H. B. No. 245, A bill to be entitled “An Act authorizing the Board for Texas State Hospitals and Special Schools to contract for medical care and treatment; and declaring an emergency.”

The bill was read third time.

Mr. Kennard moved that further consideration of House Bill No. 245 be postponed until 11:30 o’clock a.m. tomorrow, March 7.

The motion prevailed.

RELATIVE TO H. C. R. No. 2

Mr. Green asks unanimous consent to add the word “Decreased” in (2) of the last “whereas clause”, before the word “Opportunity”; and also to add the word “of” ahead of the word “the” in the third line of the seventh “whereas clause”, of H. C. R. No. 2.

There was no objection offered and it was so ordered.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 287, By Mr. Barlow: In Memory of Judge M. D. (Buck) Jones.

H. S. R. No. 289, By Mr. Dewey: In Memory of Virgil Eadill.

ADJOURNMENT

Mr. Lewis moved that the House recess until 10:00 o’clock a.m. tomorrow.

Mr. Miller moved that the House adjourn until 10:00 o’clock a.m. tomorrow.

The motion to adjourn prevailed.

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

In accordance with the motion to adjourn the House met at 2:17 o’clock p.m., adjourned until 10:00 o’clock a.m. tomorrow.

THIRTY-FIRST DAY

(Tuesday, March 7, 1961)

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

Mr. Dungan moved to reconsider the vote by which H. B. No. 3 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE REGARDING HB-3

I have consistently voted against HB3 because the bill, as passed, does not include the amendment to protect the small towns in the surrounding counties from being swallowed up by the wild annexations of big cities.

Another reason I voted against it is that the provision allowing tax immunity for industrial districts applies only to industrial districts located outside the city limits. In the rush to adjourn, an amendment to place industries now located within the city limits on an equal basis with industries outside of towns was not considered.

Another very apparent danger of the bill as passed is that it allows city councils to contract for tax exemptions for industries located outside the city limits without submitting such a tax immunity to the voters of the city. In other words, a city council can give away the future taxes of the city and possibly receive their cut thereof.

I believe in giving industry tax advantages equally, both to existing industries within the city limits as well as industries outside of the limits when such a contract for tax advantages has been ratified by a majority vote of the people.

MACO STEWART.

HOUSE BILL NO. 245 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,
The roll of the House was called and the following Members were present:

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<th>Name</th>
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<td>Mr. Speaker</td>
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| Shannon           | Thumann               |
| Shipley           | Townsend              |
| Black             | Trevino               |
| Brandley          | Treeniel              |
| Smith of Bexar    | Walker                |
| Smith of Jefferson| Ward                  |
| Solison           | Watson                |
| Spears            | Wells                 |
| Spilman           | Wheatley              |
| Springer          | Whitfield             |
| Stewart           | Wilson of Trinity     |
| Stewart of Galveston| Wilson of Potter      |
| Stewart of Wichita| Yeak                  |

Absent—Excused

Ehrle            | McGregor              |
| Korioth         | of El Paso            |
|               | Pipkin                |

A quorum of the House was announced present.

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

"Almighty God, Jesus taught his disciples that by faith they could move mountains. Father, increase our faith today that we are no longer awed by difficulties and frightened by problems that face us. Help us to erase doubts from our minds and hearts that we might believe. Then will all things be possible, even the solutions to problems that perplex us today. In Christ's Name we pray.—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Korioth for today on motion of Mr. Eckhardt.

Mr. Pipkin for today on motion of Mr. Murray.

Mr. Ehrle for today on motion of Mr. Barnes.

Mr. McGregor of El Paso for today on motion of Mr. Shanon.

