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 moneys 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. 400, 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.

Has carefully compared same and finds it correctly enrolled.

LARY, Acting Chairman.

SENT TO GOVERNOR

February 27, 1961
H. B. No. 179
H. B. No. 400

TWENTY-EIGHTH DAY

(Tuesday, February 28, 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 de la Garza
Adams of Lubbock Dewey
Adams of Titus Duff, Miss Alaniz
Allen Anis
Andrews
Atwell Bailey
Ballman
Bankfield, Mrs. Barrow
Barnes Bartram
Bass
Bell
Blaine
Boyson
Buchanan
Burgess Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connell
Cook Cory
Cotren
Cowan
Cowen
Covies
Crain
Crews

Hughes of Grayson
Hughes of Dallas
Jacks, Miss James
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
A quorum of the House was announced present.

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

"Almighty God, bless all in authority over us this day. Bless our Nation that we may have the Christian approach to all matters of State. Bless every effort of this day. Forgive our sins and mistakes. In Jesus' Name.—Amen."

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. Latimer:

H. B. No. 603. A bill to be entitled "An Act repealing Chapter 192, Acts of the 55th Legislature, 1957, which provides for the appointment of an assistant district attorney for the district attorneys of the 42nd and 104th Judicial Districts; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Sandahl:

H. B. No. 612. A bill to be entitled "An Act amending Acts 1956, 54th Leg., ch. 1, 3512, (Art. 548b, Vernon's Texas Civil Statutes), pertaining to the regulation and sale of preneed funeral merchandise and service contracts; deleting certain exemptions from said Act; making certain provisions and changes as to the character and type of contracts covered by the Act and the regulation of the same; regulating the solicitation of the designation of funeral services and merchandise desired by an individual upon his death; providing that delivery of merchandise prior to death shall not constitute performance; providing that the permit required by said Act shall be issued by the Banking Commissioner; repealing all laws in conflict herewith; and providing and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Pipkin, Murray and Rapp:

H. B. No. 630. A bill to be entitled "An Act enabling navigation districts organized under the provisions of Section 59 of Article XVI of the Constitution and coming within the purview of this Act to enact ordinances, rules, and regulations for the purpose of protecting their properties and of promoting the health, safety and general welfare of that portion of the general community using their said properties and the facilities constructed thereon; providing for the purpose of protecting their properties and the facilities constructed thereon; providing certain methods of enforcement and remedies; providing for venue of offenses committed in violation of this Act and such ordinances, and for maximum pen.
H. B. No. 631, A bill to be entitled "An Act to define and regulate the business of lending in amounts of five thousand dollars ($5,000) or less; to authorize the licensing of persons engaged in such business; to permit licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; regulating the purchase or assignment of wages or salaries earned or to be earned when given as security for a loan or as consideration for a payment of three hundred dollars ($300) or less; to provide for administering and enforcing of this Act and for the issuance of regulations and orders thereof; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for the review of administrative acts hereunder; to provide penalties; and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Cory:

H. B. No. 632, A bill to be entitled "An Act providing an open season when it shall be lawful to hunt, take or kill squirrels in Morris County before November, 1963; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Slider:

H. B. No. 633, A bill to be entitled "An Act making it unlawful to kill deer in Comanche County before November 1, 1963; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Messrs: Leaverton, Barnes and Bailey (By Request):

H. B. No. 634, A bill to be entitled "An Act creating Upper Leon River Municipal Water District, a conservation District under Article XVI, Section 59 of the Constitution comprising initially the territory contained within the cities of Comanche, Dublin, DeLeon, Dublin, Gorman, Hamilton, Hico and Stephenville, for the purpose of providing a source of water supply for municipal, domestic, and industrial uses and processing and transporting such water; authorizing provision of sewage treatment and disposal facilities as an aid to conservation of water, providing for the annexation of additional territory; providing for a Board of Directors for the government of the District; providing for elimination of "Definitive Cities" and defining status of "Definitive Cities"; authorizing the District to do any and all things to make available for municipal and industrial uses the water from Proctor Dam and Reservoir which has been authorized for construction by the United States Government on Leon River or from any other dam which may be constructed in lieu thereof, pursuant to such rights as District may acquire in such reservoir from Brazos River Authority; permitting contracts with Brazos River Authority; permitting sale of surplus water for irrigation purposes; authorizing the issuance of bonds and providing for the payment and security thereof; providing an alternative method of financing the cost of providing the water supply, water supply lines, purification and pumping facilities or any of such items through contract with Brazos River Authority and the issuance of Authority's bonds for such purposes; prescribing conditions under which cities may withdraw from the District; making applicable to the District Title 55 of the Revised Statutes of Texas relating to eminent domain and certain general laws relating to water control and improvement districts; averting all bonds which are wholly supported by taxation to be voted; adopting the powers of water control and improvement districts to the extent not in conflict with this Act, prescribing other powers of the Dis-
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trict; enacting other provisions related to the subject and declaring an emergency!

