The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the Speaker.

The roll of the House was called, and the following Members were present:

Mr. Speaker Anderson
Anderson
Armor
Atwell
Ballman
Bantam
Bass
Bell
Bishop
Blachard
Bowers
Boyd
Bristow
Bryant
Bullock
Burkett
Byrd
Chapman
Cloud
cole
Conley
Cory
Cotten
Cox
Crosthwaite
Day
de la Garza
Dewey
Duff, Miss
Dugas
Douglas
Ekbr
Ellard
Ellis
Ferrell
Ford
Foreman
Forsyth
Glass
Glueing
Gotts
Green
Hale
Harrington
Healy
Hedin

Puckett
Ramsey
Richardson
Richey
Roberts
Russell
Sadler
Sandahl
Sanderson
Saul
Schaun
Schram
Thurmond
Schwartz
Tunnell
of Galveston
of Walling
of Washington
Wolch
Shackelford
Shannon of Bratty
Shannon
Wilson of Young
of Tarrant
Winfree
Sherill
Shirk
Smith of Hays
Smith of Jefferson Zbranek
Spillman
Pipkin
A quorum of the House was announced present.

The Invocation was offered by the Honorable B. H. Dewey, Jr.

"Our Heavenly Father, we thank Thee for this successful Session. Be with us as we return to our homes and Communities. Bless our Speaker, our Governor, our Senators, our Representatives and the Employees of the House.

"In Christ's name we ask all these things—Amen."

LEAVES OF ABSENCE GRANTED

Mr. Sheridan for today on motion of Mr. Atwell.

Mr. Cline was granted leave of absence on account of illness, for today, on motion of Mr. Day.
COMMENDING AND CONGRATULATING CHARLES FRANK SCHMIDT

Mr. Schwartz of Washington offered the following resolution:

H. S. R. No. 536

A resolution of respect, appreciation and esteem for Charles Frank Schmidt of Brenham, Texas, by the House of Representatives, the Legislature of the State of Texas.

Whereas, Charles Frank Schmidt has served the public schools of Texas as Teacher, Principal, Superintendent, Junior College President and College Instructor for a total period of fifty-four years; and

Whereas, He served tirelessly, unselfishly and with distinction; and

Whereas, He is held in high esteem by his friends and former students; and

Whereas, His contribution to the development of the program of public education is being recognized in this manner; and

Whereas, He has announced his retirement from the teaching profession as of May 26, 1957, now therefore,

Resolved, That the House adopt, and Mr. Bullock offers the following resolution:

H. S. R. No. 533

The Senior Class of the Bynum High School were guests of the House of Representatives of the Thirty-fifth Texas Legislature on Wednesday, May 22, 1957; and

Whereas, These interested and ambitious students accompanied by their sponsors, Mrs. John W. Terry and Mr. Jim Box, made a trip of some one hundred and fifty miles to watch the proceedings of the House and Senate; and

Whereas, Each of these students is to be praised and commended for his interest in our grand and glorious State of Texas and its government and Mrs. Terry and Mr. Box are to be praised and commended for their splendid work in assuring these students the opportunity to see these governmental proceedings; now, therefore, be it

Resolved, That a copy of this Resolution be sent to Mr. Geisinger, Mr. Billington, Mr. Carmack, Mr. Johnson, and Mr. Anderson in recognition of this honor bestowed upon them.

The resolution was adopted.

WELCOMING THE SENIOR CLASS OF THE BYNUM HIGH SCHOOL

Mr. Bullock offered the following resolution:

H. S. R. No. 534

Whereas, Mr. W. H. "Dub" Goins has been named President of the Borger Optimist Club; and

Whereas, Mr. Wayne Billington and L. A. Charles Carmack have been named vice presidents of this same Association; and

Whereas, Mr. Wade Johnson has been named secretary, and Mr. Andy Anderson, sergeant-at-arms, of this same Association; and

Whereas, The Borger Optimist Club is an organization of the highest caliber, a credit to the City of Borger, as well as the State of Texas, having proved throughout the years to be of inestimable value to the community, especially to the spiritual and character development of young boys; now, therefore, be it

Resolved by the House of Representatives, that the House unanimously extend our hearty congratulations to the aforementioned men; and, be it further

Resolved, That a copy of this Resolution be sent to Mr. Geisinger, Mr. Billington, Mr. Carmack, Mr. Johnson, and Mr. Anderson in recognition of this honor bestowed upon them.

The resolution was adopted.
The Speaker laid before the House for consideration at this time,
H. S. R. No. 512, Requesting the Legislative Council to study the State’s automobile insurance laws and their administration.

The resolution having heretofore been referred to the Committee on Rules and reported favorably by the Committee.

H. S. R. No. 512 was adopted.

URGING CONGRESS TO ENACT LEGISLATION PROVIDING FOR JUDICIAL REVIEW EMBODIED IN S. 1829

The Speaker laid before the House for consideration at this time,
S. C. R. No. 92, Urging Congress to enact legislation providing for judicial review embodied in S. 1829.

The resolution having heretofore been referred to the Committee on State Affairs and reported favorably by the Committee.

S. C. R. No. 92 was adopted.

AUTHORIZING THE ENROLLING CLERK OF THE HOUSE TO MAKE CERTAIN CORRECTIONS IN HOUSE BILL NO. 70

Mr. Kennard offered the following resolution:

H. C. R. No. 129

Whereas, House Bill No. 70 has passed the House and Senate and is now in the House Enrolling Room; and

Whereas, Certain corrections are necessary to the original intent of said House Bill No. 70; now, therefore, be it
Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized and instructed to make the following corrections in said Bill:

1. On page 7 of the enrolled Bill insert immediately preceding subsection (m) the following subsection (1) to read as follows:
“(I) Urban renewal area shall mean a slum area or a blighted area or a combination thereof, which the city council designates as appropriate for an urban renewal project.”

2. On page 17, line 11 of the enrolled Bill insert between the words “city” and “for” the word “and”.

The resolution was adopted.

REQUESTING THE LEGISLATIVE COUNCIL TO STUDY THE PROBLEM OF PHYSICALLY AND MENTALLY RETARDED YOUTHS

The Speaker laid before the House for consideration at this time, S. C. R. No. 39, Requesting the Legislative Council to study the problem of physically and mentally retarded youths.

The resolution having heretofore been referred to the Committee on Rules and reported favorably by the Committee.

S. C. R. No. 39 was adopted.

INTERPOSING THE SOVEREIGNTY OF TEXAS AGAINST ENCROACHMENT UPON THE RESERVED POWERS OF THIS STATE

The Speaker laid before the House for consideration at this time, S. C. R. No. 91, Interposing the sovereignty of Texas against encroachment upon the reserved powers of this state.

The resolution having heretofore been referred to the Committee on State Affairs and reported favorably by the Committee.

S. C. R. No. 91 was adopted.

RELATIVE TO HOUSE BILL NO. 620

Mr. Green moved to reconsider and spread on the Journal the vote by which the House failed to adopt the Conference Committee Report on H. B. No. 620.

HOUSE JOINT RESOLUTION NO. 36 WITH SENATE AMENDMENTS

Mr. Bullock called up with Senate Amendments for consideration at this time, H. J. R. No. 36, Proposing an amendment to Section 51a of Article 111 of the Constitution of the State of Texas by adding a new Subsection to be known as 51a-1; giving the Legislature the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient, for assistance on behalf of persons eligible for Old Age Assistance, Aid to the Blind, and Aid to Dependent Children as provided in Section 51a of Article 111 and for persons eligible for Aid to Permanently and Totally Disabled as provided in Article 111, Section 51-b of the Constitution of the State of Texas; providing for direct or vendor payments for medical care on behalf of such recipients; providing for the acceptance of financial aid from the Government of the United States for such payments; providing that the payments for such medical care shall be in addition to the direct assistance to such recipients; providing that the amounts paid out of State funds shall never exceed the payments out of Federal funds for such purposes; providing for the necessary election, form of ballot, proclamation, and publication.

Mr. Bullock moved that all the necessary Rules be suspended for the purpose of concurring in the Senate Amendments to H. J. R. No. 36.

The motion prevailed by the following vote:

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Amend H. J. R. 36 by striking first sentence in Section 2 and substituting in lieu thereof the following:

"The foregoing Constitutional Amendment shall be submitted to a vote of the qualified voters of this State at an election to be held on the first Tuesday after the first Monday in November, 1958, at which election all ballots shall have printed thereon the following:"

Amend caption to conform to body of resolution.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 222

Mr. Cory submitted the following Conference Committee Report on S. B. No. 222:

AUSTIN, TEXAS, MAY 22, 1957

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: We, your conference committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 222 have met and had the same under consideration and beg to report it back with the recommendation that it do pass in the form and text attached hereto.

FLY. LANE.

HARDMAN.

BRADSHAW.

(On the Part of the Senate)

CORY.

HELL.

WELCH.

MCDONALD.

(On the Part of the House)

By Senator Fly

S. B. No. 222

"A BILL

To Be Entitled

An Act amending Articles 1.02, 1.03, 1.04, 1.06, 1.07, 1.08 and
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1.09 of the Insurance Code, same being Acts of the 52nd Legislature, Regular Session (1951), Chapter 491, page 888, as amended; by adding to the Insurance Code Articles 1.09-1, 1.09-2, and 1.09-3; by creating the State Board of Insurance; providing for the appointment, bond, and compensation of the members of said Board; prescribing their qualifications and terms of office, and the manner in which they shall operate; providing how vacancies on the Board shall be filled; defining the duties of the Board, together with its powers and functions, providing for meetings of the Board; providing for appointment of a Commissioner of Insurance and for his bond and compensation; defining the duties and powers of the Commissioner of Insurance; appointing the Commissioner of Insurance the State Fire Marshal; providing for the appointment of a Chief Clerk and for his compensation; defining the powers and duties of the Chief Clerk; making certain persons ineligible to be members of the Board or Commissioner of Insurance, or to hold any office or employment under either; providing for an appeal from the decision of the Commissioner and the Board; providing that the Board and Commissioner shall be represented by the Attorney General, and fixing his powers and duties; providing method for additional examinations of insurers; providing ineligibility of members of State Board of Insurance and Commissioner to run for public office; making certain acts of members of Board, the Commissioner, and their employees unlawful and fixing penalties therefor; repealing all laws and parts of laws in conflict with the provisions of this Act; the extent of such conflict only; providing for a severability and savings clause as to any invalid provision of this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The purpose of this Act is to recognize the agency charged with administration of the insurance laws of this State in accordance with the provisions of this Act and to make such changes in the Insurance Code, and the construction of the terms of the Insurance Code, as are necessary to accomplish the purposes of this Act. All reference to the "Insurance Code" are to the Insurance Code, enacted by Chapter 491, Acts of the 52nd Legislature, 1951, as amended.

Section 2. Article 1.09, inclusive, of the Insurance Code, as amended, are amended to read as follows:

"Art. 1.09. State Board of Insurance.

(a) There is hereby created the State Board of Insurance which shall consist of three members, all of whom shall be citizens of Texas. They shall be appointed by the Governor, by and with the advice and consent of the Senate of Texas. The term of office of each member shall be as provided in this Code. Each member of the Board shall be a person with at least ten (10) years of successful experience in business, professional or governmental activities, or a total of at least ten (10) years in any combination of two or more of such activities. Each member shall be available at all reasonable times for the discharge of the duties and functions delegated to the members of the Board by this Act, but the members shall act as a unit, and in no event shall the individual members divide or confine their activities to special fields of insurance regulation or attempt to administer the functions hereinafter assigned to the Commissioner of Insurance.

(b) All of the powers, functions, authorities, prerogatives, duties, obligations and responsibilities, heretofore vested in and devolving upon the Board of Insurance Commissioners as heretofore constituted under prior statutes, the Chairman of said Board; the Life Insurance Commissioner; the Fire Insurance Commissioner; and the Casualty Insurance Commissioner, shall hereafter vest in the State Board of Insurance as a body and, except as provided herein, they shall be exercised, performed, carried out, and administered by the Commissioner of Insurance as the chief executive and administrative officer of the Board in accordance with the pertinent laws.
of this State and the rules and regulations for uniform application made by the Board and subject to supervision of the Board. The duties of the State Board of Insurance shall be primarily in a supervisory capacity and the carrying out and administering the details of the Insurance Code shall be primarily the duty and responsibility of the Commissioner of Insurance acting under the supervision of the Board.

(c) Except as otherwise provided herein, all remaining references in the Insurance Code and other statutes of this State to 'Board of Insurance Commissioners', 'Board', or 'individual Commissioners' shall mean the 'State Board of Insurance', or the 'Commissioner of Insurance', consistent with their respective duties and responsibilities under the terms and provisions of this amendatory act.

(d) Upon the appointment of the members of the State Board of Insurance and on February 10 of each odd-numbered year thereafter, the Governor shall appoint from among the membership a Chairman who shall be known and designated as the Chairman of the State Board of Insurance.

Art. 103. Terms of Office.

(a) Upon the effective date of this Act amending the Insurance Code, the Governor shall appoint, by and with the advice and consent of the Senate of Texas, three members to the State Board of Insurance. Each appointment shall be for a term expiring January 31, 1989; another, for a term expiring January 31, 1991; and a third, for a term expiring January 31, 1993. Thereafter, in each odd-numbered year, the Governor shall appoint, by and with the advice and consent of the Senate of Texas, a member for a term of six years which term shall begin on the first day of February of each such year. Each member shall serve until his successor has qualified; provided that the Governor may remove from office any member of the Board for any reason to attend a meeting of the Board for three consecutive months and he shall remove from office any member of the Board who for any reason fails to attend a meeting of the Board for six months. Such removal shall be by an instrument in writing filed with the Secretary of State and the State Board of Insurance, and the office of the member so removed shall be deemed vacant the same as if the member had died or resigned. The members of the Board of Insurance Commissioners in office immediately prior to the effective date of this Act amending the Code shall serve as interim members of the State Board of Insurance until the members of such Board provided for in this Act shall have been appointed and qualified.

(b) Vacancies occurring in any such office on the Board during any term shall, with the advice and consent of the Senate be filled by appointment by the Governor, which appointment shall extend only to the end of the unexpired term.

'Art. 104. Duties and Organization of the State Board of Insurance.

(a) The State Board of Insurance shall operate and function as an agency or entity, or any such office as the Board shall be necessary to transact any of its official business. The Board shall maintain an official set of records of its proceedings and actions.

(b) The State Board of Insurance shall determine policy, rules, rates and appeals but otherwise it shall execute its duties through the Commissioner of Insurance as hereinafter provided, in accordance with the laws of this State and the rules and regulations for uniform application adopted by the Board.

(c) All rules and regulations for the conduct and execution of the duties and functions of the State Board of Insurance shall be rules general and uniform and shall be made and published by the Board on the basis of a systematic organization of such rules by their subject matter and content. The Commissioner of Insurance may make recommendations to the Board regarding such rules and regulations, including amendments, changes and additions. Such published rules shall be kept current and shall be available in a form convenient to all interested persons.

(d) Any person or organization, private or public, which is affected by any ruling or action of the Commissioner of Insurance shall have the right to have such ruling or action reviewed by the State Board of Insurance by making an appli-
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Although many states, the ruling or action complained of, the internal of the parties in such ruling, the grounds of each objection, the action sought of the Board, and the reason and grounds for such action by the Board. The original shall be filed with the Chief Clerk of the Board together with a certification that a true and correct copy of such application has been filed with the Commissioner of Insurance. Within thirty (30) days after the application is filed, and after ten (10) days written notice to all parties of record, the Board shall review the application complained of in a public hearing and render its decision at the earliest possible date thereafter. The Board shall make such other rules and regulations with regard to such applications and their consideration as it deems advisable, not inconsistent with this Article. Said application shall have precedence over all other businesses of a different nature pending before the Board.

In the public hearing, any and all evidence and matters pertinent to the appeal may be submitted to the Board, whether included in the application or not.

The Board shall have regular meetings on the first and third Mondays in each month and such special meetings to be called by the Chairman shall be required to execute its duties. The Board shall from time to time make and publish rules regarding such meetings.

(a) If any insurance company or other party at interest be dissatisfied with any decision, regulation, order, rate, rule, act or administrative ruling adopted by the State Board of Insurance, such dissatisfied company or party shall at least fifteen days after failing to get relief from the State Board of Insurance, may file a petition setting forth the particular objection to such decision, regulation, order, rate, rule, act or administrative ruling, or to either or all of them, in the District Court of Travis County, Texas, and not elsewhere, against the State Board of Insurance as defendant. Said action shall have precedence over all other causes on the docket of a different nature. The action shall not be limited to questions of law and the substantial evidence rule shall not apply, but such action shall be tried and determined upon a trial de novo to the same extent as now provided for in the case of an appeal from the Justice Court to the County Court. Either party to said action may appeal to the Appellate Court having jurisdiction of said cause and said appeal shall be at once returnable to said Appellate Court over all causes of a difference character pending hereunder.

The Board shall not be required to give any appeal bond in any cause arising hereunder.

(g) In making examinations of any insurance organization as provided by law, the Board may use its own salaried examiners or may employ any holder of a permit to practice public accountancy in Texas who is engaged as an independent public accountant in the public practice as that term is known and understood in the accounting profession. Such examination shall cover the period of time which the Board shall request. In the event the Board does not specify a longer period of time, such examination shall be from the time of the last examination therefore made by the Board to December 31st of the year preceding the examination then being made and such public accountants shall so certify the period being examined by him. Any such public accountant shall be paid for such examination at the usual and customary rate, charged by public accountants for similar services. Such payment shall be made by the insurance organization being examined and all examination fees so paid shall be allowed as a credit on the amount of premium or other taxes to be paid by any such insurance organization for the taxable year during which examination fees are paid just as examination fees are credited when the Board uses its own salaried examiners.

(2) The Court of Appeals shall have the right to examine or be examined by public accountants engaged by the insurance organization in respect to its financial condition and affairs, as well as the manner of accounting for its business, and to request examination of the books of account in all cases of a similar nature.

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“(b) The members of the Board shall receive compensation until August 31, 1958 at the rate of Fifteen Thousand Dollars ($15,000.00) per year and thereafter shall receive a per diem of Fifty Dollars ($50.00) per day for each day devoted to their duties but the total amount of per diem for each Commissioner in any year shall not exceed that amount set forth in the General Appropriation Bill. In addition to the per diem the members shall be entitled to their actual expenses but in no event more than allowed in the general Appropriation Bill.

“Art. 1.08. Office of the Clerk.

The Board shall appoint a Chief Clerk of the Board of Insurance. The Chief Clerk shall have the responsibility of keeping and maintaining all records and proceedings of the Board.

“(d) The Board may make any appropriate provision by rules as to method or form by which any records or proceedings are kept and maintained, such as, but not limited to, providing for the mechanical or electrical recording of hearings or meetings in a phonographic transcription form and the photographing or microphotographing of written records or other materials.

“Art. 1.09. Commissioner of Insurance.

“(a) The Board shall appoint a Commissioner of Insurance, by and with the advice and consent of the People of Texas, who shall be its chief executive and administrative officer, who shall be charged with the primary responsibility of administering, enforcing, and carrying out the provisions of the Insurance Code under the supervision of the Board. He shall hold his position at the pleasure of the Board and may be discharged at any time.

“(b) The Commissioner of Insurance shall be the State Fire Marshal and shall function as such subject to the rules and regulations of the Board.

“(c) The Commissioner of Insurance shall be a resident citizen of Texas, for at least one (1) year prior to his appointment and shall be a competent and experienced administrator who shall be well informed and qualified in the field of insurance and insurance regulation. He shall have had at least ten (10) years of administrative or professional experience, and shall have had training and experience in the field of insurance or insurance regulation. No former or present member of the Board of Insurance Commissioners shall be appointed Commissioner of Insurance.

“(d) The Commissioner of Insurance shall first give a bond to the State of Texas, executed by a surety company licensed to do business in the State of Texas, in the sum of Fifty Thousand Dollars ($50,000.00), to be approved by the Board, conditioned upon the faithful discharge of the duties of his office.

“(e) Compensation to be paid the Commissioner of Insurance shall bear such sum as is provided for by the appropriation acts.

“(f) The Commissioner of Insurance or his representative shall meet with the Board in an advisory capacity and without vote in the proceedings of the Board. He shall submit such reports to the Board as it may request or provide for by its rules and regulations.

“(g) The Commissioner of Insurance shall appoint such deputies, assistants, and other personnel as are necessary to carry out the duties and functions devolving upon him and the State Board of Insurance under the
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Insurance Code of this State, subject to the authorization by the Legislature in its appropriations bills or otherwise, and to the rules of the Board.

Section 3. Chapter One of the Insurance Code is amended by adding immediately after Article 1.09-1 the following Article 1.09-2, which shall read as follows:

"Art. 1.09-1. Represented by the Attorney General.

(a) The State Board of Insurance and the Commissioner of Insurance shall be represented and advised by the Attorney General in all legal matters before them or in which they shall be interested or concerned. The Board and Commissioners of Insurance shall not employ or obtain any other legal services without the written approval of the Attorney General.

(b) In all rate hearings and policy form proceedings before the Board or Commissioner of Insurance, the Attorney General may intervene in the public interest. The Board shall have and exercise the power of subpoena and subpoenas duces tecum for witnesses, documents, and other evidence to the extent of the jurisdiction of this State for such hearings and proceedings on its own motion or upon application of the Attorney General.

Section 4. Chapter One of the Insurance Code is amended by adding after Article 1.09-1 the following Article 1.09-2, which shall read as follows:

"Art. 1.09-2. Eligibility to Run for Public Office.

(a) The members of the State Board of Insurance and the Commissioner of Insurance shall be ineligible to run for any public office, or to have their names placed on the official ballot for any office in any election in this State, except and unless such Board member or Commissioner of Insurance has resigned and his resignation has been accepted by the Governor.

Section 5. Chapter One of the Insurance Code is amended by adding after Article 1.09-2 the following Article 1.09-3, which shall read as follows:


(a) It shall be unlawful for any member of the State Board of Insurance, Commissioner of Insurance, or any employee or agent of the State Board of Insurance to accept any money, gift or anything of value or agree to accept any money, gift, or anything of value, or to sell or offer to sell anything of value, or to buy or offer to buy anything of value from or to any insurance company or agent or employee of any insurance company.

"It shall be unlawful for any officer, agent or employee of any insurance company to give or offer to give money, a gift or anything of value or to pay or offer to pay money or anything of value, to any member of the State Board of Insurance, Commissioner of Insurance or any agent or employee of the State Board of Insurance.

The provisions of this Article shall not apply to transactions between such persons as insureds of insurers provided the customary premiums are paid by the insureds.

Any person violating the provisions of this Article shall upon conviction be confined in the penitentiary for not less than one year or more than five years.

Section 6. The Board of Insurance Commissioners shall not enter into any extension of lease, lease, or contracts with and shall make no expenditures of money for the purpose of housing or quarters for the Board to any individuals, group of individuals, or groups connected directly or indirectly with any insurance company, insurance agency, insurance brokerage, or insurance adjuster.

It is expressly provided, however, that the Commission shall comply with the provisions hereof not later than three years from the effective date hereof.

Section 7. There is hereby appropriated to the State Building Commission for the period of time beginning September 1, 1957, and ending August 31, 1957, to obtain a site, plan, design, construct and equip an office building or otherwise obtain adequate housing facilities to house the State Board of Insurance, its offices and employees, all unexpended balances on hand or in special funds credited to the State Board of Insurance Commissioners or the State Board of Insurance on August 31, 1957, and all revenues received by the State Board of Insurance from any source whatsoever, except monies from the General Revenue Fund and monies appropriated exclusively for
The site shall be selected and acquired by the State Building Commission after obtaining the advice of a Legislative Committee appointed by the Lieutenant Governor and the Speaker of the House. After selection of the site, the State Building Commission is authorized to proceed with the planning, designing, constructing and equipping of said building. Nothing herein shall prevent the State Building Commission from combining the quarters for said Board with other quarters for other departments of the State.

Section 8. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of conflict only.

Section 9. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Mr. Cory moved that the Conference Committee Report on S. B. No. 222 be adopted.

The Conference Committee Report on S. B. No. 222 was adopted by the following vote:

**Yeas—120**


**Nays—19**

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Parish  Saul
Roberts  Shaw
Sadler  Pipkin
Present—Not Voting
Woolsey  Otto
Blanchard  McGregor
Bowers  Suddeth
Healy  Sheridan
Absent—Excused
Cline

Mr. Cory moved to reconsider the vote by which the House adopted the Conference Committee Report on S. B. No. 222 and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

My reason for voting against S. B. No. 222: The bill would allow the Governor to appoint all three Board Members to the Board of Insurance Commissioners and they would serve two years without being confirmed by the Senate.

OBE JONES

TO SUSPEND JOINT RULES IN ORDER TO CONSIDER SENATE BILL NO. 17 AT ANY TIME

Mr. Saul offered the following resolution:

H. C. R. No. 151

Be it Resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the two Houses be suspended in order to permit either House to consider and take up at any time Senate Bill No. 17, and said Rules are so suspended.

The resolution was adopted.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read serially the following enrolled bills and resolutions:

H. B. No. 239. An Act to apportion the State of Texas into Congressional Districts, naming the Counties and parts thereof composing the same, and providing for the election of a Member of the Congress of the United States from each District; repealing all laws and parts of laws in conflict herewith; and declaring an emergency.

H. B. No. 490. An Act concerning the State Commission for the Blind, amending section 1, Chapter 80, Page 172, Acts of the Forty-second Legislature, Regular Session, 1931, as amended, providing that two of the appointments by the Governor to the Commission be two reputable blind citizens of the State, instead of having such appointments being made only from graduates of the Texas School for the Blind; and declaring an emergency.

H. B. No. 417. An Act amending Section 70 of the Texas Election Code (Article 7.14, Vernon’s Texas Election Code) by adding a new subsection authorizing the authority holding an election, in counties where voting machines have been adopted, in its discretion to appoint a special canvassing board to count and make returns on absentee ballots, and prescribing procedures for absentee voting where a special canvassing board is appointed; and declaring an emergency.

H. B. No. 588. An Act amending Section 1 of Chapter 451, Acts of the Fifty-fourth Legislature (Article 119-3, Vernon’s Texas Civil Statutes) relating to inspection and classification of sweet potatoes, so as to make inspection and classification discretionary with the seller; repealing Sections 5 and 6 of Chapter 80, Acts of the Fifty-fourth Legislature and declaring an emergency.

H. B. No. 694. An Act relating to protected assignments of accounts receivable; amending subdivision (1) of Section 1 of Chapter 233, Acts of the Forty-ninth Legislature, as amended (Article 265-1, Vernon’s Texas Civil Statutes), so as to change the definition of “account” or “account receivable” by deleting provisions excluding sums accruing to a contractor who has furnished a surety bond; and declaring an emergency.
H. R. No. 835, An Act regulating fishing and shrimping in the waters of Galveston Bay and Trinity Bay lying within Chambers and Harris Counties, Texas, north of a line extending from Eagle Point to Smith Point; fixing a penalty for the violation of any provision of this Act; providing for a saving clause; repealing all other laws and parts of laws in conflict; and declaring an emergency.

H. C. R. No. 124, Allowing the Enrolling Clerk to make certain corrections in H. B. No. 886.

MESSAGE FROM THE SENATE

Austin, Texas May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

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

S. C. R. No. 100, Establishing the "Industrial and Occupational Safety Commission."

Respectfully,
CHARLES SCHNABEL
Secretary of the Senate

ADDRESS BY SPEAKER WAGGONER CARR

The Honorable Waggoner Carr, Speaker, addressed the House, as follows:

Fellow Members:

Several times during the current session I have availed myself of the privilege of addressing you at some length. The first occasion was on January 8 when I expressed my deep appreciation to you for having honored me with the high office of Speaker of the Texas House of Representatives and then outlined some of the hopes and ideas which I intended to pursue.

Today, as we stand on the eve of adjournment of this 56th Regular Session, I ask your indulgence once more. I want to say, as simply as one can, after four and a half months of hard work on the complex problems of this dynamic State of Texas, just a few words in gratitude, in retrospect, and in anticipation of the future.

Some persons might wonder why your Speaker would pause at this busy time to give credit to the members. The truth is that I feel compelled to do so because of the nature of our experiences together.

I say to you that your devotion to duty is of the highest order and that by your devoted labors you have wrought well both in the legislative areas and in the more challenging field of ethical standards.

Let us look at the record we have made as members of the 56th Legislature. In January we hit the ground running. As an example of the way this House got down to business, we passed all major legislation concerning the vital problem of water conservation in the first six weeks of the session. Despite numerous distractions and interruptions which developed as the session moved along, the Appropriations Committees finished his work in record time. But for certain unavoidable delays, the House would have scored many accomplishments in less than 120 days.

Although, as is always the case, time did not permit consideration of all bills introduced, which at this session totaled 987 in the House and 485 in the Senate, the measures we have passed cover the broad range of State government. Collectively they include the "must" laws which the people of Texas asked their elected representatives to enact. Money appropriated by this Legislature will make it possible to continue to render all essential State services, and to expend and improve many of them during the next biennium.

The fact that this has been achieved without any new taxes is, I think, a major accomplishment. In some of our sister States, it would be preposterous; most of them already have both a general sales tax and a State income tax. As you well know, a government has no way to get money for its operations except through taxes. Contrary to fancy arguments we sometimes hear, there is ultimately no source of tax money other than the people. No financial Santa Claus resides at the North Pole or in the District of Columbia or anywhere in Texas. No matter where...
a tax may be placed, its burden is passed down to individuals and families. Already in this country the average person is spending one-third of his work day in support of various levels of government. That fact is and must necessarily be of concern to every member of this House. By not increasing State taxes, we have left just that much money in the pockets of Texans to meet their cost of living, to educate their children, and to try to accumulate something for the future. To my mind, this is a far healthier approach for the individual and the State than for us to move yet further along the route to letting the State and the Nation, through dollar control, usurp more and more of the prerogatives of our independent citizens.

Permit me now to enumerate just a few of the main items of legislation passed by this House of Representatives, and to identify the major accomplishments of the 55th Legislature.

Legislature

The 55th Legislature has made great strides toward modernizing the Legislative Department so that it can better serve the people and meet the needs of a growing and prospering State. This Legislature has passed and submitted to the voters for their approval a constitutional amendment providing for annual sessions of the Legislature and annual salaries for members. In addition, we have taken two major steps to insure and preserve legislative integrity. First, we have set out a code of ethics for legislators, legislative employees, and officers and employees of State agencies. Second, both Houses have passed versions of a lobby registration act which would identify and require certain information from persons who receive pay for advocating or opposing the passage of legislation. Considering these accomplishments together, we can point to an achievement of major significance in making the Legislature more responsive to the needs of the people and in assuring high ethical and moral standards among lawmakers and all State government personnel.

Prisons

To alleviate crowded conditions in the prison system, we have appropriated more than $2 million for new buildings. We have, in addition, provided increased funds to compensate for crop losses on the prison farms due to floods and other severe weather damage.

To reflect the rehabilitative aims of our prisons, we have changed the name from the Texas Prison System to the Texas Department of Corrections.

Probation and Parole

Probably even more important than an adequate prison system is the restoration of offenders to useful and productive lives in society. A new provision of an effective probation and parole system. Texas law has authorized an adult probation and parole system for several years, but to this Legislature goes the distinction of providing the funds to initiate and develop it with a paid parole supervision division in the Board of Pardons and Paroles.

It is estimated that, by 1960, the operation of this carefully supervised program will result in a saving to the State of approximately $650,000 because of reduced prison population. In addition to this, we should consider the incalculable amount of money and self-respect that will be saved because, with prisoners restored to useful pursuits, the families of many of them no longer will have to be supported by State relief funds.

Election Code

Of chief interest and importance in this field, the Legislature has passed H. B. 4, which requires a person elected at a special election to fill a vacancy in the office of United States Senator or Congressman-at-Large to receive a majority vote. This would make a run-off unnecessary if no candidate received a majority in the first balloting and would thus conform to current practice in our other primary elections.

Another law enacted this session provides for congressional redistricting by eliminating the Texas Congressman-at-Large and providing another Representative from Harris County and by reducing slightly the size of the district which includes Tarrant County. This will assure more proportionate representation for areas of the state with heaviest concentrations of population.
State Employees

An appropriation of $60,000 has been provided for the Texas Employment Commission to finance the development of recommendations for a long-needed position classification plan for our State government. Such a plan would insure that employees doing the same or similar jobs in various departments of the State government would receive equitable compensation.

In advance of that important classification system to be established in the future, a major step forward was accomplished at this session by improved compensation for State employees. Salaries were adjusted upward to bring them in line with those paid for comparable work in private industry and in governmental agencies of other States. Specifically, approximately 14,000 State employees received increased total pay of $2,700,000.

State employees are further benefited by a provision in the appropriation bill which raises per diem for those traveling on State business from $7 to $8.

Business Regulation

We have contributed much to the stability of Texas' economy by raising further protection to investors. The previous Legislature made notable progress in this regard by strengthening the Securities Act under administration of the Secretary of State. Our predecessors also enacted for the first time legislation regulating the issue of insurance company securities; this was the Insurance Securities Act, administered by the Board of Insurance Commissioners.

Members of the present Legislature quickly recognized that the huge and complicated task of regulating security issues logically ought to be supervised by a unified authority separate from other administrative bodies. For that reason we passed a law creating a consolidated State Securities Board. This important asset will provide Texas investors with the greatest protection they have ever had against fraudulent and unsound security issues.

In view of the human and economic problems that have arisen concerning the small loan business in this State, the House has passed a resolution asking the Legislative Council to make a study of this activity in Texas and to submit a report and recommendations to the 66th Legislature.

Mental Health

We have made significant progress in the field of mental health this session. One of our most noteworthy achievements has been enactment of the Mental Health Code, compiling and codifying the law in this area.

We have provided for the establishment and operation of outpatient clinics which will permit shorter stays in the State's mental hospitals and reduce the number of readmissions. It is less expensive—and in some cases it is more effective—to provide outpatient treatment than to retain patients for longer periods in already-overcrowded hospitals. As a Legislature, we have recognized this. Furthermore, the provision for such treatment will help us to avoid constructing more large hospital buildings and make unnecessary the expansion of some present facilities.

We have provided almost $2 million for a 60-bed community hospital for training and research in the causes and treatment of mental illness. In order to take advantage of existing State medical facilities, the hospital will be located in or near the Texas Medical Center in Houston.

The Legislature has also provided a $16.5 million increase in funds for State hospitals and special schools. To assure that building needs for such institutions will continue to be met, the House has passed an act continuing the allocation of a portion of the cigarette tax for that purpose.

We have appropriated more than $2 million for the establishment of an additional school for the mentally retarded, to be located in the Gulf Coast area or the Dallas-Fort Worth area near the State's population centers. We also enacted a significant bill relating to mentally retarded children which will give them increased educational advantages.

It has been pointed out repeatedly that our population is growing older and that the problems of the aged are becoming increasingly important as more of our people enter the over-65 category. It is also a
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well-known fact that overcrowded conditions in some of the institutions under the supervision of the Board for Texas State Hospitals and Special Schools have resulted from high rates of population growth and the aged. To help us cope with all these problems more effectively, we have created a 15-member committee to study the needs of older people.

Other Hospitals

To help meet the medical needs of Texas citizens in fields other than mental health, the Legislature has authorized the construction of additional facilities at the M. D. Anderson Hospital in Houston and increased its appropriation, thus adding to the tremendous potential of one of the greatest facilities of this character in the Nation.

State Advertising

Although Texans are famous for bragging, it cannot now be done officially by the State. This Legislature has passed a resolution submitting to the voters a proposal that would amend a long-standing provision in the Texas Constitution and allow the use of State funds for advertising, public relations, and promotion concerning the advantages of Texas. Furthermore, the State Industrial Commission has been authorized to conduct a program to attract industry to Texas.

Retirement and State Benefit Plans

Bills passed by this Legislature have expanded the coverage of the Teacher Retirement System of Texas and the Employees Retirement System by allowing persons who terminated membership before certain dates the privilege of reopening withdrawn funds and receiving credit for prior service. The appropriation bill includes funds amounting to $11.5 million for increased teacher retirement benefits. Provision also has been made for more adequate pensions for the widows and descendants of Confederate veterans, and a constitutional amendment has been submitted to the people providing pensions for retired Texas Rangers who are not eligible to participate in the State Employees Retirement System. Another such proposal submitted to the voters would authorize retirement benefits for elected county and precinct officials.

In accordance with a recently-approved constitutional amendment, $3,900,000 in State funds has been provided to help finance a cooperative Federal-State program of assistance to needy individuals who are permanently and totally disabled.

To explore the role the State should play in providing help to its needy elder citizens and to handicapped persons, the House has passed resolutions asking the Texas Legislative Council to study the assistance now given to our aged citizens and to determine what the State can do to rehabilitate physically handicapped persons of all ages.

Buildings

Our State government, as it has grown to meet the needs of an increasing population and to provide more services, has long since outgrown its present housing. Previous Legislatures have contributed some to the solution of this problem, but this Legislature has accelerated the program by providing funds for completion of the State Courts Building now under construction ($1 million), for modernizing the Capitol and completing the proposed State Office Building ($2 million); for modernizing the Land Office Building ($270 thousand); for purchase of a site and construction of a State Library and Archives Building, in conjunction with the General Land Office structure ($23 million); for completion of a new Health Department Building ($683 thousand); and for purchase of site and construction of a State headquarters building for the Texas Employment Commission ($2 million).

Funds also have been provided for new dormitories at the State’s training schools for delinquent youth—Gateville State School for Boys and Gainesville State School for Girls ($758 thousand).

In addition, this Legislature has provided more than $1.5 million for the purchase of a new site and construction of buildings for a relocated Blind, Deaf, and Orphans School for Negro children.

Commission on Alchoholism

The necessary and worthwhile work of the Texas Commission on Alcohol-
Recongnizing that farmers and ranchers make an insubstantial contribution to Texas’ economy, this Legislature increased the biennial appropriation for the Department of Agriculture by almost $402,000, setting an all-time maximum of almost $1,800,000. Funds appropriated for such institutions as the Texas Agricultural and Mechanical College and Texas Technological College will also make possible many important and lasting contributions to agricultural activities throughout the State.

Agriculture

Insurance

Of major importance to Texans and their insurance industry is the pending Conference Committee report which recommends a complete reorganization of the Board of Insurance Commissioners. The plan calls for three new members of the board to be appointed by the Governor. They will be paid at the rate of $15,000 per year through August 31, 1948, and then at $60 per day thereafter, plus incidental expenses, for each day they devote to the work of the board. When the per diem arrangement takes effect the total may not exceed the yearly amount of $11,000 per member set out in the appropriation bill. All funds necessary for operation of the board under this proposed new arrangement already have been appropriated. To enhance the effectiveness of the plan, a Commissioner of Insurance will be authorized to handle administrative matters, and additional examiners have been provided.

The 55th Legislature made sweeping changes and reforms in a variety of State laws regulating the insurance business and gave further attention to remedying weaknesses in the law. Other bills have been passed to guard against frauds and weaknesses in the organization of insurance companies and to prohibit unfair competition and deceptive practices. The House also has passed a bill which would regulate the types of investments which life insurance companies may make with their funds. Another major insurance reform bill passed by the Legislature permits fire insurance companies to charge premiums based on deviated or flexible rates. Still another milestone passed by the Legislature is a law re-

Youth

In order to provide a more effective state instrumentality for coping with delinquency and other problems of youth, this Legislature has created a new Texas Youth Council which will take over the functions and duties of the old Youth Development Council, and has appropriated more than $120,000 for the new centralized office. The Council will have a full-time director and will better serve our young people who need its help. The importance of this cannot be overemphasized.

In addition, the Legislature has passed a recodification of all laws pertaining to delinquent and dependent children and the officers, courts, and agencies dealing with them. This will be of major help to youth agencies in general. The House also has given its approval to a law which would permit the governing body of a city, by ordinance, to set a curfew for children under 18 years of age.

Municipalities

This Legislature has passed an urban renewal bill to permit Texas cities to participate in the Federal program for rehabilitation, clearance, and restoration of slums and blighted areas. We have also passed a law authorizing the State Department of Health to give planning assistance to cities of 25,000 or less and to accept grants for such assistance under the provisions of the Federal Housing Act.

To promote urban renewal efforts, the House also has passed a bill empowering cities and towns having authority to undertake such projects to issue revenue bonds for financing them.

Press Coverage of Political Conventions

To prevent the recurrence of recent instances in which representatives of the press were barred from political conventions, this Legislature has passed a law which gives representatives of news media specific authority to attend and report such conventions at all levels—precinct, county, and State.
quiring that all reports to the State by insurance companies be made under oath.

Game and Fish

It is generally conceded that this Legislature has attained goals of signal importance in furthering conservation of the wildlife resources of Texas and at the same time in promoting the interests of sportsmen.

In addition to the usual volume of special fish and game legislation, this Legislature has passed universal fishing license and universal hunting license laws. These require all persons who fish and hunt, with limited exceptions, to have licenses. In most cases, license fees have been slightly increased, with proceeds going to the Special Game and Fish Fund for propagation, distribution, conservation, and management of all varieties of fish and game.

State Parks

Improvements and additions to permanent facilities at most State Parks in Texas were authorized by legislative appropriation. To assist the Legislature in carrying out a comprehensive and sustained program for maintaining and improving recreational areas, the Legislative Council has been requested to make a thorough study of the State Parks System and of proposed recreational and historic sites in all parts of Texas.

Taxation

Since no new taxes had to be imposed by the Legislature to finance the State government for the coming biennium, the people of Texas gained a much-deserved respite from the increasing burdens of taxation. In order to analyze and equalize the complex tax structure of Texas, both the House and Senate have passed a measure creating a State Tax Study Commission, and the appropriation bill contains a $10,000 item to finance its important work.

Administrative Organization

In all business, large or small, efficiency of operation has its effect upon financial health. The same is true in State government. Recognizing this need for efficiency, the 52nd Legislature has provided in the appropriation bill for a streamlining of the operations of the State Board of Control to effect savings in both dollars and time through reorganized purchasing procedures, in line with recommendations of the Texas Research League.

In addition, legislation was passed establishing a specifications and standards program for the guidance of the board in its purchasing methods. Provision also was made for the keeping of improved records reflecting State consumption of materials, supplies, services, and equipment.

Further strides toward more efficient operation of the State government were made in legislation calling for a reorganized Livestock Sanitary Commission.

Traffic Safety

With Texas' fine system of highways and turnpikes, more high-powered automobiles, and a growing population, the grim necessity of reducing injuries and fatalities from traffic accidents has become accentuated. For immediate assistance in coping with this problem, the Legislature has appropriated sufficient funds to allow the Department of Public Safety to add 204 new highway patrolmen during the next biennium. More stringent drivers' license and safety inspection requirements have been enacted. A Traffic Safety Council has been created to focus attention on problems in this area and to help in developing solutions.

For long-range guidance, the Legislature has requested the Texas Legislative Council to make a comprehensive study of the traffic accident problem.

Highways

The excellent roads and highways of Texas have contributed much to the industrial and general economic development we have enjoyed during the past decade. The Texas Legislature has continued to make it possible for the highway system to keep pace with the State's industrial progress.

The General Appropriation Bill passed by this Session allotts approximately $725,000,000 for highways for the next biennium, including Federal funds. Other laws were enacted relating to the purchase of right-of-way easements, facilitating the construction, maintenance and operation of highways, and increasing the salaries of Highway Department personnel and certain
Council to codify all or a supply, increased enrollments, of this matter. A good portion of this additional money will be used to raise the salaries of faculty members an average of $1,000 per year, in line with the recommendations of the Commission on Higher Education. State assistance to junior colleges was increased by $1,758,000.

An unprecedented increase of $2,000,000 was granted to the Galveston Medical Branch of the University of Texas to allow better utilization of hospital beds there. The University's Southwestern Medical School at Dallas also received an increase of $272,000. These are only the highlights of an expanded but coordinated system of college and university training.

Narcotics

Realizing the need for more effective weapons for combating the use and sale of narcotics in Texas, this Legislature has passed three strong measures to curb this evil. To protect juveniles, a bill has been passed and signed by the Governor providing penalties for offenses involving minors under 18 years of age. To care for those who have already become nar­cotics addicts, a measure was passed providing for their treatment in State hospitals under the jurisdiction of the Board for Texas State Hospitals and Special Schools. Also, by concurrent resolution, the Legislature has requested the Texas Legislative Council to study the matter of State facilities for treatment of narcotic drug patients.

Water

In the early stages of this session the House gave approval to the most important legislation which had been recommended by the Water Resources Committees concerning Texas' water problems. One of the major items passed by this Legislature is the constitutional amendment which creates the Texas Water Development Fund and the Texas Water Development Board and authorizes the issuance of $200 million in bonds to provide money for loans to political subdivisions of the State for acquiring, improving, expanding, or constructing dams, reservoirs,
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and other water storage projects. Enabling legislation to implement the provisions of this amendment also has been passed.

The House also enacted laws canceling certain unused water permits and clarified procedures for granting or refusing petitions for the organization of water control and improvement districts.

Courts

The biennial appropriation for the judiciary represents an increase of $754,000 over the current biennium, not including a pay raise for judges. A separate bill provides increased salaries for judges of the district courts, the Court of Criminal Appeals, the Supreme Court, and the Court of Criminal Appeals.

Veterans' Affairs

In accordance with a recently adopted constitutional amendment, this Legislature has passed laws setting out the duties, bonds, and salaries of the two new citizen members of the Veterans' Affairs and providing for the issuance of additional bonds for the Veterans Land Fund in the amount of $100,000,000.

Labor Front

No punitive legislation has been enacted against either management or labor. This is a period of stability and progress in Texas labor-management relations, and the mutual good feeling now prevalent will be beneficial to the entire State. The House passed an act (H. B. 66) creating the Division of Occupational Safety within the Bureau of Labor Statistics, with important powers. This step, the product of many years of legislative effort, provides for a voluntary program designed to protect the health and lives of our working people.

These are the main outlines of the legislation we have produced. How well we have done may be gauged by two yardsticks: our own conscience and the judgment of the people of Texas. Our reward lies in their approval. Our legislative record, impressive as it is, must share the stage with our achievements in ethical concepts and behavior. Nothing is more important than the building—and constant rebuilding—of confidence in our State government, and it is in this portion of our endeavor that I take especial pride. In a democratic government like ours we do not depend on guns and bayonets and king-sized bombs to generate and maintain respect among our constituents. We must rely on our acts and basic integrity to gain and hold their confidence. If our performance does not measure up to the highest standard, the people will lose some degree of confidence in us as officials and our State government consequently will be weakened.

As you will recall, I pledged in my message to you last January 8 that I would be particularly zealous in helping you to safeguard the good name of this House. My second statement to you, delivered from this rostrum on February 27, unfortunately concerned just such a breach of trust among our membership as I had spoken of earlier. But, as you and I will always recall with satisfaction, this House moved without hesitation to do what had to be done. The charges were investigated by an earnest and energetic committee and, after a thorough evaluation of the evidence, the member involved was duly censured. The facts were promptly laid before a grand jury which now has them under consideration.

