The House met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the Honorable L. DeWitt Hale.

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

- Adams of Lubbock
- Adams of Titus
- Albrit
- Allen
- Andrews
- Arrick
- Bailey
- Ballman
- Banfield, Mrs.
- Barlow
- Barne
- Bartram
- Bass
- Berry
- Blake
- Brey
- Buchanan
- Burges
- Butler
- Caldwell
- Cannon
- Carriker
- Chapman
- Cole of Harris
- Cole of Hunt
- Collins
- Council
- Cook
- Cotton
- Cowen
- Cowies
- Cren
- Crews
- Culleton
- Dewey
- Driscoll
- Duncan
- Eckardt
- Ehrle
- Eakin
- Embick
- Tcler
- Floyd
- Foraker
- Garrison
- Gibbens
- Gladden
- Glass
- Groover
- Guffey
- Harding
- Preston
- Price
- Quilliam
- Ratliff
- Read
- Richards
- Richardson
- Roberts of Hill
- Roberts of Dawson
- Ross
- Ross
- Sandahl
- Shannon
- Shirley
- Black
- Sider
- Smith of Bexar
- Smith of Jefferson
- Spillman

In The Chair

Hale

Absent

Hinson

Absent—Excused

Mr. Speaker

Longoria

Cory

de la Garza

Rapp

Gesting

Green

Yesak

A quorum of the House was announced present.

The invocation was offered by the Reverend Clinton Kersey, Chaplain.

DESIGNATION OF SPEAKER PRO TEMPORE

The Chair laid before the House and had read the following:

Pursuant to the provisions of Section 10 of Rule 1 of the Rules of the House, the Honorable L. DeWitt Hale is hereby named Speaker Pro Tempore for the 57th Legislature to perform the duties of the Chair and to preside over deliberations of the House of Representatives in the absence or inability of the Speaker.

JAMES A. TURMAN, Speaker.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

- Speaker Turman for today, on motion of Mr. Collins.
Mr. Yezak for today on motion of Mr. Adams of Titus.

Mr. Snelson for today on motion of Mr. Johnson of Bell.

Messrs. Glusking, Rapp, de la Garza, Murray and Longoria, temporarily for today, on motion of Mr. Pipkin.

Mr. Green was granted leave of absence for today on account of a death in his family, on motion of Mr. Richardson.

Mr. Cory was granted leave of absence for today on account of illness in his family, on motion of Mr. Blaine.

MEMORIAL RESOLUTION ADOPTED

H. C. R. No. 15, By Mr. Haring:
In memory of victims of C-119 plane crash in Canada.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 60, By Mr. Price:
To congratulate James Saxton, All-American Football Player from the University of Texas.

H. S. R. No. 78, By Messrs. Struve and Haring: Commending the Senior Government Class from Three Rivers, Texas.

H. S. R. No. 79, By Messrs. Jones of Travis, Foreman and Sandahl: Commending a Civics Class from Anderson High School, Travis County, Texas.

H. S. R. No. 81, By Messrs. Hale, Bridges, Feeler and Glusking: Commending the Civics and Texas History Classes of Roy Miller High School of Corpus Christi.

H. S. R. No. 85, By Mr. Walker:
To congratulate the Hull-Daisetta High School Football Team.

H. S. R. No. 84, By Messrs. Garrison, James, Crews, Grover, Miller, Shipley, Tunnell, Floyd, Eckhardt, Whitfield, Walker and Caldwell: To congratulate Richard B. Gemmer on being named "Outstanding Young Man of the Year" by the Houston Chamber of Commerce.

H. S. R. No. 86, By Messrs. Cotton and Craig: To congratulate Coach Chuck Curtis and the Jacksboro Tigers.

H. S. R. No. 82, By Mr. Moore: Commending the Ballinger Lions Club and The Texas Association of Lions in regard to observance of "I am an American Day."

INTRODUCTION OF JAMES SAXTON

The Chair recognized the Honorable Rayford Price who escorted James Saxton to the Speaker's Rostrum.

Mr. Price introduced James Saxton, All-American football player from the University of Texas, and presented him with a copy of H. S. R. No. 60, congratulating him for his achievements in football.

In memory of victims of C-119 plane crash in Canada.

MESSAGE FROM THE GOVERNOR

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

January 17, 1962
To The Members of the 57th Legislature, Third Called Session:

In view of the fact that excellent progress has been made on the legislation heretofore submitted and the fact that all Members requesting the submission of additional subjects have agreed that these additional submissions will not be permitted to delay action on the measures originally submitted in my message of January 3, I herewith submit for your consideration the following subjects:

1. Municipal annexation.
2. Revision of the driver licensing law.
3. Creation, expansion, or regulation of water improvement, reclamation, drainage, soil conservation, navigation, and seawall districts and authorities, municipal utility districts, bonds of public agencies, wharves, and contracts for water treatment plants.
4. Validating acts and amendments thereto.
5. Regulation of gas sold for irrigation purposes.
6. Laws relating to terms of courts, court reporters, district and
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county clerks, district attorneys, abstracts of judgments, probation officers, domestic relations courts, care of dependent and neglected children, juvenile boards, rehabilitation districts, hospitals, grand juries, mobile homes safety standards, public printing, trademarks, school trustees, airports, public roads, boat game and fish laws, and the Texas Motor Vehicle Safety Responsibility Act.

7. Group insurance for purchasers under the Veterans Land Program, retirement plans, and annuities for public school and college employees.

8. Corrections or clarification of laws relating to principals in ten-year schools, Articles 5.15 and 13.34 of the Texas Election Code relating to residence change of voters, and county and precinct conventions, Article 240 of the Penal Code to apply equally to second primaries, Article 66'15a.2 relating to registration fees for construction machinery, classification of State employees, Senate Bill 261 of the Regular Session (Article 911b) relating to motor carriers, House Bill 261 of the Regular Session (Article 6252-13) relating to rules of public agencies; and reimbursement of the Unemployment Compensation Clearing Account for warrants voided and erroneously transferred.

9. Disaster relief measures and emergency funds for the Game and Fish Commission and State Parks Board due to Hurricane Carla damages.

10. Providing for the incorporation of San Angelo College and Pan-American University into the State system of four-year colleges effective September 1, 1965, as recommended by the Commission on Higher Education.

11. Authorizing the State Building Commission and the Texas Employment Commission to cooperate in the construction of parking facilities on the block east of the Texas Employment Commission building in the City of Austin.

12. Supplemental appropriation for the State Board of Barber Examiners.

Respectfully submitted,

PRICE DANIEL, Governor.