Referred to the Committee on Conservation and Reclamation.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution was today laid before the House, read first time and referred to the appropriate Committees, as follows:

By Messrs. Buchanan, McIlhany and Osborn:

H. J. R. No. 51, A Joint Resolution "Proposing an amendment to Article IX of the Constitution of the State of Texas by adding therein a new section to be known as Section 9 to provide that the Legislature may authorize the creation of Hospital Districts composed of all or part of one or more counties, the assumption by the District of any included City, Town or County hospital indebtedness and the transfer of all hospital facilities thereof to the district; the issuance of bonds for hospital purposes and the levy of taxes to pay the district’s bonds, assumed indebtedness and for operating and maintaining the district; providing other terms and conditions for accomplishing the purposes of this amendment; and providing that any enabling acts shall not be invalid because of their anticipatory character."

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. 23 to the Committee on Criminal Jurisprudence.
S. B. No. 187 to the Committee on School Districts.
S. B. No. 203 to the Committee on State Affairs.
S. B. No. 219 to the Committee on Judiciary.

RELATIVE TO H. S. R. NO. 153

Mr. Adams of Titus asked unanimous consent of the House that the date in H. S. R. No. 153 be changed from February 8th to February 20th.

There was no objection offered and it was so ordered.

NOTICE GIVEN

Mr. Gladden gave notice that he would on the next Legislative Day call from the Journal the motion to reconsider the vote by which H. B. No. 178 failed to pass to engrossment.

CONGRATULATORY RESOLUTION ADOPTED

H. S. R. No. 271, By Messrs. Foreman, Sandahl and Jones of Travis: Congratulating Miss Ruth Gold.

INVITATION TO THE NACOGDOCHES HIGH SCHOOL A CAPPELLA CHOIR

Mr. Burgess offered the following resolution:

H. S. R. No. 270

Whereas, The Nacogdoches High School A Cappella Choir is an outstanding choir in the State of Texas; and
Whereas, O. B. Rozell directs this talented group of singers; now therefore, be it
Resolved, That the House of Representatives invites the Nacogdoches High School A Cappella Choir and Director O. B. Rozell to perform before the House of Representatives at their earliest convenience.

The resolution was referred to the Committee on Rules.

RELATIVE TO AMENDING HOUSE RULE 21

Mr. Jarvis offered the following resolution:

H. S. R. No. 272

Be It Resolved that House Rule 21 be amended by adding thereto a new section to read as follows:

"Sec. 4. The Speaker shall prepare a printed daily calendar showing the order of business on the Speaker’s table for each calendar
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day the House is in session, and
shall cause same to be placed on
the desks of Members by the Sur­
gest at Arms not later than 8:00
a.m. on the day to which the printed
calendar relates. If such printed
calendar is not distributed by 8:00
a.m., it shall require a two-thirds
vote to take up any bill or joint
resolution appearing thereon at any
time on that calendar day."

The resolution was referred to
the Committee on Rules.

GRANTING PERMISSION TO SU­
THE STATE

The Speaker laid before the House,
for consideration at this time, the
following resolution:
S. C. R. No. 12, Granting W. E.
Campbell and wife permission to sue
the State of Texas.