I am even more grateful for the opportunity you have given me for service than I was last January because I have seen my fellow-members tested in the twin flames of self-scrutiny and public suspicion and emerged strongly tempered and unbent. You stood revealed as being made up of the same pure metal from which the most noble Texans have always been forged.

Without any intention of reflecting discredit upon members of previous Legislatures, I want to tell you that the present membership has good cause to be on the offensive. You are winning the fight for better government. I know you do not believe, as I do not, the whispered reports that many of our most dedicated members have declined against offering themselves again for public service in the House. We are going to be holding our heads high from now on. I believe we are not far from achieving the hope expressed by the beloved Governor James Stephen Hogg toward the end of his long and useful career. He said he would like to see: "Public
records disclose every official act and be open to all, to the end that, in Texas, public office is the center of public conscience, and that no graft, no crime, no public wrong, shall ever stain or corrupt our State."

I especially commend you for the way the work of this House has been carried on. There has been less bickering — more productive harmony — this year than at any session of the Legislature I have attended. But there has been no compromise of principle. Many House of political thought have met; we have managed to disagree without being disagreeable, even in the face of great issues that could have erupted into white-hot words. It is not surprising, though, to find this even climate in our legislative halls when we remember that the founder of Texas, Stephen F. Austin, declared responsibilities of legislators as directors of one of the biggest businesses in Texas — the two-billion-dollar State government. I hope you will talk frankly with your friends and neighbors about the constitutional amendment which we have submitted to the voters in H. J. R. 1, providing for yearly sessions and pay. In this connection, I suggest to the members of the House of Representatives, might well point to the harmony we have achieved in this body — a group that represents the entire State. I believe, by applying the same principles and practices we have followed here in this chamber, the Democrats all over Texas can gradually resolve their differences and work together for the good of all. I realize that some leaders of various factions have hitherto considered this to be impossible. I do not subscribe to that dim view. I believe the members of this House have set the example that can lead to lasting concord among Democrats in Texas. The revered Thomas Jefferson has further spelled out the recipe: "Though you cannot see, when you take one step, what will be the next, yet follow truth, justice, and plain dealing."

There is one additional point I believe you will be pleased to discuss with the good people in your home districts. It is that the members of the Texas Legislature — a branch of government which costs less than one per cent of the State's budget, while charged with responsibility for all State laws and expenditures — has worked, on the average in recent years, for nearly seven weeks without pay. In the present session, the Legislature has served three weeks without compensation. I know of no comparable business that calls on its officials — its board of directors, if you please — to render service on such terms. In my opinion, the time is long overdue for Texas to pay its legislators annual salaries commensurate with their responsibilities as directors of one of the biggest businesses in Texas — the two-billion-dollar State government. I hope you will talk frankly with your friends and neighbors about the constitutional amendment which we have submitted to the voters in H. J. R. 1, providing for yearly sessions and pay. In this connection, I suggest to you make full use of the comprehensive report prepared by the Legislative Council entitled "Compensation of Legislators and Frequency of Legislative Sessions."

Finally, we may well ask ourselves, "What is the real significance of our work for Texas? We come as representatives of a great people and a growing economy. Just recently Texas passed the nine-million mark in population, as compared with populations of six million in 1930, six and a half million in 1940, and nearly eight million in 1945. By the time Texas' density of population becomes as great as the average in the United States today, forecasts tell us that we will have fourteen million people within the borders of our State. Actually, cannot be regarded as a limit because Texas' natural wealth far exceeds that of most other parts of the nation. Our petroleum, chemical, and manufacturing industries continually outstrip calculations of experts and their electronic computers. We are constantly ahead of them and their predictions. Agriculture, Texas' first love, remains among our top economic fields through the application of scientific and technical developments. This land we
serve is one of growth and opportunity and diversity. We dare not give less than our best; otherwise we shall fail to contribute the maximum to the realization of the greater destiny of Texas.

Thank you for your attention and your patience. I just could not let this session pass into history without commending you for what you have done for Texas. I close with the remarks made by Jim Hogg to the members of an early Texas Legislature.

You have as he said, "performed in harmony for the good of Texas," and I hope, just as Governor Hogg did, "that on returning home you may each receive the plaudits of the people."

Pressing forward, looking to new issues and awakened to new aspiration, let us go forth to battle with all the energy of good government and to work for the prosperity of the State."

(Mr. Dewey in the Chair.)

ADDRESS OF SPEAKER WAGGONER CARR ORDERED PRINTED IN THE JOURNAL

Mr. Huffman moved that the remarks of Speaker Carr made on this morning be printed in the Journal and that each Member be given a copy of the remarks.

There was no objection offered and it was so ordered.

COMMITTEE APPOINTED TO RECONSIDER THE PREVIOUS APPOINTMENT OF HONORABLE AND MRS. JIM LINDSEY TO THE SPEAKER'S ROSTRUM

The Chair announced the appointment of the following committee to escort Hon. Jim Lindsey and wife to the Speaker's rostrum:

Messrs. Bristow, Smith of Hays, Glasing, Splinman, Watson, McDonald, and Johnson.

Honorable and Mrs. Jim Lindsey having been escorted to the Speaker's rostrum, Mr. Dewey, who was in the Chair, recognized Mr. Bristow.

Mr. Bristow presented Honorable and Mrs. Jim Lindsey to the House.

Mr. Lindsey then spoke briefly and presented a chair on behalf of himself and Mrs. Lindsey, to Speaker Carr.

(Speaker in the Chair.)

Speaker Carr then spoke briefly expressing appreciation for the gift.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 620

Mr. Baker called from the Journal the motion to reconsider the vote by which the motion to adopt the Conference Committee Report on H. B. No. 620 was on yesterday, lost.

Mr. Healy moved to table the motion by Mr. Baker.

A record vote was requested on the motion to table.

The motion to table was lost by the following vote:

Yea—47

Armstrong
Bishop
Boykin
Braisher
Bryan
Byrd
Cloud
Coyle
Cowen
Cox
Delara
Dewey
Dewey
Glass
Healys
Heffin
Holcomb
Huff
Hughes of Grayson
Hughes of Dallas
Isaacks, Jr.
Jackson
Jameison
Kennedy
Koth

Nay—85

Anderson
Atwell
Baker
Baltman
Barrett
Bass
Blanchard
Bowers
Bullock
Burkett
Chapman
Cory
Cotton
Crawford
Day
Dugas
Ehis

Hillstrom
Holmes
Holstein
Hooks
Huebner

McGregor
McLemore
McLemore
Martin
Matthew
Mays
Mullen
Myatt
Osborn
Patterson
Shannon
Shultz
Shubert
Shubert
Thurmond
Thurman
Welch
Wheelers
Wheeler
Wohlford
Wolak

Elliott
Ellis
Perrell
Ford
Foreman
Forath
Gleason
Gonzalez
Green
Hale
Harlington
Hemans
Holman
Holcomb
Hollowell
Honek
Huebner
Mr. Blaine (present), who would vote "nay", with Miss Duff (absent), who would vote "yea".

The motion to reconsider the vote by which the House refused to adopt the Conference Committee Report on H. B. No. 620, prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>84</th>
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<table>
<thead>
<tr>
<th>Nays</th>
<th>49</th>
</tr>
</thead>
</table>

Present—Not Voting

<table>
<thead>
<tr>
<th>Blaine</th>
<th>Oliver</th>
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Absent-Excused

<table>
<thead>
<tr>
<th>Chiles</th>
<th>Sheridan</th>
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</table>

PAIRED

<table>
<thead>
<tr>
<th>Mr. Blaine (present), who would vote &quot;nay&quot;, with Miss Duff (absent), who would vote &quot;yea&quot;.</th>
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<th>Anderson</th>
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<td>Ballman</td>
<td>Burket</td>
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<td>Bartman</td>
<td>Chapman</td>
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<td>Bass</td>
<td>Cole</td>
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<td>Moore of Tarrant</td>
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<td>Sandahl</td>
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<td>Holstein</td>
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<td>Slag</td>
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<td>Smith of Hays</td>
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<td>Huffman</td>
<td>Smith of Jefferson</td>
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<td>Hughes of Dallas</td>
<td>Spliman</td>
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<td>Hutchins</td>
<td>Springer</td>
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<td>Johnson</td>
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<td>Jones</td>
<td>Storey</td>
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<td>Joseph</td>
<td>Sutton</td>
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<td>Terrell</td>
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<td>Kilpatrick</td>
<td>Tunnell</td>
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<td>Kothmann</td>
<td>Wally</td>
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<tr>
<td>Laurel</td>
<td>Watson</td>
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<tr>
<td>McCoppin</td>
<td>Wilson of Potter</td>
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<tr>
<td>McDonald</td>
<td>Winfree</td>
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<td>McGregor</td>
<td>Woolsey</td>
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<tr>
<td>McPherson</td>
<td>El Paso</td>
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<td>Zbranek</td>
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| Nays—49 |
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<tr>
<th>Armour</th>
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<tr>
<td>Bishop</td>
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<td>Boyen</td>
<td>Latimer</td>
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<td>Bratner</td>
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<td>McGreggor</td>
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<td>of McLeman</td>
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<td>Byrd</td>
<td>McNairy</td>
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<td>Mathew</td>
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<td>De la Garza</td>
<td>May</td>
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<td>Dewey</td>
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<td>Dunlap</td>
<td>Myatt</td>
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<td>Schram</td>
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<td>Holmwell</td>
<td>Shannon</td>
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<tr>
<td>Huffor</td>
<td>Shannon</td>
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<tr>
<td>Hughes of Grayson</td>
<td>of Tarrant</td>
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<td>Imuska, Mls</td>
<td>Sherrill</td>
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<tr>
<td>Jackson</td>
<td>Stroman</td>
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<tr>
<td>Jenkins</td>
<td>Godderich</td>
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<tr>
<td>Kelly</td>
<td>Talasek</td>
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<tr>
<td>Kennedy</td>
<td>Thurmond</td>
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</tbody>
</table>
Mr. Sherrill (present), who would vote "nay", with Mr. Wheeler (absent), who would vote "yea".

Mr. Blaine (present), who would vote "yea", with Miss Duff (absent), who would vote "nay".

**Present—Not Voting**

<table>
<thead>
<tr>
<th>Present</th>
<th>Not Voting</th>
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<tbody>
<tr>
<td>Blaine</td>
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<tr>
<td>Oliver</td>
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**Absent**

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<th>Absent</th>
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<td>Bristol</td>
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<td>Cloud</td>
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<td>DuBois</td>
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<td>Fensolii</td>
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<tr>
<td>Goetz</td>
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<tr>
<td>Harrington</td>
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- **PARIED**

Mr. Sherrill (present), who would vote "yea", with Mr. Wheeler (absent), who would vote "nay".

Question—Shall the Conference Committee Report on H. B. No. 620 be adopted?

Mr. Dewey moved as a substitute motion that the House concur in the Senate Amendments to H. B. No. 620.

Mr. Pool moved the previous question on the pending motion on the Conference Committee Report on H. B. No. 620 and the substitute motion by Mr. Dewey, and the motion was seconded.

Question recurring on the motion for the main question, yeas and nays were requested.

The main question was ordered by the following vote:

- **Yea**—69

<table>
<thead>
<tr>
<th>Anderson</th>
<th>Cory</th>
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<td>Atwell</td>
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<td>Baker</td>
<td>Crosswhite</td>
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<tr>
<td>Ballman</td>
<td>Day</td>
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<td>Bartram</td>
<td>Elliott</td>
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<td>Bass</td>
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<td>Bell</td>
<td>Ferrell</td>
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<td>Bowers</td>
<td>Foreman</td>
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<td>Bullock</td>
<td>Forester</td>
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<td>Chapman</td>
<td>Glasing</td>
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<td>Cole</td>
<td>Goetz</td>
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- **Nay**—43

<table>
<thead>
<tr>
<th>Armor</th>
<th>Lee</th>
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<tbody>
<tr>
<td>Bishop</td>
<td>McGregor</td>
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<td>Blanchard</td>
<td>McLemore</td>
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<td>Boyren</td>
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<td>Brashear</td>
<td>Martin</td>
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<td>Bryan</td>
<td>Matthew</td>
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<td>Byrd</td>
<td>Mary</td>
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<tr>
<td>Cloud</td>
<td>Moore of Tarrant</td>
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<td>Coley</td>
<td>Mullen</td>
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<td>Cowan</td>
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<td>Cox</td>
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<td>Dewey</td>
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<td>Hollowell</td>
<td>Sherrill</td>
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<td>Hufford</td>
<td>Black</td>
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<tr>
<td>Hughes of Grayson-Stromberg</td>
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<td>Hughes of Dallas</td>
<td>Sudderth</td>
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<td>Hutchins</td>
<td>Tidewater</td>
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<tr>
<td>Jankowska, Miss</td>
<td>Thourmond</td>
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<tr>
<td>Jackson</td>
<td>Turman</td>
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<td>Jamieson</td>
<td>Welch</td>
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<td>Johnson</td>
<td>White</td>
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<tr>
<td>Joseph</td>
<td>Williams of Young</td>
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<tr>
<td>Kennedy</td>
<td>Wobert</td>
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<td>Kolbse</td>
<td>Yeeke</td>
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<td>Korthof</td>
<td>Zbrozek</td>
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<tr>
<td>Luttrell</td>
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</tbody>
</table>

- **Present—Not Voting**

<table>
<thead>
<tr>
<th>Blaine</th>
<th>Oliver</th>
</tr>
</thead>
</table>

May 23, 1957

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Absents—Excused

Cline         Sheridan
Pipkin

Mr. Sherrill (present), who would vote "nay", with Mr. Wheeler (absent), who would vote "yea".

Mr. Blaine (present), who would vote "yea", with Miss Duff (absent), who would vote "nay".

A verification of the above vote was requested and was not granted.

The substitute motion by Mr. Dewey to concur in the Senate Amendments to H. B. No. 620 was lost by the following vote:

Yeas—69

Anderson          Kilpatrick
Atwell            Kothmann
Baker             Laurel
Ballman           McCoppin
Bartlam           McDonald
Baum              McGreggor
Bell              of El Paso
Blaine            Mann
Bowers            Moore of Harris
Bullock           Moore of Tarrant
Burkett           Murray
Chapman           Pariah
Cole              Pool
Coley             Preester
Conley            Packet
Cory              Ramsey
Cotten            Richardson
Crosthwait        Roberts
Day               Russell
Elliott           Sadler
Ellis             Sandahl
Farrell           Sanders
Ford              Saul
Foreman           Schwartz
Forgythe          of Galveston
Glausing          Seeliger
Green             Shaw
Hale              Smith of Hays
Harrington        Smith of Jefferson
Hensley           Springer
Holtman           Stewart
Holstein          Stovey
Hooks             Sutton
Hosey             Terrell
Hudgins           Tunnell
Huffman           Wadley
Hughes of Dallas  Wilson of Potter
Johnson           Winfree
Jones             Woolsey
Kennard           Zbranek

Nays—78

Anderson          Kilpatrick
Atwell            Kothmann
Baker             Laurel
Ballman           McCoppin
Bartlam           McDonald
Baum              McGreggor
Bell              of El Paso
Blaine            Mann
Bowers            Moore of Harris
Bullock           Moore of Tarrant
Burkett           Murray
Chapman           Pariah
Cole              Pool
Coley             Preester
Conley            Packet
Cory              Ramsey
Cotten            Richardson
Crosthwait        Roberts
Day               Russell
Elliott           Sadler
Ellis             Sandahl
Farrell           Sanders
Ford              Saul
Foreman           Schwartz
Forgythe          of Galveston
Glausing          Seeliger
Green             Shaw
Hale              Smith of Hays
Harrington        Smith of Jefferson
Hensley           Springer
Holtman           Stewart
Holstein          Stovey
Hooks             Sutton
Hosey             Terrell
Hudgins           Tunnell
Huffman           Wadley
Hughes of Dallas  Wilson of Potter
Johnson           Winfree
Jones             Woolsey
Kennard           Zbranek

Oliver

Present—Not Voting

Mr. McGregor of McLennan raised a point of order on further consideration of the Conference Committee Report on H. B. No. 620 on the ground that the tax feature in the report is
not germane to the caption or the body of the original bill, and that same has not been considered by a committee.

The Speaker overruled the point of order.

Mr. McGregor of McLennan appealed from the ruling of the Chair.

The appeal was not seconded.

A record vote was requested on the adoption of the Conference Committee Report on H. B. No. 620.

The Conference Committee Report on H. B. No. 620 was adopted by the following vote:

**Yea—81**

Anderson
Atwell
Baker
Ballman
Barrow
Bass
Bell
Blaine
Bowers
Buckett
Cole
Conley
Cory
Cotton
Crockett
Day
Dugas
Elliot
Elliott
Elliott
Elliott
Ernest
Ford
Foreman
Forsyth
Glaeser
Gods
Cotton
Green
Hale
Harrington
Hensley
Hill
Hill
Hill
Hill
Hughes
Hughes
Johnson
Jones
Kelly
Kennard
Kilpatrick
Kothmann

**Nay—57**

Armor
Bishop
Blanchard
Boyd
Brasher
Broyn
Bullock
Byrd
Chapman
Cloud
Colley
Coy
Cox
Griffin
Guslin
Colby
Hughes of Galveston
Hughes of Grayson
Hughes of Jefferson
Hughes of Tarrant
Hutchins
Inman
Jackson
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automobile license fees of ten per cent, because at the time it was presented to the House for final passage, there was only six hours of the session left and it would have been impossible to obtain passage of any other bill by the Legislature which would require the State Highway Commission to pay one-half the costs of Right-of-Way Purchases on U. S. Highways 287 and 180 and State Highway 199 which pass through the 72nd district and which will require additional right of way very soon.

JAMES M. COTTEN.

I do not feel I should be allowed to vote on H. B. 620 as my family has now right of way under consideration by the Highway department.

SAM H. PARSONS.

I have long been in favor of and have supported the program of State participation in highway right of way purchases. However, I have not supported a tax bill this session and I am opposed to the 10% increase in license fees. I previously have supported H. B. 620 but vote "No" on this final vote on the Conference report because of this tax provision.

WILL EHRLE.

I voted against concurring in Senate Amendments to H. B. 620, requiring a 10% increase in automobile registration because it is my belief that the Texas Highway Department has sufficient funds to participate in the purchase of right-of-way without this additional tax on automobile owners.

BOB BULLOCK.

MOTIONS TO RECESS

Mr. Crotchwait moved that the House recess until 3:00 o'clock p. m. today.

Mr. Dugas moved that the House recess until 2:30 o'clock p. m. today.

The motions to recess were severally lost.

CALL OF THE HOUSE ORDERED

Mr. Baker moved a call of the House for the purpose of maintaining a quorum until 8:00 o'clock p. m. today.

The call was seconded.

A record vote was requested on the motion for the call of the House.

The motion for the call of the House prevailed by the following vote:

<table>
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<th>Yeas</th>
<th>66</th>
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Anderson | Lee  
Baker | McGreggor  
Bailman | of El Paso  
Bills | Mann  
Bianchard | Mathew  
Boyd | Moore of Harris  
Cole | Mullen  
Conley | Murray  
Cory | Myatt  
Cowan | Oliver  
Cox | Osbom  
de la Garza | Parish  
Ehrle | Pool  
Elliott | Puckett  
Elli | Richardson  
Fereill | Russell  
Ferrel | Sanders  
Forzith | Schram  
Hale | Shankou  
Harrington | of Tarrant  
Hensley | Smith of Hays  
Hollowell | Siplman  
Hopson | Springer  
Hooke | Stewart  
Honey | Sutton  
Hughes of Grayson | Thrond  
Hughes of Dallas | Tunnel  
Jamison | Jones  
Kelly | Watson  
Kennard | Ofwarz  
Kilpatrick | Wilson of Potter  
Koliba | Zibazek  
Korith |  

Nays—54

Armour | Ford  
Atwell | Glass  
Bartlam | Green  
Bell | Heflin  
Bishop | Holstein  
Blaine | Huebner  
Bowers | Huffman  
Bryan | Huffer  
Bullock | Hutchins  
Byrd | Isaacks, Miss  
Chapman | Jackson  
Coley | Johnson  
Cotten | Joseph  
Crotchwait | Kennedy  
Dekay | Kolmann  
Dewey | Lasinder  
Duff, Miss | McCoplin  
Dugas | McCoog  
Dungan | of McLennan  
Dungan | of McLennan  

Mr. Dugas moved that the House recess until 2:30 o'clock p. m. today.
May 23, 1957

The roll of the House was called and the following Members were present:

Mr. Speaker
Anderson
Armstrong
Atwell
Baker
Ballman
Bass
Bell
Bishop
Blair
Blanchard
Boyd
Bryant
Bullock
Burkett
Byrd
Chapman
Cloud
Coul
Coley
Conley
Crow
Czech<br>Waltz
de la Garza
Dewey
Dorn, Miss
Durrant
Dungan

Kelly
Kennedy
Kilpatrick
Kilby
Koroth
Kothmann
Lutcher
Lee
McConnon
McGregor
McGregor
McLennan
Mcllory
Mann
Matthew
Mays
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parham
Parsons
Parsons
Pool
Powers
Puckett
Richardson
Rusell

Absent—Excused
Cline
Pipkin

A quorum was announced present.

HOUSE CONCURRENT RESOLUTION NO. 45 WITH SENATE AMENDMENTS

Mr. Foreman called up with Senate Amendments for consideration at this time,
H. C. R. No. 45, To grant Nash Gasoline Company permission to use the State.

Mr. Foreman moved that all the necessary Rules be suspended for the purpose of concurring in the Senate Amendments to H. C. R. No. 45.

The motion prevailed (having received the necessary two-thirds vote).

TEXT OF SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 45

Amendment No. 1

Amend H. C. R. No. 45 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Nash Gasoline Co. in the event a final judgment is obtained by it for recovery of taxes paid under H. B. No. 285, 52nd Legislature;"

Amendment No. 2

Amend H. C. R. No. 45 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Nash Gasoline Co. all increases in rates obtained on the basis of taxes paid under H. B. No. 285, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

Mr. Blanchard moved that the Sergeant-at-Arms be instructed to bring in all absent members.

The motion prevailed.

The Speaker instructed the Sergeant-at-Arms to bring in the absent members.

HOUSE BILL NO. 906 WITH SENATE AMENDMENTS

Mr. Burkett called up with Senate Amendments for consideration at this time.

H. B. No. 906, A bill to be entitled "An Act concerning the trial and commitment to a State mental hospital of insane persons where insanity is raised as a defense or as a bar in a prosecution for a criminal offense; providing for treatment in a mental hospital of mentally ill prisoners; clarifying the status of mentally ill persons not charged with a criminal offense; providing for crediting of time in a mental hospital to the sentence of a prisoner; amending Article 34 of the Texas Penal Code; repealing certain Statutes and laws; providing a saving clause; providing a severability clause; and declaring an emergency."

On motion of Mr. Burkett the House concurred in the Senate Amendments to H. B. No. 906.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 906

Senate Amendment No. 1

Amend House Bill No. 906, Chapter III, Section 22, by striking out the period at the end of the second paragraph and substituting a comma therefor, and adding the following:

"...and Acts 1937, 46th Leg. Ch. 465 (compiled as Article 323a, Code of Criminal Procedure (Vernon's 1948))."

May 14, 1957, Adopted.

Senate Amendment No. 3

Amend House Bill No. 906, Chapter II, Section 10, by striking out the quotation marks which enclose the phrase, person charged with a criminal offense.

May 14, 1957, Adopted.

Senate Amendment No. 3

Amend caption to conform to body of bill.

May 14, 1957, Adopted.

HOUSE BILL NO. 332 WITH SENATE AMENDMENTS

Mr. Murray called up with Senate Amendments for consideration at this time.

On motion of Mr. Murray the House concurred in the Senate Amendments by the following vote:

**Yeas—113**

- Anderson
- Armor
- Atwell
- Baker
- Ballman
- Bass
- Bell
- Bishop
- Blaine
- Blanchard
- Bowen
- Bryan
- Bullock
- Burkett
- Byrd
- Chapman
- Cloud
- Cole
- Coley
- Conley
- Cory
- Cox
- Crockett
- Darby
- de la Garza
- Duff, Miss
- Dugan
- Durham
- Elliott
- Ellis
- Foreman of the House
- Forsyth
- Glass
- McGlory
- McGraw
- McCoppin
- McKellar
- McMeekin
- McQuate
- McQuirter
- Meaux
- Mays
- Menefee
- Minyard
- Murray
- Myrick
- Nunnally
- Oliphant
- Oliver
- Osborn
- Parish
- Patterson
- Pearson
- Penick
- Perry
- Polk
- Pool
- Professor
- Price
- Proctor
- Pueke
- Pung
- Panther
- Parker
- Peck
- Peck
- Pierce
- Pokes
- Pool
- Price
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- Prince
- Pullen
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- Pressler
- Patterson
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**Nays—2**

- Anderson
- Anderson
- Armor
- Atwell
- Baker
- Ballman
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- Bell
- Bishop
- Blaine
- Blanchard
- Bowen
- Bryan
- Bullock
- Burkett
- Byrd
- Chapman
- Cloud
- Cole
- Coley
- Conley
- Cory
- Cox
- Crockett
- Darby
- de la Garza
- Duff, Miss
- Dugan
- Durham
- Elliott
- Ellis
- Foreman of the House
- Forsyth
- Glass

**TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 332**

Amend House Bill 332 by adding at the end of the third paragraph of Section 1 thereof the following:

1. Before such temporary registration provided for in this paragraph
may be issued, the applicant must present satisfactory evidence that such motor vehicle is protected by such insurance as may be described in Section 6 of the Texas Motor Vehicle Safety-Responsibility Act (Article 6751o, Vernon's Texas Civil Statutes). That vehicle shall be inspected and such policies must be issued by an insurance company authorized to write Motor Vehicle Liability Insurance in this State, and such vehicle has been inspected as required under the Uniform Act Regulating Traffic on Highways in Texas (Article XV of Article 6710, Vernon's Texas Civil Statutes) as it is now written or as it may hereafter be amended.

Adopted, May 14, 1957.

Senate Amendment No. 2

Amend caption to conform to body of bill.

Adopted, May 14, 1957.

MESSAGE FROM THE SENATE

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives:

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

H. C. R. No. 131. Suspending the Joint Rules of the two Houses to permit either House to consider and take up at any time Senate Bill No. 17.

The Senate has adopted the Conference Committee Report on Senate Bill No. 223 by the following vote: Yeas 21, Nays 8.

The Senate has concurred in House Amendments to Senate Bill No. 115 by a voice vote.

The Senate has granted the request for a Conference Committee to adjust the differences between the two Houses on House Bill No. 688.

The following members of the Senate have been appointed to the Committee: Kasan, Hardeman, Hodson, Ashley, Tallar.

Respectfully,

CHARLES SCHNABEL
Secretary of the Senate.
TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 836

Senate Amendment No. 1

Amend H. B. 836 by striking out the words and figures "sixteen (16) years" and substituting the words and figures "eighteen (18) years."

Adopted, May 14, 1957.

Senate Amendment No. 2

Amend H. B. 836, page 2, line 21, by inserting before the word "delinquents" the word "juvenile" and on line 22 before the word "dependents" the word "juvenile," and further by changing the comma after the word "dependents" on line 22 of page 2 to a period and striking out the words:

"including county poor farms and old folks' homes."

Adopted, May 14, 1957.

Senate Amendment No. 3

Amend caption to conform to body of bill.

Adopted, May 14, 1957.

HOUSE BILL NO. 773 WITH SENATE AMENDMENTS

Mr. Parish called up with Senate Amendments for consideration at this time,

H. B. No. 773, a bill to be entitled "An Act amending Acts of 1951, Fifty-second Legislature, Page 283, Chapter 165, codified as Article 5139A under Vernon's Civil Statutes, Section 1, so as to increase the county population to include those counties of forty-five thousand (45,000) and less which are in a Judicial District having five (5) or more counties with a combined total population of not less than sixty-eight thousand (68,000) inhabitants according to the last preceding Federal Census and providing the compensation and method of payment of the Juvenile Boards of the counties affected by this Act and declaring an emergency."

On motion of Mr. Parish the House concurred in the Senate Amendments by the following vote:

YEAS—114

Anderson  Bell
Armour  Bishop
Atwell  Blaine
Baker  Blanchard
Ballman  Boyden
Bass  Bryan
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**TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 773**

**Senate Amendment No. 1**

Amend the last sentence of Section 1 of House Bill 773 by striking out the words as follows:

"Not less than Three Hundred Dollars per annum and".


**Senate Amendment No. 2**

Amend caption to conform to body of bill.


**HOUSE BILL NO. 633 WITH SENATE AMENDMENTS**

Mr. Elliott called up with Senate Amendments for consideration at this time.

H. B. No. 533, A bill to be entitled "An Act amending an Act of the Forty-eighth Legislature, 1949, Page 619, Chapter 568, creating municipal pension systems in all cities in this State having a population of three hundred, eighty-four thousand (384,000) or more according to any preceding or future Federal Census, as the same may have been amended from time to time; and declaring an emergency."

On motion of Mr. Elliott the House concurred in the Senate Amendments by the following vote:

**Yea—116**

Anderson Baker
Armstrong Ballman
Bartram
Senate Amendment No. 1
Amend Section 1 of House Bill No. 533 by striking out the first 11 lines and substituting therefor the following:

Section 1, Chapter 358, Acts of the 48th Legislature, 1943, as last amended by Chapter 247, Acts of the 53rd Legislature, Regular Session, 1953 (codified as Article 62-34, Vernon's Texas Civil Statutes) is amended to read as follows:

"Section 1. There is hereby created a Municipal Pension System in all cities in this State having a population of five hundred thousand (500,000) or more according to the last preceding or any future Federal Census."

May 14, 1957, Adopted.

Senate Amendment No. 2
Amend House Bill No. 533 by adding quotation marks at the end of Sec. 2a and renumbering Sec. 2 as Sec. 2.

May 14, 1957, Adopted.

Senate Amendment No. 3
Amend House Bill No. 533 by striking out all above the enacting clause and substituting therefor the following:

"A BILL
To Be Entitled
An Act amending Chapter 358, Acts of the 48th Legislature, 1943, as..."
amended, relating to municipal
pension systems in certain cities
of this State; and declaring an
emergency."


BILLs AND RESOLUTIONS
SIGNED BY THE
SPEAKER

The Speaker signed in the pres-
ence of the House after giving due
notice thereof and their captions
had been read severally the follow-
ing enrolled bills and resolutions:

H. B. No. 110, An Act transferring
a portion of the current appropri-
tion for office expense of the Fire-
men’s Pension Commission to its ap-
propriation for travel expense; and
declaring an emergency.

H. B. No. 151, An Act authorizing
all persons, firms, associations, corpo-
rations, and all municipalities, counties
and other political subdivisions of the
State, all State Departments, and State
Agencies and boards, and all public
officials to use certified mail with return
receipt in lieu of registered mail; de-
claring the mailing of notices and other
material by such certified mail to have
the same legal effect as if sent by
registered mail; providing receipt is val-
dated by official post office postmark;
continuing the use of registered mail
where insurance against loss is needed;
repealing conflicting laws; providing a
severability clause; and declaring an
emergency.

H. B. No. 612, An Act amending
Sections 61, 62 and 187 of the Elec-
tion Code of the State of Texas (codi-
ﬁed in Articles 5.06, 5.08 and 12.08
in Vernon’s Texas Election Code) so
as to eliminate provisions for alternate
methods of marking ballots and so
as to provide that the scratch method
shall be the method for marking
ballots; changing certain other pro-
visions relative to the form of the
ballot and the method of marking
the ballot; and declaring an emer-
gency.

H. B. No. 730, An Act authorizing
the Governor to transfer certain funds;
and declaring an emergency.

H. B. No. 748, An Act setting
squirrel season in Jasper, Newton
and Tyler Counties and providing a
closed season for hunting squirrels
in County Commissioners Precinct
No. 4 of Tyler County until January
1, 1961; repealing all laws in con-
ﬂict; providing a severability clause;
and declaring an emergency.

H. B. No. 650, An Act to amend
Article 4357 of the Revised Civil
Statutes of Texas as amended by H.
B. No. 419, Chapter 66, paragraphs
1, Acts of the Regular Session of the
Fifty-third Legislature, authorizing
the Comptroller of Public Accounts
to issue a warrant in payment of
claims for Fifty Dollars ($50) or
less without an affidavit when the
claimant certifies under the penal-
ty of perjury that to the best of
his knowledge and belief the claim is
true and correct, repealing all laws
in conﬂict herewith to the extent of
such conﬂict; and declaring an emer-
gency.

H. J. R. No. 1, Proposing an
amendment to Article 111, Section
51a of the Constitution of Texas, so
as to increase the limit on the maxi-
mum monthly payment to needy aged
persons from state funds and on the
total yearly expenditure out of state
funds for assistance to needy aged,
needy blind, and needy children, and
allocating and appropriating addition-
als amounts supplementing current legisla-
tive appropriations, for payment of as-
sistance grants.

H. C. R. No. 20, To grant Jack
E. Pratt, doing business as the
Texas Distributing Company per-
mission to sue the State.

H. C. R. No. 51, To grant C. W.
Shores permission to sue the State
and the Texas Highway Department.

HOUSE BILL NO. 930 WITH
SENATE AMENDMENTS

Mr. Stewart called up with Senate
Amendments for consideration at
this time.

H. B. No. 930, A bill to be entitled
"An Act providing for the creation of a
county Probation Department in
and for Wichita County, Texas; pro-
viding for the appointment of a
Chief Probation ofﬁcer, and such
assistant probation ofﬁcers as are
determined to be necessary, by the
Wichita County Juvenile Board, and
providing for the fixing of salaries
for all personnel of the Wichita County Probation Department by the Wichita County Juvenile Board, providing for the term of appointment of the Chief Probation Officer and his assistants; providing for the certification of expenses incurred by all Wichita County probation officers, by the Juvenile Board; providing for the funding of funds for operation of the Wichita County Probation Department by Wichita County Commissioners Court in accordance with the needs as determined by the Wichita County Juvenile Board; providing for surety fidelity bond by probation officers and other personnel; providing for operation, supervision and control of homes, schools, institutions and other facilities used in the training, education, detention, support or correction of juveniles; providing foster home care for juveniles; providing for acceptance of any grant or devise of land or gift or bequest or donation for juvenile program; providing for assessment of court costs in divorce cases for maintenance of child support costs, and the administration of such funds collected by the Wichita County Juvenile Board; providing for investigation of cases involving custody of children; providing for the preparation of records of cases handled by the Probation Department; repealing conflicting laws; and declaring an emergency.

On motion of Mr. Stewart the House concurred in the Senate Amendments by the following vote:

Yeas—108

Anderson  Chapman  Ellis  Feller  Foreman  Forrester  Glass  Green  Hale
Armour  Cleed  Adame  Foreman  Gover  Glasing  Green  Hale
Baker  Cole  Atwell  Foreman  Green  Glass  Green  Hale
Barker  Cork  Ballard  Foreman  Green  Glass  Green  Hale
Bartman  Cox  Bass  Bishop  Green  Glass  Green  Hale
Bass  Breitbart  Bishop  Green  Glass  Green  Hale
Blanchard  de la Garza  Bishop  Green  Glass  Green  Hale
Bowers  Dewey  Bishop  Glass  Glass  Green  Hale
Boyd  Duff, Miss  Bishop  Cushing  Glass  Green  Hale
Bryan  Dungan  Bishop  Cushing  Glass  Green  Hale
Burkett  Erville  Bishop  Cushing  Glass  Green  Hale
Byrd  Eliott  Bishop  Cushing  Glass  Green  Hale
Byrd  Eliott  Bishop  Cushing  Glass  Green  Hale
Byrd  Eliott  Bishop  Cushing  Glass  Green  Hale

Nay—5

Hewson  Moore of McLennan  Delmore  Moore of Tarrant  McGregor  Moore of McLennan

Absent

Bell  Huesher  Blaine  Imacks, Miss  Brashear  McCoppin  Brown  Martin  Brown  Parsons
Coye  Roswell  Cottam  Ramsey  Coven  Roberts  Cupit  Sadler  Ford  Saul  Friend  Schram
Goets  Thompson  Harrington  Schwartz  Healy  of Washington  Heffin  Shackelford
Amend House Bill 920 by striking out all of Section 4 of said bill and inserting in lieu thereof a new Section 4 to read as follows:

"Section 4. All claims for expenses of the Chief Probation Officer, the Assistant Probation Officers, and administrative expenses for operation of the Probation Department, including all necessary equipment and supplies, shall, before payment thereof, be approved by the Juvenile Board." and

Amend House Bill 920 by striking out all of Section 5 of said bill and inserting in lieu thereof a new Section 5 to read as follows:

"Section 5. The Commissioners Court of Wichita County shall provide the funds declared necessary by the Juvenile Board for the operation of the Department, payment of salaries and expenses of the Probation Officer and Assistants, provided that such funds shall not exceed Twenty Three Thousand Dollars ($23,000.00) per year, and further, that such funds shall be in addition to funds received by the said Wichita County Probation Department from any other source."
and (b) of Section 6 of Article II of Chapter 447, Acts of the Second Call Session of the Forty-Fourth Legislature, as amended by Senate Bill No. 117, Acts of the Forty-Eighth Legislature, Regular Session, 1953, Chapter 321, as amended in Vermont's Penal Code, so as to require publication of notice of an original application for a license to sell beer or wine not therefor licensed; providing a severability clause; providing an emergency clause; and declaring an emergency

On motion of Mr. Stewart the amendments to Senate Bill No. 117 and House Bill 186 by striking out subsection (b) and substituting in lieu thereof the following:

Senato of Vermont: Tuner
Edward Tarrant: Walling
Smith of Watertown: Watson
Smith of Jefferson: Waterman
Springfield: Waterman of Young
Springfield: Wadsworth
Stewart: Wadsworth
Stevens: Wadsworth
Sutton: Yerak
Thurmond: Zabriskie

Nays—5

Hollabaugh: Moore of Tarrant
Hendrie: Moore of Tarrant
McGregor: Stroman

Absents—7

Atwell: Patterson
Hullman: Pickett
Johnson: Ramsey
Brasher: Roberts
Harrington: Sadler
Cloud: Sael
Cotton: Schram
Cowan: Shackelford
Dunstan: Shaw
Fenolio: Sherrill
Ford: Stack
Grady: Strickland
Helfin: Sudderth
Harrington Miss: Talman
Jamison: Terrell
Lee: Wheeler
McCoplin: Winfree
Martin: Whirlpool
Oshorn: Whirlpool

Cline: Sheridan

Absents—Excused

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 116

Senate Amendment No. 1
Amend House Bill 116 by striking out subsection (b) and substituting in lieu thereof the following:

(b)(1) Upon the filing of an original application for license to manufacture or distribute beer, the County Clerk shall give notice thereof by posting at the courthouse door, a written notice of the filing of each application, which notice shall contain the substance of said application and the date of the hearing thereon.

(b)(2) Upon the filing of an original application for a license to sell...
beer at retail at a location hereafter licensed, the County Clerk shall give notice thereof by posting at the Courthouse door, a written notice of the filing of such application, which notice shall contain the substance of said application and the date of the hearing thereon.

However, upon the filing of the original application for a license to sell beer at retail at a location and therefore licensed, the County Clerk shall give notice of such application by publication for two (2) consecutive issues in a newspaper of general circulation published in the city or town in which the applicant's place of business is to be located. Provided, however, that where no newspaper is published in the city or town, then the same shall be published in a newspaper of general circulation in the county where applicant's business is to be located, and if no newspaper is published in the county, then notice shall be published in a newspaper which is published in the closest neighboring county and circulated in the county where the license or permit is sought. Such notice shall be published in ten (10) point black face type, and shall set forth the type of license or permit to be applied for, the exact location of said business, the name of the owner or owners thereof, and if operating under an assumed name, the trade name, together with all names of owners, and if a corporation, the names and titles of all officers of said corporation. At the time the application is filed with the Clerk, the applicant shall deposit with said Clerk, cost of the publication of two (2) notices, which deposit shall be used in payment of such publication.

(b) Any person shall be permitted to contest the facts stated in any application for a license to distribute, manufacture or sell beer at retail, and the applicants right to secure such license, upon giving security for all costs which may be incurred in such contests should the case be decided in favor of the applicant; provided, however, no officer of a county or incorporated city or town shall be required to give bond for such cost.

Adopted, May 15, 1957.

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Senate Amendment No. 2
Amend House Bill No. 184 by inserting the words "Section 6 of immediately preceding the words "Article II" in the first line of Section 1 of the body of the bill.
Adopted, May 15, 1957.

Senate Amendment No. 3
Amend caption to conform to body of bill.
Adopted, May 16, 1957.

HOUSE BILL NO. 521 WITH SENATE AMENDMENTS

Mr. Hensley called up with Senate Amendments for consideration at this time.

H. B. No. 521, A bill to be entitled "An Act amending Article 588 of the Penal Code of Texas relating to permits for the killing of wild birds and animals to prevent depredation, by adding provisions relative to the disposition of carcasses of deer killed under authority of such permits; providing a penalty; providing for severability; and declaring an emergency."

On motion of Mr. Hensley the House concurred in the Senate Amendments to H. B. No. 521.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 521

Senate Amendment No. 1
Amend H. B. 521 by striking out the words "within one (1) hour" in lines 45 and 46 of Section b and insert in lieu thereof the following: "as soon as practicable."
Adopted, May 15, 1957.

Senate Amendment No. 2
Amend caption to conform to body of bill.
Adopted, May 15, 1957.

HOUSE BILL NO. 940 WITH SENATE AMENDMENTS

Mr. Atwell called up with Senate Amendments for consideration at this time.

H. B. No. 940, A bill to be entitled "An Act creating a Juvenile Court and
May 23, 1957

HOUSE JOURNAL

Section 6

Amend House Bill 940, Section 6

by striking out all of the language of

a Court of Domestic Relations in Dallas County, providing for the jurisdiction of said court, providing for the transfer of cases to and from said court, providing for said judges and the district judge of said County sitting for each other in cases coming within their jurisdiction, providing for the sitting of cases in said courts, providing for the appointment and tenure of said judges, providing for the service of certain courts and district officers for said courts, providing for courts being courts of record, holding court in Dallas County, having a seal and maintaining necessary records, providing for an amendment of the Constitution, and declaring an emergency.
said Section 6 and inserting in lieu thereof the following:

"Sec. 6. Immediately upon the passage of this Act, the Governor, by and with the advice and consent of the Senate, shall appoint a suitable person as Judge of the Juvenile Court and a suitable person as Judge of the Court of Domestic Relations, who shall hold office until the next General election and until his successor shall be duly elected and qualified. The first elective term of said courts shall be for two (2) years. Thereafter, the term of office of the Judge of the Juvenile Court and of the Judge of the Court of Domestic Relations shall be for four (4) years and each of said Judges shall be appointed and elected as provided by the Constitution and laws of the State for the election or appointment of District Judges. Vacancies in the office shall be filled by appointment by the Governor, by and with the advice and consent of the Senate. In the event of disqualification of the Judge to try a particular case, or because of the illness, inability, failure or refusal of said Judge to hold court at any time, the Juvenile Board may select a special judge who shall hold the court and proceed with the business thereof."

Amend caption to conform to body of bill.

HOUSE BILL NO. 832 WITH SENATE AMENDMENTS

Mr. Jamison called up with Senate Amendments for consideration at this time.

H. B. No. 832, A bill to be entitled "An Act amending Title 126, Revised Civil Statutes of Texas, 1925, as amended, by adding thereto a new Article to be called Article 7436a: providing for declaratory judgment suits to be brought against the State to determine if the Anti-Trust Laws of the State are being violated or if they will be violated; providing for the fee as cost for filing such suit; and making all provisions necessary thereto; and declaring an emergency."

On motion of Mr. Jamison the House concurred in the Senate Amendments by the following vote:

Yea—118
Andersen Baker Ballman
Atwell
Bartram Bass Beck
Bishop Blanchard Boren
Bryan Bullock
Byrd Chapman
Cline
Cloud Cole
Coley
Cox
Cory
Cotton
Cox
Cromwell
de la Garza Dewey
Duff, Miss
Dungan Elliott
Ellis Ferrell
Foreman Forsythe
Glass Glusung
Goetz
Green
Hale
Harrington
Hensley
Holowell Holman
Holstein Hooks
Hoosie
Hudson Huffman
Huffman
Huffner
Hughes of Grayson Hughes of Dallas Hugh of Cameron
Hutchins Inman
Innisack MISS
Jackson
Jackson
Jackson
Jackson
Johnson
Jones
Joseph
Kelly
Kennard
Kendall
Kendall
Kilpatrick
Koliba
Korich
Kotchmann
Lakely
Laurel
McCoppin
McDonald
McGregor
McEl Paso
McNary
Mann
Matthew
Mays
Moore of Harris
Mullen
Murray
Myatt
Oliver
Odeburn
Parrish
Parsons
Paterson
Pool
Premier
Pickett
Richardson
Russell
Sandahl
Sanders
Schram
Schwartz
Schwartz
Seeligson
Shannon of Erath
Shannon of Tarrant
Shaw
Smith of Hays
Smith of Jefferson
Spelman
Springer
Stewart
Storay
Stroman
Sutton
Thurmond
Tunnell
Turner
Upton
Watson
Watson
Watson
White
Wilson of Young
Wilson of Potter
Winfree
Wolfford
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Nay—3
Bowers
Dugas
Moore of Tarrant
May 23, 1957

HOUSE JOURNAL 3311

Lee

Present—Not Voting

Lee
Not Voting

Armor
Blaine
Brashear
Bristow
Burkett
Cowen
Ehrle
Fenoglio
Ford
Heatly
Heflin
McGregor
McGregor
of McLennan
Saul
Shackelford
Sherrill
Slack
Strickland
Sudderth
Talasek
Terrell
Wheeler

Absent

Pipkin

Absent—Excused

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 832

Senate Amendment No. 1

Amend H. B. No. 832 by striking out all of Sections 4 and 5 and inserting in lieu the following:

"Section 4. Any plaintiff filing such suit for declaratory judgment hereunder shall pay all costs of said proceeding" and renumbering the subsequent sections.

May 16, 1957, Adopted.

Senate Amendment No. 2

Amend H. B. No. 832 by adding a new section to read as follows:

"Nothing in this act shall ever be construed to alter, amend or repeal any anti-trust laws of this state."

May 16, 1957, Adopted.

Senate Amendment No. 3

Amend caption to conform to body of bill.

May 16, 1957, Adopted.

HOUSE BILL NO. 864 WITH SENATE AMENDMENTS

Mr. Ehrle called up with Senate Amendments for consideration at this time.

H. B. No. 864, A bill to be entitled "An Act authorizing the Texas Board of Water Engineers to study the causes of natural pollution to the tributaries of the Red River and to study means to eliminate such pollution; and declaring an emergency."