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. Cotten:

H. B. No. 690, A bill to be entitled "An Act amending Section 1, House Bill No. 895, Acts 1957, Fifty-Fifth Legislature, Regular Session, Chapter 239 (codified as Section 1 of Article 6923b-1, Vernon's Texas Civil Statutes), reducing the Fishing License Fee from Two Dollars and Fifteen Cents ($2.15) to One Dollar ($1); repealing all laws in conflict; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Messrs. Osborn, Buchanan, McLlhany, Ballman, Quilliam, Adams of Lubbock, Wells, Petty and Roberts of Dawson:

H. B. No. 692, A bill to be entitled "An Act to amend Section 1, Subsection 3c, B of House Bill No. 162, Acts of the 51st Legislature, 1949, Chapter 306, Page 559, as amended by Section 6 of House Bill No. 404, 54th Legislature, 1955, Chapter 496, Page 1239, known also as Section B of Article 7880-3c, Vernon's Annotated Civil Statutes, dealing with Underground Water Conservation Districts, by adding a new paragraph (11) at the end thereof, which shall be Section B (11) of Article 7880-3c, Vernon's Annotated Civil Statutes, authorizing a District to require the closing or capping of an 'open or uncoverd' well, defining an 'open or uncovered well,' and permitting a District to close or cap the same if the owner and/or operator of the land upon which such open or uncovered well is located refuses to do so, creating a lien on said land for expenses incurred by the District for closing or capping such open or uncovered well, providing that such remedies shall be cumulative, providing a savings clause, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Lewis:

H. B. No. 693, A bill to be entitled "An Act amending Section 141, Article XV, Chapter 121, Acts of the 50th Legislature, Regular Session, 1949, as amended, codified as Article 2922-14, Vernon's Texas Civil Statutes, by adding a new paragraph to provide that assistant county superintendents shall be compensated according to the minimum monthly base salary and increments as is prescribed for classroom teachers; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Roberts of Hill:

H. B. No. 694, A bill to be entitled "An Act to provide for the levying and collection of an occupation tax on all persons engaged in the business or use of devices, tools, instruments or equipment, electrical, mechanical, or otherwise; or chemical, electrical or mechanical processes in connection with servicing of oil, gas or other wells capable of producing minerals, or in exploration thereof, providing a penalty, describing methods of collection, providing a savings clause, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Collins:

H. B. No. 695, A bill to be entitled "An Act amending Article 6965, Revised Civil Statutes of Texas, 1925, as last amended and Article 6967, Revised Civil Statutes of Texas, 1925, as last amended by increasing the impounding fee of swine; and declaring an emergency."

Referred to the Committee on Livestock and Stock Raising.

By Messrs. Jones of Travis and Foreman:

H. B. No. 696, A bill to be entitled "An Act amending Section 1 of Article IV of Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended, codified as Article 2922-14, Vernon's Texas Civil Statutes, by adding a new section to provide that assistant county superintendents shall be compensated according to the minimum monthly base salary and increments as is prescribed for classroom teachers; and declaring an emergency."

Referred to the Committee on Education.
as Article 809g, to provide that employers subject to the provisions of said Chapter may qualify as self-insurers and prescribing qualifications therefor; authorizing the State Board of Insurance to issue licenses to qualifying employers and providing for renewal thereof; providing that employers qualifying as self-insurers shall be regarded as subscribers under this Chapter and subject to provisions of the employers' liability and workmen's compensation laws of the State; providing for examination of self-insurers by the State Board of Insurance; providing for re-insurance coverage at discretion of Board, authorizing the State Board of Insurance to make reasonable rules governing self-insurers; providing that the State Board of Insurance shall have authority to refuse to renew or to revoke license of self-insurers for cause; providing for right of appeal from order of the State Board of Insurance refusing to grant a license; revoking or failing to renew licenses; providing for the filing of reports of pending complaints for moving traffic violations and make notations thereof on the records of licensees against whom complaint is pending; providing for moving traffic violations with the Department of Public Safety; declaring the provisions of this Act to be severable; repealing all laws or parts of laws in conflict herewith to the extent of such conflict; and declaring an emergency.

Referred to the Committee on Judiciary.

By Mr. Thurman:
H. B. No. 699, A bill to be entitled "An Act authorizing the State to acquire title and purchase certain lands known as the Fort Phantom Hill State Park, in Jones County; designating it as the 'Fort Phantom Hill State Park'; providing for managing, controlling, beautifying, restoring and preserving same; and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. Johnson of Bexar:
H. B. No. 700, A bill to be entitled "An Act abolishing the office of county superintendent in all counties in this State having a population of not less than six hundred thousand (600,000) and wherein there are four (4) or more common school districts with three thousand, eight hundred (3,800) or more scholars; providing that the present county superintendents of such counties shall serve out their terms to which elected or appointed; providing that the duties of county superintendents on the effective date of this Act shall be performed by the county judge of such counties; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."
Referred to the Committee on Counties.
By Mr. Murray:
H. B. No. 702, A bill to be entitled "An Act to provide for the exclusion of certain lands from Water Control and Improvement Districts; amending Sections 1, 2, 5 and 6 of Chapter 119, Acts of the 47th Legislature, Regular Session, 1941, as amended and adding a new section, Section 01, thereto; and declaring an emergency."
Referred to the Committee on Conservation and Reclamation.

