. Shelton, III, Potter County (reappointment).

To be Members of the TEXAS YOUTH COUNCIL: Dr. William M. Shamburger, Smith County; Dr. George J. Beto, Walker County (reappointment).

To be DISTRICT JUDGES: (Effective April 1, 1977). Harold Louis Valderas, Tarrant County; Albert L. White, Tarrant County; Joe Spurlock, II, Tarrant County (effective September 1, 1977); Charles A. Dickerson, Fort Bend County; Alfonso Chapa, Bexar County; David V. Wilson, Angelina County; Robert Eschenburg, Wilson County; John McCraw, Jr., Collin County; Andrew Campbell, Hamilton County; Lee Alworth, Montgomery County; David Wesley Gulley, Deaf Smith County; Don Cain, Gray County; Al J. Klein, Bexar County; Ted Butler, Bexar County; Mike Machado, Bexar County; Allen L. Stilley, Harris County; Mrs. Joe Kegans, Harris County; J. D. Guyon, Harris County; Ruby Kless Sondock, Harris County; John McFall, Lubbock County; Vann Culp, Midland County; Glenn S. Phillips, Smith County.

To be CRIMINAL DISTRICT ATTORNEY: Bill Marvin White, Bexar County (replacing Ted Butler).

To be JUDGE DOMESTIC RELATIONS COURT NUMBER 5: Felix Salazar, Jr., Harris County (replacing Ruby Sondock).

To be Members of the TEXAS COMMISSION ON THE ARTS AND HUMANITIES: Mrs. Charles Nash, Travis County; John Ben Shepperd, Ector County; Mrs. George-R. Brown, Harris County; Joe Lea, Jr., El Paso County.

To be Members of the STATE COMMISSION FOR THE BLIND: John W. (Bill) Longley, Jones County; Sam D. Millsap, Bexar County.

To be Members of the Board of Trustees, TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM: Arch G. Lamb, Lubbock County; Ramiro M. Guerra, Hidalgo County (reappointment).

To be Members of the TEXAS HISTORICAL COMMISSION: Miss Kathryn Duff, Taylor County; Ed Leach, Gregg County; Jack C. Kellam, Van Zandt County; Joe J. Fisher, Jefferson County; Mrs. Mary Moody Northen, Galveston County (reappointment); Major General William Allen Harris, Bexar County; Cecil E. Burney, Nueces County.

To be a Member of the GREATER SOUTH TEXAS CULTURAL BASIN: Dr. Mario E. Ramirez, Starr County.

To be a Member of the COMMISSION FOR INDIAN AFFAIRS: Jack H. Stallings, El Paso County.

To be PRESIDING JUDGES: 3rd Administrative Judicial District, The Honorable Herman Jones, Travis County (reappointment); 4th Administrative

Judicial District, The Honorable Peter Michael Curry, Bexar County (reappointment); 5th Administrative Judicial District, The Honorable Jose R. Alamia, Hidalgo County (reappointed); 8th Administrative Judicial District, The Honorable Louis T. Holland, Coryell County (reappointment); 9th Administrative Judicial District, The Honorable Howard C. Davison, Lubbock County (reappointment); 2nd Administrative Judicial District of Texas, The Honorable Max M. Rogers, Walker County (reappointment); 6th Administrative Judicial District, The Honorable Ross E. Doughty, Jr., Uvalde County; 7th Administrative Judicial District, The Honorable Perry D. Pickett, Midland County.

To be a Member of the TEXAS LIBRARY AND HISTORICAL COMMISSION: C. Stanley Banks, Bexar County.

To be Members of the TEXAS MOTOR VEHICLE COMMISSION: Robert Lee Ragsdale, Travis County; Dan Boone, Harris County; John N. Cleveland, Tom Green County; James M. Carnes, Bexar County.

To be Members of the STATE BOARD OF NURSE EXAMINERS: Mrs. Billie Jean Bell, Harris County; Dr. Barbara Woodard, Dallas County.

To be Members of the TEXAS BOARD OF LICENSURE FOR NURSING HOME ADMINISTRATORS: James P. Baker, Angelina County (reappointment); Carroll C. Curry, Hill County; Mrs. Hollis B. (Virginia) Atkinson, McLennan County.

To be a Member of the OCCUPATIONAL SAFETY BOARD: Henry C. Wendler, Dallas County (reappointment).

To be a Member of the TEXAS OPTOMETRY BOARD: Dr. John W. Davis, Dallas County.