PROVIDING FOR A SUPPLEMENTARY PICTURE PANEL OF NEW MEMBERS OF THE HOUSE

Mr. Smith of Jefferson offered the following resolution:

H. S. R. No. 82

Whereas, Five new Members have been elected to the House of Representatives since the last session of this Fifty-seventh Legislature and are now serving in this Third Called Session; and

Whereas, These new Representatives, including the Honorable Glenn H. Kothmann, the Honorable Don Hutton, the Honorable George P. Korkmas, the Honorable Rudy Giguire, and the Honorable Kenneth Kohler, took office after the picture panel of the Fifty-seventh Legislature was prepared; and

Whereas, It is appropriate that these new Members receive recognition and have their photographs placed in this Hall; now therefore be it

Resolved, That the five new Members of the Fifty-seventh Legislature have their pictures made for use in a supplementary panel to be hung near the panel of the Fifty-seventh Legislature already prepared and be it further

Resolved, That the Rules Committee arrange with the photographer to make individual pictures of the five new Members, the expense of such panel to be paid out of the Contingent Expense Fund.

The resolution was referred to the Committee on Rules.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Jones of Travis offered the following resolution:

H. C. R. No. 17

Whereas, Connecticut General Life Insurance Company is a Connecticut corporation doing business in the State of Texas in accordance with the laws of the State of Texas; and

Whereas, Pursuant to Article 4765 of Vernon's Texas Statutes, now Article 3.36 of the Texas Insurance Code, and Article 4766 of Vernon's Texas Statutes, the Connecticut General Life Insurance Company alleges that it paid gross premium taxes in the amount certified by the State
Resolved, by the Senate of the State of Texas, the House of Represent-atives concerning, That Connecticut General Life Insurance Company desires to sue the State of Texas for the recovery and refund of the taxes erroneously collected from Connecticut General Life Insurance Company; now, therefore, be it

Resolved, That the State of Texas need to be relieved of the undue bookkeeping burden placed on them for the collection of these taxes due to the great number of exemptions and ambiguities; and

Resolved, That the Governor of Texas, the Honorable Price Daniel, be respectfully requested to submit the subject of revision of the present tax statute to this the Third Called Session of the Legislature for its consideration.

The resolution was referred to the Committee on State Affairs.

Mr. Roberts of Dawson moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Simple Resolution No. 80. A record vote was requested.

The motion to suspend the rules was lost by the following vote: (not receiving the necessary two-thirds vote)

Yea—79
Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Banfield, Mrs.
Bartram
Barnes
Barnes
Barrett
Berry
Blaine

Nay—21
Bridges
Buchanan
Butler
Cole of Hunt
Cooke
Connell
Cook
Cotton
Cowen
Cowles
Grain
Crews
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Dewey
Duff, Miss
Dungan
Ehrle
Fairchild
Fletcher
Garrison
Gibbens
Glasa
Grover
Harding
Heatley
Huebner
Hughes of Dallas
Jarvis
Johnson of Dallas
Johnson of Bell of Galveston
Jones of Dallas
Kohler of Wichita
Koliba
Lary
Latimer
Lewis
McCoppa
Martin
Miller
Moore
Muterscher
Nagengast

Nays—50

Alaniz
Ballman
Barlow
Barst
Boysen
Burgess
Caldwell
Carroll
Carriker of El Paso
Chapman
Cole of Harris
Collins
Cotton
Eckhardt
Eggleve
Floyd
Foreman
Gladen
Guffey
Harrington
Haxton
Helton
Hollowell
Hughes of Grayson
Jackson of Harris
James

In The Chair

Hale
Haring
Jamison
McGregor
McLennan
McIntyre
McMillan
Niemeyer
Niswanger
Perry
Price
Shannon
Smith
Smith
Stewart of Galveston
Stewart of Wichita

Reason for Vote

Recesses for voting against suspension of rules on H. S. R. No. 80 by Wesley Roberts.

A retail sales tax and a general sales tax are entirely different things. I favor the former, but not the latter. I don't want to place a tax on food as this simple resolution would surely call for.

While I realize that some inequities exist in the present tax law, I do not feel that all the present exemptions should be knocked out of this tax law. I would vote to cure the inequities but not to take out all the exemptions in the present tax law.

PAUL FLOYD.

Reason for Vote

Although I am in sympathy with the idea of removing the inequities in the sales tax at the earliest possible time, it was obvious that this resolution was hurriedly drawn and vaguely worded, and I felt that it should be properly drafted by the appropriate committee.

MAX D. CARRIKER, TED SPRINGER, CARL WHEATLEY.

Reason for Vote

I voted to bring up for consideration H. S. R. No. 80 because I feel there are inequities in the sales tax bill as was passed last Special Session. I do not favor the resolution as written but do favor changes in the present sales tax laws.

RONALD BRIDGES.
Mr. Eckhardt offered the following resolution:

H. S. R. No. 77

Whereas, The Texas House of Representatives, in true frontier spirit, has given of its advice generously and lavishly to Congress in many resolutions memorializing Congress; and

Whereas, In the spirit of keeping a separation between the state and federal systems, we have told Congress on many occasions what it should do about its affairs; and

Whereas, Congress has, so far as is known, never memorialized us, and has thus maintained an aloof and arrogant position with respect to the Texas Legislature; now, therefore, be it

Resolved, That the Texas Legislature memorialize Congress to memorialize us some of the time instead of superciliously sitting around Washington and letting us do all the memorializing; and, be it further

Resolved, That a copy of this Resolution be dispatched to Congress via American Railway Express.

The resolution was read and was referred to the Committee on State Affairs.

Mr. Hollowell asked unanimous consent of the House that the Committee on State Affairs be permitted to meet at this time.

There was no objection offered.

S. C. R. No. 6, Authorizing State Building Commission to make certain survey relative to a suitable memorial to the signers of the Texas Declaration of Independence within the grounds of the State Park at Washington-on-the-Brazos.

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

The resolution was adopted without objection.

H. S. R. No. 23, To request certain study relative to State ad valorem taxes.

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

The resolution was adopted without objection.

S. C. R. No. 7, Granting Moorlane Company permission to sue the State.

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

The resolution was adopted without objection.
GRANTING DR. ELLIS CARP PERMISSION TO SUE THE TEXAS STATE BOARD OF EXAMINERS IN OPTOMETRY

The Chair laid before the House for consideration at this time,

S. C. R. No. 8, Granting Dr. Ellis Carp permission to sue the Texas State Board of Examiners in Optometry.

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

The resolution was adopted without objection.

TO GRANT E. R. HINSON, ET AL. PERMISSION TO SUE THE STATE

The Chair laid before the House for consideration at this time,

H. C. R. No. 7, To grant E. R. Hinson, et al, permission to sue the State.

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

The resolution was adopted without objection.

TO GRANT THE CHRISTIAN AND MISSIONARY ALLIANCE OF THE SOUTHWEST PERMISSION TO SUE THE STATE

The Chair laid before the House for consideration at this time,

H. C. R. No. 11, To grant the Christian and Missionary Alliance of the Southwest permission to sue the State.

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

The resolution was adopted without objection.

