REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 20, 1961

Hon. James A. Turman, Speaker of the House of Representatives.

Sir:

Your Committee on Engrossed Bills to whom was referred H. C. R. No. 32, congratulating Chief Justice John E. Hickman on his judicial career, has carefully compared same and finds it correctly engrossed.

H. G. Wells, Chairman.

TWENTY-SIXTH DAY

(Wednesday, February 22, 1961)

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 Cotten
Adams of Lubbock Cowen
Adams of Titus Alaniz
Allen Andrews Atwell
Bailey Ballman
Baldwin Mrs. Banfield
Barlow Barnes Bartram
Bass Bell Berry
Berry Bisans Byrnes
Boyson Briones Briones
Bridges Bryant Buckman
Burrage Butler Caldwell
Cannon Carriker Chapman
Cole of Harris Cole of Hunt Collums
Coulson Council Cook Cory
Huebner Hughes Hughes of Grayson
Hughes of Dallas Isaacks, Miss James
James Jamison Jarvis
Jarvis Johnson of Dallas Johnson of Bexar
Johnson of Corpus Christi Johnson of Dallas
Jones of Dallas Jones of Travis
Jones of Travis kerns
Kilpatrick Koliba
Koroth Lark
Lary Latimer
Latimer La Velle Leaverton
Lewis Lewis Longoria
McCoppin McGregor
McGregor of McAllen McGregor of El Paso
McIlhany Markgraf
Markgraf Martin Miller
Miller Moore Mullen
Mullen Murray
Murray Mutercher
Mutercher Niemeier
Niemeier Nogent
Nogent Oliver
Oliver Osborn
Osborn Parsons Peeler
Parsons Peeler Petty
Peeler Peerett
Peerett A quorum of the House was announced present.

The Invocation was offered by the Reverend Clinton Kersey, Chaplain, as follows:

"Almighty God, on this birthday of George Washington give us a new vision of the great price paid for our freedom that we may meet here in this Legislature and perform our duties that were won by the spilling of blood. May we perform our labors today for the good of our State and Nation. Bless each Member. In Christ's Name we pray. Amen."
Bills 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 bills:

H. B. No. 8, An Act amending Sections 14 and 15 of Chapter 426, Acts of the Regular Session of the Fifty-fifth Legislature, 1957, codified as Vernon's Annotated Civil Statutes, Article 2288-9, Sections 14 and 15; providing for broadening the present law governing the Texas Water Development Board and defining its duties; increasing the findings the Board must make that a water supply project cannot be financed without State assistance; removing the present limitation on loans for water supply projects of one-third of project cost; raising the presently authorized ceiling on such loans from Fifty Million Dollars ($5,000,000) to Fifteen Million Dollars ($15,000,000) and declaring an emergency.

Referred to the Committee on Counties.

H. B. No. 566, A bill to be entitled "An Act to create a second County Civil Court at Law for Harris County, Texas, to be known as 'County Civil Court at Law Section B'; setting out the jurisdiction of said Court the terms, practice, providing for the appointment of a Judge, elections and appointment to fill vacancies, the bond and oath of said Judge, providing for the appointment or election of a special Judge, for the Clerk of said Court, the seal of said Court, for the filing of civil cases therein, providing for the exchange of judges among County Court at Law both civil and criminal, setting the salary of the County Civil Court at Law Section B; amending Article 1978-77, Revised Civil Statutes of Texas, 1925, so as to change the name to 'County Civil Court at Law Section A'; amending Article 1978-95, Revised Civil Statutes of Texas, 1925, so as to change the name to 'County Criminal Court at Law Section A'; amending Article 1970-116b, Vernon's Texas Civil Statutes, so as to remove judicial jurisdiction of civil actions from County Court at Law No. 2 of Harris County, Texas; and declaring an emergency."

Referred to the Committee on Counties.

H. B. No. 567, A bill to be entitled "An Act making it unlawful for any state, national or private bank to make a service charge against an inactive or dormant bank account; defining the term 'inactive or dormant'; providing a penalty; and declaring an emergency."

Referred to the Committee on Banks and Banking.

H. B. No. 568, A bill to be entitled "An Act repealing Section 2A of Chapter 453, Acts of the 55th Legislature, Regular Session, 1957, which is codified as Section 2A, Article 1970-114C, Vernon's Texas Civil Statutes, so as to remove jurisdiction of civil actions from County Court at Law No. 4 of Harris County; and declaring an emergency."

Referred to the Committee on Counties.

Bill 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 bill:

H. B. No. 546, A bill to be entitled "An Act amending Section 2A of Article 1970-114C, Vernon's Texas Civil Statutes, so as to remove jurisdiction of civil actions from County Court at Law No. 4 of Harris County; and declaring an emergency."
H. B. No. 568, A bill to be entitled "An Act amending Section 7, of Chapter 437, Acts of 1947, 50th Legislature, Regular Session, known as Article 8161b, to increase the salaries of Commissioners of Drainage Districts covered by the Act to a sum not to exceed $350.00 per month, and declaring an emergency."
Referred to the Committee on Conservation and Reclamation.

By Mr. Smith of Bexar:
H. B. No. 569, A bill to be entitled "An Act to amend Section 9 of House Bill 104, Acts of the 41st Legislature, First Called Session, 1929, Chapter 65, as amended, (codified as Section 9 of Article 734a of Vernon's Penal Code), relating to the licensing and operation of barber schools and colleges and the issuance and renewal of permits therefor; setting out requirements for teacher's certificates in such schools and colleges; setting forth physical requirements of such college; requiring that said school or college teach certain subjects and prescribing other academic requirements; requiring any such school or college to obtain approval for changes of ownership or location; providing a severability clause and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. Thurmond:
H. B. No. 570, A bill to be entitled "An Act relating to terms of office of school trustees in certain school districts; choosing terms by lots; providing for subsequent elections and filling of vacancies; providing that provisions of this Act shall be cumulative; and declaring an emergency."
Referred to the Committee on Education.

By Mr. Burgess:
H. B. No. 571, A bill to be entitled "An Act imposing an excise tax of three percent on charges for meals in eating establishments; providing for administration and enforcement; and declaring an emergency."
Referred to the Committee on Revenue and Taxation.

