

JOURNAL
OF THE
House of Representatives
OF THE
FIRST CALLED SESSION
OF THE
Sixty-second Legislature
OF THE
STATE OF TEXAS
BEGUN AND HELD AT
THE CITY OF AUSTIN
JUNE 1, 1971



MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

June 1, 1971

To the Members of the Texas House of Representatives from Governor Preston Smith:

I herewith submit the attached special message as an emergency measure for your consideration.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

To the Members of the 62nd Legislature, First Called Session:

The proclamation which called you into this special session is clear. Congressional redistricting must be done, and there is no reason why it cannot be done quickly.

There is one other matter which is mandatory.

For as long as most of us care to remember, the people of Texas have been divided deeply over the highly emotional issue of legalizing the sale of liquor by the drink. That issue has now become the law of our state, but there are no laws for taxation of liquor by the drink, other than through the limited sales and excise tax.

The citizens of our state have been told time and again that one reason for passing liquor by the drink laws was for the revenue which could be raised.

As Governor of Texas, I am pledged to represent all our citizens, just as you are sworn to represent the constituents of your district.

For that reason, I am amending the initial call of this special session to include passage of legislation which would levy additional taxes on the sale of mixed alcoholic drinks.

It has been estimated that the revenue yield from the liquor by the drink tax would be approximately 25 million dollars per year.

This revenue is needed. This is the time and the place to get it.

With regard to the arduous session just concluded, I have this to say:

It was a difficult session. Each and every one of you worked hard. There was bitterness and division because these are not easy times in which we live and attempt to serve the people of Texas.

But, in retrospect, the session was, in my opinion, productive.

Many good bills were passed, and I will sign them into law.

Many bills which may not be so good are on my desk, and if, after close evaluation, I find that they would not serve the best interests of all our citizens, they will be vetoed.

The purpose of this special session will not take long. If all of us will put our shoulders to the wheel and apply ourselves this special session can be completed in a minimum of time.

I am sure that this is what we all want.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas
June 1, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. To enact measures providing for the regulation, importation, sales and service of various alcoholic beverages, the administration and enforcement of the Texas Liquor Control Act and the enforcement of regulations promulgated by the Texas Alcoholic Beverage Commission, providing for the adjustment of taxes on alcoholic beverages, and fees for licenses and permits.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

**Austin, Texas
June 3, 1971**

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

- 1. To enact measures providing for governmental financing and operation**

of the state party primaries as an alternative to the present assessment system.

Respectfully submitted,
PRESTON SMITH
 Governor of Texas

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas
 June 8, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. To enact legislation to cover only the following errors in language, statutory references, calculations and unintentional omissions in SB 11, 62nd Legislature, Regular Session, as follows:

(a) Under the Industrial Accident Board at page III-82, change item 9 to read "Consumable supplies and materials, current and recurring operating expense (excluding travel expense) and necessary expenses for computer" and change the annual amount for item 9 to \$358,549 in 1972 and \$363,206 in 1973.

(b) Under the Industrial Accident Board at page III-82 and page III-83 add the following classifications:

Group 20

1056 Prehearing Examiner, Industrial Accident Board 9

Group 19

1551 Staff Services Officer I 4

Group 16

0233 ADP Supervisor III 1

0260 Systems Analyst I 1

1163 Accountant III 1

Group 15

1503 Administrative Technician III 17

Group 14

0240 ADP Programmer I 1

Group 11

1502 Administrative Technician II 7

Group 8

1501	Administrative Technician I	14
1003	Accounting Clerk III	1
1703	Personnel Clerk III	1

Group 6

0055	Clerk III	16
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(c) Under the Industrial Accident Board at page III-82 change the annual amount for item 5 to \$1,059,212 in 1972 and \$1,127,915 in 1973.

(d) Under the Coordinating Board at page IV-17, change item 16(b) to read: "Texas Osteopathy Scholarships and Operating Expense."

(e) At page V-55, Section 60, change the reference SB 209 to SB 908.

(f) Under Texas Public Junior Colleges—State Aid at page IV-19, change the amount for Vernon Regional Junior College in 1973 to \$408,080.

(g) Under West Texas Childrens Home at page II-40, change the amount for item 2 to \$12,500 in 1973.

(h) Under the Alcoholic Beverage Commission at page III-13 add the following classifications:

Group 20**1553 Staff Services Officer II**

(i) Under the Board of Control at page III-40, change the amount in item 2 to \$21,500 in 1972.

(j) Under the General Land Office at page III-93, change item 17 to read "Consumable supplies and materials, current and recurring operating expense (excluding travel expense), capital outlay and professional fees and services."

(k) Under the Soil and Water Conservation Board at page III-138, change the annual amounts in item 3 to \$107,624 for 1972 and \$115,008 for 1973.

(l) Under the Rodent and Predatory Animal Control Service at page IV-49, change the annual amounts in item 2 to \$512,850 for each year of the biennium.

