### HOUSE JOURNAL

<table>
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<td>H. B. No. 192, An Act amending Article 7260, Revised Civil Statutes of Texas, 1925, as amended, by adding a new Section to provide that the Tax Assessor-Collectors, shall be entitled to deduct amounts of double payments and homestead exemptions claimed, and refund same to claimants, if paid in error and reported in prior months of the current tax year, from the amounts due on such later reports of tax collections due the State; and providing that the State Comptroller shall honor such deductions so long as they are made prior to June 30th of the year when current taxpaying ends; making the Act cumulative with all other provisions of Article 7260, with certain exceptions; and declaring an emergency.</td>
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Has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

Austin, Texas, February 23, 1961

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 312, An Act creating Brazoria County Road District No. 35, of Brazoria County, Texas, under authority of Section 52, Article III, Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof; making it a body corporate and taxing district; describing the boundaries of said district and including provisions relating thereto; granting said district the authority to issue bonds and containing provisions relating to said bonds and the issuance thereof; providing that the fact that said district may overlap other road districts shall not affect said district or the powers granted by this Act; providing for the assumption of bonds of road districts included within said district; containing provisions with respect to abolishing road districts included within said districts; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency.

Mr. Speaker

Crews

Adams of Lubbock

Curlington

Adams of Titus
del Garza

Allen

Duff, Miss

Andrews

Dugan

Atwell

Eckhardt

Bailey

Ehrle

Ballman

Fairchild

Banfield, Mrs.

Fletcher

Barlow

Floyd

Barnes

Foreman

Bartram

Garrison

Bau

Gibbons

Bell

Gladden

Berry

Glass

Blaine

Glasing

Boyer

Green

Bridges

Grover

Buchanan

Gufo

Burgess

Hale

Butler

Harding

Caldwell

Harrington

Cannon

Haynes

Carricker

Heady

Chapman

Hunt

Cole of Harris

Hinson

Cole of Hunt

Hollower

Collins

Hosheber

Connell

Hughes

Cook

Hughes of Dallas

Cory

Hughes of Dallas

Cotten

Iaacks, Mike

Cowen

James

Cowles

Jamison

Crais

Jarvis
February 27, 1961

HOUSE JOURNAL 435

A quorum of the House was announced present.

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

"In the Bible we find these words, Psalms 15:1-3. Lord, who shall abide in Thy tabernacle? Who shall dwell in Thy holy hill? He that walketh uprightly, and worketh righteousness, and speaketh the truth in his heart. He that backbiteth not with his tongue, nor doeth evil to his neighbour, nor taketh up a reproach against his neighbour."

Heavenly Father, may we apply to our own individual lives the words of this Psalm. Bless this Legislature today as they labor. May this day, and the day's work that follows, be a blessing to Texas and be pleasing unto Thee. Give each Member the courage and insight that they stand in need of and we will give Thee all the praise. In Christ's Name—

Amen.

LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Spilman for today on motion of Mr. Bartram.

The following Member was granted leave of absence on account of illness:

Mr. Roberts of Hill for today on motion of Mr. Collins.

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 Mr. Atwell:

H. B. No. 594, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to exchange lands in Dallas County, Texas, and to execute deeds with the Dallas County Hospital District, Dallas County, Texas, and to convey the site received in exchange to the governing board of the Children's Medical Center of Dallas, Dallas County, Texas, to be used as a teaching facility fully integrated with the medical program of The University of Texas Southwestern Medical School, Dallas, Texas; specifying certain contractual terms and making provisions for other considerations mutually agreed upon by the parties; and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Haring and Glusing:

H. B. No. 596, A bill to be entitled "An Act authorizing the County of Goliad to convey title to certain lands to the State Parks Board of the State of Texas, aggregating two acres of land, more or less, and being the area surrounding and adjoining the site of the birthplace of Gen..."
By Mr. Caldwell:
H. B. No. 600, A bill to be entitled
"An Act creating a conservation and
reclamation district under the pro-
visions of Section 59, Article XVI,
Constitution of Texas, to be known
as 'Angleton Municipal Utility Dis-
trict'; 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
State Affairs.

By Mr. Haynes:
H. B. No. 606, A bill to be entitled
"An Act creating a permanent judicial
district court to be known as the
148th Judicial Court of Texas, com-
piled of Orange County; providing
for the terms of court and the ap-
pointment and election of the judge
and officers of said court; containing
provisions to facilitate the incorpora-
tion of this new judicial district in
the county covered; repealing all laws in conflict; providing for severability; and declaring an emergency.
Referred to the Committee on Appropriations.

By Mr. McGregor of McLennan:
H. B. No. 601, A bill to be entitled "An Act amending Article 4.01 of the Insurance Code of Texas, as amended, relating to that provision of the Code which requires that furniture, fixtures and automobiles are to be rendered as personal property in the city and county where located; providing that all laws in conflict are repealed; and declaring an emergency."
Referred to the Committee on Insurance.

By Mr. Sandahl:
H. B. No. 607, A bill to be entitled "An Act amending Article 4.01 of the Insurance Code of Texas, as amended, relating to that provision of the Code which requires that furniture, fixtures and automobiles are to be rendered as personal property in the city and county where located; providing that all laws in conflict are repealed; and declaring an emergency."
Referred to the Committee on Insurance.

By Mr. Sandahl:
H. B. No. 608, A bill to be entitled "An Act to provide that revenues from any source received by the State Board of Insurance shall be deposited in the State Treasury to the credit of a special fund; creating the Insurance Board Operating Fund; providing all funds received by the State Board of Insurance shall be credited to the Insurance Board Operating Fund; transferring balances in certain special funds to the Insurance Commission Operating Fund; and declaring an emergency."
Referred to the Committee on Examination of Comptroller's and Treasurer's Accounts.

By Mr. Sandahl:
H. B. No. 609, A bill to be entitled "An Act amending Section 12 of Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended, and repealing Section 18 of Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, to provide that certain fees collected by the Commissioner of the bureau of Labor Statistics be deposited in the General Revenue Fund of the State; abolishing the Boiler Inspection Fund; providing for the transfer of the unexpended balance in that Fund to the General Revenue Fund; providing an effective date; and declaring an emergency."
Referred to the Committee on Examination of Comptroller's and Treasurer's Accounts.

By Mr. Adams of Titus:
H. B. No. 611, A bill to be entitled "An Act relating to the hunting, taking, or killing of wild quail in Camp County; making it lawful to hunt, take, or kill wild quail in Camp County on any day except Sunday during a specified season; and declaring an emergency."
Referred to the Committee on Game and Fisheries.

By Mr. Collins:
H. B. No. 613, A bill to be entitled "An Act amending Section 5 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended, to provide for additional notice in certain hearings; and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. Harrington:
H. B. No. 614, A bill to be entitled "An Act amending Sections 4(c), 6(a), 6(b), 6(c), 7(b), 7(c), and 11 of the Texas Shrimp Conservation Act, Chapter 187, Acts of the 56th Legislature, 1959, providing for the care, conservation, protection, and method and means of taking shrimp; amending Chapter 187, Acts of the 56th Legislature, 1959, by adding thereto two sections which prohibit fishing and the taking of shrimp between certain hours and prescribing the requirements for the taking of shrimp with seines; repealing paragraph (b) of Section 5; providing
a severability clause; providing a savings clause; and declaring an emergency." 
Referred to the Committee on Game and Fisheries.

By Mr. Bailey:
H. B. No. 616, A bill to be entitled "An Act amending Section 1 of Chapter 30, Acts of the 41st Legislature, 5th Called Session, 1930, as amended by Section 1 of Chapter 169, Acts of the 42nd Legislature, Regular Session, 1931, which Act relates the period of time when continuity of failure to exercise dominion over land or assert claim over, or pay taxes thereon shall prima facie prove title to persons exercising dominion over and paying taxes on such land; and declaring an emergency." 
Referred to the Committee on Judiciary.