By Mr. Johnson of Dallas:
H. B. No. 703, A bill to be entitled "An Act repealing Subsection (4-b) of Section 2 of Article XX of Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as added by Section 1 of Chapter 51, Acts of the 51st Legislature, Regular Session, 1949, and as last amended by Section 2 of Chapter 1, Acts of the 56th Legislature, 1st Called Session, 1959, and amending Paragraph A of Subsection (4-e) of Article XX of Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as added by Section 1 of Article V of Chapter 404, Acts of the 54th Legislature, Regular Session, 1955, and as last amended by Section 2 of Chapter 1, Acts of the 57th Legislature, 1st Called Session, 1960, so as to end the allocation of moneys of Section 01, Chapter 404, Acts of the 47th Legislature, 1841, as added by Paragraph A of Subsection (4) of Article XX of the Revised Statutes, 1925, and declaring an emergency."
Referred to the Committee on Revenue and Taxation.

By Mr. Floyd:
H. B. No. 704, A bill to be entitled "An Act relating to challenges for cause in capital cases; amending Section 100 of Acts 1946, page 396, codified as Article 616, Vernon's Annotated Code of Criminal Procedure; providing that the prosecuting attorney shall make known to the Court whether or not he will qualify the jury and seek the death penalty; and if he is not qualifying the jury on the death penalty and seeking such punishment, then the fact that the juror has conscientious scruples in regard to the infliction of death for crime shall not be a reason for challenge for cause; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Mr. Stewart of Wichita:
H. B. No. 705, A bill to be entitled "An Act amending Article 1987 of the Revised Civil Statutes of Texas, 1925, as amended by Act 1957, 56th Legislature, Regular Session, Chapter 226, page 477; this amendment relates to fees which county clerks and clerks of county courts shall receive for their services in counties having 1,250,000, or more population according to the latest Federal Census, subject to the adoption of this Act by the commissioners' court of a county otherwise qualified; providing for increased fees for instruments not meeting specified standards; containing a repealing clause repealing all laws and parts of laws, including but not limited to those parts of Articles 2601, 848, 849, 5124.10, 255, 253, 1288, 3234, 3235, 4477 Rule 514, 6524, 4654, 4653, 45904, 5238, 5233, 5447, 5431, 8408, 5506c, 5505C, 5925, 5926, 6635, 6636, 6641, 6644, 6662, 6635, 6692-1, 6627, 7326, 7342, and 7847, Revised Civil Statutes of Texas, 1925, in conflict, and to the extent of conflict only, with the provisions of this Act; containing a saving clause; and declaring an emergency."
Referred to the Committee on Counties.

By Mr. Adams of Titus:
H. B. No. 707, A bill to be entitled "An Act providing for the issuance of licenses by the Texas Game and Fish Commission; and declaring an emergency."
Referred to the Committee on Game and Fisheries.
By Mr. Haynes:
H. B. No. 708, A bill to be entitled "An Act relating to fees charged by the Texas Game and Fish Commission; and declaring an emergency." Referred to the Committee on Game and Fisheries.

By Mr. Bailey:
H. B. No. 709, A bill to be entitled "An Act amending Sections 6, 7 and 8 of Chapter 476, Acts, 52nd Legislature, Regular Session, 1951, (codified as Article 97A-3 of the Texas Penal Code, 1925) relating to the administration of the Game and Fish Commission; and declaring an emergency." Referred to the Committee on Game and Fisheries.

By Mr. McLain:
H. B. No. 710, A bill to be entitled "An Act to amend Chapter 297, Acts of the 50th Legislature, Regular Session, 1947, to provide for the establishment of multiple use facilities in the State Parks; and declaring an emergency." Referred to the Committee on Game and Fisheries.