TO GRANT THE CITY OF BIG SPRING PERMISSION TO SUE THE STATE AND THE BOARD OF CONTROL

The Chair laid before the House for consideration at this time,

H. C. R. No. 13, To grant the City of Big Spring permission to sue the State and the Board of Control.

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

The resolution was adopted without objection.

TO PROVIDE FOR THE APPOINTMENT OF THE COMMITTEE ON SPECIAL WATER DISTRICTS

The Chair laid before the House for consideration at this time,

H. S. R. No. 24, To provide for the appointment of the Committee on Special Water Districts.

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

Mr. Jarvis offered the following amendment to the resolution:

Amend H. S. R. No. 24 by adding a new section known as Section 3, which shall read as follows:

Section 3. The Members serving on this committee shall not receive any travel allowance or any form of compensation.

The amendment was adopted without objection.

The resolution was adopted without objection.

REQUESTING THE GOVERNOR TO SUBMIT THE SUBJECT OF REVISION OF THE PRESENT TAX STATUTE

Mr. Roberts of Dawson moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Simple Resolution No. 80.

A record vote was requested.

The motion to suspend the rules prevailed by the following vote:

Yea—121

Adams of Lubbock Ballman
Adams of Titus Banfield, Mrs. Allen
Andrews Bartram
Atwell Bass
Bailey Blaine
Present—Not Voting

Korkman
In The Chair

Mr. Speaker

Hale

Absent

Berry
McGregor

Carroll
Price

Grissom
Woods

Niemeyer

Jamison

Absent—Excused

Mr. Speaker

Longoria

Cory
Murray

de la Garza
Happ

Guzman
Shelton

Green
Yiadom

The Chair laid before the House, for consideration at this time, H. S. R. No. 80, Requesting the Governor to submit the subject of the revision of the present tax statute.

Mr. Roberts of Dawson offered the following amendment to the resolution:

Amend H. S. R. No. 80 by deleting the 4th paragraph of the resolution.

The amendment was adopted.

Mr. Eckhardt offered the following amendment to the resolution:

Amend H. S. R. No. 80 by striking in the 2nd paragraph thereof the following language:

"particularly with respect to the great number of unnecessary exemptions contained in the present law, and."

Mr. Roberts of Dawson moved to table the amendment offered by Mr. Eckhardt.

The motion to table prevailed.

A record vote was requested on the adoption of the resolution.

H. S. R. No. 80 was adopted by the following vote:

Y.-127

Adams of Lubbock Adams of Titus
Mr. Roberts of Dawson moved to reconsider the vote by which H. S. R. No. 80 was adopted and to table the motion to reconsider.

The motion to table prevailed without objection.

**REASON FOR VOTE**

It has long been a custom in the House of Representatives that all Simple Resolutions dealing with controversial subject matter are referred to a House Committee for study. It goes without saying that the Sales Tax question is of a controversial nature. House Simple Resolution Number 80 should be studied by a House Committee before the House takes final action.

House Simple Resolution Number 80 is nothing more than cheap political chicanery designed to take those members who voted for House Bill Number 20 (Sales Tax) in the Second Called Session of the 57th Legislature off the proverbial hook. It seems that a true Representative of the People should be willing to face the People on the basis of what he has done without attempting to confuse the issue with subsequent House Simple Resolutions. Why should a true Representative of the People attempt to mislead the People as to his true philosophy, I am re-
minded of the statement voiced by Mexican soldiers at the battle of San Jacinto: "Me no Alamo."

For the above reasons and many more, I voted "no" on both motions to suspend the rules in order to consider House Simple Resolution Number 80 without referring it to a House Committee for study.

DAN STRUVE.

REASONS FOR VOTE TO SUSPEND THE RULES TO CONSIDER H. S. R. 80.

The House has completed successfully the matters for which the Governor called the Special Session: escheat, loan shark regulation, storing vetoed appropriations for primary and farm-to-market highway systems, and reorganization of the Board of Water Engineers. During the next two weeks while we are waiting for any action from the Senate on these matters our Revenue and Taxation Committee, from which the removal of all inequities of the sales tax must originate, can report a more equitable sales tax and the Constitutional tax on natural gas pipelines. I consider the removal of such inequities much more important than anything we have considered so far at this Special Session. I vigorously supported this Resolution urging the Governor to let us consider revision of the tax bill passed during the Regular Session.

MACO STEWART.

MESSAGE FROM THE SENATE

Austin, Texas, January 17, 1962

Hon. James A. Tarman, 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. B. No. 28, Defining "gas utility", "public utility" or "utility"; and declaring an emergency.

S. C. R. No. 12, Requesting the Board of Regents for the State Teachers Colleges of Texas to name the new Union Center Building at East Texas State College at Commerce "The Sam Rayburn Memorial Student Center."

Respectfully,
CHARLES A. SCHNABEL,
Secretary of the Senate.

VOTE RECORDED

By unanimous consent of the House, Mr. Smith of Bexar was granted permission to be recorded as voting "Nay" on the motion to suspend the Rules to consider H. S. R. No. 80.

RECESS

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

Mr. Oliver moved that the House adjourn until 10:30 o'clock a.m. tomorrow.

The motion to adjourn was lost. The motion to recess prevailed.

In accordance with the motion to recess, the House at 12:46 o'clock p.m., took recess until 3:00 o'clock p.m. today.

AFTERNOON SESSION

The House met at 3:00 o'clock p.m. and was called to order by Mr. Hale.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 89, By Messrs. Sandahl, Foreman and Jones of Travis: Commending the Fifth Grade Students of Highland Park School.

H. S. R. No. 90, By Mr. Cannon: To congratulate Miss Kay Christoffer of Mexia, Texas.

H. S. R. No. 91, By Messrs. Foreman, Jones of Travis and Sandahl: To commend the Austin Ballet Society and Director, Barbara Carson.

COMMITTEE MEETING

Mr. Dungan asked unanimous consent of the House that the Committee herefore appointed to study the contents of textbooks used in public schools be permitted to meet at this time.