Whereas, There are conflicting
claims of ownership between the
State of Texas and W. E. Campbell
and wife of Panola County, Texas,
concerning the mineral interest under
a 100 foot wide right-of-way to State
Highway No. 64 which crosses land
owned by Mr. Campbell in Panola
County, Texas, and being more fully
described as follows:
All that certain tract or parcel of
land situated in the County of Panola,
State of Texas, and being a part of a
survey originally granted to Jane
Thorpe, by Patent No. 84, Vol. 2,
Abstract No. 665, and being more
particularly described as follows, to
wit:
A strip of land 100 ft. wide, 50 ft.
on each side of center-line of the
present State Highway No. 64, from
the east line of Mrs. Minnie Bagley
at survey station 1010+19 to the
west line of George Tiller at survey
station 1050+39 on the North side
of the Highway and the west line of
Sam Matthews and George Laney
at survey station 1050+45 on the
South side of the Highway.

Whereas, The controversy as to
dispute of title to the aforesaid
mineral interest can only be re­
conciled by adjudication now, there­
fore, be it

Resolved, By the Senate, the House
of Representatives concurring, That
the said W. E. Campbell and wife be
and are hereby granted permission
to bring suit against the State of
Texas in any court of competent
jurisdiction in Panola County, Texas,
to determine the validity of their
claims and to recover judgment
against the State of Texas for such
relief as they may be entitled to,
and in case such suit be filed, service
of citation shall be had upon the
Attorney General of Texas or such
other officers of the State as may
be necessary for such suit, and that
the same shall have the same force
and effect as made and provided in
civil cases, and that either of the
parties to said suit have the right
of appeal, and it is so resolved. It
is to be understood that the pur­
pose of this Resolution is to grant
permission to bring suit against the
State of Texas and no admission of
liability of the State of Texas is
made by this Resolution.

S. C. R. No. 12 was adopted.

RELATING TO LAREDO JUNIOR
COLLEGE

The Speaker laid before the House
for consideration at this time,
S. C. R. No. 18, Requesting the
Texas Commission on Higher Edu­
cation to study the need and feasi­
bility of elevating the Laredo Junior
College to a State-supported four
year institution of higher education.

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

S. C. R. No. 18 was adopted.

RELATIVE TO H. B. NO. 516 AND
H. B. NO. 520

Mr. Sandahl asked unanimous con­
sent of the House that the Engross­
ing and Enrolling Clerk be author­
tized to make the following necessary
corrections in House Bill No. 520
and House Bill No. 516:
House Bill No. 520: On line 1
of Section 2 insert the word "Fund"
between the word "Test" and "(No.
8)".
House Bill No. 516: In Section 1
of said Bill strike out the words "Civil Statutes" and insert in lieu
thereof the words "Penal Code".

There was no objection offered
and it was so ordered.
**RESOLUTION SIGNED BY THE SPEAKER**

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

**H. C. R. No. 31, Providing for a Joint Session to receive Seals of the State of Texas from the Texas Heritage Foundation and the Adjutant General’s Department.**

**HOUSE JOINT RESOLUTION NO. 21**

**ON PASSAGE TO ENGROCMENT**

The Speaker laid before the House, as postponed business on its passage to engrossment, H. J. R. No. 21, A Joint Resolution "Proposing an Amendment to Section 1 of Article VIII of the Constitution of the State of Texas by providing that the Legislature, or any municipality or political subdivision of this State, shall never tax incomes of natural persons or corporations nor levy any payroll tax upon the salary or earnings of employees; providing for the proclamation and publication therefor; prescribing the form of ballot therefor."

The resolution having been read second time on February 14 and postponed at that time until 10:30 o'clock a.m. today.

**H. J. R. No. 21 failed to pass to engrossment by the following vote:**

- **Yeas-46**
  - Adams of Lubbock
  - Beatty
  - Ballman
  - Blancet, Mrs.
  - Batram
  - Bell
  - Blaine
  - Boeing
  - Baxter
  - Chapman
  - Connell
  - Cook
  - Cotter
  - Crain
  - de la Garza
  - Foreman
  - Garrison
  - Gibbens
  - Grover
  - Thurman
  - Townsend