By Mr. Watson:
H. B. No. 614, A bill to be entitled "An Act providing that no changes in boundaries of independent school districts having 18,500 scholarship or more and being located in counties having a population of 149,000 or more, according to the tax preceding Federal census, shall be made unless previously approved by the board of trustees or board of education thereof; enacting other provisions relating thereto; and declaring an emergency." 
Referred to the Committee on School Districts.

By Mr. Struve:
H. B. No. 617, A bill to be entitled "An Act amending Section 1 of Chapter 180, Acts of the 41st Legislature, Regular Session, 1930, as amended, by removing doves from the open season provided for certain game in McMullen County; and declaring an emergency." 
Referred to the Committee on Game and Fisheries.

By Mr. Read:
H. B. No. 619, A bill to be entitled "An Act repealing Sections 7 and 15 of House Bill 374, Acts of the Fifty-fourth Legislature, Regular Session, 1955, Chapter 427, page 1137, codified in Vernon's as Sections 7 and 15 of Article 3883i, Vernon's Civil Statutes; and declaring an emergency." 
Referred to the Committee on Revenue and Taxation.

By Mr. Stewart of Galveston:
H. B. No. 620, A bill to be entitled "An Act amending Sections 2 and 3 of the Adult Probation and Parole Law of 1957, codified as Article 781d of Vernon's Code of Criminal Procedure, so as to permit the use of probation in misdemeanor cases; repealing all laws and parts of laws in conflict; and declaring an emergency." 
Referred to the Committee on Criminal Jurisprudence.

By Mr. Stewart of Galveston:
H. B. No. 621, A bill to be entitled "An Act concerning taxation; levying a corporation income tax; defining certain terms; providing for computation of the tax; providing for allocation of corporate income; providing certain exemptions; providing for certain credits against said tax; providing for administration and collection; providing for judicial review; providing for retention of records; prescribing certain penalties; levying a Texas Business Invoice Tax; defining certain terms; providing for administration and collection of said tax; providing for a tax on the use of certain articles upon which the Texas Business Invoice Tax has not been paid; prescribing certain penalties; reducing the tax on the occupation of sulphur production; providing for the allocation of taxes from the Hotel Occupancy Tax (Chapter 23, Title 122A Taxation-General, enacted by Acts 1959, 56th Legislature, Third Called Session, Chapter 1 and for the allocation of tax proceeds from the Act; amending Chapter 24, Acts 1959, 56th Legislature, Third Called Session; repealing Chapters 6, 12, 19 and Article 19.02 (Oilwell Servicing Tax) of Chapter 19, Acts 1959, 56th Legislature, Third Called Session, Chapter 1; providing a savings clause; providing a severability clause; providing an effective date for this Act; and declaring an emergency." 
Referred to the Committee on Counties.

By Mr. Dewey:
H. B. No. 622, A bill to be entitled "An Act repealing Sections 1 and 2 of the Adult Probation and Parole Law of 1957, codified as Article 781d of Vernon's Code of Criminal Procedure, so as to permit the use of probation in misdemeanor cases; repealing all laws and parts of laws in conflict; and declaring an emergency." 
Referred to the Committee on Criminal Jurisprudence.
Television Administration Fund: abolishing the Veteran's Land Board; transferring the balance in that fund to the General Revenue Fund, and declaring an emergency.

Referred to the Committee on Examination of Comptroller's and Treasurer's Accounts.

By Mr. Sandahl:
H. B. No. 625, A bill to be entitled "An Act amending Chapter 415, Acts of the 54th Legislature, Regular Session, 1955, repealing Section 2 of Chapter 415, Acts of the 54th Legislature, Regular Session, 1955, providing that certain fees collected by the General Land Office be deposited in the General Revenue Fund; abolishing the Land Office Special Sale Fee Fund; transferring the unexpended balance in that fund to the General Revenue Fund; providing an effective date; and declaring an emergency."

Referred to the Committee on Examination of Comptroller's and Treasurer's Accounts.

By Messrs. Gladden and Richardson:
H. B. No. 626, A bill to be entitled "An Act amending Section 15 of Chapter 409, Acts of the 55th Legislature, Regular Session, 1957, which is codified as Section 15 of Article 1976-345, Vernon's Texas Civil Statutes, so as to provide certain additional employees of the Probate Court of Tarrant County and establishing certain control over employees and fixing minimum salaries; and declaring an emergency."

Referred to the Committee on Counties.

By Messrs. Pearcy and Johnson of Bell:
H. B. No. 627, A bill to be entitled "An Act applicable to any home rule city having a charter which provides that its bonds shall be advertised for sale after the bonds have been authorized and issued; providing that the governing body of such city shall advertise its bonds for sale and receive bids therefor before passage of the ordinance authorizing the issuance of the bonds; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.
The following House Joint Resolution was today laid before the House, read first time and referred to the appropriate Committee, as follows:

By Mr. Dewey:

H. J. R. No. 50, A Joint Resolution
"Proposing an amendment to Section 11A of Article IV of the Constitution of Texas to permit the use of probation in misdemeanor cases; providing for the submission of the proposed amendment to the voters qualified to vote thereon; and providing for the necessary election, form of ballot, proclamation and publication."

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. 19 to the Committee on Counties.
S. B. No. 140 to the Committee on Judiciary.
S. B. No. 141 to the Committee on Judiciary.
S. B. No. 142 to the Committee on Judiciary.
S. B. No. 239 to the Committee on Highways and Roads.
S. B. No. 243 to the Committee on Game and Fisheries.

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. 139, An Act amending the Act approving and adopting the Sabine River Compact, Chapter 63, Page 89, Acts of the Fifty-third Legislature, 1953, Regular Session, so as to amend Article VII (C) of the Sabine River Compact to change the term of office for the Texas members; amending Section 2 of said Act by establishing fees of office and terms of office; authorizing notice of this Act; repealing all laws in conflict herewith; containing a severability clause; and declaring an emergency.

S. B. No. 179, An Act relating to fees charged by District Court Clerks for preparing certificates relating to witness fees in criminal cases; amending Article 1966, paragraph 4 of the Code of Criminal Procedure of Texas, 1925, as last amended; and declaring an emergency.

S. B. No. 460, An Act to amend Section 1 and Section 3 of House Bill No. 754, Acts of the Regular Session, Forty-ninth Legislature, providing a distinction between crippled children and needy children; providing that appliances, braces and material necessary for the proper handling of crippled children shall not be considered personal property of the State; and declaring an emergency.

MESSAGE FROM THE SENATE

Austin, Texas, February 27, 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:

S. B. No. 219, Changing terms of court of 109th Judicial District; and declaring an emergency.

S. B. No. 23, Amending Uniform Narcotic Drug Act (Art. 725b, Texas Penal Code) to increase minimum penalty to 5 years; and declaring an emergency.

S. B. No. 203, Authorizing State Parks Board to pledge revenues of Palo Duro Canyon State Park for constructing dams and other improvements; and declaring an emergency.

S. B. No. 188, Relating to issuance of permits to dispense performing rights for certain copyrighted musical compositions; and declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.
INVITING MR. RICHARD BOONE TO ADDRESS THE HOUSE

Mr. Richardson offered the following resolution:

H. S. R. No. 244

Whereas, Richard Boone's television characterization of Paladin, the cultured, freelance gunslinger in "Have Gun, Will Travel" has become a classic and has won him millions of fans of all ages; and

Whereas, His show consistently ranks among the top westerns in audience ratings; and

Whereas, The title of his show, which has inspired hundreds of take-offs and imitations, has been widely used in a variety of situations; and

Whereas, This title was adapted and used with notable success by a member of this House, Forrest A. Harding, in his race for State Representative last year when his campaign card read "Have Guts, Will Travel to Austin as Your State Representative; Write Harding, San Angelo"; and

Whereas, Boone's ability as an actor is indicated not only by his skillful portrayal of Paladin but also by the fact that he has appeared successfully in a number of other television dramas, movies and plays, including the role of Dr. Conrad Styner in "Medic," roles on "Playhouse 90" and "The United States Steel Hour," and the role of Abraham Lincoln in a Broadway play, "The Rivalry," based on the Lincoln-Douglas debates; and

Whereas, Mr. Boone plans to visit Texas to film some of his television shows at Bracketville during the fall of 1961; now therefore be it

Resolved, That the House of Representatives of the 57th Legislature congratulates and commends Richard Boone for his consistently fine interpretation of the role of Paladin in "Have Gun, Will Travel" and for the ideals of fair play and justice reflected through his characterization; and be it further Resolved, That we extend Mr. Boone a cordial welcome to Texas and invite him to address the House of Representatives if his visit comes at a time when the 57th Legislature is in session; and be it further

Resolved, That a copy of this resolution be sent to Mr. Boone as a token of our appreciation and admiration.