By Mr. Harrington:
H. B. No. 572, A bill to be entitled "An Act authorizing retirement, disability and death benefits for appointed and elective officers and for employees of any county and for any political subdivision of the State, the boundaries of which are completely within the boundaries of such county; providing procedure and administration; and declaring an emergency."
Referred to the Committee on Counties.

By Mr. Read:
H. B. No. 573, A bill to be entitled "An Act amending Article 1.02 of the Insurance Code of 1951 as amended in 1955 and creating the State Board of Insurance and the election of its members and the terms for such offices; defining the powers and duties of such Board; providing for the filling of vacancies on such Board and amending and providing for ineligibility to run for other public office during the term of office; repealing conflicting laws and parts of laws to the extent of such conflict; containing a savings clause; and declaring an emergency."
Referred to the Committee on Insurance.

By Messrs. Adams of Titus, Allen and Glass:
H. B. No. 574, A bill to be entitled "An Act providing for the abolition and discontinuance of the Office of County Superintendent, Ex-Officio County Superintendent, and County School Trustees in certain counties of this State, providing for the transfer of duties of said officials, fixing an effective date, and declaring an emergency."
Referred to the Committee on Counties.

By Mr. Shipley:
H. B. No. 575, A bill to be entitled "An Act regulating the sale, transfer and possession of certain firearms, prescribing penalties and rules of evidence; providing for severability; providing for repeal of all laws or parts of laws in conflict with the provisions of this Act; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Messrs. Pipkin, Rapp and Murray:
H. B. No. 576, A bill to be entitled "An Act amending Article 279, Re-
vised Civil Statutes of Texas, 1925, so as to provide that the clerk or judge of the court shall determine the amount of bond upon issuance of attachments against realty and that bond amounts on personalty attachments shall not exceed double the value of property attached or the plaintiff's debt, whichever is less; and declaring an emergency."
Referred to the Committee on Judiciary.
By Mr. Whitfield:
H. B. No. 577, A bill to be entitled "An Act relating to the implied consent of the driver of a motor vehicle to submit to chemical testing to determine alcoholic content of blood; providing that any person who operates a motor vehicle upon the public highways of this State shall be deemed to have given his consent to a chemical test or tests of his blood, breath, saliva, or urine for the purpose of determining the alcoholic content of his blood; providing that the test shall be administered at the direction of a law enforcement officer having reasonable grounds to believe such person to have been driving while intoxicated; providing that blood may be withdrawn by certain persons; providing the person tested may have a qualified person of his own choosing administer a test in addition to that test conducted by the law enforcement officer; providing the failure or inability to obtain an additional test shall not prevent the admission of the test taken under the direction of the law enforcement officer; providing that upon request, the results of the test taken under the direction of the law enforcement officer shall be made available to the person tested; providing that the same provisions shall apply even though the person tested may be dead or otherwise incapable of refusal; providing that if the person arrested refuses to submit to chemical testing the test shall not be given but the Director of the Texas Department of Public Safety shall revoke the license or permit to drive for a period of six months; providing that if the person has no license or permit to drive the Director of the Texas Department of Public Safety shall deny the issuance of such license or permit for six months; providing for an administrative hearing before the Director of the Texas Department of Public Safety upon request within a certain period of time; providing the scope of such administrative hearing; providing for a judicial review before the District Court within a certain period of time; providing the transcript of the proceedings in the administrative hearing shall constitute the complete record in the judicial review of the administrative hearing and that no additional evidence shall be heard; providing that this Act shall not limit the introduction of other competent evidence bearing upon whether the person was intoxicated; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.
By Mr. Kennard:
H. B. No. 578, A bill to be entitled "An Act relating to Real Estate Brokers and Salesmen; amending the Real Estate License Act, House Bill No. 17, Acts of the Forty-Sixth Legislature, 1939, as amended, (codified as Article 6573a, Vernon's Texas Civil Statutes); amending the Texas Penal Code by adding a provision making it unlawful for any person to violate the provisions of the Texas Real Estate License Act or any order or verdict, decision, mand or requirement of the Texas Real Estate License Act; and providing penalty for such violation; providing for a repealing clause; providing for a severability clause; and declaring an emergency."
Referred to the Committee on State Affairs.
By Mr. Kennard:
H. B. No. 579, A bill to be entitled "An Act to amend Article 2.11 of the Insurance Code; and declaring an emergency."
Referred to the Committee on Insurance.
By Mr. Jones of Dallas:
H. B. No. 581, A bill to be entitled "An Act amending Article 3933 of the Revised Civil Statutes of Texas, 1915, as amended, to provide that tools, apparatus and books belonging to any trade or profession are exempt only to the extent of One Thousand Dollars ($1,000); and declaring an emergency."
Referred to the Committee on State Affairs.
By Mr. Chapman:  
H. B. No. 582, A bill to be entitled  
"An Act relating to the hunting,  
taking or killing of deer in Hopkins,  
Delta, and Franklin Counties; amend­  
ing subsection B of Section 1 of  
Chapter 267, Acts of the Fifty-sixth  
Legislature, Regular Session  
1959, to establish a ten day season for  
the taking of deer in Hopkins, Delta  
and Franklin Counties; and declar­  
ing an emergency."

Referred to the Committee on  
Game and Fisheries.

By Mr. Johnson of Bexar:  
H. B. No. 583, A bill to be entitled  
"An Act providing that certain jus­  
tice courts in counties having a  
population in excess of six hundred  
thousand (600,000) shall hereafter  
be entitled to draw their juries from  
the general jury panel, providing  
for the salaries of such juries; and  
declaring an emergency."

Referred to the Committee on  
Judiciary.

By Mr. Johnson of Bexar:  
H. B. No. 584, A bill to be entitled  
"An Act amending Article 10  
56 of the  
Code of Criminal Procedure  
of Texas, 1925, as amended, to provide  
that the pay for jurors shall be not  
less than Ten Dollars ($10) nor  
more than Fifteen Dollars ($15) for  
each day and a proportionate part­  
thereof for each fraction of a day;  
providing the same for grand jurors;  
and declaring an emergency."

Referred to the Committee on  
Criminal Jurisprudence.