On motion of Mr. Ehrle the House concurred in the Senate Amendments to H. B. No. 864.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 864

Senate Amendment No. 1

Amend H. B. No. 864, Sec. 1, by changing the period at the end thereof to a comma and adding:

"within the limits of its facilities and appropriation of money."

 Adopted, May 16, 1957.

Senate Amendment No. 2

Amend caption to conform to body of bill.

 Adopted, May 16, 1957.

(Mr. Sanders in the Chair.)

HOUSE BILL NO. 832 WITH SENATE AMENDMENTS

Mr. Schwartz of Galveston called up with Senate Amendments for consideration at this time.

H. B. No. 832, A bill to be entitled "An Act relating to cities which have annexed territory within water control and improvement or supply districts, where such district lies in more than one city; providing that such cities shall succeed to the powers, duties, assets and obligations of such districts, providing that such districts may be abolished by mutual agreement of the cities wherein such district lies, providing such cities may issue refunding bonds in its own name to refund any obligations assumed by it; making other provisions relating thereto; containing a severability clause; and declaring an emergency."

On motion of Mr. Schwartz of Galveston the House concurred in the Senate Amendments by the following vote:

Yeas—114

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Atwell
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Ballman

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**TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 939**

Senate Amendment No. 1

Amend H. B. 939 by striking out the first sentence of Section 2, and inserting in lieu thereof the following sentence:

"Section 2. Such district may be abolished by mutual agreement between the district and the cities wherein such district lies."

Adopted, May 16, 1957.

Senate Amendment No. 2

Amend caption to conform to body of bill.

Adopted, May 16, 1957.

**HOUSE BILL NO. 265 WITH SENATE AMENDMENTS**

Mr. Watson called up with Senate Amendments for consideration at this time.

H. B. No. 265. A bill to be entitled "An Act amending Section 1 Chapter 194, Acts of the Forty-third Legislature, Regular Session, 1933, as amended by Chapter 211, Acts of the Fiftieth Legislature, Regular Session, 1947, respecting the rates of tuition or registration fees to be charged by the institutions of higher education supported in whole or in part by the public funds appropriated from the State Treasury, providing for the establishment of Tuition Scholarships and the rules and regulations of administering same, providing that the increase contained herein in tuition scholarships be..."
On motion of Mr. Watson the House concurred in the Senate Amendments to H. B. No. 26-5 and to table the motion to reconsider. The motion to table prevailed.
Senate Amendment No. 1
Amend H. B. 266 by adding at the end of subsection 3 of Section 1 the following:

"and providing further, that the provisions of this paragraph relating to non-resident student registration fees shall not apply to junior colleges located immediately adjacent to State boundary lines, which institutions shall collect from each non-resident student who registers for twelve (12) or more semester or term hours of work an amount equivalent to the amount charged students from Texas by similar schools in the State of which the said non-resident student shall be a resident."

Adopted, May 9, 1957.

Senate Amendment No. 2
Amend H. B. No. 265 by adding at the end of subsection (f) the following:

Provided, however, that a resident alien residing in a Junior College district located immediately adjacent to State boundary lines shall be charged the resident tuition by such Junior College.

Adopted, May 9, 1957.

Senate Amendment No. 3
Amend House Bill No. 266 by:

(1) Deleting Section 1, (k).

Adding the following as Section 2:

It is the intent of the Legislature by increasing the tuition fees at the State-supported institutions of higher education to provide additional funds for both increased teaching salaries and new teaching positions at those institutions, while at the same time providing tuition scholarships to protect any student who would incur financial hardship in paying the increased fees; and such intent shall be a primary consideration of the Texas Commission on Higher Education in making recommendations to the Legislature, and of the Legislatures in appropriating such funds to the respective institutions.

(3) Repealing Sections 3, 4, 5, and 6 as Sections 3, 4, 5, 6, and 7.

Adopted, May 9, 1957.

Senate Amendment No. 4
Amend caption to conform to body of bill.

Adopted, May 9, 1957.

REQUEST FOR MEETING OF COMMITTEE

Mr. Welch asked unanimous consent of the House that the Committee on Constitutional Amendments be permitted to meet at this time.

There was objection offered.

HOUSE BILL NO. 14 WITH SENATE AMENDMENTS

Mr. Baker called up with Senate Amendments for consideration at this time.

H. B. No. 14, A bill to be entitled "An Act amending Article 1817, Revised Civil Statutes of Texas, 1925, so as to change the location of the Court of Civil Appeals for the First Supreme Judicial District from the City of Galveston to the City of Houston and making provision for suitable rooms for such Court and for the Justices thereof, providing for the temporary conduct of business at either the City of Galveston or the City of Houston but providing that the change of location from the City of Galveston to the City of Houston shall be completed by January 1, 1958; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

On motion of Mr. Baker the House concurred in the Senate Amendments to H. B. No. 14.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 14

Amend caption to conform to body of bill.

Floor Amendment No. 1

Amend Section 2, House Bill 14, by striking therefrom Section 2 and substituting therefor the following:

"Section 2. From and after the passage of this Act, the Court of Civil Appeals for the First Supreme Judicial District may transact its business in Galveston or the City of Houston, as the Court shall determine it necessary and convenient; providing that all cases originating in Galveston County shall be heard and tried in such county."
HOUSE BILL NO. 604 WITH
SENATE AMENDMENT

Mr. Elliott called up with Senate Amendment for consideration at this time.

H. B. No. 604. A bill to be entitled "An Act creating the 157th and 158th District Courts, composed of Harris County, describing the jurisdiction and terms of said Courts; providing for the appointment, election and compensation of the Judges of said Courts; providing a repealing clause; providing an effective date of the Act; providing a severability clause; and declaring an emergency."

On motion of Mr. Elliott the House concurred in the Senate Amendment by the following vote:

Yea—113

Anderson

Armour

Atwell

Baker

Ballman

Bell

Bishop

Blaine

Blanchard

Boyer

Bullock

Burtett

Byrd

Chapman

Chiles

Cloud

Cole

Conley

Cory

Cotten

cott

Cox

croswait

Day

de la Garza

Dungan

Elliot

Elliot

Ferrell

Felton

Foreman

Fowth

Green

Groat

Hale

Harrington

Hollowell

Patterson

Poe

Puckett

Richardson

Randahl

Schwartz

Schwartz

Skelton

White

Yee

Anderson

Holmes

Hope

Hosry

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viding a repealing clause; providing a severability clause; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. One (1) additional district court is hereby created in and for Harris County, the limits of which shall be co-extensive with the limits of Harris County. Said Court shall be known as the 157th District Court.

Section 2. Upon the effective date of this Act, the Governor shall appoint a suitable person as judge of said court, who shall hold office until the next general election and until a successor shall be duly elected and qualified. Thereafter, such judge shall be elected as provided by the Constitution and laws of the state for the election of district judges.

Section 3. No much of Article 199, of the Revised Civil Statutes of Texas, as relates to the District Courts of Harris County, Texas, as amended by Acts, 1925, 45th Legislature, page 195, Chapter 80, Section 1, and by Acts, 1930, 45th Legislature, Fiftieth Called Session, page 131, Chapter 14, and by Acts, 1935, 46th Legislature, Regular Session, page 184, Chapter 15, and by Acts, 1947, 50th Legislature, Regular Session, page 919, Chapter 308, and by Acts, 1949, 51st Legislature, Regular Session, page 1324, Chapter 616, and by Acts, 1951, 52nd Legislature, Regular Session, page 504, Chapter 308, and by Acts, 1955, 54th Legislature, Regular Session, page 873, Chapter 307, and the same is hereby amended so as to hereafter read as follows:

"11. 55, 61, 80, 118, 125, 127, 129, 133, 151, 152, 157—Harris.

The District Court of Harris County shall constitute the 11th, 55th, 61st, 80th, 118th, 125th, 127th, 129th, 133rd, 151st, 152nd, and 157th Judicial Districts. None of said twelve (12) district courts shall have or exercise any criminal jurisdiction in Harris County. Said District Courts of the 11th, 55th, 61st, 80th, 118th, 125th, 127th, 129th, 133rd, 151st, 152nd, and 157th Judicial Districts shall have and exercise concurrent jurisdiction, co-extensive with the limits of Harris County, in all civil cases, proceedings, and matters over which district courts are given jurisdiction by the constitution and laws of this state.

"There shall be two (2) terms of each said twelve (12) Civil District Courts in Harris County in each year, and the first term shall be known as the January-June Term, and shall begin on the first Monday in January and shall continue until and including Sunday next before the first Monday in July, and the second term, which shall be known as the July-December term, shall begin on the first Monday in July and shall continue until and including Sunday next before the first Monday in January.

"In all suits, actions, or proceedings in said courts, it shall be sufficient for the address or designation to be merely 'District Courts of Harris County'. The Clerk of the Civil District Courts in Harris County shall be known as the 'Clerk of the District Court of Harris County, Texas'. The clerk of said twelve (12) Civil District Courts shall docket alternately on the dockets of the District Courts of the 11th, 55th, 61st, 80th, 118th, 125th, 127th, 129th, 133rd, 151st, 152nd, and 157th Judicial Districts in Harris County, all cases, action, petitions, applications, and other proceedings filed in the district courts of Harris County so that the first case or proceeding filed after the effective date of this Act and every twelfth case or proceeding thereafter filed shall be docketed in the 11th Judicial District Court; and the second case or proceeding filed and every twelfth case or proceeding thereafter filed shall be docketed in the 56th Judicial District Court; and the third case or proceeding filed and every twelfth case or proceeding thereafter filed shall be docketed in the 57th Judicial District Court; and the fourth case or proceeding filed and every twelfth case or proceeding thereafter filed shall be docketed in the 58th Judicial District Court; and the fifth case or proceeding filed and every twelfth case or proceeding thereafter filed shall be docketed in the 59th Judicial District Court; and the sixth case or proceeding filed and every twelfth case or proceeding thereafter filed shall be docketed in the 60th Judicial District Court; and the seventh case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 61st Judicial District Court; and the eighth case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 62nd Judicial District Court; and the ninth case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 63rd Judicial District Court; and the tenth case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 64th Judicial District Court; and the eleventh case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 65th Judicial District Court; and the twelfth case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 66th Judicial District Court.
in the 12th Judicial District Court, and the ninth case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 153rd Judicial District Court; and the eleventh case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 151st Judicial District Court; and the eleventh case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 152nd Judicial District Court; and the twelfth case or proceeding and every twelfth case or proceeding thereafter filed shall be docketed in the 157th Judicial District Court; and all cases or proceedings in this manner shall be docketed in and divided and distributed among said twelve Civil District Courts, one-twelfth (1/12) of each of them when first filed. All suits and proceedings shall be filed by the clerk in the order in which the petitions are presented to or deposited with him, and immediately after being so presented or deposited in case of the disqualification of the judge of any of said twelve civil courts, in any case or proceeding, such case or proceeding, on the suggestion of disqualification, shall be transferred to another of said courts, and the order of transfer may be made by any Judge of another of said courts and may be transferred to any other of said courts or instead of transferring the case the Judge of any other of said courts may sit in the court in which the case is then pending and there try the same as transferred cases or proceedings shall be docketed by the clerk accordingly. The judges of said twelve (12) civil courts shall sign the minutes of each term of the courts in Harris County within thirty (30) days after the end of the term, and shall also sign the minutes at the end of each volume of the minutes, and each judge sitting in said courts shall sign the minutes of such proceedings as were had before him.

"Each Judge of said courts may take a vacation of four (4) weeks duration each year at a time agreed upon by the Judges. During such vacation time the term of court at which he is Judge shall remain open and the Judge of any other Civil District Court in Harris County may hold court during the vacation of the Judges thereof. During the period of such vacation it shall not be lawful for a Special Judge of such court to be elected by the practicing lawyers of such court because of the absence of the Judge on his vacation, unless no Judge of said Civil District Courts is in the county. The Judges of said courts shall, by agreement among themselves, take their vacation alternately so that there shall at all times be at least five of said Judges in the county, and in the event of the absence, sickness or disqualification of the Judges of said Civil District Courts any of the other Judges of the said District Courts may act and preside over any of the said courts during such absence, sickness or inability of any of the regular Judges to act and preside therein. And such special judges shall be elected according to Title 40 of the Revised Civil Statutes of the State of Texas of 1925.

"The letters A, B, C, D, E, F, G, H, I, J, K, and L shall be placed on the dockets and the court papers in the respective District Courts of Harris County to distinguish them: A, being used in connection with the 11th District Court; B, the 55th District Court; C, the 61st District Court; D, the 80th District Court; E, the 113th District Court; F, the 125th District Court; G, the 133rd District Court; H, the 147th District Court; I, the 152nd District Court; J, the 151st District Court; K, the 157th District Court, and L, the 155th District Court.

"The clerk of the District Courts of Harris County, upon the taking effect of this Act, shall prepare promptly dockets for the court so created by this Act and shall place on the dockets of said 157th District Court, the twelfth case, respectively, pending on the respective dockets of the 11th, 55th, 61st, 80th, 113th, 125th, 127th, 152nd, 157th, 151st and 153rd District Courts, and shall continue in this manner through said dockets until all said cases thereon are exhausted and the dockets of said twelve (12) courts are equalized as nearly as may be. No case then on trial in any of the existing district courts, nor in any case
pending on appeal therefrom shall be transferred to the docket of the 157th District Court. The cases so transferred shall bear the same docket numbers as in the courts from which they are transferred and the judges of the respective district courts, respectively, shall make proper orders transferring from such courts to the 157th District Court the cases which have been placed on the docket of the 157th District Court in pursuance of this Act.

The respective judges of the district courts of Harris County shall, from time to time as occasion may require, transfer cases from any one of such courts to any other such court in order that the business may be equally distributed among them, that the judges thereof may at all times be provided with cases to be tried or otherwise considered, and that the trial of no case need be delayed because of the disqualification of the judge in whose court it is pending; provided, however, that no case shall be transferred from one court to another without the consent of the judge of the court to which it is transferred.

When any transfer is made, proper order shall be entered on the minutes of the court as evidence thereof and such entry on the minutes shall be notice of the transfer to the attorneys of record of all parties to the cause.

Section 4. The new court provided for herein shall become effective September 1, 1957, and the Governor shall appoint a suitable person qualified by law to be judge thereof.

Section 5. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of conflict only. As to all other laws or parts of laws, this Act shall be cumulative.

Section 6. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 7. The immediate need for an additional district court in Harris County creates 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 that this Act take effect and be in force from and after its passage, and it is so enacted.

HOUSE BILL NO. 486 WITH SENATE AMENDMENTS

Mr. Strickland called up with Senate Amendments for consideration at this time.

H. B. No. 486, A bill to be entitled "An Act creating three (3) additional District Courts in and for Bexar County, Texas, to be known as the 144th, 147th and 159th District Courts; providing that the 146th District Court, the 147th District Court, and the 156th District Court shall not function as Courts until the Judges thereof have been duly elected in the General Election in November, 1958, and have qualified and until January 1, 1959; changing the name and the designation of the Special 37th Judicial District Court to the 131st Judicial District Court; prescribing the terms and jurisdiction of said District Courts; adjusting the terms, jurisdiction and business of the District Courts of Bexar County; providing that the Judges of the present District Courts of Bexar County shall continue to hold their offices for the terms for which they were elected and until their successors qualified; providing for the election of the Judges of the 144th, 147th and 159th District Courts; prescribing their qualifications, powers and duties; providing for the appointment, designation, compensation, powers, and duties of other officers of the District Courts of Bexar County; providing the method of selecting jurors; making other provisions relating to the business and functioning of the District Courts of Bexar County; amending Article 52-181 of the Code of Criminal Procedure, 1925, as amended, in the same relates to and provides for Criminal District Courts of Bexar County; amending Article 199 of the Revised Civil Statutes of Texas, 1925, as the same relates to and provides for the District Courts of Bexar County, Texas; providing a recusal clause; providing a severability clause; and declaring an emergency."
Section 1. There is hereby created an additional District Court in and for Bexar County, Texas, to be known as the 156th District Court. The limits of such District Court shall be coextensive with the limits of Bexar County, Texas.

Section 2. Within thirty (30) days after the effective date of this Act, the presiding District Judge in and for Bexar County, Texas, shall call an election of the licensed attorneys practicing in Bexar County, Texas, for the purpose of electing a panel of three (3) qualified nominees for the office of Judge of the 156th District Court of Bexar County, Texas. Notice of the time of such election shall be prominently posted in the District Clerk's office and the County Clerk's office at least one (1) week prior to the date of such election. A candidate for the office of Judge of said 156th District Court of Bexar County, Texas, may be nominated for said panel by a written nomination from ten (10) of said licensed attorneys or the candidate himself prior to the date of said election. At the said called election, the presiding District Judge shall present said written application and nominations and shall receive further oral nominations at that time; the presiding District Judge shall not permit nominations to be closed until it is apparent that no further nominations are forthcoming. Said attorneys then present shall then vote by secret ballot from the written or oral nominations and applications, their respective preferences for the office of Judge of said court.

The panel of three (3) candidates receiving the highest number of votes for the office of Judge for the 156th District Court shall be certified by the said presiding District Judge and submitted in duplicate one copy (1), being sent and submitted to the Governor of the State of Texas and one (1) copy being sent and submitted to the State Senator from Bexar County, Texas, as a recommendation only, but such recommendation shall not be binding on the Governor or the State Senator in their appointment as hereafter provided. Within one (1) week after receipt of said certified panel by the Governor of the State of Texas, he shall appoint the Judges of said District Court in accordance with the laws of the State of Texas pertaining to such appointments.

Be it enacted by the Legislature of the State of Texas:

Section 1. This Act hereby creates an additional District Court in and for Bexar County, Texas, to be known as the 156th District Court. The limits of such District Court shall be coextensive with the limits of Bexar County, Texas.
There shall be elected at the General Election in November 1968, a Judge of the 18th District Court, who shall take office on January 1, 1969. The 18th District Court created on the effective date of this Act shall not function as a court until the date the Judge of such court has been duly appointed and qualified pursuant to the provisions of this Act.

Sec. 3. From and after the effective date of this Act Bexar County shall constitute the 37th, 46th, 57th, 73rd, 131st, and 150th Judicial Districts of Bexar County and the Criminal Judicial District No. 2 of Bexar County, Texas. Each of the said District Courts shall have and exercise civil and criminal jurisdiction in Bexar County, Texas. Said District Courts shall have and exercise in addition to the jurisdiction now conferred or to be conferred by law on said Courts, concurrent jurisdiction concurrent with the Hunts of Bexar County, Texas. In all actions, proceedings, matters, and causes, both civil and criminal, of which District Courts of general jurisdiction are given jurisdiction by the constitution and laws of the State of Texas.

Sec. 4. The present Judges of the 37th, 46th, 57th, 73rd, 131st, and 150th District Courts, the Criminal Judicial District of Bexar County and the Criminal Judicial District No. 2 of Bexar County, Texas, shall continue as Judges of said Courts as constituted and defined by this Act and the tenure of office of said Judges shall remain the same as in now provided by law.

Sec. 5. There shall be two (2) terms of the 37th, 46th, 57th, 73rd, 131st, and 150th District Courts in Bexar County in each year, and the first term shall begin on the first Monday in January in each year and shall continue until and including Sunday next before the first Monday in July of each year; and the second term shall begin on the first Monday in July of each year and shall continue until and including the Sunday next before the first Monday in the following January.

Sec. 6. The Criminal District Court and Criminal District Court No. 2 of Bexar County, Texas, shall hold six (6) terms of court each year for the trial of causes and the disposition of business coming before such Courts, one (1) the first Monday in March; one (1) the first Monday in May; one (1) the first Monday in July; one (1) the first Monday in September; and the first Monday in November; each term to last for two (2) months. Each term shall continue until the business is disposed of.

Sec. 7. The practice and procedure in said Courts shall be the same as now prescribed by law and, in civil actions, as also provided by the Texas Rules of Civil Procedure applicable to District Courts having successive terms.

Sec. 8. All indictments shall be returned to the Criminal District Court of Bexar County, Texas, and the Criminal District Court No. 2 of Bexar County, Texas. The district clerk of Bexar County shall dockets successively on the dockets of the District Courts of the 37th, 46th, 57th, 73rd, 131st, and 150th Judicial Districts in Bexar County all civil cases, actions, causes, petitions, applications, or other proceedings so that the first case or proceeding filed on or after the effective date of this Act and every sixth case or proceeding thereafter filed shall be docked in the 37th Judicial District; and the second case or proceeding filed and every sixth case or proceeding thereafter filed shall be docked in the 46th Judicial District; and the third case or proceeding filed and every sixth case or proceeding thereafter filed shall be docked in the 57th Judicial District; and the fourth case or proceeding filed and every sixth case or proceeding thereafter filed shall be docked in the 73rd Judicial District; and the fifth case or proceeding and every sixth case or proceeding thereafter filed shall be docked in the 131st Judicial District; and the sixth case or proceeding and every sixth case or proceeding thereafter filed shall be docked in the 150th Judicial District; and so on seriatim; and in this manner all cases or proceedings filed to be docked in and divided equally among the 37th, 46th, 57th, 73rd, 131st, and 150th Judicial District Courts, one-sixth (1/6) in each Court.

Sec. 9. The District Judges of Bexar County, Texas, shall on or before the first day of January and
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the first day of July of each year, elect one (1) of the said District Judges as Presiding Judge of the Bexar County District Judges. The presiding Judge of the Bexar County District Judges shall, when this Act becomes effective and from time to time as occasion may require in order to adjust the business and dockets of said Courts, transfer, or cause to be transferred, upon the approval of the Judges of said Courts, causes for any of said Courts to any other of said Courts in order that the business of said Courts shall be continually equalized and distributed among them to the end that each Judge shall be at all times provided with cases or proceedings to try or otherwise consider and that the trial of no cause shall be delayed because of the disqualification of the Judge in whose Court it is pending. When a case is transferred, proper order shall be entered on the minutes of the Court as evidence thereof. The clerk shall properly docket all cases transferred. It is the intention of this Act that the Criminal District Court and the Criminal District Court No. 2 of Bexar County, Texas, give preference to criminal matters while the other District Courts shall give preference to Civil cases. The Judges of the said District Courts shall sign the minutes of each term of said Court in Bexar County, Texas, within thirty (30) days after the end of the term, and also shall sign the minutes of the end of each volume of the minutes, and each Judge sitting in said Courts shall sign the minutes of such proceedings as were had before him.

Sec. 10. In the absence, except as otherwise provided herein, sickness, or disqualification of a Judge of any of the District Courts of Bexar County, Texas, any of the other Judges of the said District Courts may act, and preside; any lawyer or regular lawyer practicing in the said Courts, during such absence, sickness, or inability of any of the regular Judges to act and preside therein: such special Judge to be elected according to Title 48 of the Revised Civil Statutes of the State of Texas, 1925, as amended.

Sec. 11. All bail bonds, recognizances or other obligations, taken for the appearance of the defendants, parties and witnesses in any of the said District Courts or the Criminal District Courts of Bexar County, Texas, or any inferior court of Bexar County, Texas, shall be binding on all such defendants, parties and witnesses and their sureties for appearance in any of said Courts in which said cause may be pending or to which same may be transferred. In all cases transferred from one (1) of said Courts to another all process, bonds, recognizances and obligations existing at the time of such transfer shall be returned to and filed in the Court to which the cause is transferred and shall be valid and binding as though originally issued out of the Court to which it is transferred.

Sec. 12. Each Judge of the said District Courts and the said Criminal District Courts of Bexar County may take a vacation between the first day of July and the first day of October in each year, during which time the term of Court of which he is Judge shall remain open and the Judge of any other District or Criminal District Court may hold such Court during the vacation of a Judge thereof. During the period of such vacation, it shall not be lawful for a special Judge of such Court to be elected by the practicing lawyers of such Court because of the absence of the Judge on his vacation, nor shall the Judges of the said District Courts in the county. The Judges of said District and Criminal District Courts shall by agreement among themselves take their vacations alternately so that there shall be at all times at least four (4) of the said Judges in the county during each vacation period.

Sec. 13. The Judges of each of the several District Courts and the Criminal District Courts shall appoint an official court reporter for his Court as provided by General Law to be compensated as provided by law.

Sec. 14. The sheriff of Bexar County, either in person or by deputy, shall attend the several Courts as required by law or when required by the Judges thereof, and the sheriff and constables of the several counties of this State, when executing process out of said Courts, shall
receive fees as provided by General Law for executing process issued out of District Courts.

Sec. 16. The clerk of the District Courts of Bexar County shall be the clerk of the 17th, 46th, 57th, 73rd, 113th, and 156th District Courts, and the Criminal District Courts of Bexar County, and shall be compensated as provided by law.

Sec. 17. The criminal District Attorney of Bexar County shall be the District Attorney of the 17th, 46th, 57th, 73rd, 113th, and 156th District Courts and the Criminal District Courts of Bexar County, Texas, and shall be compensated as provided by law.

Sec. 18. Each of the said District Courts shall have an official seal as provided by law for District Courts and Criminal District Courts.

Sec. 19. The District Judges of the Criminal District Courts shall alternately appoint grand jury commissioners and impanel grand juries; and further, they may appoint grand jury bailiffs, not to exceed seven (7). Each such Judge may appoint three (3) of such bailiffs, and, if needed, may jointly appoint the seventh such bailiff. Bailiffs thus appointed are subject to removal at the will of the Judge or Judges so appointing them.

Sec. 20. The procedure for drawing jurors for said Courts shall be the same as is now or may hereafter be provided by law.

Sec. 21. The compensation of each Judge shall be the same as the compensation paid the Judges of other District Courts including the expenses as provided by the laws of this State, and the compensation shall be paid in the manner in which other District Judges of the State are paid.

Sec. 22. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of such conflict only; and to this and the provisions of this Act are declared to be severable.

Sec. 23. The crowded condition of the dockets of the District Courts in Bexar County, Texas, creates 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.

Amendment to Committee
Substitute, H. B. 468
Amend Committee Substitute H. B. 468 by striking out Section 2 and substituting therefor the following:

Section 2: Immediately on the effective date of this Act the Governor shall appoint with the advice and consent of the Senate a suitable person having the qualifications provided by the Constitution and laws of this State as Judge of the 156th District Court of Bexar County who shall hold office until the next general election and until his successor shall be duly elected and qualified as provided by the Constitution and laws of this State.

Amend caption to conform to body of bill.

REQUEST FOR MEETING OF COMMITTEE

Mr. Ferrell asked unanimous consent of the House that the Committee on Constitutional Amendments be permitted to meet at this time.

There was objection offered.

HOUSE BILL NO. 887 WITH SENATE AMENDMENT

Mr. Crowntweit called up with Senate Amendment for consideration at this time.

H. B. No. 887, A bill to be entitled "An Act creating additional district courts in Dallas County, Texas, to be known as the 160th Judicial District, and the 161st Judicial District; providing the terms and jurisdiction of said courts; providing for the appointment of district judges for said courts; prescribing the powers, duties, term of office and compensation of the judges of said courts; providing for the appointment for the official court report-
An Act creating an additional district court in Dallas County, Texas to be known as the 160th Judicial District; providing for the appointment of a district judge for such court; prescribing the powers, duties, term of office and compensation of the judge of said court; providing for the appointment of the official court reporter of said court; prescribing the qualifications, duties and compensation of the official court reporter of said court; providing for the appointment, designation and compensation of other officers of said court; providing all process, writs, recognizances and bonds heretofore issued, made, executed or returnable to existing terms of district courts in Dallas County, Texas; prescribing the duties, term of office and compensation of the judge of the court to which the reporter is appointed and shall receive as compensation for his services required by law and such duties as may be assigned to the court reporter by the judge of the court to which the reporter is appointed and shall receive as compensation for his services; and declaring an emergency.

So it enacted by the Legislature of the State of Texas:

Section 1. There is created hereby in and for Dallas County, Texas, one additional district court, the limits of which district shall be coextensive with the limits of Dallas County, and the court shall be known as the 160th District Court, Judicial Districts of Texas.

Sec. 2. The 160th District Court shall have and exercise the powers conferred by the Constitution and Laws of the State of Texas on the Judges of the District Courts of Dallas County, Texas. The jurisdiction shall include all that part of Dallas County, Texas, north of State Line and the limits of the 160th District Court.

Sec. 3. The term of the 160th District Court shall begin on the first Monday in January and July of each year respectively, and each term of said court shall continue until the convening of the next succeeding term.

Sec. 4. The Governor shall appoint a suitable person as Judge of said court herein created, who shall hold office until the next General Election and until his successor has been duly elected and qualified. At the first General Election after the creation of the 160th District Court the Judges of said court shall be elected for terms of two (2) years and at the next General Election after the expiration of the first term of the 160th District Court the Judges of said court shall be elected for a term of four (4) years each. Such person so appointed and elected shall have the qualifications provided by the Constitution and the Laws of this State for District Judges. The Judge of the court created by this Act shall draw for the same compensation that is provided by the Laws of the State of Texas for Judges of District Courts of Dallas County.

Sec. 5. The Judge of the 160th District Court is authorized to appoint an official court reporter for his court and said court reporter shall have the qualifications now required by law for official shorthand reporters. Such reporter shall perform the duties as required by law and may be assigned to the court reporter by the judge of the court to which the reporter is appointed and shall receive as compensation for his services prescribed by law.
the compensation now allowed or hereinafter allowed for the official shorthand reporters for the district courts of Dallas County under the laws of this State.

Sec. 6. The letters, A, B, C, D, E, F, G, H, shall be placed on the dockets of the court papers of the respective district courts of Dallas County to distinguish them, the letter A being used in connection with the 44th District Court, B being used in connection with the 44th District Court, C being used in connection with the 44th District Court, D being used in connection with the 44th District Court, E being used in connection with the 161st District Court, F being used in connection with the 162nd District Court, G being used in connection with the 163rd District Court, H being used in connection with the 164th District Court. As soon as possible after this Act takes effect the District Clerk of Dallas County shall be under the discretion of the presiding Judge of the District Judges of Dallas County, cause the civil dockets to be equalized in the number of cases pending in each of the district courts handling civil matters by transferring pending cases in such numbers as will be necessary to equalize the dockets of each of the existing courts and thereafter civil cases shall be docketed by the District Clerk in rotation from A through H as such cases are filed, or in any other manner directed by the presiding Judge of the District Judges of Dallas County.

Sec. 7. The Judges of any of the District Courts in Dallas County may, in their discretion, try and dispose of any cases, matters or proceedings for any other Judge of said courts. Either of the Judges of said District Courts of Dallas County may at his discretion at term time or in vacation, transfer a case or cases to said other District Court with the consent of the Judge of said other District Court by order entered in the minutes of his court. When such transfer is ordered, the District Clerk of Dallas County shall certify all orders made in said case and such certified copies of such orders together with the original papers shall be filed among the papers of the case thus transferred and the fees thereof shall be taxed as part of the cost of said suit and the Clerk of said Court shall docket any such case in the Court to which it shall have been transferred, and when so entered, the Court to which the same shall have been thus transferred shall have like jurisdiction therein as in cases originally filed in said court.

All process and writs issued out of the District Court from which any such transfer is made shall be returnable to the Court to which said transfer is made, according to the terms of the District Court or the respective Court as fixed by this Act.

Sec. 8. The District Clerk of Dallas County shall also act as District Clerk for the 160th District Court of Dallas County.

Sec. 9. The Sheriff of Dallas County shall attend either in person or by Deputy of the 160th District Court, as required by law in Dallas County or when required by the Judge thereof, and the Sheriffs and Constables of the several counties of this State when executing process out of said courts shall receive fees provided by General Law for executing process out of District Courts.

Sec. 10. All process, writs, bonds, recognizances or other obligations issued out of the District Courts of Dallas County are hereby made returnable to the terms of the District Courts of Dallas County as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered by and in said Court shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such Court as fixed by law and by this Act; and all processes heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Dallas County shall be valid.

Sec. 11. If any provision of this Act is held unconstitutional or invalid, such invalidity shall not affect the remaining provisions of this Act. Except as otherwise provided in this Act, all laws now in effect with respect to District Courts of Dallas County shall apply to the courts created by this Act.

Sec. 12. The crowded condition of the dockets in the District Courts of Dallas County creates 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 said
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Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

HOUSE CONCURRENT RESOLUTION NO. 71 WITH SENATE AMENDMENT

Mr. McIlhany called up with Senate Amendment for consideration at this time.

H. C. R. No. 71, Granting approval to the Board of Directors of A. & M. College of Texas to expend certain funds.

On motion of Mr. McIlhany the House concurred in the Senate Amendment to H. C. R. No. 71.

TEXT OF SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION NO. 71

Amend H. C. R. No. 71 by striking out all below the resolving clause and substituting in lieu thereof the following:

4 Office Buildings; 7 Laboratory Buildings; 6 Greenhouses; 4 Farm Shop Buildings; 8 Storage Buildings; 4 Barns; 2 Beverage Distillation Systems; 3 Laborers Residences; 6 Irrigation Systems; 4 Seed Processing Buildings; 4 Water Supply Systems; 4 Castle Sheds; 1 Autopsy Building; Texas Agricultural Experiment Station System; Headquarters and laboratory building Agricultural Extension Service; Research laboratory, wind tunnel Equipment; Aeronautical Research Building and equipment, wave tank, Engineering Experiment Station; Headquarters and Office Building Engineering Extension Service, Auxiliary Building, Headquarters Office Buildings, 4 Fire Lookout Towers, 4 Foresters Residence, Radio Masts, Texas Forest Service.

The total amount expended for the buildings, equipment and other permanent improvements listed above shall not exceed $3,500,000.

HOUSE BILL NO. 179 WITH SENATE AMENDMENTS

Mr. McGregor of El Paso called up with Senate Amendments for consideration at this time.

H. B. No. 179. A bill to be entitled "An Act to facilitate the construction, maintenance and operation of State Highways, and defining terms including controlled access highways; to amend Title 116, Chapter 1, Revised Civil Statutes of Texas, 1935, as amended, by adding thereto a new Article; declaring the Legislature's mandate that more and better State Highways, particularly of the controlled access type, be laid out and constructed, and to provide necessary powers thereto as specified herein; empowering the State Highway Commission to lay out, construct, maintain and operate State Highways, wherever located, whether within or without the limits of any incorporated city, town or village; providing for public and private hearings at certain time and under conditions provided herein; granting to the State Highway Commission the power to designate, locate, construct, operate and maintain controlled access highways wherever located in the State, subject to the conditions and limitations contained herein; authorizing the State Highway Commission to close any public or private way, including highways, county roads, and city streets, wherever located, at intersections with controlled access highways; authorizing the State Highway Commission to deny and control access to or from any State Highway designated as a controlled access highway; providing for the right of compensation under certain conditions; prohibiting the condemning of land used for cemetery purposes; etc., and declaring an emergency."

On motion of Mr. McGregor of El Paso the House concurred in the Senate Amendments to H. B. No. 179.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 179

Senate Bill No. 1

Amend House Bill 179 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Purpose. The Legislature finds, determines and declares that the purpose of this Act is to delegate certain additional authority to the State Highway Commission to promote the Public Safety, to facilitate the movement of traffic, to preserve the financial investment of the public in its highways and to promote the National Defense.

"Definitions. Wherever used in this Act, 'Controlled Access Highway'
means any designated State Highway within or without the limits of any incorporated city, town or village, whether under the general laws or by special charter, including Home Rule Charter Cities, or from which access is denied or controlled, in whole or in part, from or to abutting land or intersecting streets, roads, highways, alleys or other public or private ways.

"Wherever used in this Act, 'Person' means any person, individual, individuals, corporation, association, and/or firm.

"Sec. 2. Adding a new Article to Title 116, Chapter 1, Revised Civil Statutes of Texas, of 1925. That Title 116, Chapter 1, of the Revised Civil Statutes of Texas, 1925, be amended by adding thereto the following Article, said Article to read as follows:

1. Authorization for Modernization of Highway Facilities. To effectuate the purposes of this Act, the State Highway Commission is empowered to lay out, construct, maintain, and operate a modern State Highway System, with emphasis on the construction of controlled access facilities and to convert whatever necessary, existing streets, roads and highways into controlled access facilities to modern standards of speed and safety; and, to plan for future highways. The State Highway Commission is further empowered to lay out, construct, maintain and operate any designated State Highway, now or hereafter constructed, with such control as is necessary to facilitate the flow of traffic and promote the Public Safety and Welfare, in any area of the State, whether in or outside of the limits of any incorporated city, town or village, including Home Rule Cities, and to exercise all of the powers and procedures to it granted by existing laws and this Act for the accomplishment of such purposes and the exercise of such powers and duties; provided, however, that in the case of any project involving the bypassing of an existing, through any county, city, town, or village, including Home Rule Cities, the State Highway Commission shall afford the opportunity for not less than one (1) public hearing in the locality before an authorized representative of the State Highway Commission, at which persons interested in the development of the project shall have the opportunity for attendance, discussion and inspection of the design and schematic layout presented and filed with the governing body of such county, city, town or village, including Home Rule Cities, at least seven (7) days before the public hearing, by the State Highway Department. Such hearing shall be held not less than three (3) days nor more than ten (10) days after the publication in the locality of notice of such hearing.

2. Control of Access. The State Highway Commission, by proper order entered in its minutes, is hereby authorized and empowered:

(a) To designate any existing or proposed State Highway, or the designated State Highway System, or any part thereof, as a Controlled Access Highway;

(b) To deny access to or from any State Highway, presently or hereafter designated as such, whether existing, presently being constructed, or hereafter constructed, which may be hereafter duly designated as a Controlled Access Highway, from or to any lands, public, or private, adjacent thereto, and from or to any streets, roads, alleys, highways or any other public or private ways intersecting any such Controlled Access Highway, except at specific points designated by the State Highway Commission; and to close any such public or private way at or near its point of intersection with any such Controlled Access Highway;

(e) To designate points upon any designated Controlled Access Highway, or any part of any such highway, at which access to or from such Controlled Access Highway shall be permitted, whether such Controlled Access Highway includes any existing State Highway or one hereafter constructed and so designated.

(d) To control, restrict, and determine the type and extent of access to be permitted at any such designated point of access;

(e) To erect appropriate protective devices to preserve the utility, integrity, and use of such designated Controlled Access Highways; and,

(f) To modify or repeal any order entered pursuant to the powers herein granted.

(Provided, however, that nothing in the foregoing subparagraphs (a) through (f), inclusive, shall be con-
strued to alter the existing rights of any person to compensation for damages suffered as a result of the exercise of such powers by the State Highway Commission under the Constitution and laws of the State of Texas.

Subject to the foregoing limitations any order issued by the State Highway Commission pursuant to such powers shall supersede and be superior to any rule, regulation or ordinance of any department, agency or subdivision of the State or any county, incorporated city, town or village, including Home Rule Cities, in conflict therewith.

No injunction shall be granted to stay or prevent the denial of previously existing access to any State Highway upon the order of the Commission except at the suit of the owner or lessee of real property actually physically shutting on that part of such State Highway to which such access is to be denied pursuant to the Commission's order, and then only in the event that said shutting owner or lessee shall not have released his claim for damages resulting from such denial of access or a condemnation suit shall not have been commenced to ascertain such damages, if any.

"Along new Controlled Access State Highway locations abutting property owners shall not be entitled to such new Controlled Access State Highway locations as a matter of right, and any denial of such access shall not be deemed as grounds for special or exemplary damages, except where access to such new Controlled Access State Highway shall have been specifically authorized by the State Highway Commission or from particular lands abutting upon such new Controlled Access State Highway in connection with the purchase or condemnation of lands or property rights from such abutting owners to be used in such new Controlled Access State Highway location, and the State Highway Commission therefor denies access to or from such particular abutting lands to such State Highway at the point where such lands actually abut upon such State Highway.

"Sec. 2. Payment Procedure. In addition to all existing procedures and methods authorized for the issuance of warrants by the Comptroller of Public Accounts upon the request of the State Highway Department, the following authority is hereby granted:

"Upon presentation of a properly executed deed or deeds, the Comptroller of Public Accounts is hereby authorized to issue a State Warrant on the appropriate account as payment of consideration for such land, estate or interest therein. In the event any owner fails or refuses to execute or deliver an executed deed before payment of the consideration, the Comptroller of Public Accounts is hereby authorized to issue a State Warrant on the appropriate account in payment of such consideration, which consideration shall be placed in escrow with any National or State bank, duly authorized to do business within the State of Texas, which is located in the county of the residence of the owner, the county wherein the land is situated, or in case no such banking facility is available, then in the adjoining county or the nearest available banking facility, to be delivered to the owner upon receipt of the duly and properly executed deed or deeds. In the event the State Highway Department acquires any property through the exercise of the power of Eminent Domain, the Comptroller of Public Accounts is hereby authorized to issue such warrants as the judgment of the Court may decree, as well as such warrants necessary to be delivered into the Court to enable the State Highway Department, in the name of the State of Texas, to take possession of such property, as the law may provide.

"Sec. 4. Acquittal of Property. In addition to other powers conferred by law, the following are added, to wit:

"I. Powers of Purchase and Condemnation for Highway Purposes.

"(a). Any land in fee simple or any lesser estate or interest therein; any property rights of any kind of character including, but not limited to, rights of ingress and egress and reservation rights in land which restrict or prohibit the adding of new, or addition to or modification of existing improvements on such land, or dividing the same; and any timber, earth, stone, gravel, or other material; which the State Highway Commission may in its judgment determine to be necessary or convenient to any State Highway to be constructed, reconstructed, maintained, widened,
straightened or lengthened including, but not limited to, any land, property rights or materials deemed by the State Highway Commission necessary or convenient for the purpose of protecting any State Highway; draining any State Highway; diverting streams or rivers or any other watercourses from right of way of any State Highway; storing materials and equipment used in the construction and maintenance of State Highways; constructing and operating warehouses and other buildings and facilities used in connection with the construction, maintenance, and operation of State Highways; laying out, construction, and maintenance of roadside parks; and any other purpose related to the laying out, construction, improvement, maintenance, beautification, preservation, and operation of State Highways, may be purchased by the State Highway Commission in the name of the State of Texas, on such terms and conditions and in such manner as the Highway Commission may deem proper.

"(b) Any land or any estate or interest therein; any property rights of any kind or character including, but not limited to, rights of ingress and egress, and reservation rights in land which restrict or prohibit for any period of time not to exceed seven years the adding of new, or addition to or modification of existing improvements on such land, or subdividing or redividing same; and any timber, earth, gravel, or other material; which the State Highway Commission may in its judgment determine to be necessary or convenient to any State Highway to be constructed, reconstructed, or maintained, widened, straightened or lengthened including, but not limited to, any land, property rights or materials deemed by the State Highway Commission necessary or convenient for the purpose of protecting any State Highway; draining any State Highway; diverting streams or rivers or any other watercourses from the right of way of any State Highway, and any other purpose related to the laying out, construction, improvement, maintenance, and operation of State Highways, may be acquired by the exercise of the power of eminent domain by the State Highway Department in the name of the State of Texas in the manner hereinafter provided.
division or public agency is hereby authorized without any form of advertisement to make conveyance of title or rights and easements, owned by any such body, to any property needed by the State Highway Commission to effect its purposes in connection with the construction or operation of the State highway system.

"Whether purchased or condemned by the State Highway Commission, the lands, property rights and materials which are purchased or condemned may also include those belonging to the public, whether under the jurisdiction of the State or any department or agency thereof, county, city, town, village, including Home Rule Cities, or other entity or subdivisions thereof.

"The State of Texas hereby consents to the use of all lands owned by it, including lands lying under water, which are deemed by the State Highway Commission to be necessary for the construction or operation of any State highway: provided, however, that nothing hereinafter shall be construed as depriving the School Land Board of authority to execute leases in the manner authorized by law for the development of oil, gas and other minerals on State-owned lands adjoining any such State Highway, or in tidewater limits, and to this end such leases may provide for directional drilling from such adjoining land and tidewater area. The State Highway Commission shall reimburse and make arrangements with, the State Department or agency having jurisdiction over such lands to accomplish such necessary purposes.

"Any State Department or agency is hereby directed to cooperate with the State Highway Department in this connection, and as to any such department or agency not expressly authorized to act, through some designated representatives, express authority is hereby granted to such department or agency to do whatever acts are necessary hereunder by and through the Chairman of its Board, Department Head, or Executive Director, whether appointed or elected, whichever may be appropriate.

"If the land, property rights, or material to be acquired by the State Highway Department are of such a nature that the acquisition under the provisions of this Act will deprive any such department or agency of the State of a thing of value to such department or agency in the exercise of its lawful functions, then adequate compensation therefore shall be made, based upon vouchers drawn for this purpose payable to the furnishing department or agency. Payments received by the furnishing department or agency shall be credited to that department or agency's current appropriation items or accounts from which the expenditures of that character were originally made, or in no such items or accounts from which the expenditures of that character were originally made, or if no such item or account exists, then to an account of such department or agency determined to be appropriate therefor by the Comptroller of Public Accounts.

"In the event, but only in the event, the Highway Department and such other department or agency are unable to agree upon adequate compensation, then the Board of Control shall determine the fair, equitable and realistic compensation to be paid.

"Sec. 44. Whatever the relocation of any utility facilities is necessitated by the improvement of any highway in this State which has been or may hereafter be established by appropriate authority according to law as a part of the National System of Interstate and Defense Highways, including extensions thereof within urban areas, such relocation shall be made by the utility at the cost and expense of the State of Texas provided that such relocation is eligible for Federal participation. Reimbursement of the cost of relocation of such facilities shall be made from the State Highway fund to the utility owning such facilities, anything contained in any other provision of law or in any permit, or agreement or franchise issued or entered into by any department, commission or political subdivision of this State to the contrary notwithstanding. The term "utility" includes publicly, privately and cooperatively owned utilities engaged in furnishing, telephone, telegraph, communications, electric, gas, heating, water, railroad, storm sewer, sanitary sewer or pipeline service. The term "cost of relocation" includes the entire amount paid by such utility properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility, and otherwise as may be fixed by regulations for Federal cost participation. It is further pro-
vided that by agreement with the affected utility the State Highway Department may relocate such utility facility in accordance with the provisions hereof.

Sec. 5. Additional Methods and Procedures of Act in Cases of Conflict. The powers, authority, jurisdiction, and procedures granted to the State Highway Department and State Highway Commission in the foregoing sections of this Act shall be deemed to provide additional powers, authority, jurisdiction, and procedures to those now existing and conferred by the laws of the State of Texas upon the State Highway Department and State Highway Commission and shall not be regarded as in derogation of any powers, authority, jurisdiction, or procedures now existing under the laws of Texas, except that restrictions placed upon the powers, authority, jurisdiction or procedures of the State Highway Department and State Highway Commission by other laws, which are in derogation of, or inconsistent with the powers, authority, jurisdiction and procedures prescribed in the foregoing sections of this Act or which would tend to hamper or limit the State Highway Department and State Highway Commission in the lawful execution of the powers and authority granted by this Act for the proper accomplishment of its purposes, shall be deemed to have been superseded by the provisions hereof, and to the extent that any other law is in conflict with or inconsistent with the provisions hereof, the provisions of this Act shall take precedence and be effective.