There was no objection offered.
RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

S. C. R. No. 19. To congratulate the 1961 Wichita Falls High School football team.

SENATE BILLS ON FIRST READING

The following Senate Bills received from the Senate were today laid before the House, read several times and referred to the appropriate Committees, as follows:

- S. B. No. 23 to the Committee on Conservation and Reclamation.
- S. B. No. 23 to the Committee on Conservation and Reclamation.
- S. B. No. 26 to the Committee on Judiciary.
- S. B. No. 26 to the Committee on Conservation and Reclamation.
- S. B. No. 7 to the Committee on Conservation and Reclamation.
- S. B. No. 39 to the Committee on Agriculture.
- S. B. No. 15 to the Committee on Municipal and Private Corporations.
- S. B. No. 50 to the Committee on Education.
- S. B. No. 31 to the Committee on State Affairs.
- S. B. No. 6 to the Committee on Judiciary.
- S. B. No. 9 to the Committee on Municipal and Private Corporations.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read several times and referred to the appropriate Committees, as follows:

By Messrs. Hinson and Allen:
- H. B. No. 13, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, located in Wood and Upshur counties, to be known as the 'Wood and Upshur Counties Water District,' for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial, and mining uses and processing and transporting the same and for the purpose of providing or acquiring storm sewers; providing for a method of electing a Board of Directors to govern said district; providing for the annexation of additional territory thereto; authorizing the District to do all things to make available for the above named uses underground or water from surface sources and water it may obtain by purchase, lease, and operation of contracts with persons, firms, corporations, and public agencies or the United States government or any of its agencies; empowering the District to acquire land and construct, lease or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing, or transporting water for the above named purposes; authorizing the District to lease or acquire rights in and to storage and storage capacity in any reservoir; authorizing the issuance of bonds and making provision for the payment and security thereof; making applicable to the District Title 52, Revised Civil Statutes, as amended, relating to eminent domain, and declaring the District to be a municipal corporation within the meaning of Article 3249 of Title 52; providing that the District shall bear the expense of relocation, rearing, or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; prescribing other powers and duties of the District; enacting other provisions relating to the subject; providing for severability; and declaring an emergency.

Referred to the Committee on Conservation and Reclamation.

By Messrs. Harrington and Oliver:
- H. B. No. 14, A bill to be entitled "An Act enlarging Jefferson County Drainage District No. 7, Jefferson County, Texas; and defining the boundaries; finding the field notes and boundaries form a closure, and related matters; creating and establishing same as a District under Section 59, Article XVI, Texas Constitution; granting to said District the powers and rights conferred by
Section 59, Article XVI, Constitution of Texas, and the General Laws relating to drainage districts with certain exceptions; granting additional powers to provide protection against flooding and overflow from rain waters, tide waters, and other waters, and the right and authority to construct, erect, improve, operate and maintain canals, ditches, laterals, levees, seawalls, pump stations and other structures necessary to carry out the purpose of this Act; declaring District to be for public benefit and making bonds and interest thereon exempt from taxation; permitting cooperation and contracting with the State of Texas, The United States Government, or any department, agency or political subdivision thereof; granting rights of eminent domain to the District; requiring approval by District of method of draining water into District's drainage system; granting power to employ necessary personnel, and formulate rules and regulations governing working conditions; providing for power to purchase and sell necessary land, buildings, supplies and equipment and methods of purchase; providing methods of disbursing funds; granting right to provide for retirement for its employees, disability, medical, hospital and workmen's compensation insurance; providing that management and control shall be vested in three commissioners and method of appointment, containing provisions relating to and authorizing the issuance of bonds of the District with limitation; allowing assumption of existing bonds by majority vote of taxing electors; making bonds eligible for certain funds; allowing Commissioners Court of Jefferson County to levy a tax not in excess of fifty cents on each one hundred dollar valuation of taxable property for maintenance, operation, improvements, and construction purposes when authorized by election in District; allowing the assumption of existing bonds by majority vote of taxing electors; providing for the County Treasurer and Tax Assessor-Collector to serve as Treasurer and Tax Assessor-Collector of the District; validating consolidation of Drainage District No. 4 and Drainage District No. 7 of Jefferson County; authorizing Commissioners Court to levy, assess and collect maintenance tax and bond tax in Drainage District No. 4 and Drainage District No. 7 prior to voting the sinking fund tax in District hereinafter created; providing the District shall bear the sole expense of all necessary relocation of certain facilities; finding a benefit to all land and other property within the District; Act not to become effective until maintenance tax voted; containing other provisions relating to the District; providing a severability clause; and declaring an emergency.

Referred to the Committee on Conservation and Reclamation.

By Mr. Mullens:

H. B. No. 16, A bill to be entitled “An Act creating Aransas County Conservation and Reclamation District; validating consolidation of Drainage District No. 4 and Drainage District No. 7 of Jefferson County; authorizing Commissioners Court to levy, assess and collect maintenance tax and bond tax in Drainage District No. 4 and Drainage District No. 7 prior to voting the sinking fund tax in District hereinafter created; providing the District shall bear the sole expense of all necessary relocation of certain facilities; finding a benefit to all land and other property within the District; Act not to become effective until maintenance tax voted; containing other provisions relating to the District; providing a severability clause; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.
H. B. No. 17, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as the Galveston Drainage District; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Walker:

H. B. No. 18, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, to be known as Galveston County Water Control & Improvement District — Crystal Beach; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; defining powers of District; conferring on District the rights, powers, privileges, authority, and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation and no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing hearing for exclusion; authorizing District certain rights, powers, and authority for and in connection with its systems, facilities, and other things necessary to the fulfillment of its purposes whether within or without the boundaries of the District but limited to Galveston County, Texas, and related matters; providing for governing body of District; providing for qualifications and bonds of Directors; naming first board of Directors; providing for terms and election of Directors; providing Directors to fill vacancies; providing for organization of Board of Directors; providing for employment of engineers, attorneys, fiscal agents, managers, and employees; providing for sale and price of bonds; providing for exchange of bonds for property acquired or in payment of materials or services furnished and providing for price of bonds in such exchange; providing for bonds or refunding bonds to be issued to be approved by Attorney General of Texas and registered by the Comptroller of Public Accounts and providing for negotiability, legality, validity, obligation and inconstancy of the bonds or refunding bonds and authorizing refunding bonds to be issued without concurrent surrender of underlying bonds and related matters; making bonds or refunding bonds eligible investments; making provisions applicable to the District certain provisions of Article 1866-77b, Vernon's Texas Civil Statutes, as amend-
ed; exempting property and bonds of the District from taxation and related matters; providing for an annual audit, fiscal year, and related matters; providing District shall bear expense of relocating, raising or rerouting of any highway, railroad, utility lines, or pipelines made necessary by its exercise of the power of eminent domain; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Mr. Miller:

H. B. No. 15, A bill to be entitled “An Act creating a conservation and reclamation district under the provisions of Section 59 of Article XVI, Constitution of Texas, to be known as ‘Memorial Villages Water Authority,’ prescribing the area and powers of the Authority; providing that a confirmation election or hearing on exclusion of lands or a hearing on adoption of the plan of taxation shall not be necessary; providing that the ad valorem plan of taxation shall be used; providing for a Board of Supervisors to control and exercise the powers of the Authority; providing that the Authority shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; prescribing the rights, powers, privileges, and duties; making the Authority’s bonds eligible for certain investments and to secure the deposit of public funds; exercising the Authority and its bonds from taxation; containing other provisions relating to the subject; enacting a savings clause; declaring the Authority essential; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Mr. Nugent:

H. B. No. 20, A bill to be entitled “An Act amending Section 1 of Chapter 5 of Acts of the 55th Legislature, Regular Session, 1957, as amended, to include the wildlife resources of Kicks and Schleicher Counties with the regulatory authority of the Game and Fish Commission; and declaring an emergency.”