By Mr. Johnson of Bexar:  
H. B. No. 586, A bill to be entitled  
"An Act creating the County Court  
at Law No. 4 of Bexar County, Tex­  
as; providing the organization there­  
of and practice therein; prescribing  
the jurisdiction and terms thereof;  
providing for the appointment and  
election of the Judge of said Court;  
proscribing his qualifications, pow­  
ers, duties, term of office and com­  
penation; providing for the appoint­  
ment of an official Court Reporter  
for said Court and prescribing his  
qualifications, duties and compensa­  
tion; providing for the appointment,  
designation and compensation of oth­  
er officers of the Court; prescribing  
certain duties of Sheriffs and depu­  
ties in relation to said Court; mak­  
ing other provisions relative to the  
business and functioning of the  
County Courts at Law of Bexar  
County, Texas; providing a repealing  
clause, providing a severability  
clause; and declaring an emergency."

Referred to the Committee on  
Counties.

By Mr. Barnes:  
H. B. No. 587, A bill to be entitled  
"An Act relating to a Hospital Dis­  
trict within the boundaries of Coun­  
ty Commissioners Precinct No. 4 of  
Comanche County; amending Sec­  
tion 1 of Chapter 9, Acts of the  
Fifty-sixth Legislature, First Called  
Session, 1959, to enable the Hos­  
pital District to issue bonds for the  
purpose of purchasing or acquiring,  
equipping, maintaining, and operat­  
ing a hospital system; and declaring  
an emergency."

Referred to the Committee on  
Counties.

By Messrs. Atwell and Cowen:  
H. B. No. 588, A bill to be entitled  
"An Act to amend Article 879g of  
the Penal Code of Texas, as amend­  
ed, pertaining to season of hunting,  
killing or taking wild buck deer and  
wild bear; and declaring an emer­  
gency."

Referred to the Committee on  
Game and Fisheries.

By Mr. Atwell:  
H. B. No. 589, A bill to be entitled  
"An Act to fix and make certain the  
amount of compensation to be paid  
from county funds by counties hav­  
ing a population of 900,000 or more,  
according to the last preceding  
federal census and having eight (8)  
or more Civil District Courts, three  
(3) or more Criminal District Courts,  
two (2) or more Domestic Relations  
Courts, and one (1) or more Juve­  
nile Courts, as compensation to Dis­  
trict, Criminal District, Domestic Re­  
lations and juvenile judges in such  
counties; providing the time and  
method of payment, authorizing  
amendment of the budget; providing  
for the compensation of substitute  
judges; and declaring an emer­  
gency."

Referred to the Committee on  
Counties.

By Mr. Miller:  
H. B. No. 590, A bill to be entitled  
"An Act amending Section 1 of Hous~..
Bill 11, Chapter 1, Acts of the 56th Legislature, Third Called Session, 1959, by repealing Chapter 17 (Stores and Mercantile Establishments) of Title 122a, Taxation-General, Revised Civil Statutes of Texas, as amended, and enacting a new Chapter 17, Title 122a of the Revised Civil Statutes of Texas, to be known as the Texas Business Excise Tax; providing for a tax upon the act of engaging, in this State, in the business of selling tangible personal property for end use or consumption; exempting certain food for human consumption and certain medicine and drugs; providing a method of computing such tax; including certain definitions; providing for licensing of persons so engaged; providing for the return and payment of such tax; for keeping of books and records and examination of such records; providing for penalties; providing for the Comptroller of the State of Texas to enforce such Act and do all things necessary in the enforcement of this Act; providing liens for the enforcement of the tax; providing the manner and time in which suits may be brought for the collection of such tax; making allocations of the revenues hereunder; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Niemeyer:
H. B. No. 591, A bill to be entitled "An Act authorizing the Commissioners Court of Dimmit County to supplement the salary of the District Judge of the 49th Judicial District of Texas, by adding a new section thereto to be known as Section 1-b, authorizing the Legislature to provide for the retirement and retirement compensation of County Judges, Judges of County Courts at Law, Judges of Probate Courts, Judges of County Domestic Relations Courts, Judges of County Criminal Courts, Judges of County Juvenile Courts, and Judges of all Courts of record, not now entitled to retirement, in counties having a population of two hundred fifty thousand (250,000) or more inhabitants according to the last preceding, or any succeeding, Federal census on account of length of service, age or disability and their reassignment to active duty where and when needed; provided, however, that no person shall be appointed or elected as a Judge of any of said enumerated Courts in Countis..." Refereed to the Committee on Constitutional Amendments.

By Mr. Johnson of Bexar:
H. J. R. No. 48, A Joint Resolution "Proposing an Amendment to Article V of the Constitution of the State of Texas, by adding a new section thereto to be known as Section 1-b, authorizing the Legislature to provide for the retirement and retirement compensation of County Judges, Judges of County Courts at Law, Judges of Probate Courts, Judges of County Domestic Relations Courts, Judges of County Criminal Courts, Judges of County Juvenile Courts, and Judges of all Courts of record, not now entitled to retirement, in counties having a population of two hundred fifty thousand (250,000) or more inhabitants according to the last preceding, or any succeeding, Federal census on account of length of service, age or disability and their reassignment to active duty where and when needed; provided, however, that no person shall be appointed or elected as a Judge of any of said enumerated Courts in Counties..." Referred to the Committee on Constitutional Amendments.
having a population of two hundred fifty thousand (250,000) or more inhabitants according to the last preceding, or any succeeding, Federal census unless such person shall have been licensed to practice law in the State of Texas for not less than (5) years prior to such appointment or election; providing for the submission of this Amendment to the voters of the State: prescribing the form of ballot: and providing for the proclamation and publication thereof.

Referred to the Committee on Constitutional Amendments.

By Mr. Sandahl:
H. J. R. No. 49, A Joint Resolution
"Proposing an amendment to the Constitution so as to provide that state employees may be employed in an advisory capacity or appointed to serve as a consultant or on an advisory committee, or as a member of a Public School Board, and may receive reimbursement of expenses and a fee therefor, with other agencies of this State, or any political subdivision thereof, and of the Federal Government, with the approval of the administrative head of the state department or agency or the governing board of the institution in which such employee is employed and provided there is no conflict of interest."