(m) Under the Railroad Commission at page III-116, change the annual amounts on the following items as specified:

item 2, \$24,000 each year
item 3, \$25,000 each year
item 4, \$22,500 each year
item 5, \$22,500 each year
item 6, \$22,500 each year
item 7, \$22,500 each year
item 8, \$22,000 each year

item 9, (\$21,000 each), \$84,000 each year
item 10, (\$21,000 each), \$42,000 each year
item 11, (\$21,000 each), \$42,000 each year
item 12, \$21,000 each year

(n) Under the Aeronautics Commission at page III-4, change the annual amounts in item 5 to \$16,500 in 1972 and \$17,000 in 1973.

(o) Under the Judiciary Section, Comptroller's Department, at page I-13, add an item 10 as follows and renumber subsequent item numbers accordingly:

Salary of Criminal District Attorney for Eastland County as per SB 1024 of the Sixty-second Legislature, 1971. \$6,300 (1972) and \$6,300 (1973).

(p) Under the Special Provisions relating to all Hospitals, Special Schools, Youth Institutions, and agencies or offices of Article II, Section 2, Salary Provisions. a. Exempt Positions, at page II-41, delete the letters M.D. following the title of Assistant to Deputy Commissioner, Mental Retardation.

(q) On page IV-62 under Texas Tech University School of Medicine at Lubbock on the line that reads "year enrollment of 100 undergraduate medical students upon completion," change to read "year enrollment of 200 undergraduate medical students upon completion."

(r) Under the General Provisions at page V-52 add a new Section 50 as follows and renumber sections accordingly:

"Sec. 50 Statewide Telephone Network

The Governor is hereby authorized to enter into service contracts with telephone companies serving areas in which offices of state agencies are situated for a consolidated statewide telephone network that will be available to all state agencies. For the biennium ending August 31, 1973, the Governor is authorized to approve expenditures not to exceed the sum of \$35,000.00 for installation charges that may be incurred in establishing the telephone network for state agencies. Upon establishment of the network, the Governor shall certify to the Comptroller the amounts which are to be transferred from the applicable appropriation items and accounts of the state agencies and the Comptroller shall establish a special operating fund for the amounts so certified.

(s) Under the Office of Community Affairs at page III-66 change the references to SB 385 in the second paragraph to SB 494.

(t) Under General Provisions at page V-28 on the sixth full paragraph change Step 7 to Step 8.

(u) Under the Texas Rehabilitation Commission at page III-122, page III-123 and page III-124, add the following classifications:

Group 21

5510 Regional Director

Group 20

1153 Staff Services Officer II
0249 Systems Analyst II

Group 19

5511 Assistant Regional Director
5513 Program Specialist II
5514 Chief of Program Evaluation

Group 18

5512 Program Specialist I
5515 Supervisor, Vocational Rehabilitation

Group 17

1733 Personnel Officer III

Group 16

5378 Coordinator of Rehabilitation

Group 14

0227 ADP Equipment Operator IV
0240 ADP Programmer I

Group 12

1946 Purchasing & Supply Officer I
5212 Caseworker II

Group 11

4385 Nurse II

Group 8

0205 Key Punch Operator III
0247 Magnetic Tape Librarian

Group 7

0245 ADP Record Control Clerk II

Group 4

1701 Personnel Clerk I
5502 Community Services Aide II

(v) Under Other Provisions at page V-54, delete in its entirety Section 56.

(w) Under Other Provisions add Section 59 to read as follows:

"None of the funds appropriated in this Act shall be expended by agencies which practice racial discrimination in the employment of personnel."

Respectfully submitted,
PRESTON SMITH
Governor of Texas

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas
June 3, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. To enact measures providing an alternate method of financing and operating the state party primaries.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas
June 4, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. A bill to enact legislation, relating to the appointment of commissioners for the Court of Criminal Appeals, reenacting certain portions of Articles 1811a, 1811b and 1811c of Texas Revised Civil Statutes which were repealed by a portion of SB 529, Acts of the 62nd Legislature, Regular Session, 1971.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

MESSAGE FROM THE GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

Austin, Texas
June 4, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. To enact measures providing for the preservation and enhancement of scenic beauty of lands bordering certain public highways; providing for the regulation of advertising and certain junkyards and automobile graveyards bordering such highways by the Texas Highway Commission.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

MESSAGE FROM THE GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

Austin, Texas
June 4, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. To enact measures relating to the jurisdiction of cities over the campus of the University of Texas at San Antonio.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

MESSAGE FROM THE GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

Austin, Texas
June 4, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. To enact measures providing for a referendum on the issue of daylight saving time.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

MESSAGE FROM THE GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

Austin, Texas
June 4, 1971

To the Members of the 62nd Legislature, First Called Session:

I hereby submit as additional subjects for consideration in the First Called Session, the following legislation:

1. A bill to enact legislation, relating to the appointment, power, and duties of reserve law enforcement officers, which would have the effect of repealing Sections 1, 2, and 4 of SB 72, Acts of the 62nd Legislature, Regular Session, 1971.

Respectfully submitted,
PRESTON SMITH
Governor of Texas