To be Members of the STATE BOARD OF PHARMACY: William Arlyn Kloesel, Travis County; Doyle Harrell, Tarrant County (reappointment).

To be Members of the STATE BOARD OF PLUMBING EXAMINERS: Kurt A. J. Monier, Bexar County (reappointment); Sterling A. Neblett, Harris County.

To be Members of the Board of Directors, BRAZOS RIVER AUTHORITY: Don T. Kearby, Palo Pinto County; J. B. Potts, Garza County.

To be Members of the Board of Directors, LAVACA-NAVIDAD RIVER AUTHORITY: Joe Bonnot, Jackson County; Claudius Branch, Jackson County; Carl W. Swenson, Jackson County (reappointment); Hans R. Wittenburg, Jackson County (reappointment).

To be Members of the Board of Directors, NUECES RIVER AUTHORITY: Vernon G. Schimmel, Jim Wells County; Joe E. Briscoe, Medina County; George A. Finley, III, Nueces County; James M. Whitten, San Patricio County.

To be Members of the Board of Directors, NECHES RIVER CONSERVATION DISTRICT: James E. Campbell, Shelby County; N. C. Garrison, Nacogdoches County (reappointment); Pitsier Garrison, Angelina County (reappointment).

To be Members of the Board of Directors, RED RIVER AUTHORITY OF TEXAS: John H. Anderson, Grayson County (reappointment); Jim D. Hughes, Wilbarger County (reappointment); Jim W. Sowell, Hardeman County (reappointment).

To be Members of the TEXAS REHABILITATION COMMISSION: John D. Simpson, Jr., Travis County (reappointment); Mrs. Marjorie C. Kastman, Lubbock County (reappointment).

To be Members of the SABINE RIVER AUTHORITY OF TEXAS: John H. Butts, San Augustine County; Juan D. Nichols, Wood County; Benjamin B. Pegues, Wood County (reappointment); Charles Wickersham, Orange County (reappointment).

To be Members of the TEXAS STRUCTURAL PEST CONTROL BOARD: Ernest E. Cantrell, Dallas County; George Novy, Jr. (deceased), Dallas County (reappointment); William Spitz, Harris County (reappointment); Louis E. McClish, Potter County; W. D. Bedingfield, Uvalde County (reappointment).

To be a Member of Board of Directors, TRINITY RIVER AUTHORITY OF TEXAS: William L. Bondurant, Tarrant County.

To be Members of the TEXAS TOURIST DEVELOPMENT BOARD: Charles W. Horan, Jr., Tarrant County (reappointment); James Joseph Spring, Jr., Harris County; Bob Conwell, Nueces County (reappointment).

To be Members of the Board of Directors, TEXAS TURNPIKE AUTHORITY: George W. Hawkes, Tarrant County (reappointment); Gene H. Bishop, Dallas County; John P. Thompson, Dallas County (reappointment); J. Frank Holt, III, Dallas County (reappointment); Joe H. Foy, Harris County (reappointment).

To be Members of the Board of Regents, UNIVERSITY OF HOUSTON: Willie C. Wells, Harris County; Leonard Rauch, Harris County (reappointment); Travis C. Johnson, El Paso County (reappointment).

To be a Member of the Board of Regents, TEXAS STATE UNIVERSITY SYSTEM: Harry Hornby, Jr., Uvalde County.

To be a Member of the TEXAS AIR CONTROL BOARD: William D. Parish, Hidalgo County.

To be AGRICULTURE COMMISSIONER: Reagan Brown, Bryan County.

To be a Member of the PUBLIC SAFETY COMMISSION: William B. Blakemore, II, Midland County (reappointment).

HOUSE BILL BILL 789 ON SECOND READING

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 789, A bill to be entitled An Act relating to the participation of the State of Texas in the Academic Common Market; adding a new Section 160.07 to the Texas Education Code; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 789 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 789** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Clower.

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.

HOUSE BILL 452 ON SECOND READING

Senator Meier asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

H.B. 452, A bill to be entitled An Act relating to the recovery of attorney's fees in suits founded on certain oral or written contracts; amending Article 2226, Revised Civil Statutes of Texas, 1925, as amended.

(Senator Schwartz in Chair)

There was objection.

Senator Meier then moved to suspend the regular order of business and take up **H.B. 452** for consideration at this time.

The motion prevailed by the following vote: Yeas 20, Nays 7.