Referred to the Committee on Constitutional Amendments.

SENATE BILLS ON FIRST READING

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

S. B. No. 61 to the Committee on State Affairs.
S. B. No. 120 to the Committee on Criminal Jurisprudence.
S. B. No. 122 to the Committee on Municipal and Private Corporations.
S. B. No. 213 to the Committee on Conservation and Reclamation.
S. B. No. 233 to the Committee on State Affairs.

BILL RECOMMENDED

Mr. Korioth moved that House Bill No. 252 be recommitted to the Committee on Public Health.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, February 22, 1961
Hon. James A. Farman, 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. 19, Authorizing certain counties and cities jointly to own, construct, equip, salvage and maintain a building to be used for city, county and other public purposes; and declaring an emergency.

S. B. No. 140, Amending Texas Probate Code by adding Sec. 58a, permitting testator to make bequest to living trust; and declaring an emergency.

S. B. No. 141, Amending Banking Code regarding certain actions without bond relative to moneys paid into court; and declaring an emergency.

S. B. No. 142, Amending Probate Code by adding Sec. 190a relative to reciprocity to foreign banks and trust companies acting in fiduciary capacity in this state; and declaring an emergency.

S. B. No. 157, Authorizing the Board of Regents of the West Texas State Teachers College to quitclaim certain property; and declaring an emergency.

S. B. No. 242, To extend the existing authority of the Game and Fish Commission to regulate wildlife in Bexar County; and declaring an emergency.

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

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 225. By Mr. Pieratt: Congratulating the Snook High School basketball teams.
H. S. R. No. 237, By Mr. Schram: Recognizing students from Georgetown.

H. S. R. No. 239, By Mr. Niemeyer: Congratulating J. H. Ashby.

H. S. R. No. 245, By Mr. Richards: Congratulating Huntsville Boy Scouts.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Chapman offered the following resolution:

H. C. R. No. 23

Whereas, Frankie LeRoy Davis of Hopkins County, Texas, alleges that on or about February 3, 1961, Frankie LeRoy Davis, with his wife Mary Jean Davis, was driving his automobile in a prudent manner in a Southwesterly direction on a service road of Interstate Highway Number 30, and

Whereas, At or near Old Whitt Street Crossing and Interstate Highway Number 30 in Hopkins County, Texas, said service road ended suddenly and without warning, causing the automobile of Frankie LeRoy Davis to enter a ditch; and

Whereas, The sudden, abrupt stopping of the automobile pitched and tossed its occupants, Frankie LeRoy Davis and his wife Mary Jean Davis, against the structural parts of the automobile in such a violent manner as to cause grievous and painful disfiguring injuries, as well as demolishing the automobile; and

Whereas, Failure of the State of Texas and the Highway Department to properly mark said road so as to warn of the dangerous condition was of such carelessness and negligence as to render the State of Texas and the Highway Department liable for certain alleged damages sustained by Frankie LeRoy Davis and his wife Mary Jean Davis; and

Whereas, Care and maintenance and proper marking of the access or service road to Interstate Highway Number 30 was under the jurisdiction of the State of Texas and the Highway Department; now, therefore, be it

Resolved, By the House of Representatives of the State of Texas, the Senate concurring, that Frankie LeRoy Davis and Mary Jean Davis of Hopkins County, Texas, be and they are hereby given and granted permission to sue the State of Texas and its Highway Department in any court of competent jurisdiction, to determine whether or not the State of Texas and the Highway Department are liable as the result of the accident of Frankie LeRoy Davis and Mary Jean Davis and to further determine what damage, if any, Frankie LeRoy Davis and Mary Jean Davis are entitled to recover from the State of Texas and the Highway Department by reason of any negligent act committed by the State of Texas and the Highway Department; and, be it further

Resolved, That service of citation and any other legal process shall be served upon both the Attorney General of the State of Texas, and the Chairman of the Highway Department. Such service of process shall have the same force and effect as the service of process upon a defendant in any other civil case and, be it further

Resolved, That any party to the suit shall have the right of appeal as is provided for in other civil cases; and, be it further

Resolved, That the sole purpose of this Resolution is to grant permission to Frankie LeRoy Davis and Mary Jean Davis to bring suit against the State of Texas and the Highway Department. Liability of the State of Texas and the Highway Department is neither admitted nor denied, nor are any defenses which the State of Texas and the Highway Department may have are in any way waived by the passage of this Resolution.

The resolution was referred to the Committee on State Affairs.

REQUESTING THE TEXAS COMMISSION ON HIGHER EDUCATION TO MAKE CERTAIN STUDY RELATIVE TO THE LAREDO JUNIOR COLLEGE

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

S. C. R. No. 18

Whereas, Texas and the Nation are currently experiencing an all-time high in requests for admission to colleges and universities, reflecting population growth and the realisation that the future of this country, to a major extent, in the Atomic Age...
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depends upon an improved and enlarged educational system, particularly at the college and university level; and

Whereas, Authorities predict with confidence a sharp increase over the next several years in the number of young men and women seeking admission to colleges and universities; and

Whereas, Texas with its increase in population as evidenced by the 1960 census, and projected growth trends over the next several years, will experience its share of increased college and university enrollments; and

Whereas, Within the State of Texas figures show a marked growth in population in south and southwest Texas, including Laredo; and

Whereas, Laredo Junior College has had a distinguished record in the junior college field in Texas but could better serve its region and the State by being elevated to a four-year college with degree programs and course offering designed particularly to further regional interests; and

Whereas, Texas law requires the Texas Commission on Higher Education to review any bill which would create an additional senior institution of higher education, either prior to its introduction or by the Standing Committee considering same, to the end that the Commission shall determine the need by the State of any additional senior institutions of higher education, and also report its findings to the Legislative Budget Board, the Governor's Budget Office and the Legislature; therefore, now, be it

Resolved By the Senate of Texas, the House of Representatives concurring, that the Texas Commission on Higher Education be and is hereby requested (1) to study the need and feasibility of elevating the Laredo Junior College, Laredo, Texas, to the rank of a fully State-supported institution of higher education; (2) to consider carefully the degree programs and course offering best suited to the proposed institution; and (3) to report its findings, with appropriate recommendations, to the two budget offices and to the Regular Session of the 58th Legislature.