The resolution was referred to the Committee on Rules.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 266, By Mr. Niemeyer: Extending best wishes to Hon. Jack Richardson.

H. S. R. No. 253, By Mr. Cole of Hunt: Congratulating Major Joseph F. Nichols.

H. S. R. No. 251, By Mr. Harrington: Commending Roy Middleton.


DECLARING FEBRUARY OF EACH YEAR AS AMERICAN HISTORY MONTH

Mrs. Banfield offered the following resolution:

H. S. R. No. 256

Whereas, An appreciation of the great history of America is of vital importance in the lives of every citizen of this Nation; and

Whereas, The wonderful heritage given to us by our forefathers is of inestimable value in charting the future course of our beloved country; and

Whereas, The Daughters of the American Revolution and other organizations plan educational programs to stimulate interest in our history; now, therefore, be it

Resolved, That February, 1961, be declared American History Month; and, be it further

Resolved, That the House of Representatives of the Fifty-seventh Legislature hereby declares the month of February of each year as American History Month; and, be it further

Resolved, That February, 1961, be declared American History Month for the glory of our great Nation in this all-important year of decision.

The resolution was read and was adopted.
Mr. Harrington offered the following resolution:

H. S. R. No. 249

Whereas, Adlai Joy Lack, born September 13, 1952, and Jerry Paul Lack, born December 6, 1948, are proper candidates for Mascot of the House; and

Whereas, They are the fine children of Emmett Lack and his lovely wife, Virgie, of Kountze, District 19; and

Whereas, It is the desire of the House to recognize and honor the children of Members of the House; now, therefore, be it

Resolved, That Adlai Joy Lack and Jerry Paul Lack be declared Mascots of the House of Representatives of the Fifty-seventh Legislature and that their pictures be placed in the panel with Members of the House.

The resolution was referred to the Committee on Rules.

Mr. Lewis offered the following resolution:

H. S. R. No. 254

Whereas, Valerie Jean Barlow, born on January 11, 1955, is a proper candidate for Mascot of the House of Representatives; and

Whereas, Valerie Jean is the daughter of our most able Representative James E. Barlow and his lovely wife, Virginia Hall Barlow, of San Antonio, District 68, Place 6; and

Whereas, It is the desire of the House to recognize and honor the children of Members of the House; now, therefore, be it

Resolved, That Valerie Jean Barlow be declared Mascot of the House of Representatives of the Fifty-seventh Legislature and that her picture be placed in the Panel with Members of the House.

The resolution was referred to the Committee on Rules.

Mr. Harrington offered the following resolution:

H. S. R. No. 257

Whereas, Thomas Dean Andrews, born June 21, 1958, and Julia Andrews, born July 21, 1959, are proper candidates for Mascot of the House; and

Whereas, They are the children of our most able Member Thomas M. Andrews and his wife L'Ella, of Aransas Pass, District 35; and

Whereas, It is the desire of the House to recognize and honor the children of Members of the House; now, therefore, be it
Resolved, That Thomas Dean Andrews and Julia Andrews are hereby declared Mascots of the House of Representatives of the Fifty-seventh Legislature.

The resolution was referred to the Committee on Rules.

CONGRATULATING HONORABLE BYRON M. TUNNELL

Mr. Allen offered the following resolution:

H. S. R. No. 258

Whereas, on February 21, 1961, our esteemed fellow Member, the Honorable Byron M. Tunnell, was presented the W. C. Windsor Award given to the young man under thirty-six who has distinguished himself in the field of civic service by the Tyler Chamber of Commerce; and

Whereas, Byron M. Tunnell, Outstanding Young Man of the Year of Tyler, is a most able Representative of District 15F in the Fifty-seventh Legislature; and

Whereas, Byron M. Tunnell is a former assistant district attorney, past president of the Tyler Junior Chamber of Commerce, past vice-president of the State Junior Chamber of Commerce and a past director in the National Junior Chamber of Commerce organization; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-seventh Legislature congratulates Byron M. Tunnell on his outstanding public service, commends his excellence in civic activities in his fine City of Tyler and wishes him continued success in all endeavors.

ALLEN, PARSONS, JARVIS, HEATLY.

The resolution was read and was adopted.

RELATIVE TO THE APPOINTMENT OF AN ELECTION LAW STUDY COMMITTEE

Mr. Dewey offered the following resolution:

H. C. R. No. 34

Whereas, The Texas Election Code was passed in 1951, at which time the Legislature codified the existing election laws and made certain revisions; and

Whereas, Considerable changes in the code have been made in subsequent sessions of the Legislature; and

Whereas, There still remain many conflicts, ambiguities, and inadequacies; and

Whereas, There are several important proposals pending in the present Session, but both lack of time and the magnitude of the task will militate against full and complete revisions and corrections at this Session; and

Resolved, That the House of Representatives, the Senate concurring, That an Election Law Study Committee be, and the same is hereby, authorized to begin work upon the adjournment of this Regular Session and to continue its work and report to the 58th Legislature; and be it further

Resolved, That the Election Law Study Committee shall be composed of five members of the House of Representatives, appointed by the Speaker; five members of the Senate, appointed by the Lieutenant Governor; and five members-at-large appointed by the Governor; said members-at-large to be composed only of individuals who are responsible for the administration of Texas Election Laws and who are experienced in the conduct of elections in counties using voting machines as well as those counties using paper ballots; and be it further

Resolved, That the Attorney General and the Executive Director of the Texas Legislative Council shall be ex-officio members of said Committee; and be it further

Resolved, That the Committee shall be first assembled at the call of the Governor and shall elect from its membership a chairman and a secretary; and be it further

Resolved, That the staff of the Texas Legislative Council be and it is
Resolved, that the Election Law Study Committee shall make a complete study of the Texas Election Code, with any amendments thereto by the 57th Legislature, and shall report its findings and recommendations not less than ninety days before the convening of the 58th Legislature.

DEWEY, BRIDGES, PEELER.

The resolution was referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Korioth offered the following resolution:

H. C. R. No. 35

Whereas, Lillian Doty died on December 1, 1960; and

Whereas, Lillian Doty, deceased, at the time of her death was a member in good standing of the Teacher Retirement System of Texas, holding membership No. 8548 in said System; and

Whereas, Lillian Doty, deceased, named her nephew, William Wendell Carroll, as beneficiary to receive death benefits under the terms and provisions of S. B. No. 290, Fifty-Fourth Legislature, Regular Session, with amendments thereto; and

Whereas, Teacher Retirement System of Texas, the administrative agency for said Act, has in whole or in part denied William Wendell Carroll the benefits of the Teacher Retirement Act that said beneficiary alleges that he is entitled to under the law; now, therefore, be it

Resolved, By the House of Representatives, the Senate concurring; that said William Wendell Carroll be hereby granted permission to bring suit against the State of Texas through the Teacher Retirement System of Texas in a court of competent jurisdiction to ascertain the amount or amounts, the State of Texas and the Teacher Retirement System of Texas is indebted to said William Wendell Carroll, if any, by reason of the death and/or survivor benefits by virtue of the death of Lillian Doty, and in case such suit is filed, service of citation shall be had upon the Governor of Texas, the Executive Secretary of Teacher Retirement System of Texas, and the Attorney General of Texas; and the State of Texas or William Wendell Carroll shall have the right of appeal without execution of bond, and if judgment may finally be established against the State of Texas and the Teacher Retirement System of Texas, it shall be a liquidated debt and shall be paid by the Teacher Retirement System of Texas in accordance with law, and without the necessity of an appropriation for the purpose of payment of such judgment by the Legislature.