"The powers granted to the State Highway Department and State Highway Commission by this Act to perform any and exercise powers within the limits of counties, incorporated cities, towns and villages, including Home Rule Cities, may be exercised without the consent or agreement of any such county, city, town or village, including Home Rule Cities, after complying with Subsection 1 of Section 3 hereof, and whenever the State Highway Department or the State Highway Commission performs any act or exercises any power within the limits of any county, incorporated city, town or village, including Home Rule Cities, as authorized in this Act, such act or exercise of power shall qualify and render infrangible the dominion of such counties, cities, towns or villages, including Home Rule Cities, with respect to the specific streets, alleys, and other public ways affected by such act or exercise of power, but only to the specific extent to which such act or the exercise of such power affects such streets, alleys and other public ways and their use.

Sec. 6. Severability. The provisions of this Act are severable. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act and the application of such provision to other persons or circumstances shall not thereby be rendered invalid or unconstitutional nor be affected thereby.

Sec. 7. Emergency Clause. The hazardous condition of existing highways, the necessity for the construction of additional and improved facilities, and in the interest of National Defense, render this legislation of such importance to the people of the State that its adoption creates an emergency and imperative public necessity requiring that the Constitutional Rule that bills be read on three several days in each House be suspended; and that such Rule is hereby suspended, and this Act shall take effect immediately upon and after its passage, and it is so enacted."

Adopted, May 20, 1957.

Senate Amendment No. 2
Amend caption to conform to body of bill.
Adopted, May 20, 1957.

Mr. Bann moved to reconsider the vote by which the House concurred in the Senate Amendments to H. B. No. 179 and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE
I wish to be recorded as voting "aye" on H. B. No. 179.

TOM JOSEPH
I voted against House Bill 179, although the vote of the House therein was not recorded in the Journal, because I feel that it gives entirely too much power to the State Highway Commission and will allow...
them to completely disregard the wishes of counties and cities on the location of Highways.

JAMES M. COTTEN.

RELATIVE TO ESTABLISHING AN INDUSTRIAL AND OCCUPATIONAL SAFETY COMMISSION

The Chair laid before the House for consideration at this time the following resolution:

S. C. R. No. 106

Whereas, The State Board of Insurance Commissioners report that during the 1964 policy year 242,866 Texas employees sustained occupational injuries and fatalities, for which employers paid out through their insurance carriers $46,682,933 in hospitalization and medical treatment, compensation payments, and disability and death benefit awards under the provisions of the Workmen's Compensation Act; and the Industrial Accident Board reports that 463 occupational death claims for Texas workers were handled during the fiscal year ended August 31, 1964; and

Whereas, The insurance base rates paid by Texas employers for Workmen's Compensation Insurance are determined by the costs of occupational injuries and fatalities, and said base rates are among the highest in the Nation due to the high incidence of occupational injury and fatality in Texas; and

Whereas, The President's National Conference on Occupational Safety, the National Safety Council, and the American Society of Safety Engineers declare that 95% of occupational casualties are of a preventable type and that reductions of 50% or more may be accomplished by application of the principles of safety engineering and education; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that a study commission to be known as the "Industrial and Occupational Safety Commission" be established, composed of nine (9) members, three of whom shall be appointed by the Governor, three by the Lieutenant Governor, and three by the Speaker of the House. Each of the appointing officers shall select one person representative of employers, one representative of employees, and one public representative, and the Governor shall designate the Chairman. The members shall serve without compensation, and the Governor, the Industrial Accident Board, the Commissioner of Labor Statistics and the Legislative Council are authorized to cooperate with the Commission and assist in the performance of its duties; and be it further

Resolved, That the said Committee shall conduct a thorough study of the number, severity and causes and places of occurrence of occupational injuries sustained annually in this State; their monetary costs to employees and employers and to the general public; and ways and means by which the State can improve its functions in the field of industrial and occupational safety; and, be it further

Resolved, That the said Committee shall prepare and submit a written report of its findings, conclusions, and recommendations to the Governor, the Lieutenant Governor, the Speaker of the House, and to each incoming member of the Regular Session of the Fifty-sixth Legislature on or before the first day of December, 1965.

The resolution was referred to the Committee on Rules.

HOUSE BILL NO. 194 WITH SENATE AMENDMENTS

Mr. Hooey called up with Senate Amendments for consideration at this time.

H. B. No. 194, A bill to be entitled "An Act regulating the labeling and sale of hazardous substances for the protection of the public health in the State of Texas; repealing Article 726 of the Penal Code of Texas and all other laws in conflict herewith; prescribing penalties; providing a saving clause; and declaring an emergency."

On motion of Mr. Hooey the House concurred in the Senate Amendments to H. B. No. 194.
H. B. No. 403, A bill to be entitled "An Act making an appropriation to the Runnels County Water Improvement District; providing for its repayment; and declaring an emergency."

The motion prevailed by the following vote (having received the necessary two-thirds vote):

- Anderson
- Huthner
- Armstrong
- Hughes of Grayson
- Atwell
- Hughes of Dallas
- Baker
- Hutchinson
- Baldman
- Inaacks, Miss
- Bartram
- Jackson
- Bass
- Jamison
- Bell
- Johnson
- Bishop
- Jones
- Blaine
- Kelly
- Blanchard
- Kennedy
- Boosen
- Koehl
- Bristow
- koliba
- Bryan
- Bumstead
- Byrd
- Bumstead
- Calhoun
- McCarthy
- Camp
- McDonald
- Cline
- Lee
- Cloud
- Latimer
- Cole
- Lea
- Coley
- Lehman
- Corry
- Mann
- Cotton
- Martin
- Cox
- Matthis
- Croswell
- Mayes
- Day
- Moore of Harris
- de la Garza
- Mullen
- Dewey
- Murray
- Duff, Miss
- myatt
- Dugas
- Oliver
- Dungan
- Osborn
- Elliott
- Parish
- Ellis
- Parsons
- Ferrell
- Patten
- Ford
- Perman
- Forsyth
- Pierson
- Glass
- Pitchett
- Glusing
- Richardson
- Gosch
- Russell
- Green
- Shadall
- Hale
- Schram
- Harrington
- Schwartz
- Heaney
- Schwartz
- Heatley
- of Galveston
- Holbein
- of Washington
- Hollowell
- Hooks
- Schwartz
- Holman
- Seullisen
- Holmes
- Shackelford
- Housey
- Shannon of Erath
May 23, 1957  

TEXT OF SENATE AMENDMENT TO HOUSE BILL NO. 403

Amend H. B. No. 403 by striking out the word "Preamble" and all whereas clauses between the caption and the enacting clause.

MEETING OF COMMITTEE

Mr. Cox asked unanimous consent of the Senate that the Committee on Rules be permitted to meet at this time. There was no objection offered.

H. B. No. 913 WITH SENATE AMENDMENTS

Mr. Cox moved that all the necessary Rules be suspended for the purpose of concurrence in the Senate Amendments to:

H. B. No. 913, A bill to be entitled "An Act amending Title 71, Chapter 1, Acts, 1937, Fortieth Legislature, First Called Session, Page 151, Chapter 42, Section 6, compiled as Article 4414h of Vernon's Annotated Civil Statutes, establishing the qualifications for the office of the Commissioner of Health of the State of Texas; repealing conflicting laws; and declaring an emergency."

The motion prevailed by the following vote (having received the necessary two-thirds vote):

Yeas—115
Anderson Hutchins
Armstrong Isaac, Miss
Atwell Jackson
Baker Jamison
Ballman Johnson
Bartram Jones
Bass Joseph
Bell Kelly
Blaine Kennard
Blanchard Kennedy
Boyce Koliba
Brent Kortloh
Bryan Kothmann
Byrd Lee
Chapman McCoppin
Cline McDonald
Cloud McGregor
Coley McEntire
Conley McLain
Cotzen Maas
Cox Mayo
Crestlwait Moore of Harris
de la Garza Murray
Dewey Myatt
Duff, Miss Oliver
Dungan Osborn
Ehrle Parish
Ellott Parsons
Foreman Petersen
Forsyth Prestler
Forsyth Puckett
Glass Richardson
Gluskin Russell
Goetz Schram
Green Schwartz
Hale of Galveston
Harrington Schwartz
Hensley of Washington
Hollowell Schmiz
Holman Shackleford
Holstein Shannon of Erath
Hooks Shannon
Hosey of Tarrant
Huebner Shaw
Huffman Smith of Hays
Hufford Smith of Jefferson
Hutcheson of Grayson
Sprigman
Hughes of Dallas
Springer
Amend House Bill 913 by striking out all of Section 1 and substituting in lieu thereof the following:

Section 1. Title 71, Chapter 1, Acts 1937, 46th Leg., 1st C.S. p. 131, ch. 42, s. 6, which is compiled as Article 4418b of Vernon's Annotated Civil Statutes, is hereby amended so as to hereafter read as follows:

"Art. 4418b. The Commissioner of Health shall be a legally qualified physician, licensed to practice medicine in the State of Texas, of good professional standing, and a graduate of a recognized medical school whose credits are recognized and acceptable by the University of Texas Medical School; and if not a resident of the State of Texas, he shall establish residence in the State of Texas immediately upon election by the State Board of Health to the capacity of Commissioner of Health. The State Commissioner of Health shall be the executive head of the State Department of Health; he shall devote his whole time to the duties of this office, and shall not engage in the private practice of medicine during his term of office."

Amend caption to conform to body of bill.

HOUSE BILL NO. 199 WITH SENATE AMENDMENT

Mr. Hale called up with Senate Amendment for consideration at this time.

H. B. No. 199, A bill to be entitled "An Act amending Article 2833, Revised Civil Statutes of Texas, 1925; providing for stopping payments to the school districts from the State for failing to comply with this provision; prescribing penalties for falsely swearing to a report of a depository and for filing a false report; establishing venue for prosecution therefor; providing that the State Commissioner may order a school district to furnish an audit of its accounts; providing for stopping payments to the school district from the State under certain conditions; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

On motion of Mr. Hale the House concurred in the Senate Amendment to H. B. No. 199, by unanimous consent.

TEXT OF SENATE AMENDMENT TO HOUSE BILL NO. 199

Amend House Bill 199 by providing that each and every school district of this State annually shall have its school district accounts audited by a Texas certified or public accountant holding a permit from the Texas State Board of Public Accountants; providing for the annual filing of a copy of the audit report with the Texas Central Education Agency in lieu of the school treasurer (depository) reports herebefore required to be filed; providing the audit and
audit report required herein shall be had and filed for the scholastic year beginning September 1, 1957, and annually thereafter; providing for minimum requirements and form of the audit, and approval of audit report by local board of school trustees; providing for review, analysis and recommendations concerning audit reports filed with the State Commissioner of Education and the reporting of penal law violations reflected by such audits to certain prosecuting officers; repealing all laws in so far as they conflict with the provisions of this Act; containing a savings clause; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Sec. 1. The Board of School Trustees of each and every school district of the State, whether created under General or Special Law, for the scholastic year beginning September 1, 1957, and annually thereafter, shall have its school district fiscal accounts audited at district expense by a Texas certified or public accountant holding a permit from the Texas State Board of Public Accounting. Such annual audit shall be completed following the close of each such fiscal year.

Sec. 2. Such independent audit shall meet at least the minimum requirements as shall be, and in such form as may be prescribed by the State Board of Education and approved by the State Auditor.

Sec. 3. Each treasurer (depository) receiving or having control of any school fund of any school district shall keep a full and separate itemized account with each of the different classes of its school funds coming into his hands; provided further, the treasurer's records of the district's itemized accounts and records shall be made available to audit.

Sec. 4. A copy of the annual audit report, approved by the board of school trustees, shall be filed by the district with the Texas Central Education Agency on or prior to the first day of December next following the close of the scholastic year for which audit was made. Where the board of trustees declines or refuses to approve the auditor's report, it shall nevertheless file with the said Central Educational Agency a copy of the audit report with its statement detailing reasons for failure to approve same.

Sec. 5. The audit reports shall be reviewed by the Central Educational Agency, and the State Commissioner of Education shall notify the Board of trustees of objections, violations of sound accounting practices or law and regulation requirements, or of recommendations concerning same should he desire to make any. Where the audit report reflects that penal laws have been violated, the Commissioner of Education shall address such information to the appropriate county or district attorney, and to the Attorney General of Texas. The Commissioner of Education shall have access to all vouchers, receipts, district fiscal and financial records, and such other school records as he may deem needed and appropriate for the review, analysis and passing on audit reports.

Sec. 6. The audit report on the independent audit for the scholastic year 1957-58 and thereafter as hereinafter required to be filed annually with the State Commissioner of Education.

Sec. 7. All laws or parts of laws, both General and Special, in conflict with any of the provisions of this Act are hereby repealed to the extent such laws conflict with any of the provisions of this Act.

Sec. 8. If any clause, sentence, paragraph, section, subsection or other part of this Act be held unconstitutional or void, the remainder of this Act shall nevertheless remain in full force and effect.

Sec. 9. The fact that as a sound business practice each and every school district of every classification of this state should have complete independent audits made by competent auditors of the school funds of their districts annually, that each annual audit could aid materially local school boards to handle the public funds in a more efficient man-
 HOUSE BILL NO. 79 WITH SENATE AMENDMENTS

Mr. Moore of Harris moved that all the necessary Rules be suspended for the purpose of considering the Senate Amendments to

H. B. No. 79, A bill to be entitled "An Act to amendments to Chapter 355, Acts of the Fiftieth Legislature, 1947, (Vernon's Annotated Civil Statutes, Article 1249m) by amending Section 2 thereby redefining "Firemen" and "Policeman"; and by amending Section 12 thereof, by providing for the purpose of recommending the Senate Amendments to H. B. No. 79 and to table the motion to reconsider.

The motion to table prevailed.

TEXT OF SENATE AMENDMENTS

TO HOUSE BILL NO. 79

Amend House Bill 79 by striking out all of Committee Amendment No. 1 by Hardeman and substituting in lieu thereof the following:

"Amend House Bill 79 by striking out all of Section 7 following the colon at the end of the first paragraph and substituting in lieu thereof the following:

"Section 26(A). All firemen and policemen in the classified service shall earn a minimum of fifteen (15) working days vacation with pay in each year. In computing the length of time during which a fireman or policeman may be absent from work for the vacation provided by this section, only those calendar days during which the member would be required to work if he were not on vacation shall be counted as vacation days. Vacation leave may not be accumulated from year to year, except as approved by the governing body of the city."

Adopted, April 17, 1957.

Senate Amendment No. 2

Amend House Bill 79 by striking out all of Section 7 following the colon at the end of the first paragraph and substituting in lieu thereof the following:

"Section 26(A). All firemen and policemen in the classified service shall earn a minimum of fifteen (15) working days vacation with pay in each year. In computing the length of time during which a fireman or
police man may be absent from work for the vacation provided by this section, only those calendar days during which the member would be required to work if he were not on vacation shall be counted as vacation days.

Vacation leave may be accumulated to a total of no more than 60 working days and upon leaving the department, the employee shall be compensated by lump sum payment for accumulated vacation time."

Adopted, as substituted. April 17, 1947.

Senate Amendment No. 2

Amend House Bill No. 79 by adding a new section to be known and numbered as Section 7 (a), which shall read as follows:

"Section 7(a). That Section 27(a) of Chapter 226, Acts of the 50th Legislature, 1947, (Vernon's Ann. Civ. St. Article 1269m, Section 27(a)), be and the same is hereby amended to read as follows:

"Section 27(a). Provided, however, that the provisions of this Act as amended by this H. B. 79, passed at the 58th Regular Session of the Legislature, shall not apply to any city unless such city has already adopted and has in effect the provisions of this Act before the effective date of this amending Act, or unless first determined at an election at which the adoption or rejection of this Act shall be submitted. Upon receiving a petition signed by qualified voters in said city in number not less than ten per cent (10%) of the total number voting in the last preceding municipal election, the governing body of said city shall call an election within sixty (60) days after said petition has been filed with governing body. If at said election a majority of the votes cast shall favor the adoption of this Act, said governing body shall put such Act into effect within thirty (30) days after the beginning of the first fiscal year of said city after said election. The question shall be submitted for the vote of the qualified voters as follows:

'For the adoption of the Firemen and Police Men's Civil Service Act'
Against the adoption of the Firemen and Police Men's Civil Service Act'"

When an election has been held in a city pursuant to the provisions of this Act, a petition for another such election shall not be filed for at least one year subsequent to the election so held."

Adopted, April 15, 1957.

Senate Amendment No. 4

Amend House Bill 79, page 5 of the printed bill, by striking out the words "and vacation" in Line No. 33 on said page, and by striking out the following language contained in Lines No. 33 and No. 34 on page 5, to wit:

"and not more than 60 working days of accumulated vacation time."

Adopted, April 15, 1957.

Senate Amendment No. 5

Amend House Bill No. 79 by adding a new section to be properly numbered to read as follows:

"Section 25 of Chapter 226, Acts of the 50th Legislature, 1947, is hereby repealed."

Adopted, April 18, 1957.

Senate Amendment No. 6

Amend caption to conform to body of bill.

Adopted, April 18, 1957.

Senate Amendment No. 7

Amend Section 7(a) of House Bill No. 79 as amended so as to hereafter read as follows:

"Section 7(a). That Section 27(a) of Chapter 226, Acts of the 50th Legislature, 1947, (Vernon's Ann. Civ. St. Article 1269m, Section 27(a)), be and the same is hereby amended to read as follows:

"Section 27(a). Provided, however, that the provisions of this Act as amended by this H. B. 79, passed at the 58th Regular Session of the Legislature shall not apply to any city unless such city has already adopted and has in effect the provisions of this Act before the effective date of this amending Act, or unless first determined at an election at which the adoption or rejection of this Act shall be submitted. Upon receiving a petition signed by
qualified voters in said city in number not less than ten per cent (10%) of the total number voting in the last preceding municipal election, the governing body of said city shall call an election within sixty (60) days after said petition has been filed with governing body. If at said election a majority of the votes cast shall favor the adoption of this Act, said governing body shall put such Act into effect within thirty (30) days after the beginning of the first fiscal year of said city after said election. The question shall be submitted for the vote of the qualified electors as follows:

'For the adoption of the Firemen's and Policemen's Civil Service Act.'

'Against the adoption of the Firemen's and Policemen's Civil Service Act.'

'When any election has been held in a city, at which election the adoption or rejection of Chapter 325, Acts of the 50th Legislature, 1947 (Vernon's Ann. Civ. St., Article 1209) has been submitted, whether such election has been held prior to the effective date of this amending Act or subsequent thereto, a petition for another such election shall not be filed for at least one year subsequent to the election so held; and said petition for any such election after the first election shall be signed by qualified voters in said city in number not less than twenty per cent (20%) of the total number voting in the last preceding municipal election; and any such election after the first election shall be held at the next general municipal election to be held in such city after the filing of such petition.'

Adopted by vote of 26 yeas, 1 nay, May 16, 1957.

Senate Amendment No. 8
Amend caption to conform to body of bill.
Adopted, May 16, 1957.

HOUSE BILL NO. 362 WITH SENATE AMENDMENTS

Mr. Cole moved that all necessary rules be suspended in order to consider the Senate Amendments to H. B. No. 362.

The motion prevailed by a two-thirds vote.

Mr. Cole called up with Senate Amendments for consideration at this time.

H. B. No. 362. A bill to be entitled "An Act amending Section 10, House Bill No. 374, Acts, 1956, Fifty-fourth Legislature. Regular Session, Page 1137, Chapter 457, fixing compensation of District and Criminal District Judges in certain counties to be paid out of county funds, in addition to amounts paid out of State revenue; and declaring an emergency." On motion of Mr. Cole the House concurred in the Senate Amendments to H. B. No. 362.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 362

Committee Amendment No. 2
Amend House Bill 362 by changing the caption to read as follows:

"An Act amending Section 10, House Bill 374, Acts, 54th Legislature, 1955, providing for compensation of District Judges from County Funds in counties of 600,000 or more inhabitants, and declaring an emergency."

Committee Amendment No. 1
Amend House Bill 362 by striking out Section 1 and substituting therefor the following:

Section 1. Section 10 of Chapter 427, Acts of the 54th Legislature, Regular Session, 1955, being also House Bill No. 374 of the 54th Legislature hereby amended so as to hereafter read as follows:

"Sec. 10. In all counties of this State having a population of six hundred thousand (600,000) or more inhabitants according to the last preceding Federal Census, the Commissioners Court of such counties a supplemental annual salary out of County Funds in equal monthly installments for all judicial and administrative services performed by them, provided, however, that the aggregate annual salary of District Judges in such counties from both State and County Funds shall not exceed the salary provided by law for the Justices of the Courts of Civil Appeals in this State."
By: Saul

H. B. No. 153

"A BILL

To Be Entitled

An Act amending Section 19 of Chapter 35, Acts of the Thirty-Sixth Legislature, Regular Session, 1925, as amended by Section 4 of Chapter 197, Acts of the Forty-Third Legislature, First Called Session, 1927 (Codified as Article 7880-19), so as to prescribe the procedure for granting or refusing a petition for the organization of a water control and improvement district; authorizing the Board or Court to exclude from the proposed district lands that will not be benefited; continuing in effect by repealing the existing law governing creation of underground water districts; providing a saving clause; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. Section 19 of Chapter 35, Acts of the Thirty-Sixth Legislature, Regular Session, 1925, as amended by Section 4 of Chapter 197, Acts of the Forty-Third Legislature, First Called Session, 1927 (Codified in Vernon's Texas Civil Statutes as Article 7880-19), is hereby amended to read as follows:

"Section 19. Granting or Refusing Petition.

"If it shall appear on hearing by the Commissioners Court or the Board of Water Engineers, as the case may be, that the organization of a district as prayed for is feasible and practicable that the lands to be included and the residents thereof will be benefited thereby, that there is a public necessity or need therefor, and that the creation of such district would further the public welfare, then the Commissioners Court or Board shall grant the petition; otherwise, the Court or Board shall refuse to grant the petition. Provided, however, that if the Court or Board finds that any of the lands sought to be included in the proposed district will not be benefited by inclusion in such district, the Court or Board may exclude such lands not to be benefited and shall redefine the
boundary of the proposed districts to include only those lands that will receive benefit from such district.

The foregoing provisions shall not be applicable to underground water conservation districts seeking creation pursuant to the provisions of House Bill No. 142, Acts, Fifty-first Legislature, Regular Session, 1949, Chapter 306 (codified as Article 7455, Vernon's Ann. Civil Statutes), as heretofore or as may be hereafter amended. Such underground water conservation districts seeking creation shall be governed by the following provisions: If it shall appear on hearing by the Commissioners Court or the Board of Water Engineers, as the case may be, that the organization of an underground water conservation district as prayed for is feasible and practicable, that it would be a benefit to the land to be included therein, and be a public benefit, or utility, the Commissioners Court or Board shall so find and grant the petition. If the Court or Board should find that such proposed district is not feasible or practicable, would not be a public benefit or utility, or would not be a benefit to the land to be included therein, or is not needed, the Court or Board shall refuse to grant the petition.

Sec. 3. If any Article, Section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such invalid portion shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed the valid portions of the Act irrespective of the fact that any one or more portions be declared unconstitutional.

Sec. 4. The fact that the present law does not permit the Commissioners Court and Board of Water Engineers to advertise sufficient discretion in granting or refusing to grant petitions for the creation of water control and improvement districts, the need for the Court and Board to have greater latitude in its orders authorizing creation of such districts so that the general public can benefit thereby, and the desire to leave undisturbed the present law granting underground water conservation districts, 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 said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Mathias moved that the Conference Committee Report on H. B. No. 163 be adopted.

The motion prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 308

Mr. Walling submitted the following Conference Committee Report on S. B. No. 308:

Austin, Texas, May 14, 1957

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 308, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

Moffett, HAZELWOOD, ROGERS, RATLAPF, SMITH,
On the part of the Senate.

WALLING, PARISH, KOTHMANN, CLOUD, KELLY,
On the part of the House.

Conference Committee Report

"A BILL
To Be Entitled

An Act amending Section 5 of Chapter 441, Acts of the Forty-fifth Legislature, Regular Session, as amended, to include all counties in the State of Texas covered by such Act, to appropriate revenue received from this Act, and declaring an emergency."
Be it enacted by the Legislature of the State of Texas:  

Section 1. Section 4 of Chapter 443, Acts of the Forty-fifth Legislature, Regular Session, as amended, is amended to read as follows:  

"Section 4. The terms of this Act shall apply to the Texas Citrus Fruit Zone, as said area is defined in Section 1, Chapter 550, Acts of the Forty-second Legislature, Regular Session, and the other counties in the State of Texas."

Sec. 2. All fees collected in the administration of this Act shall be deposited into the Special Department of Agriculture Fund. The entire amount of fees so collected and deposited, or as much thereof as may be necessary, is hereby appropriated to the State Department of Agriculture for the administration of this Act.  

Sec. 3. The fact that certain produce dealers and vegetable growers in more than half the counties of this State may suffer heavy losses in the sale of certain agricultural commodities to unlicensed dealers because the present law extends protection against certain fraudulent practices in the sale of the above mentioned commodities to dealers and vegetable growers in only a certain number of counties instead of all the counties of Texas, creates 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 that this Act take effect and be in force from and after its passage, and it is so enacted.

Mr. Walling moved that the Conference Committee Report on S. B. No. 398 be adopted.  

The motion prevailed by the following vote:

**Yea's—116**  
Anderson Armedts Bell Bishop
Atwell Hials Bynas
Bairman Blanchard Boyse

**Nays—4**  
Bowers Moore of Tarrant
McGregor Stroman
Moore of McLennan  

In the Chair:  

Sanders  

**3341**

The House Journal
Mr. Murray submitted the following Conference Committee Report on H. B. No. 244:

Austin, Texas, May 17, 1957

Hon. Ben Ramsey, President of the Senate.
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 244, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PIPKIN, PUCKETT, MANN, MURRAY, MARTIN, On the part of the House.
KRUEGER, ASHLEY, SMITH, HARDEMAN, BRADSHAW, On the part of the Senate.

"A BILL
To Be Enacted

An Act to amend Article 3927 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1945, 49th Legislature, Page 862, Chapter 388, Section 3, relating to fees of clerks of the District Courts; containing a repealing clause and a saving clause; and declaring an emergency."

Be it Enacted by the Legislature of the State of Texas:

Section 1. Article 3927 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1945, 49th Legislature, Page 862, Chapter 388, is amended to read as follows:

"Article 3927. District Clerk.
"The clerks of the District Courts may with the approval of the Commissioners Court receive up to the following fees in civil cases for their services:

Filing original petition .......................................................... $2.50
Filing each paper .............................................................. .35
Certifying to and affixing seal on any copy .......................... 1.00
Issuing each injunction writ .............................................. 1.00
Issuing each writ of possession or restitution .................... 1.00
Issuing each other writ not otherwise provided for .......... 1.00
Issuing each copy of writ .................................................. 1.00
Recording return of any writ, including the return on all writs except subpenses .................................................. .50
Docketing each cause .......................................................... 1.00
Entering on docket the appearance of each party to a suit, to be charged but once ............................................... .15
Docketing each rule or motion, including rule for cost .......... .35
Swearing each witness ......................................................... .15
Administering an oath, affirmation, or taking affidavit, certificate and seal; provided, that he shall only be allowed pay for one certificate to each witness' claim for attendance in behalf of plaintiff, and one each in behalf of defendant, at any one term of Court ..... .50
<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entering on docket each continuance</td>
<td>.15</td>
</tr>
<tr>
<td>Issuing subpoena for one witness</td>
<td>.50</td>
</tr>
<tr>
<td>for each additional witness named in same subpoena</td>
<td>.15</td>
</tr>
<tr>
<td>Swearing and impressing a jury</td>
<td>1.00</td>
</tr>
<tr>
<td>Taking deposition, each 100 words</td>
<td>.15</td>
</tr>
<tr>
<td>Issuing copies of interrogatories with certificates and seals per 100 words</td>
<td>.15</td>
</tr>
<tr>
<td>Recording each judgment, order or decree not over 200 words</td>
<td>2.00</td>
</tr>
<tr>
<td>Recording judgment, order or decree which exceeds 200 words, an additional fee for each 100 words in excess of 200 words</td>
<td>2.00</td>
</tr>
<tr>
<td>Abstaining judgment</td>
<td>1.50</td>
</tr>
<tr>
<td>Issuing each order of sale</td>
<td>2.00</td>
</tr>
<tr>
<td>Approving bond, except bond for costs</td>
<td>2.00</td>
</tr>
<tr>
<td>Preparing and transmitting records and proceedings in cause to any inferior Court, for each 100 words</td>
<td>.10</td>
</tr>
<tr>
<td>Preparing and transmitting mandate or judgment of District Court upon appeal from County Court</td>
<td>1.00</td>
</tr>
<tr>
<td>Making copy of all records, judgments, orders, petitions, pleadings, or papers on file or of record in his office, whether to be certified or not, for any party applying for same, for each 100 words</td>
<td>.35</td>
</tr>
<tr>
<td>Making transcript of records and papers in any cause upon appeal, or writ or error, with certificates and seal, for each 100 words</td>
<td>2.50</td>
</tr>
<tr>
<td>Taxing bill of costs in any case with copy of same</td>
<td>.50</td>
</tr>
<tr>
<td>Transcribing, comparing and verifying record books of his office, payable out of county treasury, upon warrants issued on order of Commissioners Court, for each 100 words</td>
<td>.15</td>
</tr>
<tr>
<td>Issuing certificate to any fact or facts contained in the records of his office</td>
<td>1.00</td>
</tr>
<tr>
<td>Issuing certificate of naturalization</td>
<td>2.50</td>
</tr>
<tr>
<td>Filing and recording the declaration of intention to be a citizen of the United States</td>
<td>2.00</td>
</tr>
<tr>
<td>Issuing commission to take deposition</td>
<td>1.00</td>
</tr>
<tr>
<td>For performing such other duties as may be imposed by law, reasonable fees shall be charged</td>
<td>1.00</td>
</tr>
</tbody>
</table>

Provided, however, that the Judge of the District Court, may in his discretion, prescribe one fee to be paid the District Clerk for any and all services rendered in any one case by the District Clerk and the fees set by the District Judge shall be in lieu of the fees prescribed in this Act for such services. The fee so prescribed shall be based on the amount fixed by the provisions of this Act for identical services and shall not exceed the total fees for such services fixed by this Act, and such fees shall be due and payable to the Office of the District Clerk upon the rendering of each case and such fee shall be considered as earned by the District Clerk upon such docketing. Any fees collected in excess of the amount prescribed by this Act shall, upon order of the District Judge, be refunded to the party paying such excess in amount.

Section 2. This act shall not be construed as amending or repealing any existing law concerning the exemption of the State of Texas or any political subdivision of the State of Texas from liability for costs or deposits therefor.

Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of conflict only.

Section 4. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this and the provisions of this Act are declared to be severable.

Section 5. The fact that the Office's Salary Funds in most of the counties of Texas are inadequate and insufficient to take care of the expenses of the offices affected hereby, thereby placing an extra burden on the already overburdened general funds of such counties, creates 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 such rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Murray moved that the Conference Committee Report on H. B. No. 244 be adopted.

The motion prevailed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 134

Mr. Hale submitted the following Conference Committee Report on H. B. No. 134:

AUSTIN, TEXAS, MAY 17, 1927

Hon. Ben Ramsey, President of the Senate,

Hon. Waggoner Carr, Speaker of the House of Representatives,

Sirs: We, your conference committee appointed to adjust the differences between the Senate and the House of Representatives on House Bill 134 have met and have under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

HALE, BURKETT, PATTYSON, FOREMAN, HUGHES of Dallas.
(On the part of the House)

WILLIS, LANE, HARDMAN, MARTIN, HERRING.
(On the part of the Senate)

By: Hale, et al.

H. B. No. 134

“A BILL
To Be Entitled
An Act amending Article 1299, Revised Civil Statutes of Texas, 1925; amending Article 1300, Revised Civil Statutes of Texas, 1925; amending Article 1301, Revised Civil Statutes of Texas, 1925; amending Article 1302, Revised Civil Statutes of Texas, 1925; amending Article 1303, Revised Civil Statutes of Texas, 1925; amending Article 1304, Revised Civil Statutes of Texas, 1925; and enacting a new Article 1305, Revised Civil Statutes of Texas, 1925; was as follows:

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 1299, Revised Civil Statutes of Texas, 1925, is hereby amended as hereafter to read as follows:

“Article 1299. Conveyance of Separate Lands of Wife. The husband and wife shall join in the conveyance of real estate which is the separate property of the wife.”

Section 2. Article 1300, Revised Civil Statutes of Texas, 1925, is hereby amended so as hereafter to read as follows:

“Article 1300. Conveyance of Homestead. The homestead of the family shall not be sold and conveyed by the owner, if a married man or a married woman, without the consent of the husband or wife. Such consent shall be evidenced by both the husband and wife joining in the conveyance, by both the husband and wife signing their names thereto, and by both the husband and the wife acknowledging their signatures thereto before a proper officer in the manner provided by law.”

Section 3. Article 1305, Revised Civil Statutes of Texas, 1925, is hereby amended so as hereafter to read as follows:

“Article 1305. Lien on Homestead. When material is furnished, labor performed, or improvements are done in this title are made, or when erections or repairs are made upon homesteads, if the owner thereof is a married man or married woman, then to fix and secure the lien upon the same it shall be necessary for the person or persons who furnish the material or perform the labor, before such material is furnished or such labor is performed, to make and enter into a contract in writing, setting forth the terms thereof, which shall be signed and acknow-
Section 4. Article 6608 of the Revised Civil Statutes of Texas, 1923, is hereby amended so as hereafter to read as follows:

"Article 6608. Form of Certificate for Conveyances other than homestead. The certificate of acknowledgment of a woman, married or single, for all conveyances other than the conveyance by a married woman of her homestead, must be substantially in the following form:

State of __________

County of __________

Before me, the undersigned authority, on this day personally appeared __________ known to me (or proved to me under oath) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this __________ day of __________, A. D. __________

Notary Public in and for __________ County, __________"

Section 5. Article 6608, Revised Civil Statutes of Texas, 1923, is hereby amended so as hereafter to read as follows:

"Article 6608. Acknowledgment of Married Women to Conveyance of Homestead. No acknowledgment of a married woman to a conveyance of the homestead shall be taken, unless she has had the same shown to her, and then and there fully explained by the officer taking the acknowledgment, nor shall it be valid unless the person whose name is subscribed is her act and deed, that she has willingly signed the same, and that she wishes not to retract it. The certificate of acknowledgment of a married woman to the conveyance of her homestead must be substantially in the following form:

"The State of __________

"County of __________

"Before me, __________ (here insert the name and character of office) on this day personally appeared __________, wife of __________, known to me (or proved to me on the oath of __________) to be the person whose name is subscribed to the foregoing instrument, and having been examined by me, and having the same fully explained to her, she, the said __________, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

(Seal) "Given under my hand and seal of office this __________ day of __________, A. D. __________

Notary Public in and for __________ County, __________"

Section 6. This Act shall apply to conveyances, contracts, and acknowledgments made after the effective date of this Act. The repeal or amendment of any statute by this Act shall not affect or impair any conveyance, contract, or acknowledgment completed under such statute and such statute shall be treated as still remaining in force for the purpose of sustaining any action for the enforcement of any right or obligation or for sustaining a defense to any action arising from instruments executed prior to the effective date hereof.

Section 7. The enactment of this Act shall not be held to affect in any manner any instrument bearing the separate acknowledgment of a married woman, or executed by a married woman and not so acknowledged, the validity of which instrument is in issue in any case pending when this Act takes effect.

Section 8. This Act shall take effect and be in force on and after January 1, 1923.

Section 9. The importance of this legislation and the urgent need of the reforms to be effected hereby 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 said rule
is hereby suspended, and this Act shall take effect and be in full force on and after the first day of January, 1958, and it is so enacted.

Mr. Hale moved that the Conference Committee Report on H. B. No. 134 be adopted.

The motion was lost by the following vote:

Yes—57

Anderson  Kilpatrick
Atwell  Koliba
Bishop  Letimer
Blaine  Laureti
Blanchard  McCoppin
Brinkow  McGregor
Burkett  of El Paso
Byrd  McElhaney
Cole  Moore of Harris
Coley  Murray
Cox  Myatt
Crawfordwait  Parish
del Gama  Richardson
Dewey  Sandahl
Duff, Miss  Schram
Fulmer  Sikes
Glass  Glass of Galveston
Glazner  Shackleford
Green  Springer
Hale  Storv
Holman  Sutton
Hooks  Tunnell
Hufnagel  Watson
Hughes of Dallas  White
Jamieson  Wintre
Johnson  Woolsey
Jones  Yezak
Kelly  of Galveston

Nays—39

Armbrister  Farrell
Baker  Goetz
Ballman  Henley
Bartram  Hollowell
Bas  Holstein
Bell  Hosay
Bowen  Huebner
Boyman  Hugue of Grayson
Butlock  Hutchinson
Chapman  Isacks, Miss
Clifford  Joseph
Cloud  Kennedy
Colby  Krouth
Cotson  Kochmann
Dugas  McDonald
Dungan  McGregor
Eleby  of McLennan

Maness  Shannon
Mays  Moore of Tarrant
Moore of Tarrant  Shevrin
Mullen  Black
Osborn  Smith of Hays
Parrish  Strickland
Puckett  Estes
Russett  Talsk
Saft  Talmood
Schwartz  Turner
of Washington  Welch
Seeligson  Wolfit
Shannon of Brath  Zbranek

In The Chair

Sanders  Present—Not Voting

President

Absent

Brashier  Martin
Bryan  Patterson
Cowen  Ramsey
Day  Roberts
Elliott  Sadler
Ellis  Smith of Jefferson
Fenoglio  Spilman
Floyd  Stewart
Harrington  Sudeth
Healy  Terrell
Hedlin  W. pear
Huffman  Wheeler
Jackson  Wilson of Young
Kernard  Wilson of Potter
Lee  Absent—Excused

Pipkin  Borden

RELATIVE TO HOUSE BILL NO. 10

Mr. Seeligson, Chairman of the Conference Committee on the part of the House on H. B. No. 10, reported that the Committee was unable to reach an agreement on H. B. No. 10.

ADDRESS ORDERED PRINTED

IN THE JOURNAL

Mr. Woolsey moved that the remarks of Mr. Zbranek made on today, addressing the House on personal privileges, be printed in the Journal.

There was no objection offered and it was so ordered.

ADDRESS BY HONORABLE J. C. (ZEKE) ZBRANEK

The following remarks by Mr. Zbranek, addressing the House on
May 23, 1957  HOUSE JOURNAL 3347

personal privilege, were ordered printed in the Journal:

"I rise here on personal privilege to explain some matters and to de­
fin the integrity of this House of Representatives. I want to tell you
what we won't have a Lobbyist Con­
trol Act at this session of the Legis­
lature. I feel that the honor and in­
tegrity of every member of the House
is at stake here.

As you remember, at the beginning
of this session there were three Lobby
bills introduced in the House. They
were referred to the Committee on
State Affairs. A hearing was held
and the bills were sent to a sub-com­
mittee composed of Mr. Seeligson,
Mr. Swol and Mr. Smith of Hays.
These gentlemen worked hard with
the authors of the various bills and a
good, reasonable and effective
Lobby Control Act was passed out
as H. B. 10.

This bill made professional Lobby­
ists register, and it required them to
make monthly financial reports of
their expenditures to and on behalf
of the Members of the Legislature.
The report phase of the bill was the
most important feature of the bill.
The purpose of a Lobby Registration
Act is to make certain activities of
Lobbyists available to public view.
The subcommittee, the House
State Affairs Committee, Speaker
Carr, and the Members of this House
discussed their obligation to the
people of Texas. On March 28th this
House passed a large majority, passed
out H. B. 10, and sent it to the
Senate.

There the bill was sent to Com­
mittee. After several starts and
stops, the Senate State Affairs Com­
mittee, the second week in May, re­
ported the bill out. Senator Charles
Herring, the Senate sponsor, had to
agree on an amendment by Senator
Dorsey B. Hardeman of San Angelo
in order to get the bill cut.

Senator Hardeman's amendment,
or rather, substitute bill did two
things: it made everybody who speaks to a Member of the Legisla­
ture about some Legislation, register as a Lobbyist. It made your
corner grocer, your neighbor,
your farmers and ranchers, your
school children and everyone else
register as a Lobbyist. It places these
people into the same category as the
most powerful professional Lobbyist
in Austin, Io, it even places those in
the same category as the most
wicked, uncerepulous, and unethical
Lobbyist in Austin.

Not only was this a ridiculous and
fantastic proposal for an elected
lawmaker to advocate, it was also
and very conveniently—unconsti­
tutional, in view of the sacred right of
the people to petition their legisla­
tors. But, this was only a smokescreen.
This was only a disguise. This was
only an effort to attract attention
away from the second despicable
thing that the Senate did. This
second provision completely did away
with the reporting features that the
House put into the bill. Instead, a
lobbyist would have to report only
when he spent $25 on any one item
on any one occasion, on any one
member. In other words, a lobbyist
could pay a member $25 every five
minutesc and not have to report a
thing. Then they have the audacity
to say that they passed a stronger
bill. They passed a bill that was
clearly unconstitutional—required
everyone to register and no one to
report.

The bill then went to conference
committee, Senator Dorsey B. Harde­
man was chairman of the Senate con­
Seeligson of Bexar County, Rep.
Hutcheson of Grayson, Rep. Slack
and Rep. Spelman and I worked long
and diligently with Senator Hardeman
in an effort to work out the differ­
ces. We agreed on all points ex­
cpt what to make the lobbyist re­
port. On this most crucial issue, the
House and Senate Conferences failed
to agree. Sen. Herring of Travis
did his very best to have total ex­
penditures reported. But Sen. Hardeman
would not yield. On this issue he
said that if we made lobbyist report
all, then the members might be
blackmailed. I'm sure the Senator
was sincere in this—I'm sure he was
afraid that he'd be blackmailed. But
I say, that in the entire history of
lobby registration and reporting legis­
lation, there's not one case of black­
mail to my knowledge.

Your conference committee was
forced to make a decision—should
we make a bill that did nothing, and
try to tell the people that we'd sus­
cended a Lobby Bill or should we stick
to our guns? In the words of Cdr.

Matthew Maury, who said "When principle is involved, be deaf to expediency," your committee unanimously felt that we would not do what was expedient—that we would rather tell the people what happened. I am proud of this House—you did what your duty dictated.

We felt that we'd rather tell the people that we have no lobby control act—that we failed in this most important matter—but that we held firm for a reasonable and workable bill. This House insisted on a good bill or none at all—and the people should know that one man—Dr. D. J. Hardee of Tom Green County did more than anyone to kill this important bill. You have done your job and you have done all you could to help in this matter.

The Speaker, Waggoner Carr, has stood with us in this vital matter. The conference committee had stayed together, and we feel that you and the people should know the truth about what happened.

Yes, we'll have to report to the people that we failed. We'll have to tell the people that we didn't take care of this most vital measure to insure a cleaner atmosphere for our State government—but we can proudly tell them that this House did all it could—that this House stood firm and fast for the principle of Government—But one Senator beat us. You have stood firm—you have done all within your power—you have proudly tell the people that you have fought the good fight—that your head, like mine, is bloody but not bowed.

**ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 418**

Mr. Smith of Hays submitted the following Conference Committee Report on H. B. No. 418:

A. B. Ramsey, Speaker of the Senate.

H. B. No. 418, have met and have come under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

MARTIN, AUKIN, FLYT, HANDREMAN, LANE, On the part of the Senate. SMITH of Hays, BOYDEN, ELLIS, BEELIGSON, On the part of the House.

H. B. No. 418

By Smith of Hays:

"A BILL To Be Entitled An Act relating to the budget system of the State, repealing Section 6 of Chapter 206, General Laws of the 42nd Legislature, Regular Session, pertaining to preparation and maintenance of certain budgetary information by the State Auditor and by other agencies of the Government; amending Section 6 and 8 of Chapter 206, General Laws of the 42nd Legislature, Regular Session, so as to revise and coordinate budgetary duties of the Governor and the Legislative Budget Board; providing for preparation of annual budgets in the event Constitutional Amendment providing for annual budget sessions of the Legislature is adopted; providing for severability; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1, Section 4 of Chapter 206, General Laws of the 42nd Legislature, Regular Session (Article 688a-3, Vernon's Texas Civil Statutes) is hereby repealed.

Sec. 2. Section 6 of Chapter 206, General Laws of the 42nd Legislature, Regular Session, as amended by Chapter 333, Acts of the 32nd Legislature (Article 688a-3, Vernon's Texas Civil Statutes) Is hereby amended to read as follows:

"Sec. 6. Based on information submitted to the Governor in the estimates and obtained by him at public
The Director of the Budget, under the direction of the Legislative Budget Board, shall also prepare a general appropriation bill for introduction at each regular session of the Legislature, and transmit copies of the bill to all members of the Legislature and in the Governor within seven days after the convening of any regular session of the Legislature.

"Upon receipt of the general appropriation bill prepared by the Director of the Budget, the Lieutenant Governor in the Senate and the Speaker in the House may, if they so desire, cause such bill to be introduced in the Senate and in the House of Representatives, or it may be introduced by any member of the House or the Senate. A general appropriation bill submitted by the Governor may also be introduced in like manner. Hearings on the appropriation bills shall be conducted before the Appropriation Committee of the House and the Finance Committee of the Senate. The Appropriations Committee and the Finance Committee may, if they so desire, begin preliminary committee hearings on the budget upon receipt of the bill prepared by the Director of the Budget without waiting for submission of the bill prepared by the Governor. All heads of departments, institutions or other agencies of the government requesting appropriations shall have the right to appear before either of these committees in behalf of the appropriations requested. Likewise, any taxpayer in the State shall have the right to be present and to be heard at the hearing on the proposed appropriation."

Sec. 5. If any provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 6. The fact that the changes made in this Act will improve the State's budget system creates 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.

Mr. Smith of Bay asked that the Conference Committee Report on H. B. No. 418 be adopted.

The motion prevailed.
SENATE BILL NO. 17 ON SECOND READING

Mr. Smith of Haye moved that all the necessary rules be suspended for the purpose of taking up and considering at this time, Senate Bill No. 17.

The motion prevailed without objections.

The Chair laid before the House, in its second reading and passage to third reading, Senate Bill No. 17, A bill to be entitled "An Act making an emergency appropriation for the Water Resources Committee and declaring an emergency."

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

SENATE BILL NO. 17 ON THIRD READING

Mr. Smith of Haye moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—135

Mr. Speaker...Mr. Speaker...Mr. Speaker...