The resolution was referred to the Committee on Education.

REGARDING THE SETTING UP OF MONUMENTS ON PUBLIC GROUNDS

The Speaker laid before the House for consideration at this time, S. C. R. No. 16, Regarding the setting up of monuments on public grounds.

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

S. C. R. No. 16 was adopted.

AUTHORIZING THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS TO ACCEPT CERTAIN GRANTS, DONATIONS AND GIFTS

The Speaker laid before the House for consideration at this time, S. C. R. No. 11, Authorizing the Board of Regents of the University of Texas to accept certain grants, donations and gifts.

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

S. C. R. No. 11 was adopted.

Mr. Cole of Harris moved to reconsider the vote by which S. C. R. No. 11 was adopted and to table the motion to reconsider.

The motion to table prevailed.

CONCERNING THE CELEBRATION OF THE DECLARATION OF INDEPENDENCE OF TEXAS AT WASHINGTON-ON-THE-BRAZOS

The Speaker laid before the House for consideration at this time, S. C. R. No. 17, Concerning the celebration of the Declaration of Independence of Texas at Washington-on-the-Brazos.

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

S. C. R. No. 17 was adopted.
The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 126, Authorizing the Commissioners Court of Midland County to pay the District Judge compensation in addition to the compensation paid by the state; and declaring an emergency.

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

Mr. Snelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 126 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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The Speaker then laid Senate Bill No. 126 before the House on third reading and final passage.

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

|------|------------------|--------|-------|------|--------|-----|-------|-------|--------|--------|--------|--------|---------|---------|---------|---------|----------|----------|-------|-------|-------|----------|-----------|-------|------------|
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<td>Adams of Titus</td>
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<td>Allen</td>
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<td>Butler</td>
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<thead>
<tr>
<th>Nays</th>
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<tr>
<td>Adams of Titus</td>
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<tr>
<td>Allen</td>
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<td>Butler</td>
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</table>

Mr. Snelson moved to reconsider the vote by which Senate Bill No. 126 was passed and to table the motion to reconsider.

The motion to table prevailed.

**HOUSE BILL NO. 122 ON PASSAGE TO ENGROSSMENT**

The Speaker laid before the House on its passage to engrossment, as postponed business, House Bill No. 122, relative to amending Title 122A, Taxation-General, providing for recording of lien of all taxes provided for in this Act.

The bill was read second time on yesterday and further consideration of same postponed until 10:30 o’clock a.m. today.

Mr. Yezak offered the following amendment to the bill:

Amend House Bill No. 122 by adding to Section 4 of the printed bill the following:

"This act shall have no application to litigation pending in any court of competent jurisdiction in this state."

The amendment was adopted.

House Bill No. 122 was then passed to engrossment.

**HOUSE BILL NO. 122 ON THIRD READING**

Mr. Watson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Mr. Snelson moved to reconsider the vote by which Senate Bill No. 126 was passed and to table the motion to reconsider.

The motion to table prevailed.

**HOUSE BILL NO. 122 ON PASSAGE TO ENGROSSMENT**

The Speaker laid before the House on its passage to engrossment, as postponed business, House Bill No. 122, relative to amending Title 122A, Taxation-General, providing for recording of lien of all taxes provided for in this Act.

The bill was read second time on yesterday and further consideration of same postponed until 10:30 o’clock a.m. today.

Mr. Yezak offered the following amendment to the bill:

Amend House Bill No. 122 by adding to Section 4 of the printed bill the following:

"This act shall have no application to litigation pending in any court of competent jurisdiction in this state."

The amendment was adopted.

House Bill No. 122 was then passed to engrossment.

**HOUSE BILL NO. 122 ON THIRD READING**

Mr. Watson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Mr. Snelson moved to reconsider the vote by which Senate Bill No. 126 was passed and to table the motion to reconsider.

The motion to table prevailed.

**HOUSE BILL NO. 122 ON PASSAGE TO ENGROSSMENT**

The Speaker laid before the House on its passage to engrossment, as postponed business, House Bill No. 122, relative to amending Title 122A, Taxation-General, providing for recording of lien of all taxes provided for in this Act.

The bill was read second time on yesterday and further consideration of same postponed until 10:30 o’clock a.m. today.

Mr. Yezak offered the following amendment to the bill:

Amend House Bill No. 122 by adding to Section 4 of the printed bill the following:

"This act shall have no application to litigation pending in any court of competent jurisdiction in this state."

The amendment was adopted.

House Bill No. 122 was then passed to engrossment.

**HOUSE BILL NO. 122 ON THIRD READING**

Mr. Watson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Mr. Snelson moved to reconsider the vote by which Senate Bill No. 126 was passed and to table the motion to reconsider.

The motion to table prevailed.
The Speaker then laid House Bill No. 122 before the House on third reading and final passage.

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Absent</th>
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<td>143</td>
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</table>
February 22, 1961

The Speaker laid before the House, on its third reading and final passage, H. B. No. 189, A bill to be entitled "An Act establishing a Position Classification Plan for certain departments, institutions, and agencies of the State and requiring that all regular, full-time salaried employment shall conform therewith; providing certain exceptions and deferments from such position classification plan; providing that nothing in this Act shall interfere with existing statutory authorizations for employing, promoting or dismissing employees of the State, or abrogating statutory authority for certain state agencies to operate under merit systems, establishing the office of Classification Officer and describing his duties; providing for the maintenance, operation and application of such position classification plan; providing a severability clause; and declaring an emergency."

The bill was read third time and was passed.

Mr. Huebner moved to reconsider the vote by which H. B. No. 189 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE

Please show me as voting present and not voting on House Bill 189 for the following reasons:

Mr. Watson moved to reconsider the vote by which H. B. No. 189 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE

Please show me as voting present and not voting on House Bill 189 for the following reasons:

WILSON FOREMAN.

REASONS FOR VOTE

Please show me as voting present and not voting on House Bill 189 for the following reasons:

WILSON FOREMAN.
measure since this bill merely puts the classification into effect with the actual salary schedule to be included at a later time in the appropriations bill. If this bill is advantageous to state employees, then I would want included our employees of state hospitals and special schools, and all other state employees which are excluded in this bill. There will actually be no way of knowing until the appropriations bill is passed, whether this bill is advantageous or not to the state employees and all citizens concerned.