The resolution was referred to the Committee on State Affairs.

HOUSE BILL NO. 216 ON SECOND READING

Mr. Markgraf moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 216, A bill to be entitled "An Act amending Section 8 of Chapter 76, Acts of the 43rd Legislature, First Called Session, 1933, to provide that water supply corporations may deposit funds in State Banks as well as National Banks; and declaring an emergency."

The motion prevailed. The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 216.

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. 216 by adding to Section 1 thereof the following words: "or in shares or share accounts of Building and Loan Associations and Savings and Loan Associations doing business in this State when such shares are insured under and by virtue of the Federal Savings and Loan Insurance Corporation."

The amendment was adopted.
H. B. No. 216 was then passed to engrossment.

HOUSE BILL NO. 216 ON THIRD READING

Mr. Markgraf moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 216 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131
Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Bailey
Bellman
Banfield, Mrs.
Barlow
Barnes
Bartram
Blair
Boyesen
Buchanan
Burns
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Connell
Cook
Cory
Cotten
Crews
Curlington
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Gillingham
Green
Grover

Osborn
Parrons
Peery
Petier
Petty
Pieratt
Pipkin
Preston
Price
Quilliam
Rapp
Richards
Richardson
Rossa
Sandhill
Shannon
Shipley
Shack
Smith of Bexar
Smith of Jefferson

Nays—6
Cowles
Grain
Nugent

Absent
Bell
Bryan
Cole of Bexar
Cole of Harris
Erle

Absent—Excused
Roberts of Hill

The Speaker then laid House Bill No. 216 before the House on third reading and final passage.

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

Yeas—137
Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Bailey
Bellman
Banfield, Mrs.
Barlow
Barnes
Bartram
Blair
Boyesen
Buchanan
Burns
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Connell
Cook
Cory
Cotten
Crews
Curlington
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Gillingham
Green
Grover

Osborn
Parrons
Peery
Petier
Petty
Pieratt
Pipkin
Preston
Price
Quilliam
Rapp
Richards
Richardson
Rossa
Sandhill
Shannon
Shipley
Shack
Smith of Bexar
Smith of Jefferson

Nays—6
Cowles
Grain
Nugent

Absent
Bell
Bryan
Cole of Bexar
Cole of Harris
Erle

Absent—Excused
Roberts of Hill

The Speaker then laid House Bill No. 216 before the House on third reading and final passage.

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

Yeas—137
Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Bailey
Bellman
Banfield, Mrs.
Barlow
Barnes
Bartram
Blair
Boyesen
Buchanan
Burns
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Connell
Cook
Cory
Cotten
Crews
Curlington
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Gillingham
Green
Grover

Osborn
Parrons
Peery
Petier
Petty
Pieratt
Pipkin
Preston
Price
Quilliam
Rapp
Richards
Richardson
Rossa
Sandhill
Shannon
Shipley
Shack
Smith of Bexar
Smith of Jefferson

Nays—6
Cowles
Grain
Nugent

Absent
Bell
Bryan
Cole of Bexar
Cole of Harris
Erle

Absent—Excused
Roberts of Hill

The Speaker then laid House Bill No. 216 before the House on third reading and final passage.

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

Yeas—137
Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Bailey
Bellman
Banfield, Mrs.
Barlow
Barnes
Bartram
Blair
Boyesen
Buchanan
Burns
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Connell
Cook
Cory
Cotten
Crews
Curlington
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Gillingham
Green
Grover

Osborn
Parrons
Peery
Petier
Petty
Pieratt
Pipkin
Preston
Price
Quilliam
Rapp
Richards
Richardson
Rossa
Sandhill
Shannon
Shipley
Shack
Smith of Bexar
Smith of Jefferson

Nays—6
Cowles
Grain
Nugent

Absent
Bell
Bryan
Cole of Bexar
Cole of Harris
Erle

Absent—Excused
Roberts of Hill

The Speaker then laid House Bill No. 216 before the House on third reading and final passage.

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

Yeas—137
Adams of Lubbock
Adams of Titus
Allen
Andrews
Atwell
Bailey
Bellman
Banfield, Mrs.
Barlow
Barnes
Bartram
Blair
Boyesen
Buchanan
Burns
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Connell
Cook
Cory
Cotten
Crews
Curlington
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Gillingham
Green
Grover

Osborn
Parrons
Peery
Petier
Petty
Pieratt
Pipkin
Preston
Price
Quilliam
Rapp
Richards
Richardson
Rossa
Sandhill
Shannon
Shipley
Shack
Smith of Bexar
Smith of Jefferson

Nays—6
Cowles
Grain
Nugent

Absent
Bell
Bryan
Cole of Bexar
Cole of Harris
Erle

Absent—Excused
Roberts of Hill

The Speaker then laid House Bill No. 216 before the House on third reading and final passage.

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

Reason for voting "No" on H. B. No. 216:

"Water supply corporation deposi­
ts, should in my opinion be readily
available at all times and it is my
understanding that if deposits are
not available in a Savings and Loan
Association that the depositor can
not force such association to pro­
duce the funds forthwith but that
such depositor can be placed in line
or on a list to await payment of such
deposits along with other depositors
as it comes in and that it could be
some time before such depositor re­
cieves its funds."

RENEAL B. ROSSON.

(H. B. No. 392, A bill to be entitled
"An Act amending Article 3.08 of
Title 12 2A, Taxation-General, of the
Revised Civil Statutes of Texas, 1921,
to provide that revenues collected
thereunder for audits and examina­
tions be deposited to the General
Fund of the State; abolishing the
Natural and Casinghead Gas Audit
Fund, No. 73; transferring cash as­
sets of Fund No. 73 to the General
Fund; and declaring an emergency."

The motion prevailed.

The Chair laid before the House,
its second reading and passage to en­
grossment, H. B. No. 392.

The bill was read second time.

Mr. Townsend offered the fol­
lowing committee amendment to the
bill:

Committee Amendment No. 1

Amend the caption of H. B. 392 to
Insert at each place that the words
"General Fund" appear the words
"General Revenue Fund" in lieu
thereof.
The amendment was adopted.

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

Committee Amendment No. 2
Amend the body of H. B. 392 to insert at each place that the words "General Fund" appear the words "General Revenue Fund" in lieu thereof.

The amendment was adopted.

H. B. No. 392 was then passed to engrossment.

Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 392 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—138
Adams of Lubbock Cowles
Adams of Titus Grail
Alamia Crews
Allen Carlin
Andrews de la Garza
Atwell Dewey
Bailey Duff, Miss
Ballman Dungan
Bassfield, Mrs. Kickhardt
Barlow Ehrie
Barren Fairchild
Barram Fletcher
Bass Floyd
Bell Foreman
Blaine Garrison
Boyars Gibbons
Brooks Gladden
Buchanan Glass
Burgess Green
Butler Grover
Caldwell Goffey
Cannon Hale
Carriker Harding
Chapman Harring
Cole of Harris Harrington
Cole of Hunt Haynes
Collins Heydly
Connell Hinson
Cook Hollowell
Cory Huebner
Cotten Hughes
Cowen of Grayson
Hughes of Dallas Pierat
Issacs, Miss Pipkin
James Preston
Johnson of Dallas Quilliam
Johnson of Bexar Ratcliffe
Johnson of Bell Read
Jones of Dallas Richards
Jones of Travis Richardson
Kennard Ross
Kilpatrick Reuss
Kolina Sandahl
Koroch Shannon
Lacy Shipley
Latimer Slider
Lattimer Smith of Bexar
LaValle Smith of Jefferson
Lawerton Nelson
Longoria Spears
McCoppin Springer
McGregor Stewart
McGregor of McLennan of Wichita
McGregor of El Paso Therme
McIlhan Thermont
Markgraf Townsend
Martin Trevino
Miller Tunnell
Moore Walker
Wullen Ward
Murray Watson
Mutscheller Wells
Niebauer Wheatley
Oliver Wheatfield
Ogborn Wilson of Trinity
Peary Wilson of Potter
Pester Woods
Petty Yetak

Nays—1
Nugent Absent
Berry Schram
Glusing Slack
Lewis Stewart
Parsons of Unive
Roberts of Dawson

The Chair—Excused

Robert of Hill Spilman

The Chair then laid House Bill No. 392 before the House on third reading and final passage.