Yeas: Adams, Andujar, Brooks, Doggett, Hance, Jones of Harris, Kothmann, Lombardino, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Braecklein, Creighton, Farabee, Moore, Patman, Sherman.

Present-Not voting: Jones of Taylor.

Absent: Harris, Longoria.

Absent-excused: Clower.

The Presiding Officer then laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

RECORD OF VOTES

Senators Braecklein, Creighton, Hance, Farabee, Sherman, Mengden, Aikin, Patman, Harris, Moore, and Jones of Taylor asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

HOUSE BILL 282 ON SECOND READING

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 282, A bill to be entitled An Act relating to the authority of the Coordinating Board, Texas College and University System, to contract with medical schools, licensed hospitals and nonprofit corporations for the purpose of providing state funds to family practice residency training programs; amending Chapter 61, Texas Education Code, as amended, by adding Subchapter G.

The bill was read second time.

Senator Snelson offered the following amendment to the bill:

Amend **H.B. 282** by amending Sec. 61.501 (2), page 2, line 6, to read as follows:

"(2) 'Approved family practice residency training program' means a graduate medical education program operated by a medical school, licensed hospitals, or nonprofit corporations which has been approved for training physicians in family practice and for the receipt of state funds for that purpose by the board after receiving the recommendation of the Family Practice Residency Advisory Committee."

The amendment was read and was adopted.

On motion of Senator Snelson 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 third reading.

HOUSE BILL 282 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 282** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Moore.

Absent-excused: Clower.

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

The bill was read third time and was passed.

(President in Chair)

SENATE CONCURRENT RESOLUTION 74

Senator Mauzy offered the following resolution:

WHEREAS, House Bill Number 502 has been passed by the Senate and is now in the House, and there are certain corrections to be made therein; now, therefore, be it

RESOLVED, By the Senate of the State of Texas, the House of Representatives concurring, that the House is hereby respectfully requested to return House Bill Number 502 to the Senate for further consideration.

The resolution was read.

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

SENATE BILL 868 ON SECOND READING

On motion of Senator Traeger 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. 868, Relating to the delivery of mixed beverages to hotel rooms; amending Subdivision (a), Subsection (22), Section 15, Article 1, Texas Liquor Control Act, as amended (Article 666-15, Vernon's Texas Penal Auxiliary Laws).

The bill was read second time.

Senator Traeger offered the following amendment to the bill:

Amend Senate Bill 868, line 16, after the words mixed beverages by adding: "including" and deleting the brackets around and line through (wine and beer).

The amendment was read and was adopted.

On motion of Senator Traeger 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 by the following vote: Yeas 21, Nays 9.

Yeas: Andujar, Braecklein, Brooks, Creighton, Doggett, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Traeger, Truan.

Nays: Adams, Aikin, Farabee, Jones of Taylor, Mauzy, McKnight, Sherman, Snelson, Williams.

Absent-excused: Clower.

MOTION TO PLACE SENATE BILL 868 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 868** 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 22, Nays 8.

Yeas: Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Traeger, Truan.

Nays: Adams, Aikin, Jones of Taylor, Mauzy, McKnight, Sherman, Snelson, Williams.

Absent-excused: Clower.

MESSAGE FROM THE HOUSE

House Chamber
March 24, 1977

Honorable William P. Hobby
President of the Senate

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

S.B. 192, A bill to be entitled An Act relating to the creation, administration, powers, and duties of the Office of Court Administration of the Texas Judicial System; providing for the promulgation of rules by the Supreme Court.

S.B. 137, A bill to be entitled An Act relating to the addition of certain areas to the Cibolo Creek Municipal Authority; amending Sections 4 and 5, Chapter 347, Acts of the 62nd Legislature, Regular Session, 1971 (Article 8280-487, Vernon's Texas Civil Statutes); and declaring an emergency. (With amendment)

S.B. 507, Relating to the curtailment of school operations due to emergencies, amending Section 16.052, Section 16.055(b) and Section 21.008(a), Texas Education Code.

S.B. 98, A bill to be entitled An Act relating to the open season for taking fur-bearing animals in Cherokee County; repealing Subchapter E, Chapter 138, Parks and Wildlife Code.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives

COMMITTEE SUBSTITUTE SENATE BILL 52 ON SECOND READING

Senator Harris moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 52, Relating to bail pending appeal or disposition of a motion for new trial; amending Article 44.04, Code of Criminal Procedure, 1965.

The motion prevailed by the following vote: Yeas 22, Nays 7.