Mr. Speaker Cox
Anderson Crosthwait
Armor Day
Atwell de la Garza
Baker Dewey
Baldman Dobbs, Jr.
Bartram Dugas
Bass Duncan
Bell Ehrle
Bishop Elliott
Blaine Ellis
Blanchard Ford
Bowers Foreman
Boyson Forsyth
Bratow Glas
Bryan Glising
Bullock Green
Burdett Hale
Byrd Harrington
Chapman Heflin
Cline Hensley
Cole Hollewell
Coley Holman
Conley Hobilins
Cory Hooks
Cotten Hosoey

Richardson
Huffman Roberts
Hoffman Russell
Hughes of Galveston Sandahl
Hughes of Dallas Saul
Hutchins Schram
Huskett, Miss Schutze
Jackson of Galveston
Jamison Schwartz
Johnson of Washington
Jones Seeligson
Joseph Shackelford
Kelly Shinn of Brath
Kennard Shannon
Kennedy of Tarrent
Kilpatrick Shaw
Koliba Sherrill
Koroth Slick
Kohmann Smith of Haye
Latimer Smith of Jefferson
Laurel Springfield
Lee Stewart
McCoppin Storey
McDonald Strickland
McGregor Stromon
McGree of El Paso Sutton
McMillan Taliek
Mann Terrell
Martin Thurmond
Matthew Tussell
Maye Turner
Moore of Harris Wailing
Mullen Waxion
Murray Welsh
Myott White
Oliver Wilson of Young
Osborn Wilson of Potter
Owsi Winfree
Parsons Wulforde
Paterson Woolsey
Pool Yeak
Premier Zbranjek
Puckett

Nay—1

McGregor
of McLean

In the Chair

Sanders Abest

Absente—Excused

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

Yea—135

Mr. Speaker
Anderson
Armstrong
Aswell
Baker
Baldwin
Bartram
Baue
Bell
Bishop
Blake
Blankenship
Bowers
Boyce
Brown
Bryan
Bullock
Burchett
Byrd
Chapman
Clay
Cloud
Cole
Colby
Conley
Cory
Cotter
Cox
Creagh
Day
de la Garza
Dawley
Duff, Miss
Dugua
Dungan
Ehris
Elliot
Ellis
Ford
Foreman
Forsyth
Glass
Glouning
Green
Hall
Harrington
Hasty
Heflin
Hemphill
Hollowell
Holman
Holstein
Hooke
Hosey

Yeas—1

Mr. Myatt

The Chair announced that S. B. No. 17 was passed subject to the provisions of Section 49A, Article III of the Constitution.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 86

Mr. Myatt submitted the following Conference Committee Report on S. B. No. 86:

Austi, Texas, May 17, 1957

Hon. Ben Ramsey, President of the Senate.

Hon. Wagoner Carr, Speaker of the House of Representatives.

Sirs: We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 86, have met and had some under consideration, and beg to report it back with the
recommendation that it do pass in the form and text hereon attached.

MARTIN, LANE, HARDMAN, ROBERTS, AIKIN,
On the part of the Senate.

MYATT, WHITE, MULLEN, KELLY,
On the part of the House.

Conference Committee Report

"A BILL
To Be Entitled

An Act to amend Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended, (Article 200a, Vernon's Texas Civil Statutes), relating to administrative judicial districts, by adding thereto a section to be known as Section 5a, providing for the assignment of retired and regular district judges, their duty to serve unless for good cause excused; providing for appeal to Chief Justice of the Supreme Court of Texas under certain circumstances; providing compensation of retired district judges while serving on assignment; providing a severability clause; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended, which is codified as Article 200a of Vernon's Texas Civil Statutes, is hereby amended by adding a new section, designated as Section 5a, which shall read as follows:

"Section 5a. Both Retired District Judges, as defined by Article 226(b) of the Revised Civil Statutes of Texas, as amended, who have consented to be subject to assignment, and all regular District Judges in this State may be assigned under the provisions of this Act by the Presiding Judge of the Administrative Judicial District wherein such assigned Judge resides. When such District Judge is so assigned by the Presiding Judge of an Administrative Judicial District to a Court in the same administrative district, or to a Court in another administrative district upon call of the Presiding Judge of such other administrative district and then reassigned as provided for in Section 6 of this Act, as amended, it shall be the duty of such Judge so assigned or reassigned to serve in such Court or administrative district to which he may be assigned, or reassigned, unless for good cause presented by him in writing to the Presiding Judge of his administrative district, he shall be relieved of such assignment by such Presiding Judge, providing however, after the presentation of a written statement declining such duty for good cause by such District Judge, if the presiding Judge refuses to relieve the District Judge from the assignment, the District Judge may, within five days after such refusal, petition the Chief Justice of the Supreme Court of the State of Texas to be relieved from such assignment for good cause, which said Chief Justice may at his discretion grant or refuse.

"The compensation, salaries and expenses of such Judges while so assigned or reassigned shall be paid in accordance with the laws of the State except that the salary of such retired Judges shall be paid out of moneys appropriated from the General Revenue Fund for such purpose in an amount representing the difference between all of the retirement benefits of such Judge as a Retired District Judge and the salary and compensation from all sources of the Judges of the Court wherein he is assigned, and determined pro rata for the period of time he actually sits as such assigned Judge."

Sec. 2. If any provision of this Act or the application thereof to any person or circumstance is held invalid, this invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

Sec. 3. The fact that there is now no duty upon a District Judge to accept assignment to another district creates 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
The motion prevailed by the following vote:

Yea-127

Anderson Honey
Armor Huebner
Awell Huffman
Baker Huffer
Ballman Hughes of Grayson
Bartram Hughes of Dallas
Bass Hutchins
Bell Isaacks, Miss
Bishop Jackson
Blalock Jamison
Blanchard Johnson
Boyon Jones
Bristow Joseph
Bryan Kelly
Burlock Kennedy
Byrd Kilpatrick
Cloud Koth
Cole Lattimer
Coley Laurel
Conley Mc Coppita
Cory McDonald
Cotter McGregor
Cox of McLennan
Crowhawks of El Paso
Day de la Garza
Dewey McIlhaery
Duff, Miss Mann
Dungan Martin
Dugas Matthew
Ehrle Mayo
Elliott Moore of Harris
Ella Moore of Tarrant
Ferrell Mullen
Foreman Murray
Forsyth Myatt
Glass Oliver
Glidden Osborn
Goetz Parish
Green Patterson
Hale Pool
Harrington Pool
Hastings Presler
Hawley Puckett
Hensley Richardson
Hollowell Roberts
Holman Russell
Holstein Sandahl
Hocks Saul

Nay-2

Bowers Dugas
In The Chair
Sanders

Present-Not Voting

Thurmond

Absant

Brashear Sadler
Chapman Stewart
Cowan Strickland
Pensio Huddert
Ford Turman
Kennard Wheeler
Lee White
Ramsey Wohlford

Absant-Excused

Pipkin Sheridan

A DoTioN OF CONFERENCE
COMMITTEE REPORT ON
SENATE BILL NO. 24

Mr. Hale submitted the following Conference Committee Report on S. B. No. 24:

(Mr. Spilman in the Chair.)

Austin, Texas, May 16, 1957

Hon. Ben Ramsey, President of the Senate.

Hon. Wagoner Carr, Speaker of the House of Representatives.

Sirs: We, Your Conference Committee, appointed to adjust the differences between the House and Senate on S. B. 24, have had the same under consideration and we are instructed to report it back to the House and the
Senate with the recommendation that it be adopted in the form attached hereto.

Respectfully submitted,

WILLIS,
LANE,
GRACEWELL,
PARKHOUSE,
On the part of the Senate.

HALE,
RANDELS,
YEZEK,
CHAPMAN,
JONES,
On the part of the House.

S. B. No. 24

"A BILL
To Be Entitled

An Act concerning the management, control, and disposition by a married woman of her separate property; both real and personal, including her right to contract and be contracted with and to sue and be sued; amending Articles 4814, 4816, 4823, and 4817, Revised Civil Statutes of Texas, 1925, as amended: providing a saving clause; repealing or modifying all other laws or parts of laws to the extent only that they conflict with the provisions of this Act; setting an effective date; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Article 4814, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1929, 41st Legislature, page 88, Chapter 32, Section 1, is hereby amended so as hereafter to read as follows:

"Article 4814. Wife's Separate Property. (a) All property of the wife, both real and personal, owned or claimed by her before marriage, and that acquired afterward, by gift, devise, or descent, as also the increase of all lands thus acquired, is the separate property of the wife.

(b) The wife shall, if she be 21 years of age or over, and she elects as provided in subsection (d), have the sole management, control and disposition of her separate property, both real and personal; and in connection therewith, she may, in her own name, contract and be contracted with, sue and be sued without the joinder of her husband, and her overtures shall not be a defense in any suit or action based on such contracts. Such of her separate property as is not exempt under the laws of Texas in such case shall be subject to forced sale for the payment of her debts. The community property of the husband and wife, with the exception of the wife's personal earnings and the revenues from her separate property, shall never be subject to the payment of debts contracted by the wife except for those contracted for necessary expenses furnished herself and children.

(c) If the wife shall not elect to have sole management, control, and disposition of her separate property, the joinder of the husband shall be necessary to the encumbrance or conveyance by the wife of her lands, and the joint signature of the husband and wife shall be necessary to a transfer of stocks and bonds belonging to her or of which she may be given control by this law.

(d) A married woman 21 years of age, or over, may file with the County Clerk of the county of which she is a resident, a duly acknowledged statement that she thereby elects to have sole management, control and disposition of her separate property. From and after the date of filing of such statement, which shall be recorded by the County Clerk in the Deed Records of said county, such married woman shall have the full authority to deal with her separate property as set forth in subsection (b) and the implication upon such authority contained in subsection (c) shall not thereafter apply."

Sec. 2. Article 4816, Revised Civil Statutes of Texas, 1925, is amended so as hereafter to read as follows:

"Article 4816. Wife's Separate Property Protected. Neither the separate property of the wife, her personal earnings, nor the revenue from her separate property shall be subject to the payment of debts contracted by the husband nor claims arising out of the torts of the husband."

Sec. 3. Article 4823, Revised Civil Statutes of Texas, 1925, is amended so as hereafter to read as follows:

"Article 4823. Subject to Debts of Wife. Neither the separate property of the husband nor the community property other than the personal earnings..."
of the wife and the revenues from her separate property shall be subject to the payment of debts contracted by the wife except those contracted for necessaries furnished her or her children.

Sec. 4. Article 4617, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1937, 45th Legislature, pass 1248, Chapter 499, Section 1, is amended so as to read as follows:

Art. 4617. When Husband or Wife May Convey Homestead Which is Separate Property. A husband or wife who owns the homestead as separate property and who is abandoned by his or her spouse, or whose spouse becomes insane, may encumber or convey such property by applying to the district court of the county of his or her residence. The court, in term time or vacation, upon satisfactory proof that such encumbrance or conveyance would be advantageous to the interest of the husband or wife applying, shall make an order granting permission to make such encumbrance or conveyance of the homestead without the joinder of the other spouse, and the married person who owns the homestead as separate property may then encumber or convey such property without such joinder.

"In the event the applicant is a non-resident of the state, he or she may apply to the district court of the county where the property or a portion thereof is situated, and the court shall hear and determine such application and grant relief the same as if the applicant were a resident of this state."

Sec. 5. Savings Clause. This Act shall apply to conveyances, contracts, and transfers made and, as to the requirement of joinder, to suits filed after the effective date of this Act. The repeal or amendment of any statute by this Act shall not affect or impair any conveyance, contract, or transfer completed under such statute prior to the effective date of this Act: and such statute shall be treated as still remaining in force for the purpose of sustaining any action for the enforcement of any right or obligation or of sustaining a defense to any action arising from any such conveyance, contract, or transfer.

Sec. 6. Repealing Clause. All laws or parts of laws in conflict with this Act are repealed or modified to the extent of such conflict only.

Sec. 7. Effective Date. This Act takes effect January 1, 1958.

Sec. 8. Emergency Clause. The fact that the present law concerning the management, control, and disposition of her separate property by a married woman is unjust to a large number of citizens of this state creates 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 said Rule is hereby suspended.

Mr. Hall moved that the Conference Committee report on S. B. No. 24 be adopted.

The motion prevailed.

ADOPION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 478

Mr. Kelly submitted the following Conference Committee report on S. B. No. 478:

Austin, Texas, May 22, 1957

Hon. Ben Ramsey, President of the Senate,

Hon. Waggoner Carr, Speaker of the House of Representatives:

First: We, your Conference Committees, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 478, have met and have come under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

BRADSHAW, ROBERTS, FLY, MARTIN, LANE,
(On the part of the Senate)

KELLY, DUFF, MISENTHORPE,
BASS, FOREMAN,
(On the part of the House)

By: Roberts, Bradshaw.

S. B. No. 478

Conference Committee Report

"A BILL

To Be Entitled

An Act authorizing the Texas Youth Council to relocate the site of the
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in the general appropriation bill, the Youth Council Is further authorized to the State Board for Hospitals and Special Schools; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. The Texas Youth Council is hereby authorized to relocate the State Blind, Deaf and Orphans School now situated on Bull Creek Road in the City of Austin, Texas, to a more suitable site.

Sec. 2. From funds appropriated in the general appropriation bill, the Texas Youth Council is directed to construct a new Blind, Deaf and Orphan School.

Sec. 3. The Texas Youth Council is authorized to enter into an inter-agency contract with the Board for Texas State Hospitals and Special Schools for the purpose of transferring the present site of the Blind, Deaf and Orphans School to the Board for Texas State Hospitals and Special Schools for use by the Hospital Board as it deems necessary.

The Texas Youth Council is further authorized to accept by an inter-agency contract suitable land now owned or acquired by the Hospital Board for the purpose of constructing a new Blind, Deaf and Orphan School. Should the State Hospital Board not have a suitable tract of land for such purposes, then in such event the Texas Youth Council is directed to construct a new Blind, Deaf and Orphan School in a more desirable location, and the fact that overcrowding of beds in the State Hospital System could be relieved by allowing the Youth Council to construct facilities at the present Blind, Deaf and Orphans School to the Hospital Board, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Kelly moved that the Conference Committee Report on S. B. No. 478 be adopted. The motion prevailed by the following vote:

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The motion prevailed by the following vote:

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May 23, 1957

HOUSE JOURNAL

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Richardson
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Russell
Sandahl
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Schram
Schwartz
of Galveston
of McLennan

McGregor
has concurred in House Amendments to Senate Bill No. 229 by a voice vote.

The Senate has concurred in House Amendments to Senate Bill No. 70 by a voice vote.

The Senate has adopted the Conference Committee Report on Senate Bill No. 166 by a voice vote.

The Senate has concurred in House Amendments to Senate Bill No. 381 by the following vote: Yeas 29, Nays 0.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON SENATE JOINT RESOLUTION NO. 1

Mr. Parish moved that all necessary Rules be suspended for the purpose of considering the Conference Committee Report on S. J. R. No. 1 at this time.

The motion prevailed by the following vote (having received the necessary two-thirds vote):

Year—95

Anderson
Atwell
Baker
Bass
Bell
Bishop
Bowers
Bristow
Byrd
Chapman
Cline
Cloud
Cole
Colley
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Yeas—96

Ellis
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Harrington
Hartley
Heflin
Heesley
Hollowell
Holman
Hosey
Hubbner
Hughes of Dallas
Istook, Miss
Jackson
Jamison
Johnson
Jones
Joseph
Kelly
Kennard
Kilpatrick
Mr. Parish then submitted the following Conference Committee Report on S. J. R. No. 1:

A Joint Resolution

Proposing an Amendment to the Constitution of Texas by adding to Article III a new Section to be known as Section 52-c to create an agency of the State of Texas with the authority to issue One Hundred Million Dollars ($100,000,000) in negotiable bonds or contracts of the State of Texas to acquire conservation storage space in reservoirs created by dams or structures and prescribing certain duties and functions of such agency and placing limitations upon their power to acquire such storage space; providing for the disposition of said storage space and water therein and providing a system for the flow of revenues and other moneys acquired under the program.

Be it Resolved by the Legislature of the State of Texas:

Section 1. That Article III of the Constitution of Texas be amended

Austin, Texas, May 21, 1957

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. J. R. No. 1, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

PARKHOUSE, FULLER, LANE, HARDMAN, PHILLIPS,

(On the part of the Senate)

PARISH, BASS, KENNARD, ATWELL,

(On the part of the House)

By: Parkhouse, et al.

S. J. R. No. 1

Conference Committee Report

A Joint Resolution

Proposing an Amendment to the Constitution of Texas by adding to Article III a new Section to be known as Section 52-c to create an agency of the State of Texas with the authority to issue One Hundred Million Dollars ($100,000,000) in negotiable bonds or contracts of the State of Texas to acquire conservation storage space in reservoirs created by dams or structures and prescribing certain duties and functions of such agency and placing limitations upon their power to acquire such storage space; providing for the disposition of said storage space and water therein and providing a system for the flow of revenues and other moneys acquired under the program.

Be it Resolved by the Legislature of the State of Texas:

Section 1. That Article III of the Constitution of Texas be amended.
by adding a new Section thereto to be known as Section 52-c, as follows:

"Section 52-c. There is hereby created, as an agency of the State of Texas, the Texas Water Development Board, to acquire such powers as necessary under this provision together with such other duties and restrictions as may be prescribed by law. The qualifications, compensation, and number of members of said board shall be determined by law. They shall be appointed by the Governor with the advice and consent of the Senate in the manner and for such terms as may be prescribed by law; provided, however, that the board heretofore created shall be the same as the Board created by H. J. R. No. 3 should both amendments become effective.

"The Texas Water Development Board shall have the authority to provide for, issue and sell general obligation bonds of the State of Texas or enter into contracts, as obligations of the State, or both, in an aggregate amount not to exceed One Hundred Million Dollars ($190,000,000). The bonds or contracts herein authorized shall be called "Texas Water Conservation Bonds, or Contracts" and shall be executed by the Board in such form, denominations upon such terms as may be prescribed by law, provided, however, that no bonds or contracts shall bear more than four per cent (4%) interest per annum; they may be issued in such installments as the Board finds feasible and practical in accomplishing the purpose of this Amendment.

"All moneys received from the sale of such bonds shall be deposited in a fund hereby created in the State Treasury to be known as the Texas Water Conservation Fund to be administered (without further appropriation) by the Texas Water Development Board in such manner as prescribed by law. Such fund shall be used only for the purpose of acquiring and maintaining, in the name of the State of Texas, conservation storage in reservoirs created by dams or structures hereafter constructed by the government of the United States, any political subdivision of the State or any agency or instrumentality of either of them. Upon approval and granting of a permit by the Board of Water Engineers or his successor, the Board may deliver its bonds as payment for such storage.

"The Legislature of Texas shall provide terms and conditions for the Texas Water Development Board to sell, and not otherwise dispose of, the water impounded or water storage space or both at prices representing the cost incurred by the Board in acquiring and maintaining same as may be defined by law. As prescribed by law, the river authority, conservation or reclamation district, or district created or organized, or authorized to be created or organized under Article XVI, Section 59 or Article III, Section 52 of this Constitution, in which the storage site is located, or municipal corporation, or the stream or riverbank landowner, individually or associated with other stream or riverbank landowners for his or their agricultural needs, shall have the first option to purchase water from the State. The Board of Water Engineers, or its successor, shall certify that the applicant has the right to impound, take or store water or acquire water storage space in accordance with the laws of the State of Texas then in existence, and such certification shall be in accordance with the priority of use then in existence, and shall be a condition precedent to the sale of such storage space, facility, or water by the Board, and shall determine the order of priority of such sale. The Legislature shall provide for the establishment of the Texas Water Conservation Interest and Sinking Fund, redemption fund, and such reserve funds as may be necessary. As prescribed by law, the acquisition of storage space and the sale of facilities by the Texas Water Development Board shall be subject to the right of acquisition, in whole or in part, by the river authority, conservation or reclamation district, or district created or organized, or authorized to be created or organized under Article XVI, Section 59 or Article III, Section 52 of this Constitution, in which the storage site is located, or municipal corporation, or the stream or riverbank landowners, individually or associated with other stream or riverbank landowners for his or their agricultural needs.

"The sale of water, storage space, or other facilities made available here-
and the notice, procedures, and method of the exercise of the option and rights granted herein shall be prescribed by law.

"While any of the bonds or contracts authorized by this Constitution, or any interest on any of such bonds or contracts is outstanding and unpaid, the Legislature shall appropriate an amount which is sufficient to pay the principal and interest on such bonds or contracts that mature or become due during such fiscal year less the amount in the Internet and Sinking Fund on August 31st of the prior fiscal year.

"The Legislature by law shall provide for the investment of all funds administered by the Board.

"The amount of funds to be invested in any single project from funds provided herein shall not exceed Seven Million Five Hundred Thousand Dollars ($7,500,000).

"All bonds issued or contracts entered into hereunder shall, after approval by the Attorney General, registration by the Comptroller of Public Accounts of the State of Texas, and delivered to the obligee, be uncontrollable and shall constitute general obligations of the State under the Constitution of Texas.

"Nothing herein shall affect, enhance, or decrease any vested rights.

"Should the Legislature enact enabling laws in anticipation of the adoption of this Amendment, such Acts shall not be void by reason of their anticipatory character.

Sec. 2 The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1957, at which election all ballots shall have printed thereon:

"For the amendment to Article III of the Constitution of Texas by adding a new Section to be known as Section 52-c, providing for a state program for acquiring conservation storage facilities and authorizing the issuance of state bonds or making of contracts in a total amount not to exceed One Hundred Million Dollars."

Sec. 3 The Governor shall issue the necessary proclamation for said election and shall have the same published as required by the Constitution and laws of this State.

Mr. Parish moved that the Conference Committee Report on R. J. R. No. 1 be adopted.

The motion was lost by the following vote (not receiving the necessary 100 "yea" votes):

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<th>Year</th>
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<th>&quot;Nay&quot;</th>
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[Signature]
Mr. Moore of Harris submitted the following Conference Committee Report on S. B. No. 447:

A BILL
To Be Entitled
An Act limiting the filing fees of candidates for office in counties of eight hundred thousand (800,000) or more, providing for the time of payment of filing fees for State Senator and State Representative; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. The Election Code of the State of Texas is hereby amended by adding thereto a new section to be known as Section 186a, to read as follows:

"186a. Assessment of candidates in Counties of 800,000 or more inhabitants.

"Candidates for any precinct, county or district office and the office of Congress in Counties which have a population of eight hundred thousand (800,000) or more, according to the last preceding federal census, except candidates for the State Legislature and State Board of Education, shall not be assessed a sum in excess of seven and one-half (7 1/2%) percent of the aggregate annual salary provided for any office of two year terms and twelve and one-half (12 1/2%) percent of the aggregate annual salary provided for any office of four year terms to have
CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 18

Mr. Anderson submitted the following Conference Committee Report on H. B. No. 18:

(Speaker in the Chair)

Austin, Texas May 22, 1967

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 18, have met and have made an examination of the House Committee Report on H. B. No. 18, Senate Bill No. 238, as amended by Securities and Exchange Commission of the Securities and Exchange Commission of the State of Texas, and on the part of the Senate, have made the following:

HARDEMAN, OWEN, MARTIN, LANE
(On the part of the Senate)

ANDERSON, BARTRAM, SANDERS.
(On the part of the House)

By: Anderson

H. B. No. 18

"A BILL To Be Entitled An Act to more adequately provide for the effective regulation of traffic on highways for the purpose of improving traffic safety and the facilitation of vehicular traffic upon the roads of this State; to amend Section 8 of Senate Bill No. 11, as amended, Chapter 42, Acts of the Forty-first Legislature, Second Called Session, 1935, and to amend Chapter 26, Acts of the Forty-fourth Legislature, Second Called Session, 1937, and to amend Chapter 26, Acts of the Forty-fourth Legislature, Second Called Session, 1937, and to amend Chapter 1 of House Bill No. 1874, Chapter 506, Acts of the Forty-seventh Legislature, Regular Ses-
that upon any part of any State Highway within the limits of any incorporated city, town or village the State Highway Department's authority to alter speed limits thereon shall supersede any ordinance of any such Governing Body in conflict therewith, and to provide, further, that no such Governing Body may authorize speed limits in excess of the maximum limits prescribed in certain sections hereof, with certain exceptions; to provide that the Texas Turnpike Authority may alter speed limits on any part of any Turnpike Project constructed and maintained by it and that such authority shall be exclusive upon any part of any Turnpike Project both within and without the corporate limits of any incorporated city, town or village, including Home Rule Cities, and provided that Texas Turnpike Authority may not alter the reasonable and prudent rule prescribed herein; to establish the standards to be used in making engineering and traffic investigations by authorities authorized to alter speed limits; to prescribe provisions of any notice to appear for a violation of any speed regulation provided herein; prohibiting the admissibility of evidence in any prosecution for a violation of this Act obtained by lying in wait undeserved, hiding or in any manner concealing, in whole or in part, any equipment or the operator or operators thereof, or in violation of Section 1, Chapter 253, Acts of the Fifty-third Legislature, 1953 (codified as Article 737a, Vernon's Annotated Code of Criminal Procedure of Texas) in determining the rate of speed at which any motor vehicle is at the time traveling on or being operated over any public highway, road, street or alley in this State, and providing that all operators of equipment and officers whose primary duties are the enforcement of traffic laws shall use and operate in uniformly and plainly marked vehicles when in the performance of their official duties; and providing that the provisions of the foregoing paragraph are cumulative of Section 1, Chapter.
218. Acts of the Fortieth Legislature, 1927, as amended by Section 1, Chapter 47, Acts of the Forty-first Legislature, 1929, Second Called Session, as amended by Section 1, Chapter 74, Acts of the Forty-first Legislature, 1929, Third Called Session (codified as Article 803a, Vernon's Annotated Penal Code of Texas); providing that any violation shall be punished as provided in said Article 803a of Vernon's Annotated Penal Code of Texas; providing for notice to appear for violation of any speed regulation and the matters to be specified in such notice; providing that this Act shall not be construed as to affect the burden of proving negligence in civil actions; providing a severability clause; repealing any part of any law in conflict herewith and providing that no part of a prior Act in conflict with the provisions of this Act shall be revived; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Section 8 of Senate Bill No. 11, Chapter 45, Acts of the Forty-first Legislature, Second Called Session, 1929, as amended by Section 9 of House Bill No. 236, Chapter 295, Acts of the Forty-second Legislature, Regular Session, 1931, as amended by Section 1 of House Bill No. 1074, Chapter 806, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by House Bill No. 464, Chapter 246, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended by Senate Bill No. 230, Chapter 455, Acts of Fifty-fourth Legislature, Regular Session, 1965, codified as Article 821a, Section 9, of Vernon's Penal Code of Texas, is hereby re-enacted and amended so as to hereafter read as follows:

"Section 8. Rate and Speed of Vehicles.

"Subsection 1. Speed restrictions. It shall be unlawful for any person to operate or drive any motor or other vehicle upon the public highways of this State at a speed that is greater than is reasonable and prudent under the conditions then existing, have regard to the actual and potential hazards when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions; and in every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

"(a) Thirty (30) miles per hour in any business or residence district for all vehicles.

"(b) Sixty-five (65) miles per hour during the daytime and fifty-five (55) miles per hour during the nighttime in locations other than business or residence districts for all vehicles except vehicles towing house-trailers. No person shall drive a vehicle which is towing a house-trailer at a speed greater than a maximum of forty-five (45) miles per hour.

"(c) Provided further that no person shall operate or drive any motor or other vehicle upon the public highways of this State at a speed that is greater than is reasonable and prudent under the conditions then existing, have regard to the actual and potential hazards when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions; and in every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

"(d) Sixty (60) miles per hour during the daytime and fifty-five (55) miles per hour during the nighttime in locations other than business or residence districts for light commercial vehicles.

"(e) Forty-five (45) miles per hour at all hours in locations other than business or residence districts for commercial vehicles except commercial vehicles which are in authorized use as "Highway Post Office" vehicles, and for truck-trailers, or semi-trailers, as defined in this Act.

"(f) Fifty-five (55) miles per hour at all hours in locations other than business or residence districts for any motor vehicle engaged in the business of transporting passengers for compensation or hire or for any commercial vehicle which is in authorized use as a "Highway Post Office" vehicle for
furnishing highway post office service in transportation of United States mail.

As used in this Section, "light commercial vehicle" means any motor vehicle other than a motorcycle designed for the transportation of property not to exceed fifteen hundred (1500) pounds, and "commercial vehicle" means any commercial motor vehicle as defined in Section 1 of this Act other than a light commercial vehicle. The term "light commercial vehicle" is intended to include those vehicles commonly known as pickup trucks, panel delivery trucks, carry-all trucks, and passenger vehicles used for delivery purposes.

"Daytime" as used in this Act shall mean from a half (½) hour before sunrise to a half (½) hour after sunset. "Nighttime" means at any other hour.

"Business District" means the territory contiguous to and including a roadway when within any sixty hundred (600) feet along each roadway there are buildings in use for business or industrial purposes which occupy three hundred (300) feet of frontage on one side or three hundred (300) feet collectively on both sides of the roadway.

"Residence District" means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

The speed limits set forth in this subsection may be altered as authorized in Subsections 2, 3 and 4.

Subsection 2. Authority of State Highway Commission to alter speed limits. (a) Whenever the State Highway Commission shall determine upon the basis of an engineering and traffic investigation that any speed hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, taking into consideration the width and condition of the pavement and other circumstances on such portion of said highway as well as the usual traffic thereon, said State Highway Commission may determine and declare a speed limit thereon or therefrom by proper order of the Commission entered on its minutes, which shall be effective as to such classifications of vehicles as may be determined and at all times or during hours of daylight or darkness, or at such other times as may be determined when appropriate signs giving notice thereof are erected at such intersection or other place or part of the highway; provided however, that said State Highway Commission shall not have the authority to modify or alter the rule established in paragraph (c) of Subsection 1.

(b) The authority of the State Highway Commission to alter speed limits shall exist with respect to any part of any highway, road or street officially designated or marked by the State Highway Commission as a part of the State Highway System both within and without the limits of an incorporated city, town or village, including Home Rule Oceans.

Subsection 3. Authority of County Commissioners' Courts and governing bodies of incorporated cities and towns to alter speed limits. (a) The County Commissioners' Court of any county with respect to county highways or roads outside the limits of right-of-way of any officially designated or marked highway, road, or street of the State Highway System and outside the limits of any incorporated city or town shall have the same authority by Order of the County Commissioners' Court entered upon its records to alter speed limits upon the basis of an engineering and traffic investigation as that delegated to the State Highway Commission with respect to any officially designated or marked highway, road or street of the State Highway System; provided that under no circumstances shall any County Commissioners' Court have the authority to modify or alter the rule established in paragraph (c) of Subsection 1, nor to authorize speeds for any class of vehicles in excess of the maximum limits herebefore set forth for said class of vehicle in paragraph (b) of Subsection 1.

(b) The Governing Body of any incorporated city or town with respect to any highway, road, or street of the State Highway System, including Home Rule Oceans.
within its corporate limits, shall have the same authority by City Ordinance to alter speed limits upon the basis of an engineering and traffic investigation as that designated to the State Highway Commission with respect to any officially designated or marked highway, road or street of the State Highway System; provided that under no circumstances shall any such governing body have the authority to modify or alter the rule established in paragraph (c) of Subsection 1, nor to authorize speeds for any class of vehicle in excess of the maximum limits hereinafore set forth for said class of vehicle in paragraph (b) of Subsection 1, except upon controlled access highways under their jurisdiction; and provided further, that any order of the State Highway Commission declaring a speed limit upon any part of a designated or marked route of the State Highway System made pursuant to Subsection 3 hereinafore, shall supersede any City ordinance in conflict therewith.

"Subsection 4. Authority of Texas Turnpike Authority to alter speed limits on Turnpike Projects. Whenever the Texas Turnpike Authority shall determine upon the basis of an engineering and traffic investigation that any speed hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a turnpike constructed and maintained by it, taking into consideration the width and condition of the pavement and other circumstances on such portion of said turnpike as well as the usual traffic thereon, said Authority may determine and declare a speed limit thereof or thereon by proper order of the Authority entered on its Minutes, which shall be effective as to such classifications of vehicles as may be determined and at all times or during hours of daylight or darkness or at such other times as may be determined, when appropriate signs giving notice thereof are erected at such intersection or other place or part of any turnpike. The authority of the Texas Turnpike Authority to alter speed limits shall be effective upon any part of any turnpike project constructed and maintained by it pursuant to House Bill 4, Chapter 410, Acts of 1953, Fifty-third Legislature, Regular Session, codified as Article 6874, Vernon's Revised Civil Statutes of Texas as same may be amended, both within and without the corporate limits of any incorporated city, town or village, including Home Rule Cities. Such authority shall be exclusive with respect to any such project, and the authorities prescribed in Subsections 2 and 3 hereinafore shall not apply upon any part of any such Turnpike Project; provided, however, that Texas Turnpike Authority shall not have the authority to alter the rule established in paragraph (c) of Subsection 1.

"Subsection 5. Standards for Engineering and Traffic Investigations. The State Highway Commission and other authorities herein authorized to alter speed limits on the basis of an engineering and traffic investigation may be guided in making such engineering and traffic investigation by the procedures in use by the State Highway Commission at the time of the passage of this Act which the Legislature hereby renounces as being valid, and as they may be subsequently amended as the result of continuing studies.

"Subsection 6. No evidence shall be admissible in any prosecution for a violation of this Act which is or has been obtained by using in unobserved, hiding or in any manner concealing, in whole or in part any equipment or the operator or operators thereof or in violation of the Acts of 1929, Forty-first Legislature, Second Called Session, page 362, Section 1, as amended, Acts of 1937, Fortieth Legislature, page 321, Chapter 213, Section 1, as amended by Acts of 1939, Forty-first Legislature, Second Called Session, page 83, Chapter 47, Section 1, as amend-
ed by Acts of 1930, Forty-first Legislature, Fifth Called Session, page 233, Chapter 76, Section 1 (codified as Article 831a, Vernon's Annotated Penal Code of Texas), and any violation hereof shall be punished as provided in said Article 831a.


Every notice to appear issued for a violation of any speed regulation provided for in this Act, shall specify the rate of speed at which the person so charged is alleged to have driven, and also the speed limit applicable within the district or at the location shall be set out.

Subsection 2. Rule in Civil Actions. The provisions of this Act declaring speed limits shall not be construed to relieve any party in any civil action from the burden he would otherwise have of proving that the negligence of any adverse party was the proximate cause of any event, or occurrence."

Section 2. If any portion of this Act, whether word, clause, phrase, sentence, paragraph or section, be held unconstitutional by a court of competent jurisdiction, the remaining provisions hereof shall nevertheless be valid the same as if the portion or portions held unconstitutional had not been adopted by the Legislature. The Legislature hereby declares that it would have passed this Act and each sentence, clause and part thereof despite the fact that any portion or portions of this Act be declared unconstitutional.

Section 3. Any part of any law in conflict with the provisions of this Act is hereby expressly repealed and it is not intended that any part of a prior Act in conflict with the provisions of this Act shall be revised.

Section 4. The fact that the present law is vague, uncertain and indefinite in violation of the Constitution and laws of this State and impairs the effective regulation of traffic on our highways, creates 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 said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage and if it is so enacted.

Mr. Anderson moved that the Conference Committee Report on H. B. No. 18 be adopted.

Mr. Baker moved to table the motion to adopt the Conference Committee Report on H. B. No. 18.

The motion to table was lost by the following vote:

Year—41

Armstrong  McCain
Armour  McDonald
Baker  McDonald
Ballman  McGregor
Bass  El Paso
Bell  Merna
Blanchard  Mullen
Cline  Murray
Cloud  Meyer
Cotten  Osborn
Cowan  Parsons
Day  Patterson
Dewey  Pool
Duff, Miss  Russell
Dugan  Saul
Dungan  Schwartz
Perrell  of Washington
Harrington  Shannon
Hartman  of Tarrant
Hodgdon  Shaw
Hollowell  Sherrill
Holman  Smith of Hays
Hooks  Smith of Jefferson
Hughes of Grayson  Strother
Hughes of Dallas  Strickland
Isaacs, Miss  Stroman
Johnson  Sutton
Joseph  Talasek
Kennedy  Thurmond
Korioth  Tusselt
Kothmann  Waring
Kothmann  Wilson of Young
Lafler  Zbrozek

Year—59

Anderson  Hale
Arvel  Huffin
Bartram  Holstern
Bishop  House
Blaine  Huffman
Bowers  Huffer
Boyce  Hutchins
Bulluck  Jackson
Burkett  Jones
Byrd  Kelly
Chapman  Kohls
Coley  Lee
Cory  McGregor
Cox  McLean
Crostwatt  McShaw
Earl  Martin
Ferd  Mathew
Foresman  Mayo
Forayth  Moore of Harris
Gibson  Oliver
Green  Parish

May 23, 1957  HOUSE JOURNAL  3367
The motion to adopt the Conference Committee Report on H. B. No. 18 was lost by the following vote:

**Yea—67**

Anderson  Kilpatrick
Atwell  Koliba
Bailman  Laurel
Bartram  Lee
Bass  McIlhany
Blaine  Mason
Bowen  Martin
Bozman  Matthew
Bullock  Mays
Byrd  Oliver
Chapman  Parrish
Cory  Patterson
Cox  Pressler
Crowet  Puckett
Crowthwait  Roberts
Day  Sandahl
Ehrle  Sanders
Ford  Schram
Foreman  Shackelford
Forreth  Shannon
Glass  of Tarrant
Hale  Smith of Harris
Healy  Smith of Jefferson
Holstien  Springer
Huffman  Thorneaud
Hutchins  Watson
Kelly  Welch

**Nay—71**

Armor  Korthmann
Baker  Latimer
Bell  McCoppin
Bishop  McDonald
Blanchard  McElmurray
Burkett  of McLemore
Cline  McElmurray
Cloud  of El Paso
Cole  Moore of Tarrant
Coley  Mullen
Conley  Murray
Cotten  Myatt
de la Garza  Osborn
Dewey  Parsons
Duff, Mike  Pool
Dugas  Ramsey
Dungan  Richardson
Elliott  Russell
Elliott  Schwart
Farrell  of Galveston
Harrell  of Houston
Hendley  of Washington
Holloway  Shannon of Erath
Holloman  Shaw
Hooks  Sherrill
Huebner  Stewart
Huff  Storey
Hughes of Grayson  Strickland
Hughes of Dallas  Strong
Ithaca, Miss  Sutton
Jackson  Taliaferro
Johnson  Terrell
Johnson  Tunnell
Jones  Turman
Joseph  White
Kennard  Wilson of Young
Kor Nos  Zornak

Absent—Excused

Pipkin  Sheridan

Mr. Schwart of Washington moved to reconsider the vote by which the motion to adopt the Conference Com-
May 23, 1957

To: The Hon. Waggoner Carr, Speaker, and Members of the Fifty-Fifth Texas Legislature

Gentlemen: We, Your Committee appointed pursuant to House Simple Resolution No. 204 and House Simple Resolution No. 215, beg to report further as follows, to-wit:

Your Committee has heretofore made a Progress Report which was adopted by the House of Representatives in March, 1957. Reference is hereby made to said report for all purposes and it is hereby incorporated herein and made a part of this Final Report.

Following the adoption of the Progress Report, your Committee proceeded in accordance with its authority and instructions as set forth in House Simple Resolution No. 215. Numerous witnesses were heard and their testimony transcribed and made a matter of record. Additionally, at the instance of your Committee, investigators of the Texas Department of Public Safety conducted extensive inquiries, interviewing possible witnesses and obtaining statements and other relevant information.

In the latter part of March, certain evidence came to the attention of your Committee, which indicated that certain violations of the criminal statutes of this state had been committed in reference to the matters under investigation by your Committee and further indicated that some testimony given before your Committee was untrue.

Mindful of its obligation to ascertain and report the true facts and circumstances surrounding the matters under investigation to the House of Representatives; aware also of its obligation not to accuse or condemn any person in the eyes of the public, either expressly or by implication, without due consideration for judicial and constitutional safeguards; and further being determined not to impede or in any manner interfere with the orderly administration of justice concerning violations of the criminal law, your Committee decided to delay further action until a full and complete investigation and report could be made by the Grand Jury of Travis County, Texas, concerning any violations of the criminal statutes and/or any perjured testimony given before your Committee. As of this date, the Grand Jury has not concluded its consideration of these matters.

Your Committee is of the opinion that the fundamental purpose of any legislative committee is to make inquiry and ascertain facts with the primary purpose of recommending corrective legislation. It may well be that the Interim Investigating Committee to be appointed by the Speaker of the House may be able to make further recommendations for legislation additional to those considered by the Legislature at this session, but any such recommendations should await the report of the Travis County Grand Jury and further investigation to be conducted by the Interim Committee, if it deems further investigation advisable and necessary.

The matters investigated and inquired into by your Committee involved generally the question of ethics and conduct of public officials. Much has been said during recent years concerning this problem. At the instance of the Interim Investigating Committee created by the Fifty-Fourth Legislature, studies in this area were made by the Texas Legislative Council. The House during this session has considered the legislative problems suggested by matters of this nature and has passed a bill prescribing a Code of Ethics for legislators and other public officials, a Lobby Registration Act, and a Constitutional Amendment calling for annual legislative sessions and a pay raise for legislators. Other related matters have been considered by the Legislature at this session pertaining to this general problem.

This report is not the place for a full and complete discussion of legislative ethics and conduct. At the same time, however, the matters under inquiry by your Committee are intricably linked with moral and ethical
standards in public office. It is essential, as well as obvious, that public officials must be men and women of high personal integrity. But the problem of ethical standards is not always the simple issue of bribery and corruption on which there is no difference of opinion. Crude, overt corruption is relatively simple to deal with. Questions of conflict of interest are not always so simple and easy and much has been written and spoken on the subject.

This problem is, in many respects, a subjective one and, for that reason, is difficult to solve truly and completely by statute.

Your Committee recommends that all of the evidence heretofore adduced by it be delivered to the Interim Investigating Committee to be appointed by the Speaker, together with the instruction that said Committee complete the investigations commenced by your Committee and that such Interim Committee report all relevant facts to the House of Representatives at such time as the Travis County Grand Jury completes its investigation, or at such other time as the Interim Committee deems proper and advisable.

Your Committee is unanimous and emphatic in its disapproval and censure of any and all persons who may have violated or breached the public trust. Whether or not further action by the Interim Committee will be necessary to seek out and expose any such persons should not be decided at this time, pending the report of the Travis County Grand Jury.

Respectfully submitted,

WADE F. SPILMAN,
Chairman,
MAX C. SMITH,
JOHN R. LEE,
WESLEY SMITH,
RAREFOOT SANDERS,
LEROY SAUL,
FRATZ SPULLIVAN,
CARL C. CONLEY,
W. S. HEATHLY.

The report was adopted.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 558

Mr. Spilman submitted the following Conference Committee Report on H. B. No. 558.

Austin, Texas, May 23, 1957
Hon. Ben Ramsey, President of the Senate.
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 558, have met and have agreed upon the following:

A BILL
To Be Entitled

An Act authorizing the appointment of a water master in any suit where the State of Texas is a party and the purpose of the suit is to determine the rights of parties to divert or use waters of a surface stream in which suit rights are asserted to divert or use such waters in not more than four (4) counties; prescribing the power, duties and authority of the water master; prescribing the jurisdiction, power and authority of the Court in such cases; providing for the employment of necessary deputies and assistants; providing their duties and powers and authority; providing for the compensation of the water master and the compensation of the deputies and assistants and other employees provided for in the Act; providing for the assessment of cost of the expenses of the water master and his office; providing for the payment of such cost and making other provisions relating thereto; providing a severability clause; providing this Act be cumulative and declaratory an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. The provisions of this Act shall apply in any suit to which
the State of Texas is a party and the purpose of which suit is to determine the rights of parties to divert or use the waters of a surface stream in which suit rights are asserted to divert or use such waters in not more than four (4) counties, the Court having jurisdiction over such suit is authorized to appoint a water-master with power to allocate and distribute the waters taken into judicial custody under the supervision and direction of the Court. In no event shall the Court authorize to appoint a water master as herein provided to act both upstream and downstream from any reservoir constructed on any surface stream of this State.

Sec. 2. Under such terms and conditions as the Court may order, the water master provided for in Section 1 shall have authority to appoint such necessary deputies and assistants and to perform such duties and assume such responsibilities as may be delegated to him by the Court, including the power to police the stream and advise the Court of violations of the Court’s order of allocation of any waters within the judicial custody of the Court and to incur such expenses as the Court may deem necessary.

Sec. 3. The compensation of the water master and his staff shall be fixed by the Court, and the cost and expenses of the water master and his office including all salaries and expenses authorized and approved by the Court shall be assessed by the Court monthly, or at such time intervals as may be ordered by the Court against all persons receiving an allocation of the water taken into judicial custody. Such assessment of cost shall be based either on an acreage basis, an acre foot, or allocated water basis, a per capita basis, or such other basis as the Court after notice and hearing may determine to be the most equitable distribution of cost.

Sec. 4. In determining the distribution of cost and expenses provided for in Section 3, the costs are not to be considered as ordinary court costs to be taxed in the manner otherwise provided by law, but are to be considered as costs necessary to protect the rights and privileges of the parties receiving allocations of water during the pendency of the litigation and shall be borne by such parties. If the costs assessed pursuant to the provisions of Section 3 of this Act are not paid within the time prescribed by the Court, the Court may, after notice and hearing withdraw or limit allocations of water to any party failing or refusing to pay its share of such cost until all costs assessed against such party are paid in full.

Sec. 5. The Court having jurisdiction of any suit described in Section 1 of this Act in addition to all other jurisdiction, powers and authority provided for by the Constitution and Laws of this State may withdraw or limit allocations of water to any party who violates any order of the Court for such time as such party continues his violation.

Sec. 6. The provisions of this Act shall be cumulative of all other laws or parts of laws, general or special.

Sec. 7. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 8. The fact that the provisions of this Act are necessary to the conservation of surface waters of this State and to the protection of correlatives therin, creates an emergency and an imperative need that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and this Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Spilman moved that all necessary Rules be suspended for the purpose of adopting the Conference Committee Report on H. B. No. 558.

The motion prevailed by the following vote (having received the necessary two-thirds vote):

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The Speaker signed in the presence of the House after giving due notice thereof and their upcalls had been read severally the following enrolled bills and resolutions:

S. B. No. 380, An Act making an emergency appropriation for the payment of salaries of the citizen board members of the Veterans' Land Board; providing the method of payment and the effective date of the salaries; and declaring an emergency.

S. B. No. 397, An Act permitting the State Building Commission to acquire the Knights of Columbus Hall; making an appropriation; providing for the application of revenues from the Hall and other specified structures; providing for occupancy of the structure; and declaring an emergency.

S. B. No. 477, An Act providing for the transfer of title to certain lands from the State of Texas for the use and benefit of the Agricultural and Mechanical College of Texas to the Texas State Parks Board, aggregating 118 acres of land, more or less, including buildings, structures, improvements and appurtenances, and being the area surrounding and adjoining the Mission San Francisco de los Tejas and known as Mission State Park near the town of Wesches in Houston County, Texas; etc., and declaring an emergency.