- **Nays—100**
  - Adams of Titus
  - Akin
  - Andrews
  - Atwell
  - Barlow
  - Barnes
  - Bass
  - Bridges
  - Buchanan
  - Burgus
  - Caldwell
  - Cannon
  - Carr
  - Cole of Harris
  - Cole of Hunt
  - Collins
  - Corm
  - Cowies
  - Crews
  - Dewey
  - Duff, Miss
  - Dunagan
  - Eckhardt
  - Erhle
  - Fairchild
  - Fletcher
  - Ford
  - Gladd
  - Glass
  - Glassing
  - Green
  - Guflcy
  - Hale
  - Harding
  - Haring
  - Harrington
  - Haynes
  - Hines
  - Huebner
  - Hughes
  - Hughes of Galveston
  - Imack, Miss
  - James
  - Jamison
  - Jarvis
  - Johnson of Bexar
  - Johnson of Bell
  - Jones of Travis
  - Kennard
  - Kilpatrick
  - Kortoth
  - Lack
  - Larry
  - Bailey
  - Cowen

- **Absent**
  - Bailey Curington

- **Curington**

**PREPARED BY THE OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF TEXAS**
Mr. Atwell moved to reconsider and spread on the Journal the vote by which H. J. R. No. 21 failed to pass to engrossment.

Mr. Korioth called from the Journal the motion by Mr. Atwell to reconsider the vote by which H. J. R. No. 21 failed to pass to engrossment and moved to table the motion to reconsider.

The motion to table the motion to reconsider the vote by which H. J. R. No. 21 failed to pass to engrossment prevailed.

MY REASONS FOR VOTING AGAINST H. J. R. NO. 21

While I will oppose any state income tax or any state payroll tax as inequitable taxes I do not feel that the present Legislature should attempt to tie the hands of Legislatures to come and thereby the future hands of the people of Texas by a Constitutional Amendment prohibiting the levying of such taxes. No one can know what the future holds nor can anyone accurately predict. Therefore, I have this day very respectfully voted against this proposed Constitutional Amendment, H. J. R. 21.

PAUL FLOYD.

REASON FOR VOTE ON H. J. R. NO. 21

I have voted against H. J. R. 21 because I believe that it would have closed the door to critically needed reform of the inequitable corporate franchise tax. I believe that the industrial growth of this state would be better served by repealing this franchise tax and placing, if necessary, in its stead a tax that reflects the corporation's ability to pay rather than a tax based on its debt regardless of whether it makes a profit or not.

TOM JAMES.

REASON FOR VOTE (Regarding H. J. R. No. 21)

We voted against this resolution because it would be a dangerous precedent to start tying the hands of the Legislature in its efforts to finance state government. Another reason that we voted against it is that it included a corporation income tax in the proposed prohibition, and this type of tax on corporations would probably be a fairer tax than the present franchise tax. Our vote should in no way be construed as our favoring a personal income tax, which both of us oppose.

READ QUILIAM.

REASON FOR VOTE ON H. J. R. NO. 21

We voted against H. J. R. 21 because I believe that it would have closed the door to critically needed reform of the inequitable corporate franchise tax. I believe that the industrial growth of this state would be better served by repealing this franchise tax and placing, if necessary, in its stead a tax that reflects the corporation's ability to pay rather than a tax based on its debt regardless of whether it makes a profit or not.

TOM JAMES.
REASON FOR VOTE ON MOTION TO TABLE THE MOTION TO POSTPONE H. J. R. 4

February 28, 1961

We are opposed to H. J. R. 4 and will vote against the measure when and if it comes up on the floor for a vote; however, we cannot conscientiously follow the author’s strategy for an immediate vote. The passage or failure of this motion in our opinion has nothing to do with H. J. R. 4.

RONALD W. BRIDGES.

TRAVIS PEELER.

Mr. Heatly moved as a substitute motion that further consideration of H. J. R. No. 4 be postponed until 11:00 o’clock a.m., next Tuesday, March 7.

Mr. Berry moved to table the substitute motion by Mr. Heatly to postpone H. J. R. No. 4.

A record vote was requested on the motion to table.