Referred to the Committee on Game and Fisheries.

By Mr. Black:

H. B. No. 21, A bill to be entitled “An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 143rd District Court of Texas; with saving clause; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Mr. Snelson:

H. B. No. 22, A bill to be entitled “An Act relating to the compensation of the official shorthand reporter for the District Court of the 143rd Judicial District of Texas, in Midland County; fixing maximum and minimum salary to be paid, in addition to compensation for transcripts, statements of facts and other fees; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Mr. Walker:

H. B. No. 24, A bill to be entitled “An Act validating Liberty County Water Control and Improvement District No. 5 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article XVI, Constitution; validating the conversion of such district into a water control and improvement district; validating its boundaries; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Mr. McGregor of El Paso:


Referred to the Committee on Conservation and Reclamation.
By Mr. McGregor of El Paso:
H. B. No. 26, A bill to be entitled "An Act amending, to lengthen the open River, and declaring an emergency."
Referred to the Committee on Conservation and Reclamation.

By Mr. Hollowell:
H. B. No. 29, A bill to be entitled "An Act providing for a contestable; finding and declaring an emergency," Referred to the Committee on Game and Fisheries.

By Mr. Hollowell:
H. B. No. 30, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Constitution to be known as 'Henderson County Municipal Water Authority' comprising certain territory contained within Henderson County, Texas, for the purpose of providing a source of water supply for municipal, domestic and industrial use and treating, transporting, and distributing the same, and constructing sanitary sewers and facilities; providing for the annexation of additional territory thereto; providing for a Board of Directors for the government of said authority; authorizing the authority to do all things necessary to make available for municipal and industrial uses, the water from surface and underground sources, and to purchase from cities, districts, persons, firms, corporations and public agencies; authorizing the issuance of bonds and providing for payment and security thereof by the levy of ad valorem taxes or the pledge of revenues, or both; making applicable to the authority, Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain general laws relating to water control and improvement districts; prescribing the other powers of the authority; enacting other provisions relating to this subject; and declaring an emergency." Referred to the Committee on Conservation and Reclamation.
administration of the doe tags and the disposition of the fees and fines collected thereunder; providing certain exemptions; providing penalties for the violation of any of the provisions of this Act; repealing all laws in conflict herewith; and declaring an emergency.”
Referred to the Committee on Game and Fisheries.

HOUSE AT EASE
At 3:55 o’clock p.m. the Chair stated that the House would stand at ease temporarily.
(Mr. Quilliam in The Chair.)
Mr. Quilliam called the House to order at 4:20 o’clock p.m.

COMMITTEE MEETING
Mr. Wells asked unanimous consent of the House that the Committee on Rules be permitted to meet at this time.

There was no objection offered.

HOUSE BILLS ON FIRST READING
The following House Bills were today laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Messrs. Shannon, Gladden, Cowen, Richardson, Kennard, Lary and Greene:
H. B. No. 31, A bill to be entitled “An Act making an additional appropriation to the State Board of Barber Examiners for per diem and travel expenses of board members; providing for severability; and declaring an emergency.”
Referred to the Committee on Appropriations.

By Mr. Barlow:
H. B. No. 32, A bill to be entitled “An Act to provide that no person who has participated as a voter in a party primary for one political party may participate in a run-off primary for another political party, amending Art. 13.49 of the Election Code to this effect, and declaring an emergency.”
Referred to the Committee on State Affairs.

By Messrs. Wells, Osborn, Hinson, McMillany, Pieratt, Carriker and Snelson:
H. B. No. 33, A bill to be entitled “An Act amending Section 4, as adopted to Article 6060 of the Revised Civil Statutes of Texas, 1925, by Chapter 31, Acts of the 63rd Legislature, 1st Called Session, 1964, so as to provide that the sale, transportation, or delivery of natural gas for certain agricultural purposes or uses shall not alone constitute a person, association, corporation, trustee, receiver, or partnership a ‘gas utility,’ ‘public utility’ or ‘utility’ as defined by Article 6060 of the Revised Civil Statutes of Texas, 1925, but if such a person, association, corporation, trustee, receiver, or partnership is such a utility as defined elsewhere in Article 6060 by virtue of other activities and business engaged in by it, the sale, transportation or delivery of natural gas by it for certain agricultural purposes or uses shall be subject to the jurisdiction, control and regulation of the Railroad Commission; repealing Section 4a of Article 6060; providing for severability; and declaring an emergency.”
Referred to the Committee on Agriculture.

By Messrs. de la Garza, Longoria, Rapp and Mellen:
H. B. No. 34, A bill to be entitled “An Act creating Pan American University in Hidalgo County, Texas, and providing for organization, control and management of the university, the appointment of a Board of Regents, and selecting of President; providing for effective date of September 1, 1965, and blending of organization with Pan American College until September 1, 1965, providing for the financing of the university; providing for work, courses, and degrees of a first-class university, and further providing for Astronomy and Space Science, empowering cooperation with United States and Mexico and all state agencies; providing for courses and programs on the basis of need with no duplication of existing facilities; providing for the transfer and manner of transfer of certain properties and assets from Pan American Regional College District to Pan American University and for use and disposition thereof; providing for ac-
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ceptance of donations, gifts and endowments; providing for obligations of the Legislature; repealing all laws and parts of laws in conflict with this Act; providing a severability clause; and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Harding, Nugent, Carr, Read, Guffey, Townsend, Moore, Barnes and Thurman:

H. B. No. 35, A bill to be entitled "An Act creating Angelo State College at San Angelo, Texas, as a co-educational institution of higher learning, providing that the organization, management and control of said College shall be vested in the Board of Regents of the State Teachers Colleges; empowering the Board of Regents to appoint and to remove the President, any faculty member or other officer or employee of the College when it deems such appointment or removal necessary to the best interests of the College and to fix the salaries and prescribe the duties thereof by written order; providing for offering courses of higher learning in the arts and sciences, in business administration and in teacher training, establishing a standard four-year course for said College, providing for the awarding of bachelor's degrees; providing that higher degrees may be offered only on recommendation of the Board of Regents, with the approval of the Texas Commission on Higher Education; providing for special, short courses; providing for offering credits in military training, for credit toward the degree in education; providing for the awarding of extracurricular credits in military training, for credit toward other degrees; providing for the rewarding ofextracurricular credits in military training, for credit toward the degree of bachelor's degree; providing that the Board of Regents to accept donations, gifts and endowments; providing for fees, rentals and charges for use of the facilities of Angelo State College and for reporting thereof; authorizing the Board of Regents to enter into contracts with the Department of Defense of the United States of America to establish and maintain courses in military training, for credit therefore, under certain conditions; providing a severability clause; and an emergency clause."