H. B. No. 11, An Act defining and regulating the business of giving bail in criminal and quasi-criminal cases; providing for the licensing of persons, firms and corporations who engage in that business in any county having within its boundaries a city with a population of three hundred and fifty thousand (350,000) inhabitants according to the last preceding Federal Census; providing certain penalties; providing certain exemptions from this
Act; providing for appeal from the decision of the Administrator of the Securities Division of the Office of the Secretary of State, providing for administration of this Act by the successor to the Administrator of the Securities Division of the Office of the Secretary of State; providing for licensing fees; and declaring an emergency.

H. B. No. 59, An Act authorizing counties to furnish building space for establishing branch crime detection laboratories by the State Department of Public Safety; directing the Department of Public Safety to establish a branch laboratory in El Paso County, Texas, under conditions; and declaring an emergency.


H. B. No. 278, An Act amending the Insurance Code of Texas, Acts, 1951, Fifty-second Legislature, Chapter 21, General Provisions, by adding Article 21.46, providing for deposits of securities, or the payment of taxes, fines, penalties, etc., as a condition precedent to doing business in this State by insurance companies organized in a State, the laws of which require similar deposits in said State by similar companies organized under the laws of the State of Texas transacting business in said State; providing, further, that wherever under any law of this State the basic rate of taxation of any insurance company of another State or territory is reduced if any such insurance company has made investments in securities thereon in computing the aggregate Texas premium tax burdens of any such insurance company of any other State or territory each shall for purposes of comparison with the premium tax laws of their home states be considered to have assumed and paid an aggregate premium tax burden equal to the basic rate; erecting other provisions relating to the subject; providing certain exemptions to this Act; and further providing for the cancellation or refusal of authority to do business in the State of Texas by insurance companies organized under the laws of States or foreign countries which do not duly recognize the certificate of solvency and good management issued by this State to domestic insurance companies; and declaring an emergency.

H. B. No. 371, An Act creating the State Tax Study Commission; providing for the appointment of the members of said Commission; authorizing the making of a comprehensive tax study by the State Tax Study Commission; providing authority to request aid in making a tax study; providing for certain reports; etc.; and declaring an emergency.

H. B. No. 286, An Act applicable to all cities and towns of this State herein referred to as “city” or “such city”, authorizing any city to acquire, own, hold, purchase, construct, improve, extend, and operate a street transportation system or systems, and in connection therewith to issue and sell its revenue bonds or notes, secured in the manner prescribed herein; providing an opportunity for a referendum election before issuance thereof; authorizing the issuance of refunding bonds or notes; requiring approval of all bonds and notes by the Attorney General and prescribing effect of such approval; authorizing execution of instruments for properly securing the bonds or notes by pledges and liens; providing for the issuance subsequently of additional bonds or notes subject to restrictions prescribed; requiring all such bonds or notes to be so issued that the holder shall never have the right to demand payment out of funds raised or to be raised by taxation; prescribing duties of cities, their governing bodies, boards of trustees and officials, which shall have so acquired bonds or notes; and declaring an emergency.

H. B. No. 412, An Act granting the Commissioners Court of Henderson, Angelina and Trinity Counties permission to pay out of the General Fund of said Counties bounties for the destruction of wolves and predatory animals; and declaring an emergency.
H. B. No. 534, An Act requiring all contracts relating to the distribution and exhibition of motion pictures or films to be shown in theaters in the State of Texas, shall be construed in accordance with the laws of this State; providing venue of suit arising out of such license agreements; providing a repealing clause; providing a severability clause; and declaring an emergency.

H. B. No. 583, An Act amending House Bill No. 642, of the 51st Legislature, Regular Session (1949), Chapter 602, page 1139, so as to make such Act applicable to all state institutions of higher education; authorizing the investment or placing on time deposit not more than 5% of the student's "General Property Deposits"; establishing a student deposit fund consisting of the income from the investment or time deposit of the "General Property Deposits" and forfeited "General Property Deposits"; providing for the use of the student deposit fund for scholarship purposes or support of student union programs; providing for the administration by the governing boards of the student deposit fund and providing limitations and conditions for such use; excepting the Main University of The University of Texas, A & M College of College Station, and Texas Agricultural and Mechanical College at Lubbock from the use of the student deposit fund for a student union program; and declaring an emergency.

H. B. No. 695, An Act to revise and arrange certain statutes of this State relating to delinquent and dependent children juvenile courts, detention homes, juvenile boards, juvenile officers and domestic relations courts into a consistent whole and under a single title, preserving the substantive law as it existed immediately prior to the passage of this Act; providing a severability clause; providing a saving clause; repealing certain statutes relating to delinquent and dependent children; juvenile court, detention homes, juvenile boards, juvenile officers and domestic relations courts; and declaring an emergency.

H. B. No. 764, An Act amending Chapter 73, House Bill No. 84, Acts, Fifty-first Legislature, Regular Session, 1949 (codified as Article 2615, Vernon's Civil Statutes), increasing the amount of funds that the Board of Directors of the Agricultural and Mechanical College of Texas is authorized to expend from available plant funds for buildings and improvements at the adjacent of the College in Kinable County without specific authorization by the Legislature; and declaring an emergency.

H. B. No. 799, An Act establishing the Lamar County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; repealing conflicting laws; providing for severability; and declaring an emergency.

H. B. No. 809, An Act providing for the compensation of the District Attorney of the 30th Judicial District; providing method of compensation; providing for the compensation of Assistant District Attorneys and Investigators in the office of the District Attorney for the 30th Judicial District; providing method of compensation; providing for the appointment, compensation and method of compensation of stenographers in the office of the District Attorney of the 30th Judicial District; describing their compensation; making other provisions relating to the Office of the District Attorney of the 30th Judicial District; providing a severability clause; providing a repealing clause; and declaring an emergency.

H. B. No. 919, An Act amending Article 6845, Revised Civil Statutes of Texas, as amended by Acts of 1949, Fifty-first Legislature, page 1173, Chapter 699, providing for hospitalization and medical and surgical care for members of the military forces of this State who shall be wounded, disabled, or injured, or who shall contract disease or illness in line of duty while in the service of this State; providing for transportation expenses incident thereto; providing for continuation of pay and allowances; providing for funeral expenses and accrued pay and allowances to be paid to the estate in the event of death; providing for administration by the Adjutant General under rules and regulations which he may prescribe; providing for severability; repealing inconsistent provisions of other laws; and declaring an emergency.
H. R. No. 944. An Act relating to the Court of Domestic Relations of Smith County, Texas, amending Acts of the 55th Legislature, Regular Session, 1957, Chapter 16, Section 2 and Section 9; and declaring an emergency.

H. R. No. 957. An Act amending Section 1 of Chapter 343, Acts of the 15th Legislature (Article 2922L(8), Vernon's Texas Civil Statutes), relating to the collection of taxes in certain rural high school districts, by increasing the compensation which the tax collector may be allowed for his services; and declaring an emergency.

H. J. H. No. 36. Proposing an amendment to Section 51a of Article 111 of the Constitution of the State of Texas by adding a new Subsection to be known as 51a-1; giving the Legislature the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient, for assistance on behalf of persons eligible for Old Age Assistance, Aid to the Blind, and Aid to Dependent Children as provided in Section 51a of Article 111 and for persons eligible for Aid to the Permanently and Totally Disabled as provided in Article 111, Section 11, Acts of the 55th Legislature, Regular Session, 1957, Section 16 of the Constitution of the State of Texas; providing for direct or vendor payment for medical care on behalf of such recipients; providing for the acceptance of financial aid from the Government of the United States for such payments; providing that the payments for such medical care shall be in addition to the direct assistance to such recipients; providing that the amounts paid out of State funds shall never exceed the payments out of Federal funds for such purposes; providing for the necessary solution, form of bill, bill, and publication.

H. C. R. No. 69. To grant Joyce Reynolds Ahrens permission to sue the State.


H. C. R. No. 131. Allowing both Houses to consider S. B. No. 17 at any time.

TO GRANT MEDICAL PROFESSIONAL BUILDING CORPORATION, ET. AL., PERMISSION TO SUE THE STATE

Mr. Parish offered the following resolution:

H. C. R. No. 132

WHEREAS, The Medical-Professional Building Corporation of Corpus Christi, Texas, a Texas corporation legally incorporated under and by virtue of the laws of the State of Texas, contends that it is the owner of all of the land contained within the Cyrus W. Egery Survey, San Patricio County, Texas, a peninsula extending into Corpus Christi Bay, and all accretions thereto, as said land is described in the field notes of a certain deed to Cyrus W. Egery and his heirs from the State of Texas, set out through the State Land Office, recorded in Volume 170, pages 138-139 of the Deed Records of San Patricio County, Texas; and


WHEREAS, The State of Texas and the Texas State Highway Commission...
are claiming all such portions of the land contained in and adjacent to said Cyrus W. Egery Survey and M. J. McLean Survey as is included within the field note of a certain legislative Bill from the State of Texas to the Texas State Highway Commission, same being H. B. No. 458 which was signed by the Governor of Texas on April 18, 1947.

Whereas, The said Medical-Professional Building Corporation of Corpus Christi, Texas, claiming an aforesaid title to the Cyrus W. Egery Survey, and the above named persons claiming as aforesaid title to portions of the M. J. McLean Survey, contend that all such portions of land as are contained in and adjacent to said Cyrus W. Egery Survey and said portions of said M. J. McLean Survey and are included within the field notes of said legislative Bill and claimed by the State of Texas, and the Texas State Highway Commission do not belong to and are not owned by the State of Texas and the Texas State Highway Commission but rather are owned by the said Medical-Professional Building Corporation and the aforesaid persons as aforesaid to the said Cyrus W. Egery Survey and M. J. McLean Survey, respectively, and independently and otherwise than as aforesaid to said Surveys;

Now, Therefore, Be It Resolved by the House of Representatives, the Senate concurring, that The Medical-Professional Building Corporation of Corpus Christi, Texas, and Kenneth H. Benson, Mr. Kenneth H. Benson, Dale Griffith, Marjorie Griffith, W. E. Spencer Jr., Frances E. Spencer, J. W. Rowell, Pearl A. Rowell, Jennie E. Hollins, D. O. Moneese, Ethel Shay Moneese, William T. Rogers Jr., Cecil Kasitt, Charles A. Weber, Elizabeth Irene Weber, Gladys E. Hoekman, as Independent Executor of the Estate of E. E. Hoekman, Edith E. Loyd, individually and as Guardian of the person and estate of J. E. Loyd, M. D. Atwater, Philip D. Atwater, W. H. Zavits, Margaret Zvtitz, H. A. Loyd, Atsa Loyd, Ernest R. Whitaker, Lola E. Whitaker, Ivan C. Bancroft, Clarice L. Bancroft, Mrs. Pearl Stewart, Patricia Ann Jackson, William H. Jackson, George T. Look, John C. Doyle, Trustees, David M. Moneese, Genevieve A. Moneese and Mrs. Kate A. Jones individually, and W. H. Zavits, D. O. Moneese and J. W. Rowell, as Trustees for the persons hereinafore in this paragraph named, be and they are hereby severally granted permission to sue, jointly and/or severally, the State of Texas and the Texas State Highway Commission to determine title to said land presently claimed by the State of Texas and the Texas State Highway Commission on such cause or causes of action as they may jointly and/or severally assert under and by virtue of the conditions hereinabove described, and to recover judgment against the State of Texas and the Texas State Highway Commission for such relief as they may be entitled to under the facts developed and the law relating to their respective claims asserted, and

It is understood that the purpose of this Resolution is to grant permission to the aforesaid parties to sue the State of Texas and the Texas State Highway Commission, that nothing herein contained shall be construed as an admission of liability against the State of Texas or the Texas State Highway Commission, and that the facts upon which said parties may seek to recover must be proved as in any other case.

Service of citation for the purpose herein granted may be had upon the State of Texas by serving the Attorney General of Texas and the Secretary of the State of Texas, and service of citation for the purpose herein granted may be had upon the Texas State Highway Commission by service upon the Chairman of the Texas State Highway Commission.

Said suit may be brought in any court of competent jurisdiction in San Patricio County, Texas.

The resolution was adopted unanimously.

CONCERNING CERTAIN SALARY FOR EMPLOYEES OF TEXAS EMPLOYMENT COMMISSION

Mr. Smith of Hays offered the following resolution:

H. S. R. No. 642

Whereas, In the General Appropriation Bill for the fiscal year 1937-38, certain appropriations were made for the Texas Employment Commission and its personnel, and

Whereas, It has come to the attention of the House of Representatives that one of the employees of the Com-
mission inadvertently received a reduction in salary of One Thousand ($1,000.00) Dollars per year, and

Resolved, That any such reduction made was an inadvertent reduction and if there are funds available in the Appropriation Bill or otherwise by which this can be restored, it is directed that same be restored.

The resolution was adopted unanimously.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 165

Mr. Spilman submitted the following Conference Committee Report on S. B. No. 165:

Austin, Texas, May 22, 1957

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 165, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

BRADSHAW, BRACEWELL, HAGAN, PLY, LOCK, On the part of the Senate.

SPILMAN, HALE, STRICKLAND, MCDONALD, CONLEY, On the part of the House.

Conference Committee Report On Senate Bill 165

"A BILL To Be Entitled

An Act repealing Chapter 7 of the Insurance Code relating to fidelity, guaranty and surety and trust companies; authorizing the creation of trust companies and allowing corporations to amend their charters to operate trust companies; authorizing a foreign corporation to obtain a certificate of authority to operate a trust company for certain purposes and limited powers; providing for the applicability of Article 1524a, Vernon's Texas Civil Statutes; providing for the applicability of the provisions of The Securities Act; requiring such companies to have a fully paid-in capital of not less than $500,000.00; regulating the taking of deposits; making the provisions of the Texas Business Corporation Act and Article 1533, R. C. B. Texas, applicable to such companies; amending Article 1 of Chapter 111 of the Texas Banking Code of 1949, as amended, which is codified as Article 312-301, Vernon's Texas Civil Statutes, by adding the words 'without giving bond as such' to subdivision (d) thereof which subdivision (d) relates to the powers of a state bank to act as guardian, receiver, trustee, executor or administrator under order of a court of record; providing for the severability of clauses; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. Chapter 7 of the Insurance Code as enacted by Chapter 491 of the Acts of the 52nd Legislature, 1951, is hereby repealed.

Sec. 2. Trust companies may be created, and any corporation, however created, may amend its charter in compliance herewith, or a foreign corporation may obtain a certificate of authority to do business in Texas for the purpose

"To act as trustee, executor, administrator, or guardian when designated by any person, corporation, or court to do so, and as agent for the performance of any lawful act, including the right to receive deposits made by agencies of the United States of America for the authorized account of any individual; to act as attorney-in-fact for reciprocal or interinsurance exchange."

Sec. 3. The provisions of Article 1524a, Vernon's Texas Civil Statutes, as amended, shall apply to such corporations.
Sec. 4. Any securities issued or sold by such companies shall be issued and sold in compliance with all of the provisions of The Securities Act, as amended as it now exists or may hereafter be amended.

Sec. 5. Any such company must have a fully paid-in capital of not less than $500,000.00.

Sec. 6. Any such company shall not accept demand or time deposits, except as hereinabove provided.

Sec. 7. The general laws for incorporation and governing of corporations and the provisions of the Texas Business Corporation Act and the provisions of Art. 1513, R. C. S. Texas, shall supplement the provisions of this Act and shall apply to such trust companies to the extent that they are not inconsistent herewith; provided, the provisions of Article 2.01A permitting a corporation to have more than one purpose shall not apply. The power and authority herein conferred shall in no way affect any of the provisions of the anti-trust laws of this State.

Sec. 8. Article I of Chapter 111 of the Texas Banking Code of 1943, as amended, which is codified as Article 541-90, Vernon's Texas Civil Statutes, is amended to read as follows:

"Article I. Powers.

Subject to the provisions of this Code, five (5) or more persons, a majority of whom are residents of this State, may incorporate a state bank, with or without a majority of all of the following powers:

(a) To receive time and demand deposits at interest or without interest; to lend money with or without security at interest; and to buy, sell and discount bonds, negotiable instruments and other evidences of indebtedness.

(b) To act as fiscal agent or transfer agent and in such capacity to receive and disburse money and to transfer registered and countersigned certificates of stock, bonds or other evidences of indebtedness.

(c) To act as trustee under any mortgage or bond issue and to accept and execute any trust not inconsistent with the laws of this State.

(d) To act under the order or appointment of any court of record as guardian, receiver, trustee, executor or administrator, and, although without general depository powers, to act as depository for any moneys paid into court without giving bond as such.

"(e) To purchase, invest in, and sell bills of exchange, bonds, mortgages and other evidence of indebtedness.

"(f) To receive savings deposits with or without the payment of interest.

"(g) To receive time deposits with or without the payment of interest.

Sec. 9. The importance of this measure and the crowded condition of the calendar 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 said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage.

Mr. Spilman moved that all necessary Rules be suspended for the purpose of adopting the Conference Committee Report on S. B. No. 165.

The motion prevailed (having received the necessary two-thirds vote).

CAPTION ORDERED AMENDED

On motion of Mr. Elliott and by unanimous consent of the House, the Caption of House Bill No. 604 was ordered amended to conform with the body of the bill.

COMMANDING MR. AND MRS. W. H. REMMERT

Mr. Cowen offered the following resolution:

H. S. R. No. 440

Whereas, Mr. and Mrs. W. H. Remmert have been the guiding lights of
Whereas, The Third Grade Students from Zilker Elementary School of Austin, Texas, accompanied by Mrs. Franzen, were visiting in the State Capitol on the twenty-second day of May, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the working of their State government; and

Whereas, It is the desire of the House of Representatives of the Fifty-fifth Legislature to commend this group for their interest: now, therefore, be it

Resolved, That they be officially recognized and that a copy of this Resolution be forwarded to the Class.

JONES,
SANDAHL,
FOREMAN.

The resolution was adopted.

COMMENDING THE TEXAS HERITAGE SOCIETY AND MRS. LIPSCOMB NORVEL, SR.

Mr. Smith of Jefferson offered the following resolution:

H. S. R. No. 539

Whereas, The State of Texas possesses a priceless heritage of history and tradition unsurpassed by any other states in those United States; and

Whereas, The history of this great State has been written in the glorious deeds of our forefathers under the flags of six nations; and

Whereas, The people of Texas are proud of their glorious history and wish to preserve for all posterity the glorious memories of early Texas; and

Whereas, The Old San Antonio Road, which was known as the King's Road, was the first landmark ordered by Spain to define the area of Texas with a highway across Texas; and

Whereas, The Old San Antonio Road was the battlefront in the wars fought to gain independence for Texas; and

Whereas, The Texas Heritage Association is working diligently to perpetuate the memory of our American forebears who gave their all in winning independence for Texas, and to preserve the Old San Antonio Road and other landmarks of the early history of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Texas Heritage Association be commended for the patriotic efforts of its membership in preserving the historical landmarks of this great State, and that it be declared that it is the desire of this House that the Old San Antonio Road, with its great historical significance and many irreplaceable landmarks, be preserved for the benefit of future generations; and, be it further

Resolved, That a copy of this Resolution be sent to Mrs. Lipscomb Norvell, Sr., of Beaumont, Texas, known as the Saviour of the King's Road, and a great holy of Texas.

The resolution was adopted.
COMMENDING THE EMPLOYEES OF THE SOUTHWESTERN TELEPHONE COMPANY

Mr. Koliba offered the following resolution:

H. S. R. No. 537

Whereas, The House during this 56th Session of the Legislature has been fortunate in having the services of fifteen young ladies, serving the House as employees of the Southwestern Bell Telephone Company; and

Whereas, These young ladies have been referred to the Committee on Safety, that

RELATIVE TO ESTABLISHING AN INDUSTRIAL AND OCCUPATIONAL SAFETY COMMISSION

The Speaker laid before the House for consideration at this time. S. C. R. No. 160, Relative to establishing an industrial and occupational safety commission.

The resolution having heretofore been referred to the Committee on Rules and reported favorably by the Committee.

The resolution was adopted.

AUTHORIZING THE AMENDING OF THE CAPTION OF HOUSE BILL NO. 604

Mr. Heffin offered the following resolution:

H. C. R. No. 113

Be it resolved by the House, the Senate concurring, that the Enrolling Clerk of the House be instructed to conform the caption of H. B. 604 to its body.

The resolution was read and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, May 23, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on House Bill No. 433 by a voice vote.

A motion was made to reconsider the vote by which the Senate concurred in House Amendments to Senate Bill No. 70.

The Senate concurs in House Amendments to Senate Bill No. 70 by the following vote: Yes 27, May 6.

The Senate has passed the following:

H. C. R. No. 119, Authorizing the Enrolling Clerk of the House to make certain corrections on House Bill No. 70.

H. C. R. No. 77, Requesting the Texas Legislative Council to undertake a comprehensive study of the State Parks system.

Respectfully submitted,
CHARLES SCHNABEL, Secretary of the Senate.

MESSAGE FROM THE SENATE

Austin, Texas, May 23, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate
has adopted the Conference Committee report on Senate Bill No. 478 by a voice vote.

The Senate has concurred in House Amendments to Senate Bill No. 56 by a voice vote.

The Senate has passed the following:

H. C. R. No. 123, Instructing the State Building Commission to decline the bids for temporary air conditioning, provided that the Commission obtains written guarantees that the power unit for permanent air conditioning will be completed before October 1, 1958.

Respectfully submitted,

CHARLES SCHNABEL, Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

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

Austin, Texas, May 23, 1957

To the Members of the Fifty-fifth Legislature:

In accordance with the provisions of House Concurrent Resolution No. 122, I am returning herewith House Joint Resolution No. 1.

Respectfully submitted,

PRICE DANIEL.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 433

Mr. Spilman submitted the following Conference Committee Report on H. B. No. 433:

Austin, Texas, May 23, 1957

Hon. Ben Ramsey, President of the Senate,

Hon. Waggoner Carr, Speaker of the House of Representatives,

Sirs: We, your Conference Committees, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 433, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

BRACEWELL,
PHILLIPS,
BRADSHAW,

(On the part of the Senate)

SPILMAN,
SMITH of Hayes,
SANDAHL,

(On the part of the House)

By: Spilman

H. B. No. 433

Conference Committee Report

"A BILL
To Be Entitled

An Act revising the employers' liability and workmen's compensation insurance laws of this State by amending and adding to certain Sections of Articles 8306, 8307, and 8308, Revised Civil Statutes of 1925, as amended; amending Sections 7, 7c, 7d, 8, 10, 11, 12, 12c-2, 26d and 28 of Article 8306, Revised Civil Statutes of 1925, as amended; removing present limitations on medical service benefits and providing that such services shall include treatment necessary to physical rehabilitation and providing for referral of an injured employee by the Board to the Vocational Rehabilitation Division of the Texas Education Agency and cooperation between the Board and said Division regarding vocational rehabilitation; fixing fees of attorneys before the Board and before the courts and placing certain limitations thereon and providing for the payment thereof and the approval thereof by the Board, or the courts; fixing the benefits payable in cases of death, with limitations, and providing to whom payable; fixing the benefits payable for total incapacity, with limitations; providing the benefits payable for partial incapacity for work, with limitations, and providing the method of computing the amount of such benefits; providing the benefits payable for injuries specifically enumerated by schedule, with limitations, and..."
providing the method of determining the extent of partial incapacity caused by such injuries and the method of computing compensation therefor, with limitations on the amount payable, providing for a second injury fund and for the financing thereof; fixing the liability for medical treatment in cases of accidents and hospitalization, with limitations; levying a tax and creating a Workmen's Compensation Fund and providing for the use thereof; amending Section 5 of Article 809, Revised Civil Statutes of 1925, as amended, by adding a new paragraph prohibiting the inclusion in any award or judgment against the association the cost or expense of items of medical aid, hospital services, nursing, chiropractic services, medicines or prosthetic appliances not received by the employee prior to such award or judgment, providing the extent that the first such award shall be re judicata of the liability of the association, and prescribing the jurisdiction of the Board to render successive such awards and the jurisdiction of the courts in connection therewith; amending Article 809, Revised Civil Statutes of 1925, as amended, by adding a new Section 15 providing definitions of certain terms and adding definitions in connection with the term "injury sustained in the course of employment"; providing that this Act shall not affect any rights which were vested or accrued prior to the effective date hereof, and retaining prior laws in effect insofar as injuries sustained prior to the effective date hereof; providing a savings clause; repealing all laws in conflict; providing for the effective date of this Act; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Section 7, to, td. 8, 10, 11, 12, 13a-2, 28d and 2a of Article 8309, Revised Civil Statutes of 1925, as amended, be and the same are hereby amended so as to hereafter read as follows:

Medical Services

"Section 7. The association shall furnish such medical aid, hospital services, nursing, chiropractic services, and medicines as may reasonably be required at the time of the injury and at any time thereafter to care and relieve from the effects naturally resulting from the injury. Such treatment shall include treatments necessary to physical rehabilitation, including proper fitting and training in the use of prosthetic appliances, for such period as the nature of the injury may require or as necessary to reasonably restore the employee to his normal level of physical capacity or as necessary to give reasonable relief from pain, but shall not include any other phase of vocational rehabilitation. The obligation of the association to provide hospital services as herein provided shall not be held to include any obligation on the part of the association to pay for medical, nursing or surgical services not ordinarily provided by hospitals as a part of their services. If the association fails to so furnish reasonable medical aid, hospital services, nursing, chiropractic services and medicines as and when needed after notice of the injury to the association or subscriber, the injured employee may provide such medical aid, hospital services, nursing, chiropractic services, and medicines as the cost and expense of the association. The employee shall not be entitled to recover any amount expended or incurred by him for said medical aid, hospital services, nursing, chiropractic services, or medicines, nor shall any person who supplied the same be entitled to recover from the association therefor, unless the association or subscriber shall have had notice of the injury and shall have refused, failed or neglected to furnish it or them within a reasonable time. At the time of the injury or immediately thereafter, the employee shall have the right to call in any available physician, surgeon, or chiropractor to administer first-aid treatment as may be reasonably necessary at the expense of the association.

"Upon receipt thereof, the Board shall promptly analyze each notice of injury incurred by an injured employee covered under this law. If the Board concludes that vocational rehabilitation is indicated in any such case, it shall immediately take the necessary steps to inform the
injured employee of the services and facilities available to him under the Texas Program of Vocational Rehabilitation for Disabled Persons administered by the Vocational Rehabilitation Division of the Texas Education Agency and the Board immediately shall notify said Vocational Rehabilitation Division of such case. In each such case recommendation of services and facilities shall be made after consultation by the Board with the physician or chiropractor furnishing medical aid or chiropractic services as required by this section, who shall retain general supervision of treatment of the injured employee and, should the employee request it, the Board shall consult with a physician or chiropractor of his own selection. The Board shall cooperate with said Vocational Rehabilitation Division with reference to the work of said Division in providing said services and facilities to injured employees covered under the provisions of this law."

Attorneys’ Fees Regulated by the Board

"Section 7a. All fees of attorneys for representing claimants before the Board under the provisions of this law shall be subject to the approval of the Board. No attorneys’ fees for representing claimants before the Board shall be allowed or approved against any party or parties not represented by such attorney, nor exceeding an amount equal to fifteen per cent (15%) of the total recovery, in addition to the reasonable expenses incurred by the attorney in the preparation and presentation of the said claim before the Board, such expenses to be allowed by the Board. Where an attorney represents only a part of those interested in the allowance of a claim before the Board and his services in prosecuting such claim and obtaining an award therein accrue to the benefit of others jointly interested therein, than the Board may take these facts into consideration and allow the attorney a reasonable charge, to be assessed against the interest of those receiving benefits from the service of such attorney. The attorney’s fees herein provided for may be redeemed by the association by the payment of a lump sum or may be commuted by the agreement of the parties subject to the approval of the Board, but not until the claim represented by said attorney has been finally determined by the Board and recognized and accepted by the association. After the approval, as above provided for, if the association be notified in writing of such claim or agreement for legal services, the same shall be a lien against any amount thereafter to be paid as compensation; provided, that where the employee’s compensation is payable by the association in periodic installments, the Board shall fix at the time of approval the proportion of each installment to be paid on account of said legal services.

Attorneys’ Fees Regulated by the Court

"Section 7d. For representing the interest of any claimant in any manner arrived from the Board into the courts, it shall be lawful for the attorney representing such interest to contract with any beneficiary under this law for an attorneys’ fee for such representation, not to exceed twenty-five per cent (25%) of the amount recovered, such fee for services so rendered to be fixed and allowed by the trial court in which such matter may be heard and determined.

"In fixing and allowing such attorney’s fees the court must take into consideration the benefit accruing to the beneficiary as a result of such services. No attorney’s fees (other than the amount which the Board may have approved) shall be allowed for representing a claimant in the trial court unless the court finds that benefits have accrued to the claimant by virtue of such representation, and then such attorney’s fees may be allowed only on a basis of services performed and benefits accruing to the beneficiary.

"Provided, however, in the event an appeal or proceeding in error is taken to an appellate court by any party, the attorney shall receive for his fee an amount not to exceed one-third (1/3) of the amount recovered."

Death Benefit

Section 8. If death should result from the injury the association hereinafter created shall pay the legal
beneficiaries of the deceased employee a weekly payment equal to sixty per cent (60%) of his average weekly wages, but not more than Thirty-five Dollars ($35) nor less than Nine Dollars ($9) per week, for a period of one hundred and sixty (160) weeks from the date of the injury.

Total Incapacity

"Section 10. While the incapacity for work resulting from the injury is total, the association shall pay the injured employee a weekly compensation equal to sixty per cent (60%) of his average weekly wages, but not more than Thirty-five Dollars ($35) nor less than Nine Dollars ($9) and in no case shall the period covered by such compensation be greater than four hundred and one (401) weeks from the date of the injury.

Partial Incapacity

"Section 11. While the incapacity for work resulting from the injury is partial, the association shall pay the injured employee a weekly compensation equal to sixty per cent (60%) of the difference between his average weekly wages before the injury and his average weekly wage earning capacity during the existence of such partial incapacity, but in no case more than Thirty-five Dollars ($35) nor less than Nine Dollars ($9) and in no case shall the period covered by such compensation be in any case greater than three hundred (300) weeks nor more than one-half (1/2) of the thirteenth period stated herein, to wit:

"For the loss of a thumb, sixty per cent (60%) of the average weekly wages during thirty (30) weeks.

"For the loss of a first finger, commonly called the index finger sixty per cent (60%) of the average weekly wages during forty-five (45) weeks.

"For the loss of a second finger, sixty per cent (60%) of the average weekly wages during thirty (30) weeks.

"For the loss of a third finger, sixty per cent (60%) of the average weekly wages during twenty-one (21) weeks.

"For the loss of a fourth finger, commonly known as the little finger, sixty per cent (60%) of the average weekly wages during fifteen (15) weeks.

The loss of the second or distal phalange of the thumb shall be considered to be equal to the loss of one-half (1/2) of such thumb; the loss of more than one-half (1/2) of such thumb shall be considered to be equal to the loss of the whole thumb.

"The loss of the third or distal phalange of any finger shall be considered to be equal to the loss of one-third (1/3) of such finger.

"The loss of more than the middle and distal phalange of any finger shall be considered to be equal to the loss of the whole hand.

"For the loss of the metacarpal bone (bone or palm) for the corresponding thumb, finger or fingers above, add ten (10) weeks to the number of weeks as above subject to the limitation that in no case shall the amount received for the loss of injury to any one (1) hand be more than for the loss of the hand.

"For amputated (total stiffness of) or contracted (due to sprain or injuries) which make the fingers useless, the same number of weeks.
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<td>1.1</td>
<td>For the loss of an arm at or above the elbow, sixty per cent (60%) of the average weekly wages during a period of two hundred and fifty (250) weeks.</td>
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<td>1.2</td>
<td>For the loss of a hand, sixty per cent (60%) of the average weekly wage during one hundred and fifty (150) weeks.</td>
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<td>1.3</td>
<td>For the loss of an arm at or above the elbow, sixty per cent (60%) of the average weekly wage during two hundred (200) weeks.</td>
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<td>1.4</td>
<td>For the loss of one (1) of the toes other than the great toe, sixty per cent (60%) of the average weekly wages during ten (10) weeks.</td>
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<tr>
<td>1.5</td>
<td>For the loss of the great toe, sixty per cent (60%) of the average weekly wages during thirty (30) weeks.</td>
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<tr>
<td>1.6</td>
<td>The loss of more than two-thirds of any toe shall be considered to be equal to the loss of the whole toe.</td>
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<td>1.7</td>
<td>The loss of less than two-thirds of any toe shall be considered to be equal to the loss of one-half (½) of the toe.</td>
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<td>1.8</td>
<td>For the loss of a foot, sixty per cent (60%) of the average weekly wages during one hundred and twenty-five (125) weeks.</td>
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<td>1.9</td>
<td>For the loss of a leg, at or above the knee, sixty per cent (60%) of the average weekly wages during two hundred (200) weeks.</td>
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<td>1.10</td>
<td>In the foregoing enumerated cases of permanent, partial incapacity, it shall be considered that the permanent loss of the use of a member shall be equivalent to and draw the same compensation as the loss of that member.</td>
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<td>1.11</td>
<td>For the complete and permanent loss of the hearing in both ears, shall be considered to be sixty per cent (60%) of the weekly wages during one hundred and fifty (150) weeks.</td>
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<tr>
<td>1.12</td>
<td>For the loss of an eye and leg above the knee, sixty per cent (60%) of the average weekly wages during a period of three hundred and fifty (350) weeks.</td>
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<tr>
<td>1.13</td>
<td>For the loss of an arm and a hand, sixty per cent (60%) of the average weekly wages during a period of three hundred and twenty-five (225) weeks.</td>
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<tr>
<td>1.14</td>
<td>For the loss of an eye and a foot, sixty per cent (60%) of the average weekly wages during a period of three hundred (300) weeks.</td>
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<td>1.15</td>
<td>Where the employee sustains concurrent injuries resulting in concurrent incapacities, he shall receive compensation only for the injury which produces the longest period of incapacity, but this Section shall not affect liability for the concurrent loss or the loss of the use thereof of more than one (1) member, for which member compensation is provided in this schedule. Compensation for specific injuries under this law shall be cumulative as to time and not concurrent.</td>
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<td>1.16</td>
<td>In all cases of permanent partial incapacity it shall be considered that the permanent loss of the use of the member is equivalent to, and shall draw the same compensation as the loss of that member; but the compensation in and by said schedule provided shall be in lieu of all other compensation in such cases.</td>
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<td>1.17</td>
<td>In all other cases of partial incapacity, including any disfigurement which will impair the future usefulness or occupational opportunities of the injured employee, compensation shall be determined according to the percentage of incapacity, taking into account among other things any previous incapacity, the nature of the physical injury or disfigurement, the occupation of the injured employee, and the age at the time of injury. The compensation paid thereafter shall be calculated by first determining a basic figure amounting to sixty per cent (60%) of the average weekly wages of the employee, but which basic figure shall not exceed Thirty-five Dollars ($35.00); such basic figure shall then be multiplied by the percentage of incapacity caused by the injury, and the result shall be the weekly compensation which shall be paid for each period not exceeding three hundred (300) weeks as the Board may determine. Whenever the weekly payments under this paragraph would be less than Three Dollars...</td>
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($.00) per week, the period may be shortened, and the payments corresponding increased by the Board.

Second Injury Fund—How created

"Section 12c-3. The special fund known as the Second-Injury Fund shall be created in the following manner:"

"(a) In every case of the death of an employee under this Act where there is no person entitled to compensation surviving said employee, the association shall pay to the Industrial Accident Board the sum of Three Thousand Dollars ($3,000) to be deposited with the Treasurer of the State for the benefit of said fund and the Board shall direct the distribution thereof.

"(b) When the total amount of all such payments to the Fund, together with the accumulated interest thereof, equals or exceeds One Hundred Thousand Dollars ($100,000) in excess of existing liabilities, no further payments shall be required to be paid to said Fund; but whenever thereafter the amount of such Fund shall be reduced below Fifty Thousand Dollars ($50,000) by reason of payments to such Fund, then payments to such Fund shall be resumed forthwith and shall continue until such Fund again amounts to One Hundred Thousand Dollars ($100,000) including accumulated interest thereon.

Medical Treatment

"Section 26. (d) In the event of incapacity from silicosis or asbestososis, the association shall provide reasonable medical treatment; but liability for such treatment shall not extend beyond ninety-one (91) days.

Workmen’s Compensation Fund

"Sec 28. There is hereby established as a special fund, separate and apart from all public moneys or funds of this state, a Workmen’s Compensation Fund which shall be used by the Board for the purpose of paying costs of the administration of the law. In addition to amounts appropriated by the Legislature of the State of Texas, the State Treasurer shall be the treasurer and custodian of the fund. He shall administer such fund in accordance with the directions of the board, and the Comptroller shall issue warrants upon it in accordance with the directions of the board.

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date of said award or judgment. The first such final award or judgment rendered on such claim shall be res judicata of the liability of the association for all such cost or expense which could have been claimed up to the date of said award or judgment and of the issue that the injury of said employee is within the provisions of the law with respect to such items, but shall not be res judicata of the obligation of the association to furnish or pay for any such items after the date of said award or judgment. After the first such final award or judgment, the Board shall have continuing jurisdiction in the same case to render successive awards to determine the liability of the association for the cost or expense of any such items actually furnished to and received by said employee not more than six (6) months prior to the date of each such successive award, until the association shall have fully discharged its obligation under this law to furnish all such medical aid, hospital services, nursing, prosthetic appliances to which said employee may be entitled; provided, each such successive award of the Board shall be subject to a suit to set aside said award by a court of competent jurisdiction, in the same manner as provided in the case of other awards under this law."

Sec. 3. Article 3059, Revised Civil Statute of Texas of 1925, as amended, is hereby amended by adding thereto a new Section 6 to be known and designated as Section 1b, said Section 1b to be inserted immediately subsequent to Section la, said Section 1b to read as follows:

"Section 1b. Unless transportation is furnished as a part of the contract of employment or is paid for by the employer, or unless the means of such transportation are under the control of the employer, or unless the employee is directed in his employment in person from one place to another place, such transportation shall not be the basis for a claim that an injury occurring during the course of such transportation is sustained in the course of employment. Travel by an employee in the furtherance of the affairs or business of his employer shall not be the basis for a claim that an injury occurring during the course of such travel is sustained in the course of employment, if said travel is in furtherance of personal or private affairs of the employee, unless the trip to the place of occurrence of said injury would have been made even had there been no personal or private affairs of the employee to be furthered by said trip, and unless said trip would not have been made had there been no affairs or business of the employee to be furthered by said trip."

Sec. 4. As respects claims for injury sustained prior to the effective date of this Act, no inchoate, vested, matured, existing or other rights, remedies, powers, duties or authority, either of any employee or legal beneficiary, or of the Board, or of the Association, or of any other person shall be in any way affected by any of the amendments or repeals herein made to the original law hereby amended or repealed, but all such rights, remedies, powers, duties, and authority shall remain and be in force as under the original law just as if the amendments or repeals hereby adopted had never been made, and to that end it is hereby declared that as respects such injuries occurring prior to the effective date of this Act, said original law is not repealed, but the same is, and shall remain in full force and effect as to all such rights, remedies, powers, duties, and authority; and further this Act is to be construed in such a manner as to make the law which it is an amendment to a continuation thereof, and only in other respects a new enactment.

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

Sec. 6. All laws or parts of laws in conflict herewith are expressly repealed to the extent of such conflict.

Sec. 7. This Act shall take effect and be in full force on and after the first day of September, 1957, subject to the provisions of Section 4 above.

Sec. 8. The fact that injured employees are compensated on a grossly inadequate basis at the present time, and the further fact that the present methods of calculating partial disability for either the employee or the employer, or for the laboring public, create certain inequitable distribution of benefits under the Act, create an emergency and an imperativ
Mr. Spilman moved that the Conference Committee Report on H. B. No. 433 be adopted.

Mr. Ehrle moved the previous question on the adoption of the Conference Committee Report on H. B. No. 433 and the motion was seconded.

The motion for the main question was ordered.

The motion by Mr. Spilman to adopt the Conference Committee Report on H. B. No. 433 prevailed by the following vote:

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Mr. Spilman moved to reconsider the vote by which the Conference

REASON FOR VOTE

My reason for voting against final approval of H. B. 433 is because the bill does not assist or help the injured working man in Texas. It is a false effort to deceive the public into thinking that benefits to injured workers are increased.

JOHN R. LEE.
Committee Report on H. R. No. 433 was adopted and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

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

S. C. R. No. 102, Commending the Texas Legislative Service.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

RELATIVE TO PARKING OF CARS IN CAPITOL GROUNDS

Mr. Crosthwait moved that the parking places reserved for the members in the Capitol grounds be retained through next Saturday.

There was no objection offered and it was so ordered.

EXPRESSING APPRECIATION TO MR. WALTER E. LONG AND THE TEXAS LEGISLATIVE SERVICE

The Speaker said before the House for consideration at this time the following resolution:

S. C. R. No. 102

Whereas, During this, the Regular Session of the 55th Legislature the Texas Legislative Service has presented to each member several copies of the roster of the members of the Texas Legislature, including photographs of the members, districts and counties represented, desk numbers, and the seating arrangement of the members; and

Whereas, The House Correspondent, Mr. Finley Henderson, and the Senate Correspondent, Mr. Russell Fish, both of whom have served in this capacity for many years, have been of unlimited assistance to the members of both Houses of the Legislature throughout this 55th Regular Session; and

Whereas, In addition to the gift of these rosters, the Texas Legislative Service has placed on the desk of each member each morning a copy of its daily report, giving in a condensed form a resume of the activities in each House for the previous day, including a brief summary of each bill introduced, committee reports, bills passed, and other actions in the House and Senate; and

Whereas, There daily reports and the roster have been of great value and benefit to the members and have been furnished at no cost to the members; and

Whereas, It is the desire of the Senate to express our sincere appreciation to Mr. Long and the members of his staff; now, therefore be it

Resolved, By the Members of the 55th Legislature, that this be our expression, to Mr. Walter E. Long and to all the staff of the Texas Legislative Service, of our sincere gratitude and thanks for this worth-while service during the Regular Session of the 55th Legislature.

The resolution was read and was adopted unanimously.

Mr. Hale was recognized and addressed the House on the above resolution paying tribute to the Texas Legislative Service.

MESSAGE FROM THE SENATE

Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on Senate Bill No. 166 by a voice vote.

The Senate has adopted the Conference Committee report on House Bill No. 604 by a voice vote.

The Senate has passed the following:

H. C. R. No. 133, Instructing the Enrolling Clerk of the House to conform the caption of House Bill No. 604 to the body of the bill.

Respectfully submitted,
CHARLES SCHNABEL,
Secretary of the Senate.
Mr. Sanders, on behalf of the Members of the Committee, presented a gift to Speaker and Mrs. Carr.

Speaker Carr and Mrs. Carr addressed the House, respectively, expressing appreciation for the gift.

The Speaker called the House to order.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House the following bills and resolutions:

S. B. No. 17, An Act making an emergency appropriation for the Water Resources Committee; and declaring an emergency.

S. B. No. 132, An Act to amend Article 5.26 of the Texas Insurance Code providing for maximum rate of premium to be promulgated by the Board of Insurance Commissioners as to certain kinds of insurance, and deviations therefrom; providing for use on specific risks of rates in excess of maximum rates of the Board, on written application of the insured stating reasons therefor, filed with and approved by the Board; providing for the filing of an application for deviations for a lesser rate than maximum rates; providing for permission to file a rating plan or procedure producing a lesser rate on special types or classes or risk; providing standards to be applied by the Board in passing upon applications for deviations from maximum rates; providing that the Board enter orders to permit or deny applications, excepting those not denied in thirty (30) days are deemed permitted unless time for action be postponed thirty (30) additional days; providing that policies in force prior to taking effect of this Act shall not be affected hereby unless there be a change in the hazard of the risk; providing for continuing in force deviations in effect on the effective date of this Act pending final determination of their validity; providing for hearings and reasonable notice of such hearings and for the hearing of witnesses respecting such matters; providing an appeal, stay, pending appeal, and rules respecting such appeal from orders of the Board; excepting certain types of insurance companies and organizations from the provisions of this Article; declaring an emergency.

S. B. No. 131, An Act requiring the preparation and publication of an annual financial statement for each school district, junior college district, soil conservation district, road district, or any district organized under Section 59 of Article III or Section 58 of Article XVI of the Constitution of Texas; repealing conflicting laws; and declaring an emergency.

S. B. No. 143, An Act to prohibit the manufacture, sale and use of certain other fireworks; defining what fireworks may be manufactured, sold and used in the State of Texas, etc.; and declaring an emergency.

S. B. No. 150, An Act giving preference to supplies, material or equipment produced in Texas or offered by Texas citizens in contracts made by agencies of the State for the purchase of supplies, material or equipment; providing the provisions of this Act shall be cumulative; and declaring an emergency.

S. B. No. 174, An Act providing for the budgeting, accounting and reporting by and for common and rural high school districts of school funds estimated, received and expended; providing for the preparation of budgets covering proposed expenditures and form and content of such budgets; providing method for filing protest concerning such budgets and for the adoption of such budgets; providing for the filing of such budgets and reports on receipts and expenditures for the preceding year and restricting school expenditures; providing for amendment.
and supplementary budgets and the filing thereof; designating the budget officer; providing for the adoption and installation of a standard school fiscal accounting system based on a least minimum prescribed requirements; providing for review of budgets and fiscal reports by the Texas Central Education Agency; prescribing penalties for violation of this Act; specifically designating the budget officer; and declaring an emergency.

S. B. No. 220, An Act creating a Texas Council on Migrant Labor; providing for its operation; setting out its duties and powers; providing for the establishment of an office and the appointment of an executive director and other employees; making an appropriation; and declaring an emergency.

S. B. No. 224, An Act to provide for the proof of business and official records by the use of photographic copies, and declaring an emergency.

S. B. No. 255, An Act regulating the sale and manufacture of foods, drugs and cosmetics for the protection of public health in the State of Texas, repealing the following articles of the Revised Civil Statutes of Texas, Articles 4470, 4471, 4472 and 4473; repealing the following articles of the Penal Code of Texas, Articles 766, 767, 708, 709 and 717; and all other laws in conflict herewith, prescribing penalties; and declaring an emergency.

S. B. No. 279, An Act amending Article 2906 of the Revised Civil Statutes of Texas, 1925, relating to school terms and attendance to provide that trustees of school districts of 10,000 or more may provide for late afternoon and evening school programs, making provisions in regard thereto; and declaring an emergency.

S. B. No. 307, An Act amending Chapter 88, Page 172, of the Acts of the 41st Legislature, Regular Session, 1939, as amended, to provide for registration of automobiles manufactured in 1930 or prior years, etc.; and declaring an emergency.

S. B. No. 308, An Act amending Section 3 of Chapter 443, Acts of the Forty-fifth Legislature, Regular Session, as amended, to include all counties in the State of Texas covered by such Act, to appropriate revenue received from this Act; and declaring an emergency.