The motion to table the substitute motion to postpone H. J. R. No. 4 prevailed by the following vote:

Yeas—76

- Alaniz
- Andrews
- Atwell
- Barney
- Bartram
- Bass
- Berry
- Bridges
- Buchanan
- Burgess
- Butler
- Calhoun
- Chapman
- Cole of Hunt
- de la Garza
- Dungan
- Elder
- Fletcher
- Giddeon
- Glass
- Glassing
- Grover
- Guffey
- Haie
- Harding
- Haring
- Harrington
- Hayes
- Hinson
- Huebner

Nays—76

- Schram
- Shively
- Slack
- Smith of Bexar
- Smith of Jefferson
- Smith of Travis
- Spear
- Spellman
- Springer
- Stewart
- teston

Absent

- Bass
- Carrolton

Alamia

Smith

Pleasanton

of Houston

of McLennan

of El Paso

of Nacogdoches

of Leon

of Eastland

of Falls

of Tom Green

of Tom Green

of Willacy

of Galveston

of Hardin

of Trinity

of Wichita
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A record vote was requested on the motion by Mr. Berry to postpone H. J. R. No. 4.

The motion by Mr. Berry to postpone H. J. R. No. 4 until 11:00 o'clock a.m., Tuesday, March 21, prevailed by the following vote:

Year—77
This is not the time to take up this matter; the controversial aspect of this bill requires that the bill be postponed for the present so that the House may move on to other important matters. During the next few weeks the House is faced with the problem of solving the financial crises of this State. Which is more important, that or fighting over the horses?

H. A. LEAVERTON.
REASON FOR VOTE
I voted against Rep. Berry’s motion to postpone consideration of H. J. R. 4 because I wanted to bring this matter up and kill it for the duration of this Legislative Session. This is a gambling bill and I shall never vote for any bill which legalizes gambling or any other form of vice in the State of Texas.

BILL HOLLOWELL.
REASON FOR VOTING TO POSTPONE H. J. R. NO. 4
I voted to postpone H. J. R. 4 to March 21st. I have always shown the courtesy to any and all members of this House who authored a Bill or Amendment to vote to postpone to any date that he may want to postpone. By voting to postpone, I am not pledging myself to vote for or against the Amendment.

OBIE JONES.

H. J. R. 4

Mr. Buchanan moved that all the necessary rules be suspended for the purpose of taking up and considering at this time H. J. R. No. 46.

The motion prevailed by the necessary two-thirds vote.

The Speaker laid before the House, on its second reading and passage to engrossment, H. J. R. No. 46, A Joint Resolution “proposing an Amendment to the Constitution of Texas by adding to Article III a new section to be known as Section 49-d authorizing the Texas Water Development Board to use funds on deposit in the Water Development Fund for the additional purpose of acquiring storage facilities in reservoirs and to dispose of such storage facilities upon
such terms as the Legislature shall prescribe; providing for the use of funds received from the disposition of acquired storage facilities; provid­
ing that any enabling Acts shall not be invalid because of their anti­
cipatory character; prescribing the form of ballot and providing for the necessary proclamation and publica­
tion.| The resolution was read second time.
Mr. McIlhany offered the follow­
ing committee amendment to the resolution:
Amend H. J. R. 46 by striking out all below the resolving clause and in­
serting in lieu thereof the follow­
ing:
Committee Amendment No. 1

"Section 1. That Article III of the Constitution of Texas be amended by adding a new section thereto to be known as Section 49-d, as follows:

"Section 49-d. It is hereby de­

clared to be the policy of the State of Texas to encourage the optimum development of the limited number of feasible sites available for the construction or enlargement of dams and reservoirs for conserva­
tion of the public waters of the State, which waters are held in trust for the use and benefit of the public. To this end, and with the approval of the Board of Water Engineers or its successor, the proceeds from the sale of State bonds deposited in the Texas Water Development Fund as pro­
vided in Article III, Section 49-c of this Constitution may be used by the Texas Water Development Board to sell, transfer or lease, in whole or in part, any acquired storage facilities or the right to use such storage facilities at a price not less than the direct cost of the Board in acquiring same; and the Legis­
lature may provide terms and conditions for the Board to sell any unappropriated public waters of the State that might be stored in such facilities. Each applicant to purchase such storage or water shall have a valid permit from the Board of Water Engineers or its successor authorizing the acquisi­tion of such storage facilities or the water impounded therein. The money received from any sale of storage facilities shall be used to pay principal and interest on State
bonds issued by the Texas Water Development Board, provided that when moneys in the interest and sinking fund are sufficient to pay the full amount of said bonds then outstanding and the full amount of interest to accrue thereon, any further sums received from the sale of such storage facilities may be used for the acquisition of additional storage facilities. Money received from the sale of water may be used for the operation and maintenance of acquired facilities, and for the repayment of principal and interest on debt incurred.