OBEJ JONES.

BILLS SIGNED BY THE SPEAKER

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

S. B. No. 178, An Act defining State University-owned lands as used in the Foundation School Program Act to include certain land owned and used by the Agricultural and Mechanical College of Texas; and declaring an emergency.

S. B. No. 15, An Act fixing the compensation of the judges of the Criminal District Courts of Tarrant County, Texas, and the judges of the Criminal District Courts of Tarrant County, Texas; providing for the manner of payment; providing that additional compensation may be paid to the Chief Probation Officer if he serves as Secretary to the Juvenile Board of Tarrant County; providing for the validity of the re-making portion of this Act if any part be declared unconstitutional; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

HOUSE BILL NO. 11 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 17, A bill to be entitled "An Act to amend Article 2892, Revised Civil Statutes, 1925, as amended by Senate Bill 49, Chapter 101, Acts 44th Legislature, Regular Session, 1935; to amend Article 297, Penal Code of Texas 1925, as last amended by House Bill 621, Acts 44th Legislature, Regular Session, 1939, page 227; to repeal Senate Bill 279, Chapter 88, Acts 49th Legislature, Regular Session, 1945; to repeal House Bill 1054, Chapter 221, Acts 42nd Legislature, Regular Session, Special Laws, page 389—all of which relate to compulsory school age attendance; providing this Act shall not be construed as amending the exemptions appearing in Article 2893, Revised Civil Statutes of Texas 1925, as last amended; and declaring an emergency."

The bill was read second time.

Mr. Woods offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend Section 1 of House Bill No. 17 by deleting "seventeen (17) years of age" and inserting the words "sixteen (16) years of age" in lieu thereof.

Mr. Hale moved to table the Committee Amendment No. 1 offered by Mr. Woods.

The motion to table was lost by the following vote:

Yea & Nays—70

Alaniz
Bailey
Ballman
Barlow
Bass
Blaine
Bridges
Burgess
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Connel
of El Paso
Duff, Miss
Duncan
Dunn
Ehrler
Fletcher
Gladson
Glass
Green
Guffey
Hall
Hale
Harding
Harrington
Haynes
Hinson
Hollowell
Hughes
of Grayson
Isaacs, Miss
Jamison
Johnson of Bexar
Jones of Travis
Kennard
Kilpatrick
Koziol
Lark
Leaverton
Lewis
McCoppin
McGregor
McClintock
McKinney
McNiel
Metcalf
Millhany
Markgraf
Maltas
Niemeier
Nugent
Peeser
Petty
Pieratt
Preston
Quillam
Richard
Richards
Richards
Roberts of Hill
Ross
Sandahl
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Smith of Bexar  Trevino  
Smith of Jefferson Watson  
Spear  Wells  
Springer  Wheatley  
Stewart  Wilson of Trinity  
Strewe  Yesk  

Nays—76  
Adams of Lubbock Koliba  
Adams of Titus Lary  
Allen LaValle  
Andrews Longoria  
Atwell McGreggor  
Bartram Martin  
Bell Miller  
Berry Moore  
Boysen Murray  
Buchanan Mutcher  
Butler Oliver  
Cole of Harris Ogborn  
Cory Parsons  
Cotten Peary  
Cowen Pipkin  
Cowles Price  
Crain Rapp  
Cursington Read  
de la Garza Roberts of Dawson  
Dewey Rosson  
Fairchild Schram  
Floyd Shannon  
Foreman Shipley  
Garrison Slack  
Gibbens Slides  
Glusing Snelson  
Grover Splitsman  
Haring Thurman  
Healy Thurmond  
Huebner Townesd  
Hughes of Dallas Tunnell  
James Walker  
Jarvis Whitefield  
Johnson of Dallas Wilson of Potter  
Johnson of Bell Woods  
Johnson of Dallas  

Absent  
Cook Ward  
Stewart of Galveston  

The Committee Amendment No. 1 was adopted by the following vote:  

Yea—79  
Adams of Lubbock Ballman  
Adams of Titus Balfield, Mrs.  
Allen Barnes  
Andrews Bartram  
Atwell Bell  

Nay—65  
Alanis Hollowell  
Bailey Hughes  
Barlow of Grayson  
Bass Jennings  
Bridges Johnson of Bexar  
Burgess Johnson of Travis  
Caldwell Kemard  
Cannon Kilpatrick  
Carriker Kiroth  
Chapman Lack  
Cole of Hunt Leaverton  
Collins Lewis  
Connell McCoppin  
Duff, Min McGreggor  
Dungan of El Paso  
Dickhardt McIlhany  
Ehrie Merkatz  
Petcher Mullen  
Gladden Niemeier  
Glass Nugent  
Green Peeber  
Guffey Petty  
Hale Perrett  
Harrington Preston  
Harrison Quilligan  
Hinson Richards  

Berry Losgoria  
Boysen McGreggor  
Buchanan of McLennan  
Buller Martin  
Cole of Harris Miller  
Corry Moore  
Cotten Murray  
Cowen Mutcher  
Cowles Oliver  
Crain Osborn  
Crews Parsons  
Cursington Perry  
De la Garza Pipkin  
Dewey Price  
Fairchild Rapp  
Floyd Ratcliff  
Foreman Read  
Garrison Roberts of Dawson  
Gibbens Rosson  
Glusing Schram  
Grover Shannon  
Harding Shiple  
Haring Slack  
Healy Slider  
Huebner Seelsom  
Hughes of Dallas Splitsman  
James Thurman  
Jarvis Thurmond  
Johnson of Dallas Townesd  
Johnson of Bell Tunnell  
Jones of Dallas Walker  
Koliba Wells  
Lary Whitefield  
Latimer Wilson of Potter  
LaValle Woods  

Nays—52  
Alanis Hollowell  
Bailey Hughes  
Barlow of Grayson  
Bass Jennings  
Bridges Johnson of Bexar  
Burgess Johnson of Travis  
Caldwell Kemard  
Cannon Kilpatrick  
Carriker Kiroth  
Chapman Lack  
Cole of Hunt Leaverton  
Collins Lewis  
Connell McCoppin  
Duff, Min McGreggor  
Dungan of El Paso  
Dickhardt McIlhany  
Ehrie Merkatz  
Petcher Mullen  
Gladden Niemeier  
Glass Nugent  
Green Peeber  
Guffey Petty  
Hale Perrett  
Harrington Preston  
Harrison Quilligan  
Hinson Richards
Mr. Woodsolleredthe following committee amendment to the bill:

Committee Amendment No. 2

Amend Section 2 of House Bill No. 17 by deleting “seventeen (17) years of age” and inserting the words “sixteen (16) years of age” in lieu thereof.