S. B. No. 322, An Act requiring storage garages and other similar businesses to report the identity of motor vehicles remaining in storage more than thirty days where there is not a
continuing contract of or agreement for storage, parking, keeping of vehicles stored with a known individual; providing a penalty for the violation of this Act; and declaring an emergency.

S. B. No. 345, An Act amending Sec. 1 of House Bill 44, Acts of the 49th Leg., 1945, chap. 320, p. 334, providing for the employment and salary of stenographers or clerks for county judges in certain counties; repealing all laws in conflict and declaring an emergency.

S. B. No. 344, An Act permitting the Assessor-Collector of Taxes of each County, and the Sheriff, who also performs the duties of Assessor-Collector of taxes in certain counties, to attend one professional conference or legal institute each year as may be called by the State Comptroller of Public Accounts, etc.; and declaring an emergency.

S. B. No. 448, An Act authorizing the Commissioners' Court of all counties in the State of Texas having a population of five hundred thousand (500,000) inhabitants, or more, according to the last preceding or any future Federal census, to issue negotiable bonds of such county, to levy and collect taxes in payment thereof, for the purpose of paying the cost of making any surveys and acquiring any tracts and plates, etc., and declaring an emergency.

S. B. No. 467, An Act authorizing certain cities as defined herein to issue refunding bonds; providing method of paying and securing such bonds; enacting other provisions relating to the subject and other provisions relating to the issuance and payment of such bonds; making this Act cumulative of other laws, general or special, in conflict or inconsistent herewith; and declaring an emergency.

S. B. No. 470, An Act authorizing the Board of Directors of Texas Technological College to rent or lease not to exceed four acres, a part of the campus and a building thereon to the City of Lubbock for the sole purpose of maintaining a history and art museum for a sum of money to be determined by the Board of Directors; authorizing the Board of Directors to dedicate for public use a street or streets leading to and connecting with said parcel of land and building and to provide ingress and egress to and from a public highway and to and from adjacent parking lots; authorizing the Board of Directors to contract with the City of Lubbock for staffing, operation and maintenance of a history and art museum with funds provided by the City of Lubbock; authorizing the Board of Directors to enter into such contracts and agreements as may be necessary and proper to carry out provisions of this Act and prohibiting the expenditure of money by the Board of Directors except as may be appropriated by the Legislature; and declaring an emergency.

S. B. No. 471, An Act providing for the coordination of a traffic safety program, authorizing the establishment of a Traffic Safety Council for the promotion of greater safety on the public streets and highways, prescribing its powers and duties, authorizing the employment of certain personnel, the acceptance of donations and expenditure of funds, providing for the cooperation of the various Departments of the State Government, providing a saving clause, and declaring an emergency.

S. B. No. 475, An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution comprising the territory contained within the City of Keller, to be known as the 'North Tarrant County Municipal Water District,' etc., and declaring an emergency.

S. B. No. 484, An Act amending Chapter 10 of Title 83, Revised Civil Statutes of Texas, so as to authorize the State Industrial Commission to conduct a program for attracting and locating new industries in the State to be financed through contributions other than State funds; and declaring an emergency.

S. C. R. No. 33, Requesting the Texas Legislative Council to make a study of the physically and mentally retarded youth in the State.

S. C. R. No. 91, Indorsing the sovereignty of Texas against encroachment upon the reserved powers of this State.

S. C. R. No. 92, Urging Congress to enact legislation providing for judicial review embodied in S. 1879.
S. C. R. No. 109, Establishing the Industrial and Occupational Safety Commission.

S. C. R. No. 108, Congratulating the Texas Legislative Service for the many services rendered to the members during the 55th Legislature.

H. B. No. 322, An Act amending Section 2A of Acts, 1930, Forty-first Legislature, Fifth Called Session, Chapter 18; as amended by Acts, 1931, Forty-second Legislature, Regular Session, Chapter 27; as amended by Acts, 1933, Forty-third Legislature, First Called Session, Chapter 58; as amended by Acts, 1949, Forty-fourth Legislature, Regular Session, Chapter 342; as amended by Acts, 1947, Fiftieth Legislature, Regular Session, Chapter 370; as amended by Acts, 1949, Fifty-first Legislature, Regular Session, Chapter 70; as amended by Acts, 1953, Fifty-third Legislature, Regular Session, Chapter 111, to provide for the issuance of permits for any truck, truck-tractor, trailer or semi-trailer which is being temporarily operated by non-resident owners thereof in Texas for the purpose of transporting farm products, produced outside of Texas to market, storage, processing plant, railroad or seaport within Texas; limiting the distance from the point of entry allowed by such special permit and providing a penalty for violating the same; providing for the enforcement thereof; enacting other provisions relating to the subject; providing a saving clause; and declaring an emergency.

H. B. No. 403, An Act making an appropriation to the Runnels County Water Improvement District; providing for its repayment; and declaring an emergency.

H. B. No. 630, An Act authorizing the Texas Highway Department to expend money for the purchase of rights of way for certain highways under certain conditions; providing limitations; providing for participation by counties and cities under certain conditions; amending Chapter I of Title 110, Revised Civil Statutes of Texas, 1925, as amended, by adding thereunto a new Section to be called Article 6675a-10, Vernon's Revised Civil Statutes of Texas by increasing annual license fee for various vehicles covered by its provisions; providing that counties shall remit certain registration receipts to the Texas Highway Department at certain intervals; making other provisions relating thereto; providing a severability clause; and declaring an emergency.

H. B. No. 964, An Act authorizing the Texas Board of Water Engineers to study the causes of natural pollution to the tributaries of the Red River and to study means to eliminate such pollution; etc.; and declaring an emergency.

H. B. No. 966, An Act concerning the trial and commitment to a state mental hospital of insane persons where insanity is raised as a defense or as a bar in a prosecution for a criminal offense; providing for treatment in a mental hospital of mentally ill prisoners; clarifying the status of mentally ill persons not charged with a criminal offense; providing for crediting of time in a mental hospital to the sentence of a prisoner; amending Article 34 of the Texas Penal Code; repealing certain statutes and laws; providing a saving clause; providing a severability clause; and declaring an emergency.

H. B. No. 913, An Act amending Article 71, Chapter 1, Acts, 1927, Fortieth Legislature, First Called Session, Page 131, Chapter 43, Section 6, compiled as Article 44188 of Vernon's Annotated Civil Statutes, establishing the qualifications for the office of the Commissioner of Health of the State of Texas; repealing conflicting laws; and declaring an emergency.

H. B. No. 832, An Act amending Title 110, Revised Civil Statutes of Texas, 1925, as amended, by adding thereto a new Article to be called Article 7436a; providing for declaratory judgment suits to be brought against the State to determine if the Anti-Tax Laws of the State are being violated or if they will be violated; etc., and declaring an emergency.

H. J. R. No. 1, Proposing an amendment to Sections 8 and 24 and authorizing a new Section of Article III of the Constitution of the State of Texas so as to provide for annual Sessions of the
Legislature; changing the compensation, per diem and travel expenses of the Members of the Legislature; authorizing temporary residence of Lieutenant Governor and Speaker of the House in the Capitol; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication.

H. C. R. No. 45. To grant Nash Gasoline Company permission to see the State.

H. B. No. 70, An Act relating to rehabilitation of slums and blighted areas in cities of the State of Texas; providing for a law to effectuate city slum rehabilitation to be called "Urban Renewal Law" and providing for its application; authorizing cities to plan and carry out city slum rehabilitation; granting cities power to effectuate city slum rehabilitation and making provisions as to their exercise of such power; prescribing regulations that cities must follow in effectuating the purpose of this Act; providing for financing of such rehabilitation programs; providing for acquisition, by purchase, condemnation or other procedures and disposal of land necessary for rehabilitation; providing the city urban renewal agency or other public body shall bear the expense of any relocation of facilities necessitated by the provisions of this Act; authorizing cities to work in conjunction with and encourage private enterprise to effectuate such rehabilitation and to work with other public bodies; providing that property owned by cities for purposes of this Act are exempt from taxes, levy and sale by execution; making other provisions relating to the rehabilitation of such slums and blighted areas; providing a severability clause; and declaring an emergency.

H. B. No. 179, An Act to facilitate the construction, maintenance and operation of State Highways, and declaring certain terms including controlled access highways to amend Title 115, Chapter 1, Revised Civil Statutes of Texas, 1925, as amended, by adding thereto a new Article; declaring the Legislature's mandate that more and better State Highways, particularly of the controlled access type, be laid out and constructed, and to provide necessary powers thereto as specified herein; empowering the State Highway Commission to lay out, construct, maintain and operate State Highways, wherever located, whether within or without the limits of any incorporated city, town or village; providing for not less than one local public hearing according to conditions provided herein; granting to the State Highway Commission the power to designate, locate, construct, operate and maintain controlled access highways wherever located in the State, subject to the conditions and limitations contained herein; authorizing the State Highway Commission to close any public or private way, including highways, county roads, and city streets, wherever located, at intersections with controlled access highways; authorizing the State Highway Commission to deny and control access to or from any State Highway designated as a controlled access highway; providing for the right of compensation under certain conditions; etc., and declaring an emergency.

H. B. No. 887, An Act creating an additional district court in Dallas County, Texas, to be known as the 146th Judicial District; providing the term and jurisdiction of said court; providing for the appointment of a district judge for said court; prescribing the powers, duties, term of office and compensation of the judge of said court; providing for the appointment of the official court reporters of said court; providing for the appointment, designation and compensation of clerks of said court; providing all processes, writs, recognizances and bonds hereinafter issued, made execute or returnable to existing terms of district courts in Dallas County, Texas, are valid and returnable to the first term of the district court provided herein, as assigned to the respective courts after this Act takes effect; making other provisions relating to the business and functioning of the district courts of Dallas County, Texas; providing a severability clause; and declaring an emergency.

H. B. No. 14, An Act amending Article 1812, Revised Civil Statutes of Texas, 1925, so as to change the location of the Court of Civil Appeals for the First Supreme Judicial Dis-
district from the City of Galveston to the City of Houston and making provision for suitable rooms for such court and for the justices thereof, providing for the temporary conduct of business at either the City of Galveston or the City of Houston; etc.; and declaring an emergency.

H. B. No. 79, An Act to amend Chapter 265, Acts of the Fiftieth Legislature, 1947, (Vernon's Annotated Civil Statutes, Article 1268m) by amending Section 2 thereof by redesigning "Fireman" and "Police­man"; and by amending Section 12 thereof by stopping the creation in the future of new classified positions unless established by ordinance; and by amending Section 13 thereof by providing that the results of examinations for promotion shall be published within twenty-four (24) hours; and by amending Section 14 thereof, as amended by Section 4 of Chapter 572, Acts of the Fifty-first Legislature, 1949, and as amended by Section 2 of Chapter 265, Acts of the Fifty-fourth Legislature, 1955, by providing the manner in which examinations for promotion shall be prepared and graded, and by amending Section 26 thereof, as amended by Section 6 of Chapter 265, Acts of the Fifty-fourth Legislature, 1955, by providing that upon leaving the classified service, employees shall, if it be so elected, be entitled to receive a lump sum payment for not more than ninety (90) days of accumulated sick leave; and by adding thereto a new section numbered Section 26(a), providing vacations for firemen and policemen in the classified service; and by amending Section 27(a) thereof by limiting the applicability of the provisions of said Chapter 265, Acts of the Fifty-fourth Legislature, 1947, as amended, to cities which have adopted or which shall hereafter adopt the provisions thereof; repealing Section 25, Chapter 265, Acts of the Sixtieth Legislature, 1947; and providing a saving clause; and declaring an emergency.

H. B. No. 153, An Act amending Section 19 of Chapter 25, Acts of the Thirty-ninth Legislature, Regular Session, 1925, as amended by Section 4 of Chapter 357, Acts of the Fortieth Legislature, First Called Session, 1925, (Codified as Article 7880-19) so as to prescribe the procedure for granting or refusing a petition for the organization of a water control and improvement district; authorizing the Board of Court to exclude from the proposed district lands that will not be benefitted; continuing in effect by repealing the existing law governing creation of urban ground water districts; providing a saving clause; and declaring an emergency.

H. B. No. 184, An Act amending Subdivision (b) of Section 4 of Article 1269m, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Senate Bill No. 157, Acts of the Forty-eighth Legislature, Regular Session, 1943, Chapter 285, codified in Vernon's as Article 4667-6, Vernon's Penal Code, so as to require publication of notice of an original application for a license to sell beer at retail and for service; declaring a severability clause; and declaring an emergency.

H. B. No. 199, An Act providing that each and every school district of this State annually shall have its school district accounts audited by a Texas certified or public accountant holding a permit from the Texas State Board of Public Accountancy; providing for the annual filing of a copy of the audit report with the Texas Central Education Agency in lieu of the school treasurer's reports hereinafter required to be filed; providing that the audit and audit report required herein shall be had and filed for the school year beginning September 1, 1957, and annually thereafter; providing for minimum requirements and form of the audit; and approving the audit report by local board of school trustees; providing for review, analysis and recommendations concerning audit reports filed with the State Commissions of Education and the reporting of Penal Law violations reflected by such audits to certain prosecuting officers, repea-
H. B. No. 244, An Act to amend Article 3827 of the Revised Civil Statutes of Texas, 1935, as amended by Acts 1946, 49th Legislature, Page 663, Chapter 360, Section 2, relating to fees of clerks of the District Courts; containing a repealing clause and a saving clause; and declaring an emergency.

H. B. No. 345, An Act relating to the budget system of the State, repealing Article 4 of Chapter 306, General Laws of the 42nd Legislature, Regular Session, pertaining to preparation and maintenance of certain budgetary information by the State Auditor and by other agencies of the Government; amending Sections 6 and 8 of Chapter 306, General Laws of the 42nd Legislature, Regular Session, so as to revise and coordinate budgetary duties of the Governor and the Legislative Budget Board; providing for preparation of annual budgets in the event a Constitutional Amendment providing for annual budget sessions of the Legislature is adopted; providing for severability; and declaring an emergency.

H. B. No. 353, An Act revising the employers' liability and workers' compensation insurance laws of this State by amending and adding to certain Sections of Articles 8306, 8307, and 8309, Revised Civil Statutes of 1925, as amended; amending Sections 7, 10, 11, 12, 12c-2, 26d and 28 of Article 8306, Revised Civil Statutes of 1925, as amended; removing present limitations on medical service benefits and providing that such services shall include treatments necessary for physical, mental and emotional rehabilitation and providing for referral of an injured employee by the Board to the Vocational Rehabilitation Division of the Texas Education Agency and co-operation between the Board and said Division regarding vocational rehabilitation; fixing fees of attorneys before the Board, and before the courts and placing certain limitations thereon and providing for the payment of said fees and the approval thereof by the Board, or the courts; fixing the benefits payable in cases of death, with limitations, and providing to whom payable; fixing the benefits payable for total incapacity, with limitations; providing the benefits payable for partial incapacity for work, with limitations, and providing the method of computing the amount of such benefits; providing the benefits payable for injuries specifically enumerated by schedule, with limitations, and providing the method of determination; etc.
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...ing the extent of partial incapacity caused by such injuries and the method of computing compensation therefor, with limitations on the amount payable; providing for second injury fund and the financing thereof; fixing the liability for medical treatment in cases of silicosis and asbestosis, with limitations, levying a tax and creating a Workers' Compensation Fund and providing for the use thereof; amending Section 5 of Article 8397, Revised Civil Statutes of 1925, as amended, by adding a new paragraph prohibiting the inclusion in any award or judgment against the association the cost or expense of medical aid, hospital services, nursing, chiropractic services, medicines or prosthetic appliances not received by the employee prior to such award or judgment, providing the extent that the first such award shall be res judicata of the liability of the association, and prescribing the jurisdiction of the Board to render successive such awards and the jurisdiction of the courts in connection therewith; amending Article 8309, Revised Civil Statutes of 1925, as amended, by adding a new Section 1b, providing definitions of certain terms and adding definitions in connection with the term "injury sustained in the course of employment"; providing that this Act shall not affect any rights which have been vested or accrued prior to the effective date hereof; retaining prior laws in effect in so far as liabilities sustained prior to the effective date of this Act; repealing all laws in conflict; providing for the effective date of this Act; and declaring an emergency.

H. B. No. 486, An Act creating an additional District Court in and for Bexar County, Texas, to be known as the 106th District Court; providing for the appointment of a Judge of said Court; providing that said Court shall not function as a court until the Judge thereof has been duly appointed and qualified; providing for the compensation of the Judge of said Court; adjusting the terms, jurisdiction and business of the District Courts of Bexar County; providing that the Judges of the present District Courts of Bexar County shall continue to hold their offices for the terms for which they were elected and until their successors qualify; providing for the election of the Judge of the 106th District Court; prescribing their qualifications, powers and duties; providing for the appointment, designation compensation, powers and duties of other officers of the District Court of Bexar County; providing the method of selecting jurors; making other provisions relating to the business and functioning of the District Courts of Bexar County; amending Article 52-161 of the Code of Criminal Procedure, 1925, as amended, as the same relate to and provides for Criminal District Courts of Bexar County; amending Article 195 of the Revised Civil Statutes of Texas, 1925, as the same relate to and provides for District Courts of Bexar County, Texas; providing a repealing clause; providing a severability clause; and declaring an emergency.

H. B. No. 551, An Act amending Article 886 of the Penal Code of Texas, relating to permits for the killing of wild birds and animals to prevent depredation, by adding provisions relative to the disposition of carcasses of deer killed under authority of such permits; providing a penalty; providing for severability; and declaring an emergency.


H. B. No. 558, An Act authorizing the appointment of a water master in any suit where the State of Texas is a party and the purpose of the suit is to determine the rights of parties to divert or use water of a surface stream in which such rights are asserted to be cumulative and declaring an emergency.
H. B. No. 604, An Act creating an additional District Court in Harris County, Texas, to be known as the 157th District Court; providing for the appointment, election and compensation of the Judge of said Court; amending so much of Article 139, Revised Civil Statutes of Texas, as amended, as relates to the District Courts of Harris County, Texas, so as to provide for the jurisdiction and terms of the court created herein, and so as to adjust the jurisdiction, business and procedure of said court, with the jurisdiction, business and procedure of the existing District Courts of Harris County; providing for an effective date for said court; repealing all laws in conflict to the extent of conflict only; providing a cumulative clause; providing for severability; and declaring an emergency.

H. B. No. 773, An Act amending Acts of 1951, 52nd Legislature, Page 283, Chapter 168, codified as Article 6139A under Vernon’s Civil Statutes, Section 1, as so as to increase the county population to include those counties of 45,000 and less which are in a Judicial District having five or more counties with a combined total population of not less than 68,000 inhabitants according to the last preceding Federal Census and providing the compensatory method of payment of the Juvenile Boards of the counties affected by this Act, and declaring an emergency.

H. B. No. 846, An Act to amend Section 6 of Chapter 232, Acts of the Forty-second Legislature, 1951, as amended by Chapter 156, Acts of the Forty-fourth Legislature, 1955, relating to the Probation Department and the County Juvenile Board and their duties and authorities in counties having a population in excess of three hundred and fifty thousand (350,000) inhabitants according to the last preceding Federal Census, to provide that a county probation officer who is appointed as supervising head of county institutions shall receive a stipulated salary in addition to his salary as county probation officer; providing a severability clause; and declaring an emergency.

H. B. No. 930, An Act providing for the creation of a County Probation Department in and for Wichita County, Texas; providing for the appointment of a Chief Probation Officer, and such assistant probation officers as are determined to be necessary; amending by the Wichita County Probation Department by the Wichita County Juvenile Board; providing for the term of appointments of the Chief Probation Officer and his salary; providing for the certification of expenses incurred by all Wichita County probation officers, by the Juvenile Board; providing for the raising of funds for the operation of the Wichita County Probation Department by Wichita County Commissioners Court in accordance with the needs as determined by the Wichita County Juvenile Board; etc.; and declaring an emergency.

H. B. No. 939, An Act relating to cities which have annexed territory within water control and improvement or supply districts, where such district lies in more than one city; providing that such cities shall succeed to the powers, duties, assets and obligations of such districts; providing that such districts may be abolished by mutual agreement between the district and the cities wherein such district lies, providing such cities may issue refunding bonds in its own name to refund any obligations assumed by the making other provisions relating thereto; containing a severability clause; and declaring an emergency.

H. B. No. 940, An Act creating a Juvenile Court and a Court of Domestic Relations in Dallas County, Texas; providing for the qualifications and compensation of the judges; providing for the jurisdiction of said courts; providing for the transfer of cases to and from said courts; providing for said judges and the District Judge of said County sitting for each other in cases coming within their jurisdiction; providing for the filing of cases in said courts; providing for the appointment and terms of said judges; providing for the service of certain county and district officers for said courts; providing said courts being courts of record, holding court in Dallas County, having a seal and maintaining necessary records; providing for issuance of writs and punishment for contempt; providing for a court reporter and his compensation; providing for terms of court; providing for membership of the Juvenile
Board, its powers and duties; providing for appeal; providing the procedure in said courts; containing a saving clause; and declaring an emergency.

H. C. R. No. 71, Granting approval to the Board of Directors of A. & M. College of Texas to expend certain funds.

H. C. R. No. 77, Requesting the Texas Legislative Council to undertake a comprehensive study of the State Parks System.

H. C. R. No. 123, Relative to temporary air conditioning.

H. C. R. No. 129, Authorizing Enrolling Clerk to make certain corrections in H. B. No. 70.

H. C. R. No. 133, Relative to H. B. No. 604.

S. B. No. 24, An Act concerning the management, control, and disposition by a married woman of her separate property, both real and personal, including her right to contract and be sued; amending Articles 4614, 4616, 4623, 4617, Revised Civil Statutes, 1925, as amended; providing a savings clause; and declaring an emergency.

S. B. No. 50, An Act amending Article 1532-2 of the Penal Code of Texas, as amended, relating to minimum wages of firemen and policemen in cities of ten thousand or more inhabitants, by increasing longevity pay from $2.00 per month to $3.00 per month; also making certain textual rearrangements; providing for the effective date of the increase in each city; and declaring an emergency.

S. B. No. 70, An Act amending Article III of Section 1, subdivision (4), paragraph "a," of Senate Bill No. 118, Chapter 334, Acts of the 61st Legislature, Regular Session, 1949, as amended, to redefine the words "mentally retarded children"; and declaring an emergency.

S. B. No. 86, An Act to amend Chapter 156, Acts of the 60th Legislature, Regular Session, 1937, as amended, (Article 200a, Vernon's Texas Civil Statutes), relating to administrative judicial districts by adding therein a section to be known as Section 8a; etc.; and declaring an emergency.

S. B. No. 115, An Act directing payment of certain miscellaneous claims and judgments out of the sum appropriated for that purpose in the General Appropriation Bill; making an appropriation for and directing payment of certain miscellaneous claims and judgments out of other funds designated herein; requiring approval of claims in the manner specified in the Act before payment is made; and declaring an emergency.

S. B. No. 165, An Act repealing Chapter 7 of the Insurance Code relating to fidelity, guaranty and surety and trust companies; authorizing the creation of trust companies and allowing corporations to amend their charters to operate trust companies; authorizing a foreign corporation to obtain a certificate of authority to operate a trust company for certain purposes and limited powers; providing for the applicability of Article 1524a, Vernon's Texas Civil Statutes; providing for the applicability of the provisions of the Securities Act; requiring such companies to have a fully paid-in capital of not less than $500,000.00; regulating the taking of deposits; making the provisions of the Texas Business Corporation Act and Article 1513, Revised Civil Statutes of Texas applicable to such companies; amending Article 1 or Chapter 111 of the Texas Banking Code of 1943, as amended, which is codified as Article 345-301, Vernon's Texas Civil Statutes, by adding the words "without giving bond as such" to subdivision (d) thereof of which subdivision (d) relates to the powers of a state bank to act as guardian, receiver, trustee, executor or administrator under order or appointment of a court of record; providing for severability clauses; and declaring an emergency.

S. B. No. 166, An Act amending Articles 154 and 155 of the Penal Code of the State of Texas, re-defining the offense of bribery and offering a bribe; re-defining the offense of accepting and consenting and agreeing to accept a bribe; creating the offense of soliciting, or offering to accept, a bribe; designating the persons subject to the provisions of the Act; prescribing a penalty for violations; providing a savings clause; providing a severability clause; and declaring an emergency.

S. B. No. 175, An Act providing for the budgeting, accounting and report-
ing by any and all independent school districts, whether created under General or Special Law, of school funds estimated, received and disbursed; providing for the adoption and installation of a standard school accounting system based on the least minimum prescribed requirements; providing for review of budgets and fiscal reports by Texas Central Education Agency; prescribing penalties for violation of this Act; specifically repealing Section 18 of House Bill 748, Acts of the 42nd Legislature, Regular Session (1951), Chapter 491, page 888, as amended; by adding to the Insurance Code Articles 1.98, 1.99-1, 1.99-2, and 1.99-3; by creating the State Board of Insurance; providing for the appointment, bond, and compensation of the members of said Board; prescribing their qualifications and terms of office, and the manner in which they shall operate; providing how vacancies on the Board shall be filled; defining the duties of the Board, together with its powers and functions; providing for meetings of the Board; providing for appointment of a Commissioner of Insurance and for his bond and compensation; defining the duties and powers of the Commissioner of Insurance; appointing the Commissioner of Insurance the State Fire Marshal; providing for the appointment of a Chief Clerk and for his compensation; defining the powers and duties of the Chief Clerk; providing that certain persons ineligible to be members of the Board or Commissioner of Insurance, or to hold any office or employment under either, prohibiting the holding or confirmation of any public office, or holding any office or employment under either; providing for an appeal from the decisions of the Commissioner and the Board; providing that the Board and Commissioner shall be represented by the Attorney General, and fixing his powers and duties; providing method for additional examinations of insurers; providing insolvency of members of State Board of Insurance and Commissioner to run for public office; making certain acts of members of Board, the Commissioner, and their employees unlawful and fixing penalties therefore; repealing all laws and parts of laws in conflict with the provisions of this Act to the extent of such conflict only; providing for a severability and savings clause as to any in-

S. B. No. 232, An Act amending Articles 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, and 1.09 of the Insurance Code, name being Acts of the 52nd Legislature, Regular Session (1951), Chapter 491, page 888, as amended; by adding to the Insurance Code Articles 1.98-1, 1.99-2, and 1.99-3; by creating the State Board of Insurance; providing for the appointment, bond, and compensation of the members of said Board; prescribing their qualifications and terms of office, and the manner in which they shall operate; providing how vacancies on the Board shall be filled; defining the duties of the Board, together with its powers and functions; providing for meetings of the Board; providing for appointment of a Commissioner of Insurance and for his bond and compensation; defining the duties and powers of the Commissioner of Insurance; appointing the Commissioner of Insurance the State Fire Marshal; providing for the appointment of a Chief Clerk and for his compensation; defining the powers and duties of the Chief Clerk; providing that certain persons ineligible to be members of the Board or Commissioner of Insurance, or to hold any office or employment under either, prohibiting the holding or confirmation of any public office, or holding any office or employment under either; providing for an appeal from the decisions of the Commissioner and the Board; providing that the Board and Commissioner shall be represented by the Attorney General, and fixing his powers and duties; providing method for additional examinations of insurers; providing insolvency of members of State Board of Insurance and Commissioner to run for public office; making certain acts of members of Board, the Commissioner, and their employees unlawful and fixing penalties therefore; repealing all laws and parts of laws in conflict with the provisions of this Act to the extent of such conflict only; providing for a severability and savings clause as to any in-

S. B. No. 381, An Act to amend Section 23 of Chapter 25, Acts of the 39th Leg. 1925 (codified by Vernon as Article 1921, V. C. S.) by providing that all qualified voters shall have the right to vote in elections to confirm the organization of water control and improvement districts, validating+organizational proceedings of water control and improvement districts and political subdivisions where the law required the holding of a confirmation election in accordance with the provisions of the general law governing water control and improvement districts; repealing other provisions permitting to the issuance of bonds, validating bonds hereafter approved by the Attorney General of Texas, etc., and declaring an emergency.

S. B. No. 447, An Act limiting the filing fee of candidates for office in counties of 80,000 or more; providing for time of payment of filing fee for State Senator and State Representative; and declaring an emergency.

S. B. No. 478, An Act authorizing the State Youth Council to relocate the site of the Blind, Deaf and Orphans School, providing the Youth Council with the authority to dispose of surplus land at the present site of the Blind, Deaf and Orphans School, allowing the Youth Council to construct new facilities for the Blind, Deaf and Orphans School, directing the Youth Council to transfer certain land and property to and accept lands of the State Board for Hospitals and Special Schools, and declaring an emergency.
valid provision of this Act; and de-
clarin an emergency.

H. C. R. No. 118, Suspending Joint
Rules.

PROVIDING FOR COMMITTEES TO NOTIFY THE GOVERNOR AND THE SENATE

Mr. Hale offered the following resolution:

H. S. R. No. 543

Be it resolved by the House that the Speaker be authorized to appoint two committees of eight members each, one to notify the Governor and the other to notify the Senate, that the House has completed its labor and is now ready to adjourn sine die.

The resolution was read and was adopted.

COMMITTEES TO NOTIFY GOVERNOR AND SENATE APPOINTED

In accordance with the above resolution, the Speaker announced the appointment of the following:

Committee to notify the Governor:

Messrs. Huebner, Sutton, Pool, Kem
nard, Matthew, Jambion, White, and Heatly.

Committee to notify the Senate:


MR. CROSTHWAIT moved that the House of Representatives of the Regular Session of the Fifty-sixth Legislature adjourn sine die.

The Honorable W. S. (Bill) Heatly, upon invitation of Speaker Carr, offered the Benediction.

The motion by Mr Crosthwait prevailed.

Speaker Carr, at 6:00 o'clock p. m., in accordance with the provisions of the resolution heretofore adopted pronounced the House of Representatives of the Regular Session of the Fifty
fifth Legislature adjourned Sine Die.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Rules filed the following reports on resolutions, as follows:

H. S. R. No. 512, H. S. R. No.
522, S. C. R. No. 35, and S. C. R.
No. 160.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 128, Recalling H. B.
No. 326 from the Governor's Office.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. C. R. No. 127, That it is the sentiment and desire of the Texas Legislature that the State Public Welfare Department adopt a rule allowing applicants for and recipients of aid to the needy blind or aged assistance to possess as much as Five Hundred Dollars ($500) in cash money; or in bonds, or in other property, as any given time, regardless of the source from which such assets are realized or received, without being subject to denial of assistance grants or applications, if otherwise eligible.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 127, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 70.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 129, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 70.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 131, Suspending the Joint Rules to permit either House to consider and take up at any time Senate Bill No. 17.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 132, Granting permission to the Medical-Professional Building Corporation, Corpus Christi, Texas, and certain other property owners in San Patricio County, Texas, to sue the State of Texas and the State Highway Commission.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 133, Instructing Enrolling Clerk of the House to conform the capitol of H. B. No. 604.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Reports of the Committee on Engrossed Bills

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 81, An Act to establish and create a Criminal Judicial District of Travis County and a Criminal District Court of Travis County; providing for the jurisdiction of and procedure in said Court; fixing the time for holding the terms of said Court; providing for the election, tenure of office, qualifications, duties, powers and compensation of a Judge of said Court; validating all bonds, recognizances, writs and process of every kind issued out of or made returnable to the District Courts of the 53rd, 98th and 124th Judicial Districts, making the same returnable to the Criminal District Court of Travis County; providing that judges of said Court and judges of district courts of Travis County may exchange benches and hear cases for each other in the same manner now provided by law for the judges of district courts of Travis County; providing that the sheriff, district attorney, county attorney and district clerk of Travis County shall be the officers of said Court in their respective capacities under the same rules and regulations as are now, or may hereafter be, prescribed by law for the governing of such officers, relieving the judges of the district courts of Travis County of the performance of the duty of said Court.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.
County of the mandatory duty of im-
paneling grand juries as now provided
by law; providing when this Act shall
go into effect; providing that if any
part of this Act shall be held invalid
the remainder shall be valid; repealing
all laws in conflict herewith; and de-
claring an emergency.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred

H. B. No. 182, An Act creating an
additional District Court in El Paso
County, Texas, to be known as the Dis-
trict Court of the 129th Judicial Dis-
trict; providing the terms and jurisdic-
tion for said Court; providing for the
appointment and election of the Dis-
trict Judge of said Court; prescribing
his qualifications, powers, duties, term
of office and compensation; providing
for the appointment of an official Court
Reporter for said Court; prescribing
his qualifications, duties and compensa-
tion; providing for the appointment,
designation and compensation of other
officers of the Court; providing all pro-
cess, writs, recognizances and bonds
herefore issued, made, executed or re-
turnable to existing terms of district
courts of El Paso County; making other
provisions relative to the practice of
pharmacy; making the powers and duties of the State Board of
Pharmacy; making other provisions re-
lating to the practice of pharmacy;
making other provisions relating to the
appointment, designation and compensa-
tion of other officers of the Court; pro-
viding all process, writs, recogniza-
ces and bonds herefore issued, made,
executed or returnable to existing
terms of district courts of San Patricio
County are valid and returnable to the
first term of the Dis-
trict Court for the 129th Judicial Dis-
trict after the effective date of this Act;
making other provisions relative to the
business and functioning of the district
courts of El Paso County; providing a
severability clause; and declaring an
emergency.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred

H. B. No. 337, An Act relating to
the composition of the 135th Judicial
District and the organization and func-
tioning of the District Courts in the
counties composing the 135th Judicial
District; amending Chapter 396, Acts of the
Fifty-second Legislature, as amended
by Chapter 86, Acts of the Fifty-third
Legislature, Regular Session, so as to
exclude San Patricio County from the
135th Judicial District and to delete
provisions relating to San Patricio
County; amending the provisions relat-
ing to the selection of juries in the
24th and 135th Judicial Districts; pro-
viding for transfer of cases pending in
the 135th Judicial District Court in San Pa-
tricio County to the 36th District Court
in San Patricio County; and declaring an
emergency.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred

H. B. No. 438, An Act amending
Sections 7, 12, 13, 17 and 29 of
Chapter 167, Acts of the Forty-first
Legislature, Regular Session 1929, as
amended, codified in Vernon's as Arti-
tide 4542a, Vernon's Civil Statutes,
relating to the regulation of the prac-
tice of pharmacy; prescribing the pow-
ers and duties of the State Board of
Pharmacy; making other provisions re-
lating to the practice of pharmacy;
making other provisions relating to the
appointment, designation and compensa-
tion of other officers of the Court; pro-
viding all process, writs, recogniza-
ces and bonds herefore issued, made,
executed or returnable to existing
terms of district courts of El Paso
County; making other provisions rela-
ting to the practice of pharmacy;
making other provisions relating to the
appointment, designation and compensa-
tion of other officers of the Court; pro-
viding all process, writs, recogniza-
ces and bonds herefore issued, made,
executed or returnable to existing
terms of district courts of San Patricio
County; and declaring an
emergency.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred

H. B. No. 479, An Act to amend
Article 3.13 of Chapter 3 of the Insur-
ance Code (Acts, 1951, Fifty-second
Legislature, Regular Session) so as to
provide no "domestic" company shall
pay to any of its officers, trustees, or
directors a salary, compensation or

enrollment, or pay any such salary, compensation or emolument to any person, firm or corporation, amounting in any one (1) year to more than Ten Thousand Dollars ($10,000); unless such payment be first authorized by vote of the board of directors of such company or by a committee of such board with authority to authorize such payments; providing for exception in favor of the payment of renewal commissions to agents; to permit the stockholders of "domestic" life insurance companies to authorize the inauguration of a plan or plans for the payment of pensions, retirement or group insurance to its officers and employees; to provide that the stockholders may delegate to the board of directors authority and responsibility for the preparation, inauguration, putting into effect, final approval and administration of any such plan or plans or any amendments thereof; conferring upon "domestic" companies under sub-paragraph (b); and to declare an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 31, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 482, An Act amending sub-paragraph (e) of paragraph (1) of Section 1, Article 3.50, subchapter E, of Senate Bill No. 226, Chapter 491, Acts of the Fifty-second Legislature, Regular Session, 1951, to permit the issuance of group life insurance covering not less than ten (10) employees under a master policy issued to an employer or to the trustee of a fund established by an employer; providing a severability clause; repealing all laws or parts of laws in conflict; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 31, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 498, An Act to amend Article 2126 of the Revised Civil Statutes of Texas, 1939, as last amended by Acts of the Fifty-fourth Legislature, Chapter 338, Section 2, by providing certain additional exemptions from jury service; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 31, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 445, An Act creating the 156th Judicial District, composed of the Counties of Aransas, San Patricio, Bee, Live Oak and McMullen to be known as the 156th District Court, providing for the appointment and election of the Judge of the 156th District Court; providing for the organization of the Court and regulating the practice therein; providing for the appointment of an official shorthand reporter; providing for other officials of the Court; prescribing the powers, the duties and compensation of the Judge of the 156th said Court; prescribing the qualifications, duties, powers and compensation of other officials of the Court; providing for the transfer of certain cases before the 36th and 156th District Courts and for the exchange of benches; providing for the manner of selecting jurors; providing for the transfer of cases pending on the docket of the 123rd District Court of San Patricio County to the 156th District Court and for the transfer of all odd-numbered civil cases pending on the docket of the 156th Judicial District Court in the remaining Counties of said 36th Judicial District to the dockets of the 156th Judicial District in the respective Counties; providing that all even-numbered cases shall be tried and placed on the dockets of the 36th Judicial District Court and all odd-numbered cases on the dockets of the 156th Judicial District Courts of the respective Counties; providing for the return of all processes to the 156th District Court; making other provisions relating to the 36th and 156th District
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Courts; providing a repealing clause; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 691, An Act enabling cities to create Hospital Authorities, without taxing power; defining terms used in the Act; prescribing the procedure to be followed in creating such Authorities; and, in the event of a City or Cities creating an Authority; providing for the issuance of Authority's revenue bonds after notice and opportunity for referendum election; prescribing the details for issuance, approval and sale of such bonds and the use to be made of the proceeds; providing for selection of depositaries; exempting Authority's property from taxation; conferring the power to accept donations; prescribing provisions relating to the subject; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 868, An Act changing the name of East Texas State Teachers College to East Texas State College; fixing an effective date; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 900, An Act amending Article 23, Revised Civil Statutes, 1926; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 783, An Act creating an additional District Court in and for the Counties of Austin, Caldwell, Comal, Fayette, and Hays; to be known as the District Court of the 155th Judicial District; providing the terms and jurisdiction for said Court; providing for the appointment and election of the District Judge of said Court; prescribing his qualifications, powers, duties, term of office and compensation; providing for the appointment, designation and compensation of other officers of the Court; providing for the manner of selecting jurors; providing all processes, writs, recognizances and bonds herefore issued, made, excepted or returnable to existing terms of the 22nd Judicial District Court; declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 21, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 942, An Act authorizing and directing the Texas Prison Board,
Austin, Texas, May 22, 1957
Hon. Waggoner Carr, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred
H. B. No. 154, An Act amending
Section 76 of Chapter 25, Acts
of the Thirty-ninth Legislature, Regular Session, 1925, as amended (codified in
Vernon’s Texas Civil Statutes as Article
7800-78) so as to provide for an
appeal to the proper District Court of
any decision made by the Board of Di-
rectors of a water control and improve-
ment district excluding or failing to
exclude lands from the district, and
declaring an emergency.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957
Hon. Waggoner Carr, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred
H. B. No. 159, An Act relatiDng to
the transfer of one per cent (1%)
exemptions of corporations from the
of the total Permanent School Fund
to the Available School Fund each year
for a period of three (3) years, sub-
ject to a stated limitation on the total
amount transferred; and declaring an
emergency.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957
Hon. Waggoner Carr, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred
H. B. No. 169, An Act authorizing
outpatient clinics and establishing and
providing for a community hospital
for research and education in mental
illness; for a large mental hospital
and for outpatient clinics; regulating
and providing for the operation of
same; and declaring an emergency.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.
franchise tax; amending Article 7094 of the Revised Civil Statutes of Texas, 1925, as amended, so as to exempt from the franchise tax corporations organized for the purpose of educating the public in the conservation of fish, game, and other forms of wildlife and forests; providing for severability; repealing conflicting laws; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 301, An Act amending Section 144 of the Texas Probate Code by adding thereto a new subdivision, designated as subdivision (d), to provide that the judge of a district court or other court may order the clerk of the court to pay any fund of One Thousand Dollars ($1,000) or less on deposit in the registry of the court, belonging to any lunatic, idiot, person of unsound mind or a person whose mental illness renders him incapable of caring for himself, or committed for mental illness without a legal guardian, who is an inmate of any state eleemosynary institution, to the institution for the use and benefit of the inmate; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 311, An Act creating an additional district court for Galveston County to be known as the District Court of the 122nd Judicial District; providing the terms and jurisdiction of said Court; providing for the appointment of a judge of said Court; prescribing his qualifications, powers and duties; providing that the District Courts of the 10th, 56th and 122nd Judicial Districts for Galveston County shall have concurrent jurisdiction with each other; providing for the transfer of cases; prescribing the duties of the district clerk of Galveston County relating to this Court; providing for the appointment of an official shorthand reporter and providing for his compensation; providing that the district attorney of Galveston County shall perform the duties for the 122nd Judicial District in connection with the Court herein created as provided by law; providing that the sheriff of Galveston County shall perform the duties in connection with the Court herein created as provided by law; providing all grand and petit juries drawn and selected under existing laws in the County of Galveston shall be considered as lawfully drawn and selected for the next ensuing term of the newly created District Court; making other provisions relative to the business and function of said Court; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 333, An Act amending Section 3 of Acts, Fifth Called Session, Forty-first Legislature, Chapter 18, as amended by Acts, 1931, Forty-second Legislature, Chapter 27, as amended by Acts, 1933, First Called Session, Forty-third Legislature, Chapter 56, Section 1, as amended by Acts, 1935, Forty-fourth Legislature, Chapter 342, Section 1, as amended by Acts, 1947, Regular Session Fiftieth Legislature, Chapter 370, to provide for the temporary registration of vehicles for one-trip movements within the State; providing a penalty for movements in violation thereof; providing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.
H. B. No. 438, An Act reorganizing the 64th Judicial District to be composed of the Counties of Hale, Swisher and Castro; creating the 154th Judicial District to be composed of the Counties of Lamb, Bailey and Fannin; prescribing the jurisdiction of the 64th and 154th Judicial Districts and continuing the jurisdiction of each court; providing that the District Attorney of the 64th Judicial District shall continue as District Attorney for said District, as reorganized, providing that the present Judge of the 64th Judicial District shall continue to be Judge of the 154th Judicial District; providing for the appointment of a District Judge of the 64th Judicial District as reorganized; providing for the appointment of a District Attorney for the 154th Judicial District; providing the qualifications, powers and duties of various officers of the 64th and 154th Judicial Districts; providing for the transfer of cases; providing that all writs and processes issued, bonds, bail bonds, recognizances, complaints, informations, indictments and ancillary matters and all other matters heretofore issued are authorized and valid and returnable to the Court of the respective Districts; providing for the terms of the 64th and 154th Judicial Districts; making other provisions necessary to carry out the reorganized 64th Judicial District; providing a severability clause; providing an effective date and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

H. B. No. 812, An Act amending Subsection (a) and Subsection (c) of Section 1, Article XVII, Chapter 44, Acts of the Regular Session of the Forty-seventh Legislature, as amended, to redefine the terms "motor fuel" and "other liquid fuels"; repealing conflicting provisions of law, and preserving taxes, penalties, interest, liens, bonds and penalty provisions existing prior to the amendments; containing a saving clause, and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

H. B. No. 784, An Act authorizing and directing the Commissioner of the General Land Office to enter into an agreement or agreements with the appropriate agency of the Federal Government to contract for a survey of the Texas Gulf Coast line for the purpose of determining the low water contour along said Gulf Coast line; providing that such survey may be based on a traverse delineated from controlled aerial mosaic sheets and contact prints; providing that such mosaic sheets and contact prints shall be official records and archives of the General Land Office; authorizing and directing the Commissioner of the General Land Office to furnish without cost to any governmental agency copies of data on file in, or compiled by, the General Land Office and to furnish other facilities of his office in matters affecting the determination of boundaries and/or the exploration and development of minerals in submerged areas; providing that field notes, maps, or other documents compiled as a result of survey authorized herein shall be permanent records and archives of the General Land Office; providing that such documents or certified copies thereof shall be admissible in evidence; requiring the Commissioner of the General Land Office to report the results of the survey herein authorized to the Fifty-sixth Legislature; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.
H. J. No. 48, Proposing an amendment to the Constitution of the State of Texas providing that a home rule city may provide by Charter Provision and a general law city operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, both elective and appointive, but not to exceed four (4) years; provided, however, that tenure under Civil Service

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H. J. No. 48, Proposing an amendment to the Constitution of the State of Texas providing that a home rule city may provide by Charter Provision and a general law city operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, both elective and appointive, but not to exceed four (4) years; provided, however, that tenure under Civil Service
shall not be affected hereby; providing for an election, a form of ballot and the issuance of a proclamation therefor.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 90, Granting G. Carroil Goen permission to sue the State of Texas and North Texas State College.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 113, Granting H. A. Clements permission to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 128, Recalling House Bill No. 320, from the Governor.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. J. R. No. 36, Proposing an amendment to Section 61a of Article III of the Constitution of the State of Texas by adding a new Subsection to be known as 61a-1; giving the Legislature the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient, for assistance on behalf of persons eligible for Old Age Assistance, Aid to the Blind, and Aid to Dependent Child-
dren as provided in Section 51a of Article III and for persons eligible for
Aid to the Permanently and Totally
Disabled as provided in Article III, Section 51-b of the Constitution of the
State of Texas; providing for direct or
vendor payments for medical care on
behalf of such recipients; providing for
the acceptance of financial aid from the
Government of the United States for
such payments; providing that the pay­
ments for such medical care shall be
in addition to the direct assistance to
such recipients; providing that the
amounts paid out of State funds shall
never exceed the payments out of Fed­
eral funds for such purposes; providing
for the necessary election, form of
ballot, proclamation, and publication.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred
H. C. R. No. 4, Relative to sine die
adjournment for the Fifty-fifth Ses­
sion.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred
H. C. R. No. 45, Granting Noah
Gasoline Company permission to sue
the State of Texas.

Has carefully compared same and
finds it correctly enrolled.

OBIE JONES, Acting Chairman.