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

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on June 3, 1961, at which election all ballots shall have printed thereon:

"FOR the Amendment to Article III of the Constitution of Texas by adding a new Section to be known as Section 49-d, providing for a State program of acquiring conservation storage facilities in reservoirs."

and

"AGAINST the Amendment to Article III of the Constitution of Texas by adding a new Section to be known as Section 49-d, providing for a State program of acquiring conservation storage facilities in reservoirs."

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

Mr. Dewey offered the following amendment to the Committee Amendment No. 1:

Amend Committee Amendment No. 1 by deleting the words June 3, 1961 and substituting in lieu thereof the following: November 6, 1962.

Mr. Atwell moved to table the amendment by Mr. Dewey to the Committee Amendment No. 1.
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Mr. Buchanan moved to reconsider the vote by which H. J. R. No. 46 was passed and to table the motion to reconsider. The motion to table prevailed.

**REASON FOR VOTE**

I am for this bill in principle. But I do not like the "rush" in which they want to place this Constitutional Amendment on the ballot. We have not had enough time to study this bill and its importance merits more consideration.

RAUL L. LONGORIA
MESSAGE FROM THE SENATE

Austin, Texas, February 28, 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. 10, Memorializing the Congress of the United States to propose an amendment to the Constitution of the United States relative to balancing the expenditures and the income of the Government of the United States.

S. B. No. 24, Authorizing student union fee at East Texas State College; and declaring an emergency.

S. B. No. 72, Requiring permits from Board of Water Engineers to drill injection wells for disposal of industrial and municipal waste; and declaring an emergency.

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

The bill was read second time on February 23, and further consideration was on that day postponed until February 27, at 9:00 o'clock a.m.

Mr. Korioth offered the following amendment to the bill:

Amend House Bill No. 261 by deleting Section 5 therefrom and re-numbering following sections.

The amendment was adopted.

Mr. Korioth offered the following amendment to the bill:

Amend House Bill No. 261 by striking subsection (a) of Section 1 therefrom and substituting the following:

(a) "Agency" means any state board, commission, department, or officer, authorized by law to make rules, except those in the legislative or judicial branches or institutions of higher education.

(Mr. Hale in the Chair)

The amendment was adopted.

Mr. Korioth moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 261 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118
Adams of Lubbock Butler Alanis Caldwell Andrews Canan Bailey Carriker Ballman Chapman Bankhead, Mrs. Cole of Harris Barnes Cole of Hunt Bartram Collins Bass Cook Bell Cory Berry Cowen Boysen Crews Bridges Dewey Buchanan Dungan Burgess

The Speaker laid before the House, on its passage to engrossment, H. B. No. 228, relative to amending Title 122A, Taxation-General V. C. S., requiring every document to be verified by written declaration.

The bill was read second time on February 23 with Committee Amendment No. 1 pending and further consideration of the bill was postponed until 12:00 o'clock noon, February 23.

Mr. Atwell moved that further consideration of House Bill No. 228 be postponed until 12:30 o'clock p.m. today.

The motion prevailed.

HOUSE BILL NO. 261 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, on its passage to engrossment, H. B. No. 261, relative to the adoption, filing, publication, and distribution of rules and regulations of State administrative agencies.

Mr. Korioth moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 261 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118
Adams of Lubbock Butler Alanis Caldwell Andrews Canan Bailey Carriker Ballman Chapman Bankhead, Mrs. Cole of Harris Barnes Cole of Hunt Bartram Collins Bass Cook Bell Cory Berry Cowen Boysen Crews Bridges Dewey Buchanan Dungan Burgess
The Chair then laid House Bill No. 261 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Korioth moved to reconsider the vote by which H. B. No. 261 was passed and to table the motion to reconsider.

The motion to table prevailed.

**MEMORIAL RESOLUTION ADOPTED**

H. S. R. No. 269, By Mr. McGregor of McLennan, Mr. Watson and Mr. Collins: In Memory of Dr. Littleton A. Woods.

**RECESS**

Mr. Oliver moved that the House recess, in memory of the Heroes of the Alamo, until 1:30 o'clock p.m., tomorrow.