Yeas: Adams, Aikin, Andujar, Braecklein, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Meier, Mengden, Moore, Patman, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Brooks, Longoria, Mauzy, McKnight, Parker, Santiesteban, Truan.

Absent: Ogg.

Absent-excused: Clower.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment by the following vote: Yeas 23, Nays 7.

Yeas: Adams, Aikin, Andujar, Braecklein, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Meier, Mengden, Moore, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Brooks, Longoria, Mauzy, McKnight, Parker, Santiesteban, Truan.

Absent-excused: Clower.

SENATE BILL 894 ON SECOND READING

On motion of Senator Moore 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. 894, Relating to changing the names of the Texas Board of Health Resources and the Texas Department of Health Resources and the title of the Director of Health Resources, meeting places of the board, and the rulemaking power of the board; amending Sections 1-5, 8, 10, and 10A, Chapter 42, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Articles 4414a-4418a, 4418d, 4418f, and 4418g, Vernon's Texas Civil Statutes).

The bill was read second time and was passed to engrossment.

SENATE BILL 894 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 894** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Clower.

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 30, Nays 0.

Absent-excused: Clower.

SENATE BILL 285 ON SECOND READING

On motion of Senator Parker 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. 285, Amending Chapter 67, Page 167, Acts of the 59th Legislature, Regular Session, 1965, as amended (codified as Article 5547-202, Sec. 2.05(a), Vernon's Texas Civil Statutes), providing for at least four regular meetings per year of the Texas Board of Mental Health and Mental Retardation; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 285 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 285** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Clower.

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 30, Nays 0.

Absent-excused: Clower.

SENATE BILL 700 ON SECOND READING

On motion of Senator Braecklein 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. 700, Relating to legal rights of mentally retarded persons; admission and commitment to mental retardation services; transfer and discharge of clients, procedures, and appeals; establishing public responsibility committees; providing for confidentiality of records; providing for responsibility of the Texas Department of

Mental Health and Mental Retardation and cooperation with other agencies; etc., and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 700 ON THIRD READING

Senator Braecklein moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 700** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Andujar.

Absent: Harris, Moore.

Absent-excused: Clower.

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.

COMMITTEE SUBSTITUTE SENATE BILL 67 ON SECOND READING

On motion of Senator Schwartz 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. 67. Relating to the registration and certification of persons engaged in the assessment of property for ad valorem taxation; creating the State Board of Registration and Professional Certification for Assessors in Texas; providing for membership, terms, organization, functions and duties of the board; providing procedures for carrying out the terms of this Act; providing for fees, the establishment of the Assessors' Registration Fund, and the payment of compensation and expenses; providing enforcement procedures, providing qualifications, duties, and standards of conduct for persons engaged in assessing property; defining certain offenses and providing penalties; and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 67 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 67** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent: Harris, Longoria, Moore.

Absent-excused: Clower.

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.

**MOTION TO PLACE
COMMITTEE SUBSTITUTE SENATE BILL 207 ON SECOND READING**

Senator Andujar asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 207, Relating to the immunity from civil liability of witnesses in the process of school book selection; and providing a remedy for witnesses who are sued.

Question - Shall the regular order be suspended?

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 381 - by Williams: Designating March 24, 1977, as "Senate District 6 Day."

S.R. 382 - by Doggett: Extending welcome to Pearce Junior High School 8th Grade Classes.

S.R. 383 - by Doggett: Extending welcome to Reverend Efrain Buenfil.

S.R. 386 - by Adams: Extending congratulations to Mrs. Winnie Metcalf.

S.R. 387 - by Mauzy: Extending congratulations to Dr. R. G. Corona.

S.R. 388 - by Schwartz: Extending welcome to Craig Hupper.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:24 o'clock p.m. adjourned until 10:30 o'clock a.m. Monday, March 28, 1977.