The bill was read third time and was passed.

PROVIDING FOR THE CONSIDERATION OF CERTAIN BILLS

The Chair asked if there was objection to considering the remainder
of the bills by Mr. Sandahl on the Calendar for today, the bills being as follows:


There was no objection offered and it was so ordered.

HOUSE BILL NO. 393 ON SECOND READING

The Chair asked if there was objection to considering H. B. No. 393 at this time.

There was no objection offered.

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 393, A bill to be entitled "An Act amending Subsection 3 of Article 9.03 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, 1926, to provide that revenues collected thereunder for audits and examinations be deposited to the General Revenue Fund of the State; abolishing the Highway Motor Fuel Audit Fund, No. 74; transferring cash assets of Fund No. 74 to the General Revenue Fund; and declaring an emergency."

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

HOUSE BILL NO. 393 ON THIRD READING

Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 393 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—136

Adams of Lubbock
Bartram
Adams of Titus
Barstow
Allen
Bess
Andrews
Blalke
Atwell
Boyden
Bailey
Bridges
Ballman
Buchanan
Bassfield, Mrs.
Burgess
Hill
Bartow
Barnes
Caldwell

Nay—1

Benson
Cannon
Carriere
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cook
Cory
Cotten
Crow
Crom
Curington
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gillett
Glass
Green
Grover
Guffey
Harding
Haring
Harrington
Hart
Haskins
Hollowell
Huschner
Hughes
Hughes of Grayson
Hughes of Dallas
Husakas, Miss
James
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick
Koliba
Koroth
Lack
Lacy
Lafeham
LaValle
Leavernton
Lewis
Longoria
McGinnis
McGregor
McGregor
McGregor
McMahan
McMillan
Mackraf
Martin
Miller
Moore
Mullen
Murray
Muzher
Niemeyer
Osburn
Peary
Peeler
Perry
Pike
Fipkin
Preston
Price
Quilliam
Rapp
Hutchins
Nugent

Smith of Bexar
Smith of Jefferson
Sneece
Spears
Springer
Stewart
Streub
Struwe
Thomann
Thornwood
Townsend
Trevino
Tunnell
Walker
Ward
Watson
Wells
Wilson of Trinity
Wilson of Potter
Wood
Wool
Yeak

Nugent
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Absent  Bartram  Kenward
Alaniz  Bass  Kilpatrick
Berry  Bell  Kollitza
Ehrle  Blaine  Korinth
Fairchild  Boyens  Lack
Glusing  Bridges  Lary
Hale
Absent—Excused  Buchanan  Latimer
Roberts of Galveston

The Chair then laid House Bill No. 392 before the House on third reading and final passage. The bill was read third time and was passed.

HOUSE BILL NO. 394 ON SECOND READING

The Chair asked if there was objection to considering H. B. No. 394 at this time.
There was no objection offered.
The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 394, A bill to be entitled "An Act amending Article 7.15 of Title 122A, Taxation-General, of the Revised Civil Statutes of the State; abolishing the Cigarette Tax Audit Fund, transferring cash assets of Fund No. 91 to the General Revenue Fund; and declaring an emergency."
The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 394 ON THIRD READING

Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 394 be placed on its third reading and final passage.
The motion prevailed by the following vote:
Yea—141
Adams of Lubbock  Bailey
Adams of Titus  Ballman
Alaniz  Sandman
Allen  Barlow
Andrews  Barnes

No—15
Bartram  Kenward
Bass  Kilpatrick
Bell  Kollitza
Blaine  Korinth
Boyens  Lack
Bridges  Lary
Buchanan  Latimer
Burgess  LaValle
Butler  Leaverton
Caldwell  Lewis
Cannon  Lesaglia
Carriker  McCoppin
Chapman  McGregor
Coe of Harris  of McLennan
Coe of Hunt  McGregor
Collins  of El Paso
Connell  Molbab
Cook  Marey
Cory  Martin
Cotten  Miller
Cowen  Moore
Cowles  Mullen
Craw  Murray
Crews  Mutscher
dela Garza  Osborn
Deevey  Parsons
Duff, Miss  Peery
Duncan  Peeler
Dickard  Perry
Ehrle  Piggia
Fairchild  Preston
Fletcher  Price
Foreman  Quilliam
Garrison  Rapp
Gibbons  Rayfield
Glaedde  Read
Glass  Richards
Glusing  Richardson
Green  Ross
Grover  Rosen
Guffey  Sandahl
Hale  Schram
Harding  Shannon
Haring  Shipley
Harrington  Slack
Haynes  Slider
Healy  Smith of Bexar
Hinson  Smith of Jefferson
Hollowell  Shelley
Hochber  Spears
Hughes  Springer
Hughes of Dallas  Stewart
Hughes of Wichita
Inaick, Miss  Strove
James  Thurman
Jamison  Thurmond
Jurvis  Townsend
Johnson of Dallas  Trevino
Johnson of Bexar  Tunnell
Johnson of Bell  Walker
Jones of Dallas  Ward
Jones of Travis  Wazon

1 Jan.—15
The Chair then laid House Bill No. 394 before the House on third reading and final passage.

The bill was read third time and was passed.

MESSAGE FROM THE SENATE
Austin, Texas, February 27, 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. 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 General's Department.

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

HOUSE BILL NO. 515 ON SECOND READING
The Chair asked if there was objection to considering H. B. No. 515 at this time.

There was no objection offered.

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

H. B. No. 515, A bill to be entitled "An Act abolishing the Naturopathic Re-registration Fund (No. 210); providing for the transfer of funds therein to the General Revenue Fund; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
Amend House Bill 515 by striking out all below the enacting clause and inserting in lieu thereof the following:


Sec. 2. The Naturopathic Re-registration Fund (No. 210) is hereby abolished and the balance in that Fund on the effective date of this Act shall be transferred to the General Revenue Fund within thirty (30) days of the effective date of this Act.

Sec. 3. The fact that the Naturopathic Re-registration Fund is inoperative, and has been since 1952, and the further fact that the General Revenue Fund of the State is without funds with which to honor warrants drawn against it create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

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

Committee Amendment No. 2
Amend House Bill 515 by striking out all above the enacting clause and inserting in lieu thereof the following:

A BILL
To Be Entitled
An Act repealing Chapter 480, Acts of the 51st Legislature, Regular Session, 1949, as amended, relating to the practice of naturopathy; abolishing the Naturopathic Re-registration Fund; transferring the balance in that Fund to the General Revenue Fund; and declaring an emergency.

The amendment was adopted.