Referred to the Committee on State Affairs.

By Mr. Wilson:

H. B. No. 36, A bill to be entitled "An Act establishing the extraterritorial area of cities and towns, and regulating annexation by cities and towns both within and without such extraterritorial area validating certain contracts; invalidating certain annexations inconsistent with this Act; providing for the disannexation of certain areas annexed by cities and towns after the effective date of this Act under certain conditions; providing for the disannexation of certain areas annexed by cities and towns after the effective date of certain areas annexed by cities and towns after the effective date of this Act; providing that the provisions of this Act shall be cumulative of all laws and parts of laws relating to this subject; providing for exclusion of annexations in litigation; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Messrs. Dungan, Eckhardt, Hayes, Niemeyer, Burgess, Harrington and Jamison:

H. B. No. 37, A bill to be entitled "An Act establishing the extraterritorial jurisdiction of cities and towns, authorizing the exercise of certain powers by cities and towns, authorizing the exercise of certain powers by cities and towns in such extraterritorial jurisdiction, and regulating annexation by cities and towns both within and without such extraterritorial jurisdiction; invalidating certain annexations; providing for the disannexation of certain areas annexed by cities and towns after the effective date of this Act under certain conditions; providing cities and towns having conflicting claims over annexed territory may seek a declaration of lawful jurisdiction over same under the Uniform Declaratory Judgments Act; amending Subdivision 2 of Article 1175, Revised Civil Statutes of Texas; 1925; providing that the provisions of this Act shall be cumulative of all laws and parts of laws relating to this subject; providing for exclusion of annexations in litigation; and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Carter, Ringer, Read, Guffey, Townsend, Moore, Barnes and Thurman:

H. B. No. 38, A bill to be entitled "An Act creating the extraterritorial jurisdiction of cities and towns, authorizing the exercise of certain powers by cities and towns, authorizing the exercise of certain powers by cities and towns in such extraterritorial jurisdiction, and regulating annexation by cities and towns both within and without such extraterritorial jurisdiction; invalidating certain annexations; providing for the disannexation of certain areas annexed by cities and towns after the effective date of this Act under certain conditions; providing cities and towns having conflicting claims over annexed territory may seek a declaration of lawful jurisdiction over same under the Texas Commission on Higher Education; providing for special, short courses; providing for offering credits in military training, for credit toward the degree in education; providing for the awarding of extracurricular credits in military training, for credit toward other degrees; providing that the Board of Regents to accept donations, gifts and endowments; providing for fees, rentals and charges for use of the facilities of Angelo State College and for reporting thereof; authorizing the Board of Regents to enter into contracts with the Department of Defense of the United States of America to establish and maintain courses in military training, for credit therefore, under certain conditions; providing a severability clause; and an emergency clause."
Uniform Declaratory Judgments Act; amending Subdivision 2 of Article 1175, Revised Civil Statutes of Texas, 1925; providing that the provisions of this Act shall be cumulative of all laws and parts of laws relating to this subject; providing for severability; providing for exclusion of annexations in litigation; and declaring an emergency.

Referred to the Committee on Municipal and Private Corporations.

By Mr. James:

H. B. No. 85, A bill to be entitled "An Act to permit the district courts to form special grand juries and prescribe their areas of inquiry; providing that special grand juries shall have the same powers and qualifications as regular grand juries and shall be wholly privileged from libel actions; providing that special grand juries may hire certain legal counsel and assistants, determine their term of service, and fix their compensation; and in certain circumstances hire such personnel who shall serve in lieu of district and county attorneys and personnel of the sheriff's office; providing for terms of special grand juries and for extensions thereof; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Messrs. McLellany, Latimer, Harding, Stewart of Wichita, and Snelson:

H. B. No. 39, A bill to be entitled "An Act amending paragraph (c) of Section 2 of Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as amended (compiled as Article 667a-8, Vernon's Texas Civil Statutes), so as to provide that owners of certain construction machinery used for certain purposes and under certain conditions although required to register shall pay an annual registration fee of Five Dollars ($5) in addition to the regular registration fee and declaring an emergency."

Referred to the Committee on Agriculture.

By Messrs. Cowen and Gladden:

H. B. No. 40, A bill to be entitled "An Act promoting health and safety by regulating construction standards of mobile homes; defining certain terms; providing for establishment of standards; requiring a seal of approval; providing for enforcement of such standards with other states; conferring powers and duties of enforcement upon the State Department of Health; providing for submission of construction plans; providing for the charging of inspection fees; and providing for penalties; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Hughes of Dallas:

H. B. No. 41, A bill to be entitled "An Act to provide for the registration and protection of trademarks and service marks, to define certain terms, to define marks registrable and marks not registrable, to define the requirements for an application for registration, to instruct the Secretary of State as to handling of applications for registration and issuance of certificates of registration, to define the rights and privileges dependent from a registration of a mark, to constitute a registration of a mark as constructive notice of a claim of ownership, to provide for judicial review of actions of the Secretary of State concerning marks and applications therefor, to define the term of registrations of marks and provide for renewal thereof, to provide for notification of necessity of renewal, to provide for the assignment of marks and the recordation of such assignments, to provide for cancelling of registrations of marks under conditions defined, to provide for a civil action for the cancellation of a registration of a mark, to define classifications of goods and services in connection with which marks may be used and registered on a single application, to provide a civil action against persons obtaining registrations by making false or fraudulent statements, to provide for the preservation of some common law rights in marks, to declare acts which are wrongful as against the owner of the registered mark, to provide for and define remedies for wrongful acts with respect to marks; amending Article 843 of the Revised Civil Statutes of Texas to remove trademark features and certain county registration therefrom and otherwise rewriting Articles 844 through 851-B inclusive, Revised Civil Statutes of Texas, as amended; repealing Articles

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1061, 1062 and 1066, Penal Code of Texas, 1925; amending Article 1058, Penal Code of Texas, 1925, to remove trademark features and certain county registration features therefrom and otherwise rewrite; and declaring an emergency.”

Referred to the Committee on State Affairs.

By Messrs. Johnson of Dallas and Ballman:
H. B. No. 42, A bill to be entitled “An Act amending and re-enacting Chapter 173, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, relating to the issuance, expiration, renewal, cancellation, suspension and revocation of operator’s, commercial operator’s, and chauffeur’s driver’s licenses, and relating to violations, remitting of fees, penalties, reporting requirements and other general provisions; providing rules of construction; providing a saving clause; repealing laws in conflict; providing for severability; and declaring an emergency.”

Referred to the Committee on Highways and Roads.