APPENDIX

Sent to Governor

(March 24, 1977)

S.B. 291

In Memory

of

H.B. Toney

Senator Moore offered the following resolution:

(Senate Resolution 385)

WHEREAS, With the tragic death of Fire Marshal H. B. Toney, on March 14, 1977, residents of Huntsville lost one of their most devoted and beloved citizens; Mr. Toney, who was 61 at the time of his death, gave his life in service to others; and

WHEREAS, Born January 12, 1916, in Crockett, Texas, Mr. Toney was the son of William T. Toney and Ida Ora Leonard Toney; and

WHEREAS, A longtime resident of Huntsville, Mr. Toney faithfully served his community for many years: he was a former police officer and a patrolman for the Department of Public Safety; he had served as chief of the Huntsville Fire Department; and he had been an outstanding member of the volunteer fire department for 24 years; and

WHEREAS, This remarkable public servant joined the Huntsville Fire Department in 1946 and was named fire marshal in 1964; he was secretary-treasurer for the East Texas Firemen and Fire Marshal's Association for four years and was serving in this capacity at the time of his death; and

WHEREAS, Fire Marshal Toney dedicated his life to his work and his fellowman; he was often found in the Huntsville schools teaching the principles of fire safety and the children could always look forward to a ride on the fire truck; and

WHEREAS, This deeply respected and hard-working gentleman was honored by his many friends in the community at the time of his death: members of the Police Department and the Fire Department maintained an honor guard for him, and businesses affiliated with the Downtown Merchants Association and the City Hall closed their doors during the funeral as a token of the great loss felt by the entire community; and

WHEREAS, The tireless devotion of H. B. Toney will not soon be forgotten. As Police Chief Gail Burch said of Mr. Toney: "He was not only a fireman but also a law enforcement officer and one of the finest persons that I've ever been acquainted with"; now, therefore, be it

RESOLVED, That the Senate of the 65th Legislature of the State of Texas pay tribute to the exemplary life of service of Fire Marshal H. B. Toney and extend deepest sympathy on their great loss to the members of his family: to his wife, Mrs. Mary Sue Toney; his son, Bill Toney of Huntsville; his daughters, Mrs. Madalane Short and Mrs. Mary McMillian, both of Huntsville; his brothers, William T. Toney of Huntsville and Vinnis Toney of Charlotte, North Carolina; his sisters, Miss Helen Toney of Midland, Mrs. Nelma Wilkinson of Premont, and Miss Demp Toney of Austin; and his five grandchildren; and, be it further

RESOLVED, That official copies of this resolution be prepared for the members of his immediate family, and that when the Texas Senate adjourns this day, it do so in memory of and in appreciation for the life of H. B. Toney.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory**of****Judge Warren P. Cunningham**

Senator Brooks offered the following resolution:

(Senate Concurrent Resolution 73)

WHEREAS, The city of Houston and the State of Texas suffered a great loss with the death of Warren P. Cunningham, Jr., Judge of the 164th District Court, who died March 19, 1977, at age 62; and

WHEREAS, A native of Hampton, Virginia, Judge Cunningham had lived in Texas since 1917 and in Houston since 1945. His father was Walter P. Cunningham, founder of Cunningham Bearing Co.; and

WHEREAS, Judge Cunningham attended the University of Texas and Harvard Law School, where he was awarded his master of laws degree in 1939; and

WHEREAS, In the 1940s, he served as special attorney for the U.S. Department of Justice, aiding in the prosecution of antitrust suits. His legal practice afterward in Houston was in civil law; and

WHEREAS, Judge Cunningham had presided over the 164th District Court in Houston since 1963, when the court was created by the 58th Legislature; and

WHEREAS, He was elected chairman of the Judicial Section of the State Bar of Texas in September, 1976. He also was a member of the American Bar Association; and

WHEREAS, Judge Cunningham was a member of the board of directors of the Houston Community Council, a trustee of the United Fund, former board chairman of the Houston Tuberculosis Hospital and past president of Houston Exchange Club; and

WHEREAS, It is appropriate that the Senate of the State of Texas, with the House of Representatives concurring, honor the memory of a man with many outstanding personal accomplishments and a notable record of service to his fellow citizens; now, therefore, be it

RESOLVED by the Senate of the 65th Legislature, the House of Representatives concurring, That the Legislature of the State of Texas commend the life of Warren P. Cunningham, Jr. and extend deepest sympathy to his family: his wife, Mrs. Ellen B. Cunningham of Houston; his sons, Tom Alan Cunningham of Houston and Warren P. Cunningham, III, of Dallas; his daughter, Dr. Suzie Tindall of Atlanta, Georgia; and his brother, Jack P. Cunningham of Houston; and, be it further

RESOLVED, That official copies of this Resolution be prepared for the members of his family as a tribute by the Texas Legislature in memory of Judge Warren P. Cunningham, Jr., and that when the two Houses of the Legislature of the State of Texas adjourn this day, they do so in the memory of Judge Warren P. Cunningham, Jr.

The resolution was read and was adopted by a rising vote of the Senate.

On motion of Senator Jones of Harris and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.