House Bill No. 515 was then passed to engrossment.
Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 515 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—135

Adams of Lubbock
Green

Adams of Titus
Grever

Allen
Hale

Andrews
Harding

Atwell
Haring

Ballman
Harvington

Bastfield, Mrs.
Haynes

Barlow
Healy

Barnes
Hinson

Bartram
Hollowell

Bass
Huebner

Bell
Hughes

Blaine
of Grayson

BoySEN
Isacks, Miss

Bridges
James

Buchanan
Jamison

Burgess
Jarvis

Butler
Johnson of Dallas

Caldwell
Johnson of Bexar

Cannon
Johnson of Bell

Carriker
Jones of Dallas

Chapman
Jones of Travis

Cole of Harris
Kilpatrick

Cole of Hunt
Kollba

Collins
Koroth

Cook
Lack

Cory
Lalimer

Cotton
La Valle

Cowie
Leaverton

Crain
Lewis

Craws
Longoria

Cruce
McCoppin

Curington
McGregor

de la Garza
of McLennan

Dewey
DelPH

Duff, Miss
Markgraf

Dungan
Martín

Eckhardt
Miller

Ehrl
Moore

Fairchild
Mullen

Fletcher
Murray

Floyd
Mutscheller

Foreman
Niemeyer

Garrision
Osborn

Gibbons
Parsons

Gladden
Peeler

Glass
Petty

Pieratt
Springer

Pipkin
Stewart

Preston
of Wichita

Price
Struve

Quilliam
Thurman

Rapp
Thurmond

Richards
Trevino

Richardson
Tunell

Ross
Walker

Rosson
Ward

Sandahl
Watson

Shannon
Wells

Shipley
Wheatley

Slack
Whitefield

Slipher
Wilson of Trinity

Smith of Bexar
Wilson of Potter

Smith of Jefferson
Woods

Spears
Yoak

Nay—2

Nugent
Oliver

Absent

Olin

Barley

Berry
Roberts of Dawson

Hughes of Dallas
Schram

Kennard
Sexton

McGregor
Stewart

of El Paso
of Galveston

Absent—Excused

Robert of Hill
Spelman

The Chair then laid House Bill No. 515 before the House on third reading and final passage.

The bill was read third time and was passed.
HOUSE BILL NO. 616 ON THIRD READING

Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 616 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—134
Adams of Lubbock
Grover
Adams of Titus
Gaffey
Aldus
Hale
Allen
Harding
Andrews
Haring
Atwell
Harrington
Bailey
Haynes
Ballman
Healy
Barlow
Hinson
Barrows
Hollowell
Bartram
Hubner
Barnes
Hughes
Bell
Hughes of Dallas
Blinke
Issacks, Miss
Boysen
James
Buchanan
Jarvis
Burgess
Johnson of Bell
Butler
Johnson of Bexar
Caldwell
Johnson of Bexar
Cannon
Jones of Dallas
Carriker
Jones of Travis
Chapman
Kilpatrick
Cole of Hunt
Koliha
Collins
Koroth
Connell
Lacy
Cook
Latimer
Coyle
La Valle
Cotten
Leaverton
Cowens
Lewis
Craig
Longoria
Crews
McCoppin
Curlington
McGregor
de la Garza
McNell of McLennan
Dewey
Mellhany
Duff, Miss
Martin
Dungan
Miller
Duckett
Moore
Fairchild
Mullen
Fletcher
Murray
Floyd
Muthcher
Foreman
Niemeyer
Garrison
Persons
Gibbens
Pearey
Glass
Peeler
Glaidden
Pieratt
Glassing
Pipkin

Preston
Stewart
Price
of Wichita
Quilliam
Strewe
Rapp
Thurman
Ratliff
Thurmond
Read
Townsend
Richards
Trevino
Roberts of Dawson
Tunnell
Rosas
Walker
Sandahl
Ward
Sahram
Watson
Shannon
Walls
Shipley
Wheatley
Slack
Whitfield
Sluder
Wilson of Trinity
Smith of Bexar
Wilson of Potter
Smith of Jefferson
Woods
Street
Yeak
Springer

Nay—3
Nugent
Olive

Absent—3
Bensold, Mrs.
Debber
Berry
Richardson
Brie
Rosson
Johnson of Dallas
Spears
McGregor
Stewart
Johnson
of El Paso
of Galveston
Markgraf

The Chair then laid House Bill No. 616 before the House on third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 517 ON SECOND READING

The Chair asked if there was objection to considering H. B. No. 517 at this time.

There was no objection offered.

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 517, A bill to be entitled "An Act amending Article 13.08 of Title 122A of the Revised Civil Statutes of Texas, 1925, relating to allocation of a portion of the tax on coin-operated machines; abolishing the Vending Machine and other Occupational Tax Enforcement Fund; transferring balances in that fund to the General Revenue Fund; and declaring an emergency."
The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 517 ON THIRD READING

Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 517 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-128

Adams of Lubbock Green
Adams of Titus Grover
Alanis Guffey
Allen Haie
Andrews Harding
Bailey Harrington
Ballman Harrington
Banfield, Mrs. Baynes
Barlow Nealy
Barnes Hollowell
Bartram Hubner
Bass Hughes
Bell of Grayson
Bixine Isaac's, Miss
Boursen James
Buchanan Jarvis
Burgess Johnson of Dallas
Buller Johnson of Bell
Caldwell Jones of Dallas
Cannon Jones of Travis
Carriker Kesard
Chapman Kilpatrick
Cole of Harris Kolba
Cole of Hunt Lack
Collins Lacy
Connell Latimer
Cook LaValle
Cory Lewis
Cotten Longoria
Cowles McCoppin
Crain McGregor
Crews of McLennan
Curington McIlhaney
de la Garza Markgraf
Dewey Martin
Duff, Miss Miller
Dungan Moore
Eckhardt Mullen
Ebrie Murray
Fletcher Muterscher
Floyd Niemeyer
Foreman Osborn
Gibbens Parsons
Gladden Pearey
Glass Peeler
Glusing Petty

Pieratt Snelson
Pikin Spears
Preston Stewart
Price of Wichita
Quilliam Struve
Rapp Tharman
Rateff Tharmond
Read Townsend
Richards Trevino
Roberts of Dawson Walker
Rossos Ward
Rosson Watson
Sandahl Wells
Shannon Whitfield
Shipley Wilson of Trinity
Slack Wilson of Potter
Sliger Woods
Smith of Bexar Yokes
Smith of Jefferson

Nays-2

Nugent Oliver

In the Chair

Krooth Absent

Atwell McGregor
Berry of El Paso
Bowen Richardson
Fairchild Schram
Garrison Springer
Hinson Stewart
Hughes of Dallas Galveston
Johnson of Bell Temple
Leavertom Wheatley

Absent—Excused

Roberts of Hill Spilman

The Chair then laid House Bill No. 517 before the House on third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 519 ON SECOND READING

The Chair asked if there was objection to considering H. B. No. 519 at this time.

There was objection offered.

Mr. Sandahl moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 519, A bill to be entitled "An Act amending Section 16 of Chapter 133, Acts of the 55th Legis-
The motion prevailed.

The Chair laid before the House on its second reading and passage to engrossment, H. B. No. 519.

The bill was read second time.

Mr. Ehrle moved that further consideration of House Bill No. 519 be postponed until 10:00 o'clock a.m., next Monday, March 6.

The motion was lost.

Mr. Ehrle raised a point of order on further consideration of H. B. No. 519 at this time on the ground that Mr. Sandahl has previously used his suspension request and that the motion to suspend the regular order of business is therefore in violation of Rule 22, Section 2A of the House Rules.

The Chair overruled the point of order stating that the point of order comes too late in that unanimous consent has been previously granted to consider the bills by Mr. Sandahl on the Suspension Calendar today.