By Mr. Harrington:
H. B. No. 43, A bill to be entitled “An Act amending Section 6 of Chapter 159, Acts of the 57th Legislature, Regular Session, 1961, compiled as Section 6 of Article 2338-14, Vernon’s Texas Civil Statutes, so as to authorize and make provision for the Court of Domestic Relations for Jefferson County to sit and hold court at any time in Port Arthur and to hear and determine any civil non-jury case over which it has jurisdiction; authorizing the judges of district courts to sit for the judge of the Court of Domestic Relations; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Mr. Huebner:
H. B. No. 44, A bill to be entitled “An Act making an appropriation from the General Revenue Fund to the Unemployment Compensation Clearance Account, Fund No. 936, for the purpose of reimbursing the Unemployment Compensation Clearance Account for warrants voided and erroneously transferred to the credit of the General Revenue Fund; and declaring an emergency.”

Referred to the Committee on Appropriations.

By Messrs. Sandahl, Foreman, and Jones of Travis:
H. B. No. 45, A bill to be entitled “An Act authorizing counties to pay for the relocation of water lines owned by water control and improvement districts under certain circumstances; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Mr. Gladden:
H. B. No. 46, A bill to be entitled “An Act amending Article 8461, Revised Civil Statutes of Texas, 1925, so as to provide for the indexing and recordation of an abstract of judgment rendered in other states by any United States Court, which judgment has been registered in any United States District within the State; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Mr. Cotten:
H. B. No. 47, A bill to be entitled “An Act appropriating the sum of Two Hundred Fifty Thousand Dollars ($250,000) from any funds available to the Game and Fish Commission for repairing damages from hurricane Carla; and declaring an emergency.”

Referred to the Committee on Appropriations.

(Speaker In The Chair.)

RELATIVE TO H. C. R. NO. 13

Mr. Read moved to reconsider the vote by which H. C. R. No. 13 was on this morning adopted.

The motion prevailed.

Mr. Read then moved to postpone further consideration of H. C. R. No. 13 until 10:00 o’clock a.m. next Monday.

The motion prevailed without objection.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read
severally first time and referred to the appropriate committees, as follows:

By Messrs. Alaniz, Kothmann, Esq., Smith of Bexar, Johnson of Bexar and Bafaro:

H. B. No. 49, A bill to be entitled "An Act amending Article 2335, Revised Civil Statutes of Texas, 1921, to provide that persons or institutions given custody of children adjudged dependent and neglected by courts of competent jurisdiction shall be responsible for the child's education and maintenance, including the providing of necessary dental, medical and surgical care and treatment; repealing all laws and parts of laws in conflict; and declaring an emergency."
Referred to the Committee on Judiciary.

By Mr. Latimer:

H. B. No. 50, A bill to be entitled "An Act relating to the validation of the incorporation, boundaries and governmental procedures of certain cities and towns of Four Thousand, Five Hundred (4,500) inhabitants or less; amending Section 6 of House Bill No. 482, Acts of the 67th Legislature, Regular Session, 1961, codified as Section 5 of Article 964h, Vernon's Texas Civil Statutes, so as to make the provisions of that Act inapplicable to cities and towns in counties having a population of One Hundred Thousand (100,000) or more according to the last preceding Federal Census, which cities or towns are involved in litigation on the effective date of the original Act or on the effective date of this amendment, questioning the legality of such incorporation; providing for severability; and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

By Mr. Bailey:

H. B. No. 51, A bill to be entitled "An Act amending Article 2335, Revised Civil Statutes of Texas, 1921, to provide that persons or institutions given custody of children adjudged dependent and neglected by courts of competent jurisdiction shall be responsible for the child's education and maintenance, including the providing of necessary dental, medical and surgical care and treatment; repealing all laws and parts of laws in conflict; and declaring an emergency."
Referred to the Committee on Municipal and Private Corporations.

H. B. No. 52, A bill to be entitled "An Act validating all school districts, including all types of junior and regional college districts, together with the boundaries and names thereof; validating the creation, abolition, and conversion of all such school districts, and all changes in boundaries in all such school districts; validating the annexation of territory and the divestment or separation from municipal control in all municipally controlled school districts; validating all bonds, bond assumptions and the elections authorizing same, of and in all school districts, including all types of junior and regional college districts; providing this Act shall not be construed as validating any boundary change made or attempted to be made by any ex parte order, resolution or other Act of the Board of Trustees of any school district; providing that this Act shall have no application to litigation now pending questioning the validity of matters hereby validated, or to proceedings now pending before the County Boards of Education, State Commissioner of Education, or the State Board of Education, or to any district which has heretofore been declared invalid by certain courts or to districts which may have been established and later returned to original status, providing such litigation or proceedings are ultimately determined against the validity of matters hereby validated; providing a saving clause; and declaring an emergency."
Referred to the Committee on Education.
By Mr. Jamison:

H. B. No. 53, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds here­fore authorized by any Home Rule City in the State of Texas, for the purpose of providing street and drainage improvements, or for the purpose of constructing new fire stations, and any and all proceed­ings, pertaining to the authorization and issuance thereof; and author­izing the issuance, sale and delivery of such bonds; providing that this Act shall apply only to bonds auth­orized at an election or elections wherein a majority of the voting qualified property taxpaying voters who had duly rendered their proper­ty for taxation voted in favor there­of; providing that this Act shall not affect bonds or the proceedings re­lating to the authorization of bonds in litigation on the effective date of this Act, if such suit or litigation is ultimately determined against the validity of the proceedings or bonds, except insofar as same might be affected by any such City being engaged in a suit or litigation ques­tioning the power of such City to annex territory wherein the validity of its Home Rule Charter and the authority of the governing body of such City to function under such Home Rule Charter may be contested or under attack; providing a savings clause; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Messrs. Springer, Osborn, Petty, Quilliam, Ballman, Wells, Kohler, Ehrle, Buchanan and Roberts of Dawson:

H. B. No. 54, A bill to be entitled "An Act authorizing Cities and Towns in this State, regardless of how incorporated, but which are located within or which have con­tracted or may hereafter contract with any Municipal Water Authority or other District organized under Section 59 of Article XVI of the Tex­as Constitution, for a supply of un­treated water, to acquire either separately or jointly by gift, dedica­tion, purchase, condemnation or otherwise, property located inside or outside such Cities and Towns for the purpose of providing water puri­fication and treatment facilities; au­thorizing the acquisition and con­struction of all necessary improve­ments and facilities for such pur­pose and the issuance of tax sup­ported bonds or warrants, or re­venue supported bonds, for the pur­pose, authorizing such Cities and Towns to sell and lease such Im­provements and facilities; to jointly operate and maintain same; to levy taxes for the maintenance thereof; to contract for supplying water treat­ment to other cities and towns; to make rules and regulations; validat­ing water treatment contracts here­fore entered into by cities and towns eligible under the provisions of this Act; making this Act cumula­tive of all other laws on the subject; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Messrs. Pipkin and de la Garza:

H. B. No. 55, A bill to be entitled "An Act authorizing establishment of Rehabilitation districts to provide education, training, special services and guidance for handicapped per­sons; providing for its financing and administration; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Smith of Beeza:

H. B. No. 57, A bill to be entitled "An Act amending Section 12 of the Texas Motor Vehicle Safety-Respon­sibility Act: exempting certain per­sons from suspension of driver's li­cense, automobile registrations and non-residents' operating privileges
due to non-payment of judgments; and declaring an emergency.”