By Mr. Kennard:
H. B. No. 711, A bill to be entitled "An Act amending Chapter 4, Title 75, of the Revised Civil Statutes of Texas, 1925, as amended, by adding a new Article after Article 4639a, to be known as Article 4639b, Vernon's Texas Civil Statutes, pertaining to the support of children who require custodial care; providing a severance clause; repealing all laws in conflict; and declaring an emergency." Referred to the Committee on Criminal Jurisprudence.

By Mr. Smith of Bexar:
H. B. No. 717, A bill to be entitled "An Act amending Article 5.01, Title 12 2A, Taxation-General, Revised Civil Statutes of Texas, 1925, so as to provide alternate days to hold the election of certain water district officials in the event of certain holidays; and declaring an emergency." Referred to the Committee on Conservation and Reclamation.
to increase the occupation tax on sulphur producers to Three Dollars ($3) per long ton of sulphur produced, and declaring an emergency.

Referred to the Committee on Revenue and Taxation.

By Mr. Huebner:
H. B. No. 718, A bill to be entitled "An Act providing for construction of additional floors for the State Insurance Building and the second State Office Building; completion of State Archives and Library Building; granting authority for the limited use and improvements on Capitol grounds to provide passageways and walks to new buildings; authorizing the Building Commission to rent unused properties; and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

HOUSE JOINT RESOLUTIONS ON FIRST READING

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

By Mr. Bell:
H. J. R. No. 58, A Joint Resolution "Proposing an amendment to the Constitution of the State of Texas to abolish the annual State ad valorem tax of Two Cents (2¢) on the One Hundred Dollars ($100) valuation now levied for payment of Confederate and Texas Ranger pensions and for maintenance of the State Building Fund, and to substitute a tax of One Cent (1¢) on the One Hundred Dollars ($100) valuation, to be levied in each year as necessary, to pay Confederate and Texas Ranger pensions until the death of the last surviving recipient."

Referred to the Committee on Constitutional Amendments.

By Mr. Bell:
H. J. R. No. 58, A Joint Resolution "Proposing an amendment to Article VII, Section 17 of the Constitution of Texas, reducing the period of time for issuance of bonds and notes for buildings and other permanent improvements by designated State Institutions of higher learning, to be secured by the State ad valorem tax on property of Five Cents ($1/2) on the One Hundred Dollars ($100) valuation now levied, and providing for expiration of the tax upon payment of all such bonds and notes."

Referred to the Committee on Constitutional Amendments.

CONGRATULATORY RESOLUTIONS ADOPTED


H. S. R. No. 288, By Mr. McCoppin and Mr. Bass: Congratulating the James Bowie Pirates.

H. S. R. No. 289, By Messrs. Sandahl, Jones of Travis and Foreman: Recognizing students of Porter Junior High School, Austin, Texas.

H. S. R. No. 290, By Mr. Price: Congratulating Basketball team of Frankston High School.

RELATIVE TO USE OF PAPERBACK TEXTBOOKS IN PUBLIC SCHOOLS

Mr. Grover offered the following resolution:

H. S. R. No. 296

Whereas, Textbooks used in the schools of Texas are extremely costly and the amount of money spent by the State on textbooks is exorbitant.

Whereas, The dire financial condition of the State is of great concern to us;

Whereas, There is a high rate of loss due to destruction of these expensive textbooks within the first year of their use;

Whereas, There are students who would buy textbooks for personal use if the price per book were not so prohibitive and thus provide a substantial saving to the State; and

Whereas, There has been a great increase in the publishing of excellent paperback books. There has been great progress made in the quality of form and material of paperbacks; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-seventh Legislature requests that the Texas State Department of Education make a survey before the Fifty-seventh Leg-
The House adjourns, to determine the financial savings and the practicality of the use of paperback textbooks in the public schools of Texas, and that a comprehensive pilot program in the use of paperback textbooks be conducted in Texas schools if appropriate paperback books are available before the convening of the Fifty-eighth Legislature.

The resolution was referred to the Committee on Education.