The amendment was adopted.

Mr. Woodsolleredthe following amendment to the bill:

Amend House Bill 17 by deleting the words “six (6) years” in line twenty-five and in line thirty-four and inserting in lieu thereof the following “seven (7) years”, respectively in said lines.

Mr. Hale moved to table the amendment by Mr. Woods.

The motion to table the amendment by Mr. Woods prevailed by the following vote:

Yeas—95

Adams of Titus	Connor
Allen	Cory
Andrews	Cotten
Bailey	Cowen
Ballman	Dungan
Barlow	Eckhardt
Bass	Earle
Berry	Fairchild
Blaine	Floyd
Bridges	Foreman
Buchanan	Gladden
Burgess	Glass
Caldwell	Gluesing
Cannon	Gree
Carriker	Guffey
Chapman	Hale
Cole of Harris	Harding
Cole of Hunt	Harrington
Collins	Hays

Nays—51

Adams of Lubbock	Lary
Atwell	Latimer
Barnes	Longoria
Bartram	McGregor
Bell	McKean
Boyce	Miller
Butler	Murray
Cowles	Oliver
Crain	Parsons
Crews	Pipkin
Curtington	Pike
de la Garza	Rapp
Duff, Miss	Reid
Fletcher	Read
Garrison	Roberts of Dawson
Gibbons	Shipley
Grover	Slack
Haring	Smith of Bexar
Healy	Sessom
Huebner	Spelman
Hughs of Dallas	Townsend
James	Walker
Jarvis	Wells
Johnson of Dallas	Wells
Johnson of Bell	Willet of Potter
Jones of Dallas	Woods

Absent

Banfield, Mrs.	Isaacks, Miss
Cook

H. B. No. 17 was then passed to engrossment.
Mr. Hinson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—134**

Adams of Lubbock Guffey
Adams of Titus Hale
Allen Harding
Andrews Harris
Bailey Healy
Ballman Hinson
Baufield, Mrs. Hollowell
Barlow Huebner
Barnes Hughes of Dallas
Bass Jamison
Bell Jarvis
Berry Johnson of Bexar
Beine Johnson of Bell
BoySEN Jones of Travis
Bridges Keenan
Buchanan Kilpatrick
Burress Koliba
Butler Kershaw
Caldwell Lack
Cannon Larry
Carriere Laffitte
Chapman La Valle
Cole of Harris Leaverton
Cole of Hunt Lewis
Collias Longoria
Connell McCoplin
Cory McGregor
Cotten of McLennan
Cowen McGregor
Cowles of El Paso
Crain McNelis
Crews Martin
Curtis Miller
de la Garza Moore
Deans Mullen
Dungan Mutchler
Ehrle Niemeyer
Fairchild Oliver
Fletcher Osborn
Ford Parsons
Foreman Peary
Garrison Peleer
Gibbons Petty
Giddens Pierratt
Glass Piggly
Glusking Preston
Green Price
Groover Quilliam
Hinson Springer
HartCliff Stewart
Richards of Galveston
Richardson Stewart
Roberts of Hill of Wichita
Roberts of Dawson Struve
Rossa Thurman
Rosson Thurmond
Saizaito Trevino
Schram Walker
Shannon Ward
Shinley Watson
Slater Wells
Smith of Bexar Whitfield
Smith of Jefferson Wilson of Trinity
Snell Wilson of Potter
Spears Woods
Spilman Yezak

**Nays—11**

Atwell Jones of Dallas
Barham Nugent
Burr Miss Read
Haring Townsend
James Tunnell
Johnson of Dallas
Johnson of Travis
Johnson of Travis
Johnson of Travis

**Absent**

Cook Isaacs, Miss
Hughes Markgraf

Austin, Texas, February 22, 1961

Hon. James A. Turman, 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. B. No. 90, To provide that the annual compensation of the stenographer of the District Attorney of the 121st Judicial District of Texas shall be increased from a maximum of Twenty-four Hundred Dollars per annum to a maximum of Thirty-three Hundred Dollars per annum.
providing a repealing clause; and declaring an emergency. Mr. de la Garza moved that the House recess until 10:30 o’clock a.m. tomorrow.

The motion prevailed.

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

In accordance with the motion to recess the House at 12:42 o’clock p.m., took recess until 10:30 o’clock a.m. tomorrow.

**APPENDIX**

**STANDING COMMITTEE REPORTS**

The following Committees have filed favorable reports on the following bills and resolutions:

- Conservation and Reclamation: H. B. No. 136
- Constitutional Amendments: H. J. R. No. 4
- Criminal Jurisprudence: H. B. No. 235
- Judicial Districts: H. B. No. 351 and S. B. No. 88
- Judiciary: H. B. No. 100 and H. B. No. 24.3

**REPORTS OF THE COMMITTEE ON ENGROSSED BILLS**

Austin, Texas, February 21, 1961

Hon. James A. Turman, Speaker of the House of Representatives.