Referred to the Committee on Highway and Roads.

By Mr. Read:
H. B. No. 58, A bill to be entitled “An Act amending Section 1 of Chapter 85, Acts of the 54th Legislature, Regular Session, 1955 (compiled as Article 326k-27 of Vernon’s Texas Civil Statutes), authorizing the appointment of an investigator by the District Attorney of the 118th Judicial District, to serve as investigator in that judicial district; prescribing his powers and duties and providing for his compensation and expenses; and declaring an emergency.”

Referred to the Committee on Criminal Jurisprudence.

By Messrs. Cole of Harris, Whittington, Miller and Grover:
H. B. No. 59, A bill to be entitled “An Act authorizing certain cities to issue revenue bonds for the purpose of establishing, improving, enlarging, extending or repairing the airport or airports thereof, including the acquisition of land therefor, and containing provisions relating to such bonds and the revenues pledged in payment thereof; authorizing the levy and pledge of ad valorem taxes to pay operation and maintenance expenses of such airport or airports and containing provisions relating to the use thereof; authorizing the issuance of revenue refunding bonds and containing provisions relating to said bonds and the revenues pledged in payment thereof; providing that this Act is cumulative of existing laws that are applicable but providing, when a city issues bonds hereunder, the provisions hereof shall prevail and this Act shall take precedence over city charter provisions; providing a severability clause; containing provisions relating to the subject; and declaring an emergency.”

Referred to the Committee on Municipal and Private Corporations.

By Mr. McWhorter:
H. B. No. 60, A bill to be entitled “An Act amending Article 1903, Revised Civil Statutes of Texas, 1925, so as to provide procedure for determining whether or not there shall be nominee for election to the office of joint clerk for the county and district court or nominees for the separate offices of district clerk and county clerk in all counties having a population of less than eight thousand (8,000) according to the last preceding Federal census; and declaring an emergency.”

Referred to the Committee on Judiciary.

By Mr. Price:
H. B. No. 61, A bill to be entitled “An Act placing certain restrictions upon the use of lands adjacent to and waters of Lake Palestine, Black bartender Crossing Dam and Reservoir in Anderson, Cherokee, Henderson and Smith Counties; delegating certain powers and authority to the Board of Directors of the Upper Neches River Municipal Water Authority: providing certain rules and regulations regarding swimming, bathing, wading, water skiing, the taking of fish, hunting, the shooting of firearms, and boating: providing penalties for the violation of the provisions of this Act and regulations promulgated thereunder; providing for severability: and declaring an emergency.”

Referred to the Committee on Game and Fisheries.

ADJOURNMENT

Mr. Johnson of Bexar moved that the House adjourn until 11:00 o’clock a.m. tomorrow.

The motion prevailed.

The Benediction was offered by the Honorable Henry Fletcher, as follows:

“Almighty God, we thank Thee for Thy blessings of this day. We pray that our accomplishments of the day meet with Thy approval. Now as we depart from these Legislative Halls we ask that Thy Divine Spirit accompany each of us and guide us in Thy Holy pathway of righteousness as Thou would have us go. May Thy blessings rest upon each of us, in Jesus’ Name we pray. —Amen.”

In accordance with the motion to adjourn, the House, at 5:03 o’clock p.m., adjourned until 11:00 o’clock a.m. tomorrow.
APPENDIX

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, January 15, 1962
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 11, A bill to be entitled
"An Act appropriating from the General Revenue Fund Two Hundred and Twenty Thousand Dollars ($220,000) for the expenses of the House of Representatives, for the Third Called Session of the Fifty-seventh Legislature; designating the provisions, procedures, and purposes for the expenditures of such appropriations; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, January 16, 1962
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 12, A bill to be entitled
"An Act amending paragraphs (1) through (11), both inclusive, and paragraphs (15) and (16) of Section 1 of Chapter 367, Acts of the Fifty-third Legislature, Regular Session, 1963; changing the name of the Board of Water Engineers to the Texas Water Commission and prescribing certain duties, powers and functions thereof; providing for the appointment of a Chief Engineer and prescribing his duties, powers and functions; enacting other provisions in regard to the administration of the water resources of the State; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on resolutions, as follows:

Rules: H. C. R. No. 8.

In Memory of

O. B. Ellis

Mr. Richards offered the following resolution:

H. R. No. 76, In Memory of O. B. Ellis.

Whereas, The State of Texas lost a devoted public servant and a great humanitarian in the untimely passing of O. B. Ellis on Sunday, November 12, 1961; and

Whereas, Mr. Ellis was born and reared in Cleveland, Alabama, and received a Bachelor of Science degree from Birmingham Southern College, Birmingham, Alabama. He worked as a shoe salesman, a high school football coach and a business manager of the Memphis, Tennessee, school system before entering the field of penal administration. He was manager of the Shelby County Penal Farm at Memphis, Tennessee, before coming to the Texas Prison System at Huntsville in January, 1948; and

Whereas, Mr. Ellis was a past president of the Southern States Prison Association and a past president of the American Correctional Association. He was honored at a testimonial dinner given by the business and professional men of Huntsville on November 20, 1958. This dinner was attended by more than 500 persons. He was a member of the Chamber of Commerce, the Huntsville Rotary Club and the official board of the First Methodist Church. He was chairman of a committee to study plans for the construction of a new church

Whereas, Mr. Ellis was an outstanding penologist and his good administration was generally credited with keeping down wholesale unrest or mass disturbance in the prison units. His philosophy was, "You can't operate a prison without scientific evaluation and you can't operate a prison without discipline. Proper blending of the two gives you a good prison"; and

Whereas, He is survived by his widow, Gertrude Tidwell Ellis of Huntsville; a son, John T. Ellis of Lufkin; his father, John W. Ellis of Oneonta, Alabama; and a sister, Mrs. John Denton of Tuscaloosa, Alabama; now, therefore, be it

Resolved by the House of Representatives of the Fifty-seventh Legislature, Third Called Session, That we adjourn this day in memory of Mr. O. B. Ellis in appreciation for his unselfish devotion to the betterment of his community, state and nation, and that official copies of this Resolution be sent to his family as a token of our sympathy and respect.

RICHARDS, OLIVER.

The resolution was read.

On the motion of Miss Duff, the names of all Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.