RELATIVE TO THE CONTINGENT EXPENSES OF THE MEMBERS OF THE HOUSE

Mr. Guffey offered the following resolution:

H. S. R. No. 291

Whereas, The Members of the House of Representatives are now engaged in performing the many duties and responsibilities of the Fifty-seventh Legislature; and

Whereas, Incidental expenses of postage, telephone calls and office supplies are necessary for the Members to adequately carry on their various tasks for the Session; now, therefore

Be it resolved by the House of Representatives That each Member of the House be permitted to expend not more than Six Hundred and Fifty Dollars ($650) for contingent expenses during the Regular Session of the Fifty-seventh Legislature.


The resolution was read and was referred to the Committee on Contingent Expenses.

HOUSE JOINT RESOLUTION NO. 5
ON SECOND READING

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

H. J. R. No. 5, A Joint Resolution
"Proposing an amendment to Article III of the Constitution of the State of Texas by adding thereto a new section to be known as Section 52a, which would authorize the governing body of any city or town in this State upon approval of a majority of the resident property taxpayers of the city or town to grant public money or property or exemption from ad valorem taxes for a period of time not to exceed five (5) years as an inducement for the establishment and operation of commercial, manufacturing, or industrial business enterprises within such city or town, where no enterprise identical to manufactures, products or commerce selling more than twenty-five per cent (25%) of its total manufactures, products or commerce within the county in which said city or town is located, is then functioning within the county in which such new enterprise is to be located; providing for the necessary election and the form of the ballot; and providing for the necessary proclamation and publication.

The resolution was read second time.

Mr. Smith of Bexar moved that further consideration of H. J. R. No. 5 be postponed until 11:00 o'clock a.m. next Tuesday, March 14.

The motion prevailed.

HOUSE BILL NO. 178 ON PASSAGE TO ENGROSSMENT

Mr. Gladden called from the Journal the motion to reconsider the vote by which H. B. No. 178 failed to pass to engrossment.

The motion to reconsider the vote prevailed.

The Speaker laid before the House on its passage to engrossment.

H. B. No. 178, A bill to be entitled "An Act amending Article 1429 of the..."
the Penal Code of Texas, 1925, relating to conversion by a bailee; and declaring an emergency.

The bill was read second time on February 21, failed to pass to engrossment and a motion to reconsider the vote by which the bill failed to pass to engrossment having been spread on the Journal.

Mr. Johnson of Dallas offered the following amendment to the bill:

Amend House Bill 178, as amended, deleting those words beginning on line 36 as follows:

"a motor vehicle, trailer, equipment, or tool, or any other",

and beginning on line 42 as follows:

"a motor vehicle, trailer, equipment, or tool, or any other";

and beginning on line 44 as follows:

"motor vehicle, trailer, equipment or tool, or other".

The amendment was adopted by unanimous consent.

H. B. No. 178 was passed to engrossment.

Mr. Gladden moved to reconsider the vote by which H. B. No. 178 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 245 ON PASSAGE

The Speaker laid before the House, as postponed business, on its passage, H. B. No. 245, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to contract for medical care and treatment; and declaring an emergency."

The bill was read third time on March 6, and further consideration was postponed until 11:30 o'clock a.m. next Monday, March 13.

The motion prevailed.

HOUSE BILL NO. 533 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 333, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, by adding a new section to Article I and amending a portion of Section 5 of Article II, as to provide for the issuance of a Brewer's Permit to the holder of a Manufacturer's License, providing a time limit during which the holder of a Manufacturer's License must begin to brew and package beer in a bona fide operation, during which period he must be actually engaged in preliminary activities leading to such brewing and packaging, and authorizing the Board to enforce this provision; and exempting from this provision holders of Manufacturer's Licenses in effect on January 1, 1953; etc., and declaring an emergency."

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

Yeas—92

Adams of Titus
Allen
Andrews
Atwell
Ballman
Barlow
Bartram
Bell
Berry
Blaine
Boysen
Burgess
Cannon
Cole of Harris
Cole of Hunt
Connor
Covey
Crews
Curington
de Ia Uarza
Dungan
Dugan
Eckhardt
Floyd
Garrison
Gibbons
Glass
Glassing
Green
Grover
Hale
Haring
Harrington
Huebner
Hughes of Dallas
Iasaka, Miss
James
Jamilon
Jarvis
Johnson of Bexar
Jones of Dallas
Jones of Travis
Kendall
Kilpatrick
Koliba
Lack
Larry
La Valle
Longoria
McCoppin
McGregor
McLennan
Miller
Mullen
Murray
Mutscher
Niemeyer
Nugent
Ollie
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Pearcy Spears
Peeler Spilman
Pieratt Stewart
Rapp of Galveston
Ratcliff
Richardson
Hones Thurmond
Sandahl Trevino
Schramp Tunnell
Shannon Walker
Shipley Watson
Sheek Whitsfield
Smith of Bexar Woods
Smith of Jefferson Yeak
Snellen