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of Texas and the Texas Highway Department.
Has carefully compared same and finds it correctly enrolled.
OBIE JONES, Acting Chairman.
Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 115, Commending Charles E. Steward for his many years of efficient and effective service to the State of Texas.
Has carefully compared same and finds it correctly enrolled.
OBIE JONES, Acting Chairman.
Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 118, To suspend Joint Rules so that the House may take up and consider Senate Bill No. 143 at any time.
Has carefully compared same and finds it correctly enrolled.
OBIE JONES, Acting Chairman.
Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 123, Instructing the State Building Commission to decline the bids for temporary air conditioning, provided that the Commission obtains written guarantees that the power units for permanent air conditioning will be completed before October 1, 1958.
Has carefully compared same and finds it correctly enrolled.
OBIE JONES, Acting Chairman.
Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 124, Directing the Enrolling Clerk of the House to delete all of the first sentence in Section 2, H. B. No. 836, after the word "line" and place a period at the end of said Section.
Has carefully compared same and finds it correctly enrolled.
OBIE JONES, Acting Chairman.
Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 129, Authorizing the Enrolling Clerk of the House to make certain corrections on House Bill No. 79.
Has carefully compared same and finds it correctly enrolled.
OBIE JONES, Acting Chairman.
Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 131, Suspending the Joint Rules.
Has carefully compared same and finds it correctly enrolled.
OBIE JONES, Acting Chairman.
Austin, Texas, May 23, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.
May 23, 1957

Sir: Your Committee on Enrolled Bills to whom was referred
H. C. R. No. 133, Instructing the Enrolling Clerk of the House to conform the matter of H. B. No. 594 to the body of the Bill.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 11, An Act defining and regulating the business of giving bail in criminal and quasi-criminal cases; providing for the licensing of persons, firms and corporations who engage in that business in any county having within its boundaries a city with a population of three hundred and fifty thousand ($50,000) inhabitants according to the last preceding Federal Census; providing certain penalties; providing certain exemptions from this Act; providing for appeal from the decision of the Administrator of the Securities Division of the Office of the Secretary of State; providing for administration of this Act by the successor to the Administrator of the Securities Division of the Office of the Secretary of State; providing for regulations that cities must follow in effectuating the purposes as to their exercise of such powers; prescribing regulations that cities must follow in effectuating the purposes of this Act; providing for the conduct of business at either the City of Galveston or the City of Houston; providing that all cases originating in Galveston County shall be heard and tried in such county; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 59, An Act authorizing counties to furnish building space for establishing branch crime detection laboratories by the State Department of Public Safety; directing the Department of Public Safety to establish a branch laboratory in El Paso County, Texas, on stated conditions; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 70, An Act relating to rehabilitation of slums and blighted areas in cities of the State of Texas; providing for a law to effectuate city slum rehabilitation to be called "Urban Renewal Law" and providing for its application; authorizing cities to plan and carry out city slum rehabilitation; granting cities power to effectuate city slum rehabilitation and making provisions as to their exercise of such power; prescribing regulations that cities must follow in effectuating the purposes of this Act; providing for financing of such rehabilitation programs; providing for acquisition, by purchase, condemnation or other procedures and disposal of land necessary for rehabilitation; providing the city urban renewal agency or other public body shall bear the expense of any relocation of facilities necessitated by the provisions of this Act; authorizing cities to work in conjunction with and encourage
private enterprise to effectuate such rehabilitation and to work with other public bodies; providing that property owned by cities for purposes of this Act are exempt from taxes, levy and sale by execution; making other provisions relating to the rehabilitation of such slum and blighted areas; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 79, An Act to amend Chapter 325, Acts of the Fiftieth Legislature, 1947, (Vernon's Annotated Civil Statutes, Article 1250m) by amending Section 2 thereof by redefining "Fireman" and "Policeman"; and by amending Section 12 thereof by stopping the creation in the future of new classified positions unless established by ordinance; and by amending Section 13 thereof by providing that the results of examinations for promotion shall be published within twenty-four (24) hours; and by amending Section 14 thereof, as amended by Section 4 of Chapter 572, Acts of the Fifty-first Legislature, 1949 and as amended by Section 1 of Chapter 355, Acts of the Fifty-fourth Legislature, 1955, by providing the manner in which examinations for promotion shall be prepared and graded; and by amending Section 26 thereof as amended by Section 6 of Chapter 255, Acts of the Fifty-fourth Legislature, 1955, by providing that upon leaving the classified service an employee shall, if he so elects, be entitled to receive a lump sum payment for not more than ninety (90) days of accumulated sick leave; and by adding thereto a new section numbered Section 20(a), providing vacations for firemen and policemen in the classified service; and by amending Section 27(a) thereof by limiting the applicability of the provisions of said Chapter 255, Acts of the Fiftieth Legislature, 1947, as amended, to cities which have adopted or which shall hereafter adopt the provisions thereof; repealing Section 26, Chapter 255, Acts, Fiftieth Legislature, 1947; and providing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 151, An Act authorizing all persons, firms, associations, corporations, and all municipalities, counties and other political subdivisions of the State, all State Departments, and State Agencies and Boards, and all public officials to use certified mail with return receipt in lieu of registered mail; declaring the mailing of notices and other material by such certified mail to have the same legal effect as it went by registered mail provided receipt is validated by official post office postmark; continuing the use of registered mail where insurance against loss is needed; repealing conflicting laws; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 163, An Act amending Section 19 of Chapter 35, Acts of the Thirty-ninth Legislature, Regular Session, 1927, as amended by Section 4 of Chapter 107, Acts of the Fortieth Legislature, First Called Session, 1927, (Codified as Article 7880-19), so as to prescribe the procedure for granting or refusing a petition for the organization of a water control and improvement district; authorizing the Board or Court to exclude from the proposed district lands that will not be benefited; continuing in effect by repealing the existing law governing creation of underground water districts; providing a saving clause and declaring an emergency.
Subject: State Highways, particularly of or County Highways, wherever located, at intersections with controlled access highways; to amend Title 116, Revised Civil Statutes of Texas, of 1923, as amended, by adding thereto a new Article; declaring the Legislature's mandate that more and better State Highways, particularly of the controlled access type, be laid out and constructed, and to provide necessary powers thereto as specified herein; empowering the State Highway Commission to lay out, construct, maintain and operate State Highways, wherever located, whether within or without the limits of any incorporated city, town or village; providing for not less than one local public hearing according to conditions provided herein; granting to and dedicating for cemetery purposes thereto a new Article; declaring the for the Attorney General or, at his direction, any District, Criminal District or County Attorney to institute condemnation suits at the request of the State Highway Commission; declaring the venue and prescribing the procedures to be used in such condemnation suits; providing for the exclusion, except for certain specified rights, of oil, gas and sulphur from any condemnation suit brought by the State Highway Department and further providing for the sale of certain property used and dedicated for cemetery purposes from such condemnation suits; authorizing the use of State and other public lands; subject to the conditions and limitations contained herein; authorizing the purchase or condemnation of public lands; authorizing cities, towns, villages, political subdivisions and agencies of the State to convey property to which access has been denied or that was previously acquired or whose acquisition commenced as provided herein; declaring that no access rights exist in favor of lands abutting upon

H. B. No. 179, An Act to facilitate the construction, maintenance and operation of State Highways, and defining certain terms including controlled access highways; to amend Title 114, Chapter 1, Revised Civil Statutes of Texas, of 1923, as amended, by adding thereto a new Article; declaring the Legislature's mandate that more and better State Highways, particularly of the controlled access type, be laid out and constructed, and to provide necessary powers thereto as specified herein; empowering the State Highway Commission to lay out, construct, maintain and operate State Highways, wherever located, whether within or without the limits of any incorporated city, town or village; providing for not less than one local public hearing according to conditions provided herein; granting to and dedicating for cemetery purposes thereto a new Article; declaring the for the Attorney General or, at his direction, any District, Criminal District or County Attorney to institute condemnation suits at the request of the State Highway Commission; declaring the venue and prescribing the procedures to be used in such condemnation suits; providing for the exclusion, except for certain specified rights, of oil, gas and sulphur from any condemnation suit brought by the State Highway Department and further providing for the sale of certain property used and dedicated for cemetery purposes from such condemnation suits; authorizing the use of State and other public lands; subject to the conditions and limitations contained herein; authorizing the purchase or condemnation of public lands; authorizing cities, towns, villages, political subdivisions and agencies of the State to convey property to which access has been denied or that was previously acquired or whose acquisition commenced as provided herein; declaring that no access rights exist in favor of lands abutting upon
qualifying the exclusive dominion of counties, incorporated cities, towns and villages within certain limits; to declare the provisions of this Act to be severable; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 186, An Act amending Subdivisions (a) and (b) of Section 6 of Article 11, of Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Senate Bill No. 117, Acts of the Forty-eighth Legislature. Regular Session, 1943, Chapter 825, Vernon's Penal Code, so as to require publication of notice of an original application for a license to sell beer at retail at a location not theretofore licensed; providing a repealing clause; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 199, An Act providing that each and every school district of this State annually shall have its school district accounts audited by a Texas certified or public accountant holding a permit from the Texas State Board of Public Accountancy; providing for the annual filing of a copy of the audit report with the Texas Central Education Agency in Hen of the school treasurer (depository) reports hereof required to be filed; providing the audit and audit report required herein shall be had and filed for the school year beginning September 1, 1957; and annually thereafter; providing for minimum requirements and form of the audit, and approval of audit report by local board of school trustees; providing for review, analysis and recommendations concerning audit reports filed with the State Commissioner of Education and the reporting of Penal Law violations reflected by such audits to certain prosecuting officers; repealing all laws in so far as they conflict with the provisions of this Act; containing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 317, An Act amending Subdivision (2), Acts, 1955, Forty-fourth Legislature, Page 1080, Chapter 404, Article IV, Section 1; providing for an effective date; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 239, An Act to apportion the State of Texas into Congressional Districts naming the Counties and parts thereof composing the same, and pro-
Obie Jones, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 265, an Act amending Article 2027 of the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1945, Forty-ninth Legislature, Regular Session, page 662, Chapter 244, Section 3, relating to fees of clerks of the District Courts; containing a repealing clause and a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

Obie Jones, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 255, an Act amending Article 4 of Chapter VII of the Texas Banking Code of 1945, Acts of the Forty-eighth Legislature, Regular Session, 1945, relating to collections, payments, refusal, and dishonor of items presented to a drawer bank; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

Obie Jones, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 266, an Act amending Section 1, Chapter 196, Acts of the Forty-third Legislature, Regular Session, 1943, as amended by Chapter 218, Acts of the Fiftieth Legislature, Regular Session, 1947, respecting the rates of tuition or registration fees to be charged by the institutions of higher education supported in whole or in part by the public funds appropriated from the State Treasury; providing for the establishment of Tuition Scholarships and the rules and regulations of administering same; providing that the increase contained herein less tuition scholarships be used for increasing teacher's salaries and for additional teachers; and defining the resident and non-resident student classifications for the purposes of this Act; providing certain exceptions for students attending Junior Colleges; providing for certain penalties; establishing the rates of tuition or registration fees to be charged in the Medical and Dental Schools of the University of Texas, repealing all laws in conflict herewith; providing nothing herein shall repeal Article 264b, Acts of the Forty-first Legislature, 1929; Second Called Session, Page 59, Chapter 62, Section 1; and Article 264b-1, Acts of the Forty-third Legislature, 1933; First Called Session, Page 10, Chapter 6, Acts of the Forty-eighth Legislature, 1943, Page 662, Chapter 257, Section 1, and Acts of the Forty-ninth Legislature, 1945, Page 255, Chapter 238, Section 1, and Acts of the Fifty-third Legislature, 1953, Page 128, Chapter 68, Section 1, containing a severability clause; providing an effective date for the enforcement hereof; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

Obie Jones, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 275, an Act amending the Insurance Code of Texas, Acts, 1951, Fifty-second Legislature, Chapter 21, General Provisions, by adding Article 21.46, providing for the deposit of securities, or the payment of taxes, fines, penalties, etc., as a condition precedent to doing business in this State by insurance companies organized in a State, the laws of which require similar deposits in said State by similar companies organized under the laws of the
State of Texas transacting business in said state; providing, further, that wherever under any law of this State the basic rate of taxation of any insurance company of another state or territory is reduced if any such insurance company has made investments in Texas securities then in computing the aggregate Texas premium tax burdens of any such insurance company of any other state or territory each shall for purposes of comparison with the premium tax laws of their home states be considered to have assumed and paid an aggregate premium tax burden equal to the basic rate; enacting other provisions relating to the subject; providing certain exemptions of the laws of their home states that do not duly recognize the certificates of solvency and good management issued by this State to domestic insurance companies; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 332, An Act amending Section 5A of Acts, 1939, Forty-first Legislature, First Called Session, Chapter 18; as amended by Acts, 1951, Fifty-second Legislature, Regular Session, Chapter 27; as amended by Acts, 1953, Fifty-third Legislature, First Called Session, Chapter 66; as amended by Acts, 1956, Forty-fourth Legislature, Regular Session, Chapter 341; as amended by Acts, 1947, Fiftieth Legislature, Regular Session, Chapter 370; as amended by Acts, 1949, Fifty-first Legislature, Regular Session, Chapter 70; as amended by Acts, 1953, Fifty-third Legislature, Regular Session, Chapter 111, to provide for the issuance by the Department of temporary registration permits for any truck, truck-tractor, trailer, or semi-trailer which is being temporarily operated by non-resident owners thereof in Texas for the purpose of transporting farm products produced outside of Texas to market, storage, processing plants, rail-head or seaport within Texas; limiting the distance from the point of entry allowed by such special permit and providing a penalty for violating the same; providing a fee therefor; enacting other provisions relating to the subject; providing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 342, An Act amending Section 10, House Bill No. 574, Acts, Fifty-fourth Legislature, 1955, providing for compensation of District Judges from county funds in counties of six hundred thousand ($600,000) or more inhabitants, and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 371, An Act creating the State Tax Study Commission; providing for the appointment of the members of said Commission; authorizing the making of a comprehensive tax study by the State Tax Study Commission; providing authority to request aid and services in making a tax study; providing for certain reports and termination date; and declaring an emergency.

Whereas, The growing demands upon government, as well as the rising costs of the goods and services purchased by government, have caused the burden of Federal, State and local taxes to mount steadily from year to year; and

Whereas, These major tax requirements have made it more important than ever that there be a fair and equitable distribution of the tax burden...
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within each State, and a proper allocation of tax resources among the Federal, State and local governments, if we are to eliminate unnecessary duplication, overlapping and waste in the administration of governmental taxing powers; and

Whereas, A systematic review of the entire Texas tax structure is essential to provide the basic information for efficient administration, and for a simplification and co-ordination of the State and local tax system and the fiscal relations; and

Whereas, Texas' rapidly growing population has created an unprecedented demand for increased governmental services to the point where the Legislature requires detailed information on the tax structure to serve as a guide in developing an equitable tax policy to finance these services; and

Whereas, Such information is lacking in this State; now, therefore,

Has carefully compared same and finds it correctly enrolled.

OBI JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 386, An Act applicable to all cities and towns in this State, herein referred to as "city" or "such city," authorizing any city to acquire, own, hold, purchase, construct, improve, extend and operate a street transportation system or systems, and in connection therewith to issue and sell its revenue bonds or notes, secured in the manner prescribed herein; providing an opportunity for a referendum election before issuance thereof; authorizing the issuance of refunding bonds or notes; requiring approval of all bonds and notes by the Attorney General and prescribing the effect of such approval; authorizing execution of instruments for properly securing the bonds or notes by pledges and liens; providing for the issuance subsequently of additional bonds or notes subject to restrictions prescribed; requiring all such bonds or notes to be so issued that the holder shall never have the right to demand payment out of funds raised or to be raised by taxation; prescribing duties of cities; their governing bodies, boards of trustees and officials, which shall have so acquired street transportation systems; permitting the operation thereof through leases or contracts; prescribing the eligibility of such bonds for investment and security of public funds; prescribing a severability provision; repealing laws in conflict herewith; enacting other provisions relating to the subject; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBI JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 409, An Act concerning the State Commission for the Blind, amending Section 1, Chapter 80, Page 132, Acts of the Forty-second Legislature, Regular Session, 1931, as amended, providing that two of the appointments by the Governor to the Commission be two reputable blind citizens of the State, instead of having such appointments being made only from graduates of the Texas School for the Blind; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBI JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 412, An Act granting the Commissioners Courts of Henderson, Angelina and Trinity Counties permission to pay out of the General Fund of said Counties bounty for the destruction of wolves and predatory animals; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBI JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 417, An Act amending Section 79 of the Texas Election Code (Article 7.14 Vernon's Texas Election Code) by adding a new subsection authorizing the authority holding an election in counties where voting machines have been adopted, in its discretion to appoint a special canvassing board to count and make returns on absentee ballots, and prescribing procedures for absentee voting where a special canvassing board is appointed; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 418, An Act relating to the budget system of the State; repealing Section 4 of Chapter 294, General Laws of the Forty-second Legislature, Regular Session, pertaining to preparation and maintenance of certain budgetary information by the State Auditor and by other agencies of the Government; amending Sections 6 and 8 of Chapter 294, General Laws of the Forty-second Legislature, Regular Session, so as to revise and co-ordinate budgetary duties of the Governor and the Legislative Budget Board; providing for preparation of annual budgets in the event a Constitutional amendment providing for annual budget sessions of the Legislature is adopted; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 463, An Act amending Chapter 118, Acts of 1951, Fifty-second Legislature, known as Article 462c, Chapter 7, Title 71, Revised Civil Statutes of Texas, 1925, as amended, be amended by adding a new section thereto to be known as Section 8a, providing that registration bureau operated without profit by recognized state-wide Licensed Vocational Nurses Organizations for the enrollment of its members only for the purpose of providing nursing service to the public shall not be liable for the payment of any occupation tax and/or license fees; repealing all laws in conflict herewith; providing for a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 466, An Act creating an additional District Court in and for Bexar County, Texas, to be known as the 160th District Court; providing for the appointment of a Judge of said Court; providing that said Court shall not function as a court until the Judge thereof has been duly appointed and qualified; providing for the compensation of the Judge of said Court; prescribing the terms and jurisdiction of said District Court; adjusting the terms, jurisdiction and business of the District Courts of Bexar County; providing that the Judges of the present District Courts of Bexar County shall continue to hold their offices for the terms for which they were elected and until their successors qualify; providing for the election of the Judge of the 160th District Court; prescribing their qualifications, powers and duties; providing for the appointment, designation, compensation, powers, and duties of other officers of the District Courts of Bexar County; providing the method of selecting Juries; making other provisions relating to the business and functioning of the District Courts of Bexar County; amending Article 25-161 of the Code of Criminal Procedure, 1925, as amended, as the same relates to and provides for Criminal District Courts of Bexar County; amending Article 196 of the Revised Civil Statutes of Texas, 1925, as the same relates to and provides for District Courts of Bexar County, Texas; providing a repealing clause; providing
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a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES. Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 519, An Act amending Sections 61, 62 and 187 of the Election Code of the State of Texas (codified as Articles 6.05, 6.06 and 13.05 in Vernon’s Texas Election Code) so as to eliminate provisions for alternate methods of marking ballots and so as to provide that the scratch method shall be the method for marking ballots; changing certain other provisions relative to the form of the ballot and the method of marking the ballot; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 621, An Act amending Article 888 of the Penal Code of Texas, relating to permits for the killing of wild birds and animals to prevent depredation, by adding provisions relative to the disposition of carcasses of deer killed under authority of such permits; providing a penalty; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 524, An Act requiring all contracts relating to the distribution and licensing of motion pictures or films to be shown in theaters in the State of Texas, shall be construed in accordance with the laws of this State; providing venue of suits arising out of such license agreements; providing a repealing clause; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES. Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 533, An Act amending Chapter 158, Acts of the Forty-eighth Legislature, 1943, as amended, relating to municipal pension systems in certain cities of this State; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES. Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 534, An Act authorizing the appointment of a water master in any suit where the State of Texas is a party and the purpose of the suit is to determine the rights of parties to divert or use waters of a surface stream in which suits rights are asserted to divert or use such waters in not more than four (4) counties; prescribing the powers, duties and authority of the water master; prescribing the jurisdiction, power and authority of the Court in such cases; providing for the employment of necessary deputies and assistants; providing their duties, powers and authority; providing for the compensation of the water master and the compensation of the deputies and assistants and other employees provided for in the Act; providing for the assessment of cost of expenses of the water master and his office; providing for the payment of such cost and making other provisions relating thereto;
providing a severability clause; providing this Act be cumulative; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 888, An Act amending Section 2 of Chapter 451, Acts of the Fifty-Fourth Legislature (Article 118c-3, Vernon's Texas Civil Statutes) relating to inspection and classification of sweet potatoes, so as to make inspection and classification discretionary with the seller; repealing Sections 6 and 6 of Chapter 451, Acts of the Fifty-Fourth Legislature, and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 604, An Act creating an additional District Court in Harris County, Texas, to be known as the 157th District Court; providing for the appointment, election and compensation of the Judge of said Court; amending so much of Article 199, Revised Civil Statutes of Texas, as amended, as relates to the District Courts of Harris County, Texas, so as to provide for the jurisdiction and terms of the court created herein, and so as to adjust the jurisdiction, business and procedure of the existing District Courts of Harris County; providing for an effective date for said court; repealing all laws in conflict to the extent of conflict only; providing a cumulative clause; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
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Statutes of Texas by increasing annual license fees for various vehicles covered by its provisions; providing that counties shall remit certain registration receipts to the Texas Highway Department at certain intervals, making other provisions relating thereto; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 696, An Act relating to protected assignments of accounts receivable; amending subdivision (1) of Section 1 of Chapter 293, Acts of the Forty-ninth Legislature, as amended (Article 260-1, Vernon's Texas Civil Statutes), so as to change the definition of "account" or "account receivable" by deleting provisions excluding sums accruing to a contractor who has furnished a surety bond; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 756, An Act amending Chapter 78, House Bill No. 64, Acts, Fifty-first Legislature, Regular Session, 1949 (codified as Article 2615d, Vernon's Civil Statutes), increasing the amount of funds that the Board of Directors of the Agricultural and Mechanical College of Texas is authorized to expend from available plant funds for buildings and improvements at the adjunct of the College in Kimble County without specific authorization of the Legislature; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 730, An Act authorizing the Governor to transfer certain funds; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 746, An Act setting the squirrel season in Jasper, Newton and Tyler Counties and providing a closed season for hunting squirrels in County Commissioners Precinct No. 4 of Tyler County until January 1, 1958; repealing all laws in conflict; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 749, An Act setting the season for hunting squirrels in County Commissioners Precinct No. 4 of Tyler County until January 1, 1958; repealing all laws in conflict; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.
providing that such building or buildings may be used to carry on other public business; authorizing Commissioners Courts to issue or renew any part or parts of any such building which may not be presently needed for the purpose authorized by this Act to the State of Texas and any of its political subdivisions, and the Federal Government; authorizing the issuance of negotiable bonds to accomplish the purpose authorized by this Act and the levy and collection of taxes therefor; making certain incidental provisions with reference to such bonds and with reference to the issuance thereof; providing that the acquisition and use of any such building or buildings shall not change any requirement of law requiring the posting of notices at the courthouse door; providing that the provisions of this Act are in addition to all the powers given by and are cumulative of all other provisions of the Laws of the State of Texas on the same subject; providing a saving clause to the effect that if any provision of this Act shall be held invalid, the other provisions are not affected; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 799, An Act establishing the Lamar County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; repealing conflicting laws; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 800, An Act providing for the salaries for investigators or assistants to the District Attorney of the 34th Judicial District, and providing the means by which such salaries shall be determined; providing for the appointment, compensation and method of compensation for stenographers in the office of the District Attorney of the 34th Judicial District; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 832, An Act amending Title 126, Revised Civil Statutes of Texas, 1925, as amended, by adding thereto a new Article to be called Article 7486a; providing for declaratory judgment suits to be brought against the State to determine if the Anti-Trust Laws of the State are being violated or if they will be violated; and making all provisions necessary therefor; providing plaintiff filing such suit shall pay all costs of such proceeding; providing nothing in the Act shall be construed to alter, amend or repeal any
An Act of the 82nd Legislature, 1957, making the Act cumulative; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Austin, Texas, May 23, 1957

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Austin, Texas, May 23, 1957

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Austin, Texas, May 23, 1957

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Austin, Texas, May 23, 1957

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.
Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 890, An Act to amend Article 4817 of the Revised Civil Statutes of Texas as amended by H. B. No. 419, Chapter 250, paragraph 1, Acts of the Regular Session of the Fifty-third Legislature authorizing the Comptroller of Public Accounts to issue a warrant in payment of claims for Fifty Dollars ($50) or less without an affidavit when the claimant certifies under the penalty of perjury that to the best of his knowledge and belief the claim is true and correct, repealing all laws in conflict herewith to the extent of such conflict; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 904, An Act concerning the trial and commitment to a State mental hospital of insane persons where insanity is raised as a defense or as a bar in a prosecution of a criminal offense; providing for treatment in a mental hospital of mentally ill prisoners; clarifying the status of mentally ill persons not charged with a criminal offense; providing for crediting of time in a mental hospital to the sentence of a prisoner; amending Article 34 of the Texas Penal Code; repealing certain statutes and laws; providing a saving clause; providing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 913, An Act to amend Chapter 25 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature, 1925, as amended by Chapter 107 of the General Laws of the State of Texas, passed by the First Called Session of the Fortieth Legislature, 1927, as amended by Chapter 87 of the General Laws of the State of Texas, passed by the Regular Session of the Forty-first Legislature, 1929, by adding a new Section, Number 186, as to provide that if an election is held upon the proposition to abolish a water control and improvement district, no other election for the same purpose shall be held within one (1) year after the date such election is held; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 919, An Act amending Title 71, Chapter 1, Acts, 1927, Fortieth Legislature, First Called Session, Page 131, Chapter 48, Section 6, compiled as Article 4417b, of Vernon's Annotated Civil Statutes, establishing the qualifications for the office of the Commissioner of Health of the State of Texas; repealing conflicting laws; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 22, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 919, An Act amending Article 8846, Revised Civil Statutes of Texas, as amended by Acts of 1949, Forty-ninth Legislature, page 1172, Chapter 986, providing for hospitalization and medical and surgical care for members of the military forces of this State who shall be wounded, disabled, or injured, or who shall contract disease or illness in line of duty while in the service of this State, providing for transportation expenses incident there to; providing for continuation of pay
and allowances; providing for funeral allowances to be paid to the estate in the event of death; providing for administration by the Adjutant General under rules and regulations which he may prescribe; providing for severability; repealing inconsistent provisions of other laws; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 939, An Act providing for the creation of a County Probation Department in and for Wichita County, Texas; providing for the appointment of a Chief Probation Officer, and such assistant probation officers as are determined to be necessary, by the Wichita County Juvenile Board, and providing for the fixing of salaries for all personnel of the Wichita County Probation Department by the Wichita County Juvenile Board; providing for the term of appointments of the Chief Probation Officer and his assistants; providing for the certification of expenses incurred by all Wichita County probation officers, by the Juvenile Board; providing for the raising of funds for operation of the Wichita County Probation Department by Wichita County Commissioners Court in accordance with the needs as determined by the Wichita County Juvenile Board to an amount not to exceed Twenty-three Thousand Dollars ($23,000) per year, which amount shall be in addition to any funds received by said Probation Department from any other source; providing for surety fidelity bond by probation officers and other personnel; providing for operation, supervision and control of homes, schools, farms, institutions and other facilities used in the training, education, detention, support, or correction of juveniles; providing foster homes for juveniles; providing for acceptance of any grant or devise of land or gift or bequest or donation for juvenile program; providing for assessment of court costs in divorce cases for maintenance of child support office and the administration of such funds collected by the Wichita County Juvenile Board; providing for the assessment of court costs for adoption investigation services and the administration of such funds collected by the Wichita County Juvenile Board; providing for investigation and placement of cases involving custody of children; providing for the preparation of records of cases handled by the Probation Department; repealing conflicting laws; and declaring an imperative public necessity for suspension of the Constitutional Rule requiring bills to be read on three several days in each House.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 939, An Act relating to cities which have annexed territory within water control and Improvement or supply districts, where such district lies in more than one city, providing that such cities shall succeed to the powers, duties, assets and obligations of such districts; providing that such districts may be abolished by mutual agreement between the district and the cities wherein such district lies; providing such cities may issue refunding bonds in its own name to refund any obligations assumed by it; making other provisions relating thereto; containing a severability clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 940, An Act creating a Juvenile Court and a Court of Domestic Relations in Dallas County; providing the qualifications and compensation of the judges; providing for the jurisdiction of said courts; providing for the transfer of cases to and from said courts; providing for said judges and
OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 957, An Act amending Section 1 of Chapter 843, Acts of the Fiftieth Legislature (Article 2922g, Vernon's Texas Civil Statutes), relating to the collection of taxes in certain rural high school districts, by increasing the compensation which the tax collector may be allowed for his services; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

OBIE JONES, Acting Chairman.

Austin, Texas, May 23, 1957

OBIE JONES, Acting Chairman.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 433, An Act revising the employers' liability and workmen's compensation insurance laws of this State by amending and adding to certain Sections of Articles 8204, 8207 and 8309, Revised Civil Statutes of 1925, as amended, removing present limitations on medical serv-
ice benefits and providing that such services shall include treatments necessary to physical rehabilitation and providing for referral of an injured employee by the Board to the Vocational Rehabilitation Division of the Texas Education Agency and cooperation between the Board and said Division regarding vocational rehabilitation; fixing fees of attorneys before the Board, and before the courts and placing certain limitations thereon and providing for the payment thereof and the approval thereof by the Board, or the courts; fixing the benefits payable in cases of death, with limitations, and providing to whom payable; fixing the benefits payable for total incapacity, with limitations; providing the benefits payable for partial incapacity for work, with limitations, and providing the method of computing the amount of such benefits; providing the benefits payable for injuries specifically enumerated by schedule, with limitations, and providing the method of determining the extent of partial incapacity caused by such injuries and the method of computing compensation therefor, with limitations on the amount payable; providing for a second injury fund and for the financing thereof; fixing the liability for medical treatment in cases of silicosis and asbestosis, with limitations, and providing for the use thereof; amending Section 8 of Article 5, Acts of 1925, as amended, by adding a new paragraph prohibiting the inclusion in any award or judgment against the association the cost or expense of items of medical aid, hospital services, nursing, chiropractic services, medicines or prosthetic appliances not received by the employee prior to such award or judgment, providing the extent that the first such award shall be res judicata of the liability of the association, and prescribing the jurisdiction of the Board to render successive awards and the jurisdiction of the courts in connection therewith; amending Article 8309, Revised Civil Statutes of 1925, as amended, by adding a new Section 1b providing definitions of certain terms and adding definitions in connection with the term "injury sustained in the course of employment"; providing that this Act shall not affect any rights which have vested or accrued prior to the effective date hereof, and retaining prior laws in effect in so far as injuries sustained prior to the effective date hereof; providing all laws in conflict; providing for the effective date of this Act; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBE JONES, Acting Chairman.

Austin, Texas, June 5, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 8, An Act amending Article IV of Senate Bill No. 114, Chapter 124, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended by the addition of Section 1a thereto in Senate Bill No. 1, Chapter 5, Acts of the Fifty-third Legislature, First Called Session, 1955, and as amended by the addition of Section 1b and other provisions thereto in House Bill No. 720, Chapter 434, Acts of the Fifty-fourth Legislature, Regular Session, 1955, so as to improve the minimum teacher salary schedule in the Foundation School Program Act; providing for the local fund assignment for the school year 1957-58 only on a new basis and thereafter the local fund assignment to be determined as now provided in Section 2, Article VI, Senate Bill No. 114, Chapter 234, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended; providing for an appropriation; providing this Act shall be effective beginning with the school year 1957-58 and thereafter; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

OBE JONES, Acting Chairman.

Austin, Texas, June 5, 1957

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 136, An Act transferring a portion of the current appropriation for office expense of the Firemen’s Pension Commission to its appropriation for travel expense; and declaring an emergency.

May 23, 1957

HOUSE JOURNAL

3429
OBIE JONES, Acting Chairman.

Austin, Texas June 5, 1967

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 161, An Act to carry into effect the provisions of the proposed amendment adding Section 49c to Article III of the State Constitution; defining certain terms; creating the Texas Water Development Board, and prescribing its composition, powers and duties; authorizing the issuance of One Hundred Million Dollars ($100,000,000) State bonds to create the Texas Water Development Fund; providing the method, manner and mechanics of issuing and paying such bonds; authorizing the Board to issue refunding bonds; requiring the setting aside of certain funds until December 31, 1982, and thereafter for certain purposes; providing for the deposit of certain excess moneys in the General Fund; providing for the investment of moneys set aside to secure such bonds; declaring such State bonds to be legal investments and free from taxation; authorizing the Board until December 31, 1982, to provide financial assistance to certain political subdivisions, public corporations and agencies to construct, acquire, extend or improve certain water conservation projects and prescribing the terms and conditions thereof; authorizing the Board to give financial assistance from the Fund by the purchase of political subdivision bonds, even though such bonds may be secondary to other bonds; limiting the amount of such assistance to each project and political subdivision; authorizing the Board to require that such political subdivision bonds be secured by revenues or taxes or both; providing for safeguards to protect the investment of moneys of the Fund; authorizing the Board to promulgate rules and regulations; providing for the purchase by the Board of supplies through the Board of Control; providing for the hiring of employees and prescribing certain duties; providing for regular and called meetings; appropriating funds to pay the expenses of the Board during the remainder of the biennium and setting employee salary standards; providing a saving clause; and declaring an emergency.

OBIE JONES, Acting Chairman.

Had carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

H. B. No. 3430 HOUSE JOURNAL

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

Has carefully compared same and finds it correctly enrolled.

OBIE JONES, Acting Chairman.

H. B. No. 402, An Act making an appropriation to the Runnels County Water Improvement District; providing for its repayment; and declaring an emergency.

OBIE JONES, Acting Chairman.

H. B. No. 81.

H. B. No. 182.

H. B. No. 337.

H. B. No. 439.

H. B. No. 479.

H. B. No. 482.

H. B. No. 498.

H. B. No. 645.

H. B. No. 651.

H. B. No. 783.

H. B. No. 858.

H. B. No. 900.

H. B. No. 942.

H. J. R. No. 31.

H. C. R. No. 107.

OBIE JONES, Acting Chairman.

H. B. No. 103.

H. B. No. 164.

H. B. No. 169.

H. B. No. 268.

H. B. No. 301.

H. B. No. 337.

H. B. No. 439.

H. B. No. 479.

H. B. No. 482.

H. B. No. 498.

H. B. No. 645.

H. B. No. 651.

H. B. No. 783.

H. B. No. 858.

H. B. No. 900.

H. B. No. 942.

H. J. R. No. 31.

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OBIE JONES, Acting Chairman.

H. B. No. 103.

H. B. No. 164.

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H. B. No. 268.

H. B. No. 301.

H. B. No. 337.

H. B. No. 439.

H. B. No. 479.

H. B. No. 482.

H. B. No. 498.

H. B. No. 645.

H. B. No. 651.

H. B. No. 783.

H. B. No. 858.

H. B. No. 900.

H. B. No. 942.

H. J. R. No. 31.

H. C. R. No. 107.

OBIE JONES, Acting Chairman.

H. B. No. 103.

H. B. No. 164.

H. B. No. 169.

H. B. No. 268.

H. B. No. 301.
| May 23, 1957 |
| H. B. No. 311. | H. B. No. 70. |
| H. B. No. 333. | H. B. No. 79. |
| H. B. No. 938. | H. B. No. 194. |
| H. J. R. No. 3. | H. B. No. 199. |
| H. C. R. No. 125. | H. B. No. 244. |
| H. B. No. 907. | H. B. No. 278. |
| H. C. R. No. 128. | H. B. No. 320. |

May 23, 1957

| H. J. R. No. 36. | H. B. No. 386. |
| H. C. R. No. 4. | H. B. No. 400. |
| H. C. R. No. 29. | H. B. No. 412. |
| H. C. R. No. 69. | H. B. No. 418. |
| H. C. R. No. 71. | H. B. No. 463. |
| H. C. R. No. 77. | H. B. No. 486. |
| H. C. R. No. 91. | H. B. No. 519. |
| H. C. R. No. 118. | H. B. No. 533. |
| H. B. No. 11. | H. B. No. 495. |
| H. B. No. 762. | H. B. No. 920. |
| May 28, 1957 |  |
| H. B. No. 864. | June 5, 1957 |
Honorable Louis Dugas, Jr., Chairman
Contingent Expense Committee
House of Representatives
Austin, Texas

Dear Mr. Dugas:

We have completed an audit of the accounts of the Contingent Expense Committee of the House of Representatives for the period from January 10th, 1956, through July 15th, 1957.

This period includes the Regular Session of the Fifty-fifth Legislature which convened on January 8th, 1957, and adjourned on May 23rd, 1957.

All vouchers for the period were examined and reconciled to the State Comptroller's account as of June 28th, 1957.

Expenditures for the period amounted to $248,171.39, which includes $34,005.23 for the interim and $214,166.16 for the session. This amount includes the accounts payable of $4,837.36 which have been vouchered and are in process of approval for issuing warrants, and the consideration of a duplicated account in the amount of $22.44 for which refund was received in July, 1957.

We made a physical count of both supplies and postage and found the supply inventory to be “over” the book balance by $154.27, and the stamp inventory to be “over” the book balance by $5.73. Accompanying schedules reflect the expenditures and charges to member's accounts in some detail.

We are grateful to the employees of the Committee for the cooperation extended us in the performance of this assignment.

Yours very truly,

C. H. CAVNESS,
State Auditor.
### HOUSE JOURNAL

#### HOUSE OF REPRESENTATIVES
**CONTINGENT EXPENSE COMMITTEE**

**SUPPLIES INVENTORY, PURCHASES AND ISSUES**

For the Period from January 10th, 1956 to July 15th, 1957

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inventory at Beginning—January 10th, 1956</td>
<td>$1,978.67</td>
</tr>
<tr>
<td>Add Purchases</td>
<td>$47,611.08</td>
</tr>
<tr>
<td>Sub-total</td>
<td>$49,589.76</td>
</tr>
<tr>
<td>Deduct Issues</td>
<td></td>
</tr>
<tr>
<td>Balance Per Books</td>
<td></td>
</tr>
<tr>
<td>Inventory at End—July 15th, 1957</td>
<td>$2,598.18</td>
</tr>
<tr>
<td>Over</td>
<td>$154.27</td>
</tr>
</tbody>
</table>

#### STAMP INVENTORY, PURCHASES AND ISSUES

For the Period from January 10th, 1957 to July 15th, 1957

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inventory at Beginning—January 10th, 1957</td>
<td>$1,642.07</td>
</tr>
<tr>
<td>Add Purchases</td>
<td>$31,030.00</td>
</tr>
<tr>
<td>Sub-total</td>
<td>$32,672.07</td>
</tr>
<tr>
<td>Deduct Issues</td>
<td></td>
</tr>
<tr>
<td>Balance Per Books</td>
<td></td>
</tr>
<tr>
<td>Inventory at End—July 15th, 1957</td>
<td>$2,417.67</td>
</tr>
<tr>
<td>Over</td>
<td>$5.73</td>
</tr>
</tbody>
</table>

**Note A**—From Statement of Expenditures:

- Interim 1-11-1956 to 1-7-1957: $367.53
- Regular Session 1-7-1957 to 7-15-1957: $47,243.55

**Note B**—From Statement of Ledger Accounts:

- Interim 1-11-1956 to 1-7-1957: $663.38
- Regular Session 1-7-1957 to 7-15-1957: $46,728.19

**STATEMENT OF EXPENDITURES**

From January 10th, 1956 through July 15th, 1957

<table>
<thead>
<tr>
<th>Description</th>
<th>1-8-1957 to 1-10-1956</th>
<th>1-10-1956 to 7-15-1957</th>
<th>7-15-1957 to 1-7-1957</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies</td>
<td>$47,611.08</td>
<td>$47,243.55</td>
<td>$51,153.28</td>
</tr>
<tr>
<td>Postage</td>
<td>$31,030.00</td>
<td>$30,030.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Telephones and Telegraph</td>
<td>$29,681.36</td>
<td>$28,681.36</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Newspapers</td>
<td>$3,084.88</td>
<td>$2,084.88</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>$30,489.27</td>
<td>$30,489.27</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Equipment Rental</td>
<td>$3,031.94</td>
<td>$3,031.94</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Equipment Repair</td>
<td>$4,950.15</td>
<td>$4,544.65</td>
<td>$605.57</td>
</tr>
</tbody>
</table>

<p>| Total                     | $101,127.23           | $101,127.23             | $101,127.23           |</p>
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing</td>
<td>61,617.62</td>
</tr>
<tr>
<td>Porter’s Supplies</td>
<td>1,001.31</td>
</tr>
<tr>
<td>Laundry and Cleaning</td>
<td>1,620.56</td>
</tr>
<tr>
<td>Sub-total</td>
<td>64,239</td>
</tr>
<tr>
<td>Speaker’s Apartment:</td>
<td></td>
</tr>
<tr>
<td>Utensils</td>
<td>84.69</td>
</tr>
<tr>
<td>Crystal</td>
<td>4.96</td>
</tr>
<tr>
<td>Linens</td>
<td>317.10</td>
</tr>
<tr>
<td>Total Speaker’s Apartment</td>
<td>477.67</td>
</tr>
<tr>
<td>General House:</td>
<td></td>
</tr>
<tr>
<td>Paint</td>
<td>55.85</td>
</tr>
<tr>
<td>Globes</td>
<td>111.88</td>
</tr>
<tr>
<td>Venetian Blind Repair</td>
<td>24.20</td>
</tr>
<tr>
<td>Desk Lumber</td>
<td>94.49</td>
</tr>
<tr>
<td>Carpets</td>
<td>2,280.25</td>
</tr>
<tr>
<td>Wiring and Fixtures</td>
<td>1,301.42</td>
</tr>
<tr>
<td>Joe</td>
<td>2.75</td>
</tr>
<tr>
<td>Total General House</td>
<td>17,786.02</td>
</tr>
<tr>
<td>Committees:</td>
<td></td>
</tr>
<tr>
<td>House General Investigating</td>
<td>4,433.41</td>
</tr>
<tr>
<td>Interstate Cooperation 54th</td>
<td>1,619.61</td>
</tr>
<tr>
<td>Post Session Resolution 64th</td>
<td>111.00</td>
</tr>
<tr>
<td>I. C. T. Investigation</td>
<td>868.78</td>
</tr>
<tr>
<td>James E. Cox Investigation</td>
<td>926.63</td>
</tr>
<tr>
<td>Interstate Cooperation 55th</td>
<td>972.56</td>
</tr>
<tr>
<td>Post Session Resolution 55th</td>
<td>25.00</td>
</tr>
<tr>
<td>Total Committees</td>
<td>8,768.25</td>
</tr>
<tr>
<td>Totals</td>
<td>248,171.39</td>
</tr>
</tbody>
</table>
# HOUSE JOURNAL

## SUMMARY OF LEDGER BALANCES

For the Period from January 10th, 1956 to July 16th, 1957

<table>
<thead>
<tr>
<th>Member</th>
<th>Total</th>
<th>Supplies</th>
<th>Stamps</th>
<th>Telephone</th>
<th>Telegraph</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, Louis H.</td>
<td>$467.99</td>
<td>$42.60</td>
<td>$311.04</td>
<td>$408.34</td>
<td></td>
</tr>
<tr>
<td>Armor, L. L.</td>
<td>317.74</td>
<td>38.44</td>
<td>36.00</td>
<td>43.50</td>
<td></td>
</tr>
<tr>
<td>Arzwell, Ben</td>
<td>406.26</td>
<td>191.53</td>
<td>87.78</td>
<td>166.35</td>
<td></td>
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## Telephone and Member Total Supply Stamps Telegraph

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Total: $78,383.28 $35,061.56 $24,466.58 $24,865.14
## SUMMARY OF DEPARTMENTAL LEDGER BALANCES

For the Period from January 10th, 1956 to July 15th, 1957

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Committee:

- General House Investigation
- HSR 304
- HSR 304
- Texas Water Resource
- Secretary of House
- Potters
- Proof Readers
- Chaplain—E. C. McDonald

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<td>577.18</td>
<td>74.10</td>
<td>120.06</td>
<td>183.98</td>
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<td>Secretary of House</td>
<td>81.94</td>
<td>16.63</td>
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<td>65.32</td>
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<td>Potters</td>
<td>77.62</td>
<td>77.62</td>
<td></td>
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<tr>
<td>Proof Readers</td>
<td>70.95</td>
<td>5.45</td>
<td></td>
<td>65.50</td>
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<td>Chaplain—E. C. McDonald</td>
<td>14.45</td>
<td>5.45</td>
<td>9.00</td>
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Total Departments: $27,215.05 | $18,330.01 | $4,198.32 | $4,786.22
COMMITTEES APPOINTED BY SPEAKER WAGGONER CARR

Pursuant to H. S. R. No. 527 the following is a list of interim appointments from the House of Representatives:

LEGISLATIVE BUDGET BOARD
Max Smith, Frankie Seeligson, W. S. Healy, Jr., J. T. Ellis, Jr.

LEGISLATIVE COUNCIL

COMMITTEE TO STUDY THE HOUSE COMMITTEE SYSTEM

COMMITTEE TO STUDY THE NEEDS OF PUBLIC SCHOOL SYSTEM OF TEXAS
Scott McDonald, L. DeWitt Hale, Malcolm McGregor.

COMMITTEE TO STUDY THE PUBLIC SCHOOL SYSTEM OF TEXAS
Mrs. Will Miller, Corsicana, Texas; Nat Williams, Lubbock, Texas; Stone Wells, Houston, Texas.

INTERIM GAME AND FISH COMMITTEE
W. T. Oliver, George Truett Wilson, Sam H. Parsons, C. T. Matthew, Cecil Storey.

COMMITTEE TO REVISE AND CODIFY THE RULES OF THE HOUSE OF REPRESENTATIVES

COMMITTEE TO STUDY THE NEEDS OF THE OLD PEOPLE OF TEXAS
Jack Welch, James Turman, Bill Holloway, Harold Coley, Sam H. Rue, Jr.

THE STATE TAX STUDY COMMISSION
Frankie Seeligson, Richard C. Slack, John A. Huebner, Sr.

COMMITTEES ON INTERSTATE COOPERATION
(A Standing Committee of the House)
Stanley Boyden (He is replacing H. J. Blanchard who has resigned from this committee because of the press of other committee work).

INDUSTRIAL AND OCCUPATIONAL SAFETY COMMISSION
Roy D. Harrington, Representative of employees; Joe R. Pool, Representative of the public; Paul Presler, Representative of employers.

COMMITTEE TO ADVISE IN STUDYING THE FISCAL ASPECTS OF TEXAS STATE GOVERNMENT
Louis N. Anderson.

Vernon Stewart, Chairman; George Goetz, J. C. Day, Rufus U. Kilpatrick, Jesse M. Ghoborn.

Pursuant to H. S. R. No. 527 the following names complete the interim committee appointments from the House of Representatives:

GENERAL INVESTIGATING COMMITTEE

ADVISORY COMMITTEE ON REVISING THE CONSTITUTION OF TEXAS
Robert G. Storey, Dallas, Texas; Charles T. Luu, Austin, Texas; C. C. Gunn, San Antonio, Texas; J. William Davis, Lubbock, Texas; Mrs. Horton Wayne Smith, Austin, Texas; Jack Cox, Houston and Breckenridge, Texas.