The motion to recess prevailed.

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

In accordance with the motion to recess the House at 12:05 o'clock p.m., took recess until 1:30 o'clock p.m. tomorrow.
REASON FOR VOTE

I voted no on the motion to recess to see a picture show.

JAMES COTTEN.

APPENDIX

STANDING COMMITTEE REPORTS

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

- Privileges, Suffrage and Elections: H. B. No. 233.
- Rules: H. C. R. No. 29.
- State Affairs: H. C. R. No. 2.
- Agriculture: H. B. No. 402.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 216 A bill to be entitled
"An Act amending Section 8 of Chapter 56, Acts of the Forty-third Legislature, First Called Session, 1913, to provide that water supply corporations may deposit funds in State Banks as well as National Banks, or in certain shares or share accounts of Building and Loan Associations and Savings and Loan Associations doing business in Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred
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 Texas, 1925, to provide that revenues collected thereunder for audits and examinations be deposited to the General Revenue Fund of the State; abolishing the Cigarette Tax Audit Fund, No. 91; transferring cash assets of Fund No. 91 to the General Revenue Fund; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 27, 1961
Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 519 A bill to be entitled “An Act amending Section 16 of Chapter 133, Acts of the Fifty-fifth Legislature, Regular Session, 1957, to provide that revenues received under the Texas Egg Law be deposited in the General Revenue Fund of the State; abolishing the Egg Law Enforcement Fund; transferring the balances therein to the General Revenue Fund; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 521 A bill to be entitled “An Act amending Section 9 of Chapter 234, Acts of the Fifty-first Legislature, Regular Session, 1949, and Section 17 of Chapter 245, Acts of the Fifty-first 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.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

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, 1925, 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.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred


Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, February 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

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 303, Acts of the Fifty-fourth Legislature, Regular Session, 1955, to provide for the deposit of certain fees in the General Revenue Fund; abolishing
the Highway Light Test Fund; transferring the balance of that fund to the General Revenue Fund; providing an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS
Austin, Texas, February 28, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Enrolled 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 General's Department, has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

SENT TO GOVERNOR
February 28, 1961
H. C. R. No. 31.

TWENTY-EIGHTH DAY
(Continued)
(Wednesday, March 1, 1961)
The House met at 1:30 o'clock p.m., and was called to order by the Speaker.

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

"Heavenly Father, we are reminded today that Thou hast made us and bountifully blessed us. Keep us humble. Forgive our boasting and pride and help us to share what Thou hast given us as a Nation, State and as individuals. Make us mindful that one day a reckoning will be required of us. Make us willing today to live like God's people, In Christ's Name we pray.—Amen."

MESSAGE FROM THE SENATE
Austin, Texas, March 1, 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. 264, To create an additional County Criminal Court for the County of Tarrant to be known as "The County Criminal Court No. 1 of Tarrant County" and to provide for the jurisdiction, and organization of, and procedure in said court; and declaring an emergency.

S. B. No. 50, Permitting certain independent school districts to pay premiums for group life insurance for their employees; and declaring an emergency.

S. B. No. 161, Establishing a juvenile board in Dawson County; and declaring an emergency.

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

REPORT OF THE TEXAS LEGISLATIVE BEACH STUDY COMMITTEE

The following report of the Texas Legislative Beach Study Committee was ordered printed in the Journal:

Lieutenant Governor Ben Ramsey Speaker James A. Turman Members of the 57th Legislature

Gentlemen:
We, the undersigned, your Texas Legislative Beach Study Committee hereby report and recommend as follows:

1. This study was undertaken in response to Chapter 19, Acts of the 56th Legislature, 2nd Called Session, 1959, and the resulting basic research report is submitted herewith.

2. We are pleased to report that the Land Commissioner, the Chief Engineer of the Highway Department, the Attorney General and the Texas Legislative Council have given full cooperation in connection with this study, and we are grateful for their assistance.

3. Your Study Committee held several public hearings and executive meetings in Gulf Coast cities and in Austin, Texas in which interested parties from all segments of the economy participated.

4. We have weighed all the facts and are convinced that the Legis-