Nays—43

Adams of Lubbock Latimer
Bailey Leaverton
Barnes McIlhany
Bridges Markgraf
Buchanan Martin
Batter Moore
Caldwell Osborn
Carriker Parsons
Chapman Petty
Collins Preston
Cotten Price
Cowles Richards
Crim Roberts of Hill
Duff, Miss Rosson
Fairchild Slider
Fletcher Sprinker
Harras Thurman
Hekaly Townsend
Hilson Ward
Hollowell Wells
Hughes Wheatley
of Grayson Wilson of Potter

Present—Not Voting

Quilliam

Absent

Banfield, Mrs. Johnson of Dallas
Bass Lewis
Cook Roberts of Dawson
Dewey Wilson of Trinity

Foreman

Absent—Excused

Ehrle McGregor
Kernich of El Paso
Pipkin

Mr. Kennard moved to reconsider
the vote by which H. B. No. 592
was passed and to table the motion
to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, March 7, 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. 35, Providing that all
salaries and compensation of all
state officers and employees, except
that of District Judges, shall be as
provided in General Appropriation
Act, and declaring an emergency.

S. B. No. 261, Increasing penalties
for misrepresentations in applica-
tions for unemployment insurance;
and declaring an emergency.

S. B. No. 119, Proposing Texas Uni-
form Partnership Act; and declaring
an emergency.

S. B. No. 245, Creating 162nd
Judicial District Court for Karnes,
Frio, La Salle, Atascosa and Wilson
Counties; and declaring an emer-
gency.

S. B. No. 145, Relating to examina-
tion and regulation of State Credit
Unions; and declaring an emergency.

S. B. No. 214, Amending Texas
Business Corporations Act regarding
cumulative voting for directors; and
declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.
1. Creation of office of County Fire Marshal.

(1) The Commissioners Court of any county may establish the office of County Fire Marshal for such period of time as it may desire, but not to exceed the term for which the members of said Court are elected. Said Court may provide for such compensation to be paid the County Fire Marshal as it may deem advisable.

(2) Authority is granted to the Commissioners Court to provide office facilities, equipment, transportation, assistants, and professional services as it may deem necessary for said County Fire Marshal for the proper execution of his duties. Except in cases of gross neglect or willful malfeasance in office, said County Fire Marshal, his assistants or employees, shall not be answerable in damages for any acts or omissions to any persons in the performance of his or their duties.

(3) The County Judge shall be the authority who shall appoint the County Fire Marshal in each county in which such office is established, and such County Fire Marshal’s term of office shall be for a period of two (2) years. In making such appointment he may consider the organization of the county administration and, upon the approval of the Commissioners Court, combine duties and functions of departments or portions of departments assign to the said County Fire Marshal such duties as are set out in paragraph (5), and such other duties as may be deemed appropriate as the result of such combination of office and function. The said County Fire Marshal shall qualify by taking the oath prescribed by the Constitution and giving such good and sufficient bond as the Commissioners Court of the county may prescribe and fix conditioned for the faithful and strict performance of his duties of office. He shall not be interested, directly or indirectly, in the sale of any fire-fighting apparatus or equipment or fire extinguisher of any kind, nor be engaged in any manner of fire insurance business.

(4) No person shall be qualified to hold the office of County Fire Marshal unless he shall have qualifications under one of the following categories:

(a) He shall have a degree in engineering from an accredited college or university in either the industrial safety or engineering field; or
(b) He shall be a registered professional engineer in either the industrial safety or engineering field; or
(c) He shall have had experience for not less than five years as a County Fire Marshal under Article 1406c, Vernon’s Civil Statutes or this Act; or
(d) He shall have had experience for not less than five years as chief officer of a city of over five hundred thousand inhabitants in charge of arson inspection, or
(e) He shall have had experience as the Fire Chief in a city of over fifty thousand inhabitants for a period of not less than ten years and shall have knowledge and training in the latest fire-fighting techniques and the latest methods for fire and explosion prevention; or
(f) He shall have had experience in responsible charge in industry of disaster prevention, safety and fire-fighting over a period of not less than ten years.