House Bill No. 519 was passed to engrossment by the following vote:

Yeas—88
Adams
Alaniz
Allen
Andrews
Atwell
Ballman
Barlow
Bartram
Bell
Berry
Blaine
Bridges
Buchanan
Cole of Harris
Cottom
Cowie
Cramer
Curtis
Dewey

Nays—50
Adams of Lubbock
Bailey
Barnes
Bass
Boyce
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Cook
Cory
de la Garza
Ehrle
Fairchild
Floyd
Gibbons
Gibbs
Gladen
Glass
Green
Harrington
Haynes

In The Chair

Korioth

Absent

Banfield, Mrs.
Bantoid, Mrs.
Burgess
Buswell
Crawford
Crawford of Galveston

Jaimeson

Read
Richards
Richardson
Roberts of Dawson
Roma
Sandahl
Shannon
Shipley
Slager
Smith of Bexar
Smith of Jefferson
Stewart
of Wichita
Townsend
Trevino
Tunnell
Walker
Ward
Wheatley
Whitehead
Wilson of Trinity
Wilson of Potter
Woods

Jones of Dallas
Jones of Travis
Kilpatrick
Koliba
Lack
Lary
Latimer
La Valla
Lewis
Longoria
Mcgregor
Mcgregor
Mcgregor
Mcgregor
Mcgregor of El Paso
Mcgregor of Lubbock
Martin
Mullan
Murray
Nismyer
Nugent
Osborn
Peachy
Peeler
Pettis
Preston
Price
Quillian
Ratzliff
Read
Richards
Richardson
Roberts of Dawson
Roma Sandahl
Shannon
Shipley
Slager
Smith of Bexar
Smith of Jefferson
Stewart
of Wichita
Townsend
Trevino
Tunnell
Walker
Ward
Wheatley
Whitehead
Wilson of Trinity
Wilson of Potter
Woods

Adams of Lubbock
Bailey
Barnes
Bass of Grayson
Boyce
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Hunt
Collins
Cook
Cory
de la Garza
Ehrle
Fairchild
Floyd
Gibbons
Gibbs
Gladen
Glass
Green
Harrington
Haynes

In The Chair

Korioth

Absent

Banfield, Mrs.
Bantoid, Mrs.
Burgess
Buswell
Crawford
Crawford of Galveston

Jaimeson
Absent—Excused
Roberts of Hill Spilman
Mr. Sandahl moved to reconsider
the vote by which H. B. No. 519
was passed to engrossment and to
table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 520 ON SECOND
READING
The Chair asked if there was ob­
jection to considering H. B. No. 520
at this time.

There was no objection offered.

The Chair laid before the House,
its second reading and passage
H. B. No. 520, to bring up the
bill for its second reading and passage
to engrossment.

H. B. No. 520. A bill to be entitled
"An Act amending Subsection (c)
of Section 108B of the Uniform Act
Regulating Traffic on Highways as
added by Section 2 of Chapter 3
Acts of the 54th Legislature, Regu­
lar Session, 1955, to provide for the
deposit of certain fees in the Gen­
eral Revenue Fund; abolishing the
Highway Light Test Fund; transfer­
ing the balance of that fund to the
General Revenue Fund; providing
an effective date; and declaring an
emergency."

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

HOUSE BILL NO. 520 ON THIRD
READING
Mr. Sandahl moved that the con­
stitutional rule requiring bills to be
read on three several days be sus­
pended and that House Bill No.
be placed on its third reading and
final passage.

The motion prevailed by the fol­
lowing vote:

Yeas—138
Adams of Lubbock
Adams of Titus
Alaim
Allen
Andrews
Atwell
Ballman
Barnes
Bartram
Bass
Cole of Hunt
Collins
Cook
Cory
Cozono
Cowen
Cowles
Grain
Curington
de la Garza
Dewey
DuE. Miss
Duncan
Ekhardt
Ehrlie
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Giaddem
Glass
Gluer
Green
Grover
Guffey
Hale
Harding
Haring
Harrington
Haynes
Healy
Hinson
Hollowell
Huckeber
Hughes of Grayson
Hughes of Dallas
Isaacks, Miss
James
Jamison
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick
Koliba
Lack
Latimer
La Valle
Leaverton
Lewis
Longoria
McCoppin
McGregor
of McLennan
McGregor
of El Paso
McPherson
Markgraf
Martin
Miller
Moore
Mullen
Murray
Matscher
Niemeyer
Parsons
Perry
Peeler
Pettie
Pierart
Pipkin
Preston
Price
Quilliam
Rapp
Read
Richards
Richardson
Roberts of Dawson
Ross
Ross
Sandahl
Shannon
Skibley
Smith
Slocum
Stuart of Jefferson
Spears
Springer
Stewart of Galveston
Stewart
Straw
Straw
Trevino
Truett
Walker
Ward
Watson
Wells
Wheatley
Wood
Yezak

Nays—5
Schram
Thurman

Wilson of Trinity
Wilson of Potter
Woods

Wilson of Bexar
Wilson of Bexar
Wilson of Bexar
Wheater
Wheatley
Wheeling
Wilkinson
Wilson of Trinity
Williamson
Wilson of Potter
Wood
Yezak

Nays—5
Schram
Thurman

Wilson of Trinity
Wilson of Potter
Wood
Yezak

Nays—5
Schram
Thurman
In The Chair

Koroth Absent
Crews Osborn
Lary

Absent—Excused

Robertson of Hill Spilman

The Chair then laid House Bill No. 520 before the House on third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL No. 521 ON SECOND READING

The Chair asked if there was objection to considering H. B. No. 521 at this time.

There was no objection offered.

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

H. B. No. 521. A bill to be entitled “An Act amending Section 9 of Chapter 234, Acts of the 51st Legislature, Regular Session, 1949, and Section 17 of Chapter 245, Acts of the 51st Legislature, Regular Session, 1949, to provide for the deposit of certain fees to the General Revenue Fund, abolishing the Employment Agency Fund; transferring the balance in that fund to the General Revenue Fund, providing an effective date; and declaring an emergency.”

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

HOUSE BILL No. 521 ON THIRD READING

Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 521 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—136

Adams of Lubbock Atwell
Adams of Titus Bailey
Allen Ballman
Allen Banfield, Mrs.
Andrews Barlow

Barnes Lary
Bartram Latimer
Bass La Valle
Beil Lowerton
Berry Lewis
Blaine Longoria
Boysen McCoppin
Bridges McGregor
Buchanan of McLennan
Burgess McGregor
Butler of El Paso
Calidwell Melhany
Carriker Markgraf
Chapman Martin
One of Harris Miller
Cole of Hunt Moore
Collins Mullen
Cook Murray
Cory Mutchler
Cotten Niemeyer
Cowen Osborn
Cowles Parsons
Crain Peary
Carrington Peeler
de la Garza Petty
Dewey P tier
Duff, Miss Pipkin
Eubanks Preston
Dungan Price
Fairchild Quitman
Fletcher Rapp
Fisher Ratliff
Floyd Read
Foreman Richards
Garrison Richardson
Gibbons Roberts of Dawson
Gladden Ross
Glass Sandahl
Glass Schram
Glasson Shannon
Glassville Shipley
Guffey Black
Gussey Slider
Hale Snell
Harri ngton Rudder
Haring Spears
Harrington Spears
Haynes Springer
Healy Stewart
Heaton Stiles
Hensley of Elkhart
Hensley of Jefferson
Hensley Smith of El Paso
Hensley Smith of Texas
Hensley Smith of Texas
Hensley Smith of Texas
Hensley Smith of Texas
Hughes of Dallas Stiles
Hughes of Dallas Stiles
James Stiles
Johnson of Dallas Stiles
Johnson of Bexar Townsend
Johnson of Bell Trevino
Jones of Dallas Tunnel
Jones of Travis Ward
Kennard Watson
Klippatrick Wells
Koliba Wheatley
Lack Whitefield
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Wilson of Trinity  Woods
Wilson of Potter  Yeak

Nays—6
Cannon  Nugent
Hughes  Oliver
Grayson  Thurman
Jarvis

In The Chair

Korioth

Absent
Crews  Jamison
Isaacks, Miss  Walker

Absent—Excused
Robert of Hill  Spilman

The Chair then laid House Bill No. 521 before the House on third reading and final passage.
The bill was read third time and was passed.

MEMORIAL RESOLUTIONS ADOPTED
H. S. R. No. 248, By Mr. LaValle:
In Memory of Philip Klitzman.

H. S. R. No. 251, By Messrs. Foreman, Sandahl and Jones of Travis:
In Memory of Dr. Will E. Wait.

H. S. R. No. 252, By Mr. Bailey:
In Memory of William Graham Webb, Sr.

H. S. R. No. 253, By Messrs. Stewart of Galveston and LaValle:
In Memory of Raymond A. Stewart.

H. S. R. No. 260, By Mr. Koliba:
In Memory of Boyd B. Head, Sr.

H. S. R. No. 262, By Mr. Koliba:
In Memory of Mrs. K. J. Schilling.

H. S. R. No. 264, By Messrs. Jones of Travis, Sandahl and Foreman:
In Memory of William R. Kohler.

H. S. R. No. 265, By Messrs. Jones of Travis, Sandahl and Foreman:
In Memory of Dr. Jake Avis, Jr.

ADJOURNMENT
Mr. Bell moved that the House adjourn until 10:00 o'clock a.m. tomorrow.
The motion prevailed.