Sirs: Your Committee on Engrossed Bills to whom was referred

H. R. No. 96, A bill to be entitled "An Act relating to the regulation of the manufacture, sale, or distribution of commercial fertilizer; repealing Articles 1769 through 1770, inclusive, Title 19, Chapter 12, Texas Penal Code, as amended, and Articles 94 through 108, inclusive, Title 4, Chapter 5, Texas Revised Civil Statutes (1925) as amended; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 54, A bill to be entitled "An Act amending Section 10-B of Chapter 425, Acts of the Regular Session of the Fifty-fifth Legislature, 1957 (codified as Vernon's Annotated Civil Statutes, Article 8280-9, Section 10-B); amending Section 10-D, Acts of the Regular Session of the Fifty-fifth Legislature, 1957, as amended by Section 3 of Chapter 194, Acts of the Regular Session of the Fifty-sixth Legislature, 1959 (codified as Vernon's Annotated Civil Statutes, Article 8280-9, Section 10-D); giving the Texas Water Development Board greater latitude with respect to transfer of monies between statutory Funds; authorizing investment of certain available funds in obligations guaranteed by the United States so as to obtain higher yields for the State; clarifying certain provisions contained in existing law; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 167, A bill to be entitled "An Act to amend Section 7 of Chapter 283, page 424, Acts of the Fortieth Legislature, Regular Session, 1927, as amended by Section 1 of Chapter 444, page 545, Acts of the Fifty-sixth Legislature, Regular Session, 1959 (compiled as Article 1014 of Vernon's Texas Civil Statutes), to provide that all cases to be heard by the Board of Adjustment of a city, town, or village will always be heard by a minimum number of four (4) members; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 148, A bill to be entitled "An Act amending Article 9 of Chapter 492, Acts of the Fifty-second Legislature, 1951, which is codified as Article 202, Election Code of the State of Texas, Vernon's Texas Civil Statutes, to provide that polls may be open from six o'clock a.m. in all counties having a population of five hundred thousand (500,000), or more, according to the last Federal Census on order or resolution of the Commissioners Courts of such counties and entered in the minutes thereof; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 180, A bill to be entitled "An Act relating to award decisions in eminent domain proceedings, providing for notice thereof, and providing for objections thereto, amending Subdivision 6 of Article 3264 and Subdivisions 6 and 7 of Article 3266 of the Revised Civil Statutes of Texas, 1925, and further amending said Article 3266 by adding thereto a new Subdivision 8 providing for functions of judges and clerks in eminent domain cases in district courts and county courts at law, and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 181, A bill to be entitled "An Act to amend Article 1152, Revised Civil Statutes of Texas, 1925, so as to require only the publication of penal ordinances by descriptive caption or title in the official newspaper, and to give the Board of Aldermen authority to print and publish ordinances of a town or village in pamphlet or book form which will then be received in evidence in all courts without further proof, and providing for a caption for ordinances of towns and villages and for the elimination of such caption in certain instances; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 189, A bill to be entitled "An Act establishing a Position Classification Plan for certain departments, institutions, and agencies of the State and requiring that all regular, full-time salaried employees shall conform therewith; providing certain exceptions and deferments from such position classification plan; providing that nothing in this Act shall interfere with existing statutory authorizations for employing, promoting or dismissing employees of the State; or abrogating statutory authority for certain state agencies to operate under merit systems; establishing the office of Classification Officer and describing his duties; providing for the maintenance, operation, and application of such position classification plan; providing a severability clause; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 214, A bill to be entitled "An Act abolishing the office of County Superintendent in all counties in this State having a population of more than one million two hundred thousand (1,200,000) according to the last preceding Federal Census; providing that the present County Superintendents of such counties should serve out their terms to which elected or appointed; providing that the duties of County Superintendents on the effective day of this Act shall be performed by the County Judges of such counties; providing compensation for such County Judges; repealing all laws and parts of laws that conflict herewith; providing a saving clause; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 21, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 31, providing for a Joint Session of the two Houses to accept seals from Representatives of the Texas Heritage Foundation and the Adjutant Generals Department.
February 23, 1961

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Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 23, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 8, An Act amending Sections 14 and 15 of Chapter 425, Acts of the Regular Session of the Fifty-fifth Legislature, 1957 (codified as Vernon’s Annotated Civil Statutes, Article 8280-9, Sections 14 and 15); providing for broadening the present law governing the Texas Water Development Board and defining its duties; increasing the findings the Board must make that a water supply project cannot be financed without State assistance; removing the present limitation on loans for water supply projects of one-third of project cost; raising the presently authorized ceiling on such loans from Five Million Dollars ($5,000,000) to Fifteen Million Dollars ($15,000,000); and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.
JAMES V. ADAMS, Chairman.

LEAVE OF ABSENCE GRANTED

Austin, Texas, February 22, 1961

The following Member was granted leave of absence on account of illness in his family:
Mr. Cory for today on motion of Mr. Cotten.

SENATE BILL NO. 139 ON SECOND READING

The Speaker laid before the House on its second reading and passage to third reading.
S. B. No. 139, Amending the Act approving and adopting the Sabine River Compact; and declaring an emergency.

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

SENATE BILL NO. 139 ON THIRD READING

Mr. Collins moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—141
Adams of Lubbock Chapman Adams of Titus
Allen Cole of Harris
Andrews Collins
Atwell Connell
Bailey Cotten
Baltman Cowles
Banfield, Mrs. Crews
Barlow Craim
Barnes Curington
Bartram de la Garza
Bass Dewey
Bell Dufty
Berry Dunn
Blaine Ehrle
Boyer Fairchild
Bridges Fletcher
Buchanan Buchanan
Butler Cotten
Caldwell Cowles
Cannon Crain
Carriker de la Garza

and laughter may we reflect glory and honor to Jesus by the way we conduct ourselves. In Christ’s Name.
—Amen.

SENATE BILL NO. 139 ON THIRD READING

The motion prevailed by the following vote:

Yeas—141
Adams of Lubbock Chapman
Adams of Titus Cole of Harris
Allen Cole of Hunt
Andrews Connell
Atwell Cotten
Bailey Cowles
Baltman Craim
Banfield, Mrs. Crews
Barlow Curington
Barnes de la Garza
Bartram Dewey
Bass Dufty
Bell Dunn
Blaine Ehrle
Boyer Fairchild
Bridges Fletcher
Buchanan Floyd
Butler Ford
Caldwell Foreman
Cannon Garris
Carriker Gibson

The House met at 10:30 o’clock a.m., and was called to order by the Speaker.

The Invocation was offered by the Reverend Clinton Kersey, Chaplain, as follows:

“Heavenly Father, we pray for strength and courage for the duties and responsibilities of this day. Father do not leave us to our own selves but be Thou near to us that we may live through this day. If there be tears or heartache or if there be joy