(5) It shall be the duty of the said County Fire Marshal:

Mr. Harrington offered the following amendment to the bill:

Amending H. R. No. 25 by striking everything contained therein below the enacting clause and substituting therefor the following:

"Section 1. Creation of office of County Fire Marshal.

(1) The Commissioners Court of any county may establish the office of County Fire Marshal for such period of time as it may desire, but not to exceed the term for which the members of said Court are elected. Said Court may provide for such compensation to be paid the County Fire Marshal as it may deem advisable.

(2) Authority is granted to the Commissioners Court to provide office facilities, equipment, transportation, assistants, and professional services as it may deem necessary for said County Fire Marshal for the proper execution of his duties. Except in cases of gross neglect or willful malfeasance in office, said County Fire Marshal, his assistants or employees, shall not be answerable in damages for any acts or omissions to any persons in the performance of his or their duties.

(3) The County Judge shall be the authority who shall appoint the County Fire Marshal in each county in which such office is established, and such County Fire Marshal’s term of office shall be for a period of two (2) years. In making such appointment he may consider the overall organization of the county administration and, upon the approval of the Commissioners Court, combine duties and functions of departments or portions of departments assign to the said County Fire Marshal such duties as are set out in paragraph (5), and such other duties as may be deemed appropriate as the result of such combination of office and function. The said County Fire Marshal shall qualify by taking the oath prescribed by the Constitution and giving such good and sufficient bond as the Commissioners Court of the county may prescribe and fix conditioned for the faithful and strict performance of his duties of office. He shall not be interested, directly or indirectly, in the sale of any fire-fighting apparatus or equipment or fire extinguisher of any kind, nor be engaged in any manner of fire insurance business.

(4) No person shall be qualified to hold the office of County Fire Marshal unless he shall have qualifications under one of the following categories:

(a) He shall have a degree in engineering from an accredited college or university in either the industrial safety or engineering field; or
(b) He shall be a registered professional engineer in either the industrial safety or engineering field; or
(c) He shall have had experience for not less than five years as a County Fire Marshal under Article 1406c, Vernon’s Civil Statutes or this Act; or
(d) He shall have had experience for not less than five years as chief officer of a city of over five hundred thousand inhabitants in charge of arson inspection, or
(e) He shall have had experience as the Fire Chief in a city of over fifty thousand inhabitants for a period of not less than ten years and shall have knowledge and training in the latest fire-fighting techniques and the latest methods for fire and explosion prevention; or
(f) He shall have had experience in responsible charge in industry of disaster prevention, safety and fire-fighting over a period of not less than ten years.

(5) It shall be the duty of the said County Fire Marshal:
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(a) To enforce all State and County regulations that pertain to fire, explosion or damages caused by combustion of fission of any kind.

(b) To coordinate the work of the various fire-fighting and fire-prevention units within the county, provided that he shall act in a cooperative and advisory capacity in such respect. Nothing in this provision shall be construed to give to the Fire Marshal any authority to administer, direct or effect the tenure of personnel of fire-fighting and fire-prevention units of cities, towns, villages, voluntary fire-fighting organizations or port authorities without the specific request and permission of their respective governing authorities.

c) To cooperate with the State Fire Marshal in carrying out the purposes of fire prevention, fire fighting or post-fire investigation. If called upon by any city or State Fire Marshal or the fire chief of any incorporated city, town or village to aid in an investigation or to take charge of same, he shall act in the capacity requested.

d) To investigate the cause, origin and circumstances of every fire and explosion occurring within the county by which property has been destroyed or damaged, or any explosion, rupture of pipes, tanks or equipment resulting in injury to or loss of life, and he shall especially make investigation as to whether such disaster was the result of carelessness or negligence. Such investigation shall begin within twenty-four (24) hours, not including Sunday, after the County Fire Marshal receives notice of information of any such fire. Provided, however, if such occurrence shall take place within an incorporated city, town or village having a professional, full time, paid fire-fighting force and having a fire chief and arson inspector, he shall make such investigation only upon the request of the fire chief or arson inspector, whichever shall be designated by the governing authority of the incorporated city, town or village to make such request.