(Speaker in the Chair)
The Benediction was offered by the Reverend Clinton Kersey, Chaplain.

In accordance with the motion to adjourn, the House at 12:57 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS
The following Committees filed favorable reports on bills as follows:

Banks and Banking: H. B. No. 216.

Highways and Roads: S. B. No. 239.

Insurance: H. B. No. 359.

Labor: H. B. No. 35 and H. B. No. 248, By Mr. LaValle:
In Memory of Philip Klotzman.

H. S. R. No. 251, By Messrs. Foreman, Sandahl and Jones of Travis:
In Memory of Dr. Will E. Wait.

H. S. R. No. 252, By Mr. Bailey:
In Memory of William Graham Webb, Sr.

H. S. R. No. 253, By Messrs. Stewart of Galveston and LaValle:
In Memory of Raymond A. Stewart.

H. S. R. No. 260, By Mr. Koliba:
In Memory of Boyd B. Head, Sr.

H. S. R. No. 262, By Mr. Koliba:
In Memory of Mrs. K. J. Schilling.

H. S. R. No. 264, By Messrs. Jones of Travis, Sandahl and Foreman:
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In Memory of Philip Klotzman.

H. S. R. No. 251, By Messrs. Foreman, Sandahl and Jones of Travis:
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H. S. R. No. 260, By Mr. Koliba:
In Memory of Boyd B. Head, Sr.

H. S. R. No. 262, By Mr. Koliba:
In Memory of Mrs. K. J. Schilling.

H. S. R. No. 264, By Messrs. Jones of Travis, Sandahl and Foreman:
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H. S. R. No. 252, By Mr. Bailey:
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In Memory of Boyd B. Head, Sr.

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In Memory of Mrs. K. J. Schilling.

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H. S. R. No. 264, By Messrs. Jones of Travis, Sandahl and Foreman:
In Memory of William R. Kohler.

H. S. R. No. 265, By Messrs. Jones of Travis, Sandahl and Foreman:
In Memory of Dr. Jake Avis, Jr.
H. B. No. 122, A bill to be entitled "An Act amending Title 122A, Tax­
ation-General, Revised Civil Statutes of Texas, 1925, relating to
miscellaneous excise taxes, amending Article 1.07, Acts of the Fifty-sixth Legis­
late, Third Called Session, 1959, providing for recording of lien on real estate; repealing
all laws or parts of laws in conflict herewith; providing the Act shall not apply to pending litigation, pro­
viding that a holding of invalidity or unconstitutionality of any part of this Act shall not affect the remainder; and de­
claring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 23, 1961
Hon. James A. Turman, Speaker of
the House of Representatives.
Sir: Your Committee on Engrossed
Bills to whom was referred
H. B. No. 119, A bill to be entitled
"An Act relating to miscellaneous
excise taxes, amending Article 20.09,
Article 20.11 and Article 20.14,
Title 122A, Taxation-General, Re­
vised Civil Statutes of Texas, 1925,
to provide for the filing of quarterly reports; to provide for the retailer to remit one hundred per cent (100%) of the tax or taxes collected; to provide for permits to expire on September 30th of each year; to dispense with the requirement of including specific inventory information in reports; to dispense with the requirement of keeping certain records; amending Chapter 20, Title
122A, Taxation-General, by adding thereto a new Article, Article 20.21, to provide for the records to be confidential and to provide a penalty for violations of said Article; repealing Article 20.12, Title 122A, Taxation-General, Revised Civil Stat­utes of Texas, 1925, relating to bond­ ing requirements of certain retailers, providing an effective date; and de­
clarating an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 23, 1961
Hon. James A. Turman, Speaker of
the House of Representatives.
Sir: Your Committee on Engrossed
Bills to whom was referred
H. B. No. 265, A bill to be entitled
"An Act amending Article 5728 of
Title 122A, Taxation-General, to pro­
vide for permits to expire on September 30th, to remit one hundred per cent of each year in reports; to dispense with the requirement of keeping certain records; amending Chapter 14, Article 5728, to provide that if there is no date shown on the permit, the permit shall expire on September 30th of each year; to declare an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 23, 1961
Hon. James A. Turman, Speaker of
the House of Representatives.
Sir: Your Committee on Engrossed
Bills to whom was referred
H. B. No. 77, A bill to be entitled
"An Act amending Article 49 of the
Election Code of Texas, 1951, relat­ing to certificates of exemption; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 23, 1961
Hon. James A. Turman, Speaker of
the House of Representatives.
Sir: Your Committee on Engrossed
Bills to whom was referred
H. B. No. 119, A bill to be entitled
"An Act relating to miscellaneous
excise taxes, amending Article 20.09,
Article 20.11 and Article 20.14,
Title 122A, Taxation-General, Re­
vised Civil Statutes of Texas, 1925,
to provide for the filing of quarterly reports; to provide for the retailer to remit one hundred per cent (100%) of the tax or taxes collected; to provide for permits to expire on September 30th of each year; to dispense with the requirement of including specific inventory information in reports; to dispense with the requirement of keeping certain records; amending Chapter 20, Title
122A, Taxation-General, by adding thereto a new Article, Article 20.21, to provide for the records to be confidential and to provide a penalty for violations of said Article; repealing Article 20.12, Title 122A, Taxation-General, Revised Civil Stat­utes of Texas, 1925, relating to bond­ ing requirements of certain retailers, providing an effective date; and de­
clarating an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
the Revised Civil Statutes of Texas (1925), providing that the Commissioner of Agriculture shall fix and collect fees for testing all weights, scales, beams, and any kind of instruments or mechanical devices for weighing or measuring; providing for maximum fees and the manner and time of collection; providing for payment of all money collected into the State Treasury and placed by the State Treasurer in the Special Department of Agriculture Fund for enforcement and administration purposes; providing that the weight, measure, or weighing or measuring instrument shall not be used or disposed of until such fee is paid; providing a penalty for violation of Act; repealing all conflicting laws; providing a saving clause; and declaring an emergency."

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

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 27, 1961
Honorable James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 179, An Act relating to fees charged by District Court Clerks for preparing certificates relating to witness fees in criminal cases; amending Article 1036, paragraph 4 of the Code of Criminal Procedure of Texas, 1925, as last amended; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.
LARY, Acting Chairman.

Austin, Texas, February 27, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. B. No. 179, An Act relating to fees charged by District Court Clerks for preparing certificates relating to witness fees in criminal cases; amending Article 1036, paragraph 4 of the Code of Criminal Procedure of Texas, 1925, as last amended; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.
LARY, Acting Chairman.

promised me that the Revised Civil Statutes of Texas (1925), providing that the Commissioner of Agriculture shall fix and collect fees for testing all weights, scales, beams, and any kind of instruments or mechanical devices for weighing or measuring; providing for maximum fees and the manner and time of collection; providing for payment of all money collected into the State Treasury and placed by the State Treasurer in the Special Department of Agriculture Fund for enforcement and administration purposes; providing that the weight, measure, or weighing or measuring instrument shall not be used or disposed of until such fee is paid; providing a penalty for violation of Act; repealing all conflicting laws; providing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

The roll of the House was called and the following Members were present:
Mr. Speaker de la Garza Adams of Lubbock Dewey Adams of Titus Allen Allen Andrews Bailey Bailey Ballman Banfield, Mrs. Barlow Barnes Bartram Bass Bell Berry Bland Bloyita Buchanan Burgess Butler Caldwell Cannon Carriker Chapman Cole of Harris Cole of Hunt Collins Connell Cook Cory Cotter Cowan Cowies Crow Crews...