e) To keep or cause to be kept in his office a record of all fires, explosions or other disasters subject to the investigatory authority of the County Fire Marshal as set out in paragraph (d) above, occurring with in the county, together with all facts, statistics and circumstances, including the origin of the fire and the estimated amount of the loss, which may be determined by his investigation. Such record shall be kept in a legible and permanent form and be so preserved that the same may be at all times accessible and open for inspection. In the case of such disaster occurring within an incorporated city, town or village, such record may be by reference to comparable records kept by such incorporated city, town or village.

(f) When in his opinion further investigation is necessary, to subpoena witnesses to appear before him and testify as to their knowledge of facts and circumstances surrounding the fire or attempt at setting of the fire, the explosion or attempt at causing an explosion, or other disaster made subject to investigation by (e) above. He shall be empowered to administer oaths and affirmations to any person appearing as a witness before him. He shall take and preserve written statements, affidavits and depositions as he shall deem fit. He shall file in courts of competent jurisdiction any charges of arson, attempt to commit arson, or any other crime or conspiracy to defraud, against any and all persons whom he shall deem guilty. He shall require the production before him of any book, paper or document deemed pertinent to such investigation and shall file misdemeanor charges in courts of competent jurisdiction against any witness who refuses to produce before him any book, paper or document touching on any matter under examination when called by the County Fire Marshal to do so. Any person found guilty of such conduct or contempt of the proceedings held by the County Fire Marshal shall upon conviction be fined not more than one hundred dollars and costs in any court of competent jurisdiction. Each such refusal shall constitute a separate offense. Witnesses to be called may be excluded from being present except the persons under examination; and the witness may be kept separate and apart from each other and not allowed to communicate with each other until they shall have been examined. All process shall be served by any Constable or Sheriff and the same shall...
be signed by the County Fire Marshal in his official capacity.

(g) The said County Fire Marshal shall have the authority to enter, in the performance of the duties of his office, and examine any and all buildings or structures where a fire, explosion or disaster which (the County Fire Marshal) is authorized to investigate under the provisions of paragraph (e) (d), has occurred, and examine any adjacent buildings or premises; but this authority shall be exercised with reason and discretion and with a minimum burden upon the persons living in said buildings.

"Section 2. Disaster Prevention Planning Board"

(a) The County, and the city, town and other governmental units contained or partially contained therein, may participate in a Disaster Prevention Planning Board which shall then be available to the County Fire Marshal as an advisory board to aid him in the coordination of a county-wide plan and program for prevention of disaster. The Disaster Prevention Planning Board shall be composed of representatives of the various governmental units choosing to participate therein, in the following manner:

(b) Each participating city or town shall have one member appointed by its city council, which member may or may not be its fire chief. A city of over fifty thousand inhabitants according to the last preceding federal census shall have, in addition to the one member appointed by the city council, its fire chief as a member of such Board; and a city having in excess of one hundred thousand inhabitants according to the last preceding census shall have, in addition to the fire chief and one other representative, one additional member of the Board (making a total of three members of said Board inclusive of the fire chief.)

(c) The commission or authority controlling any ship channel, port, navigation district or like agency which is the primary controlling authority of shipping in such port or ports as may exist within the county shall designate, by its governing authority, one member.

(d) Four or as large members shall be appointed by the County Judge; and in considering two of them, he shall consider the recommendations of industry in the area who may make available competent safety engineers for participation in said two positions; and, in considering the other two, he shall consider the recommendations of organizations of employees who may make available persons from among the employee group who have gained experience on bodies such as safety workmen's committees of employees.

"Section 3. Does not repeal prior law"

It is expressly provided that this Act shall not repeal any provisions of Acts of the 52nd Legislature, 1961, as amended by Chapter 323, Acts of the 53rd Legislature, 1961, the same being codified as Article 1606c, Vernon's Civil Statutes, but after the effective date of this Act any Commissioners Court activating the office of Fire Marshal shall do so under this Act, and such position, and the duties and authority exercised under such position shall be determined and limited by this Act. If this section, preserving authority under Article 1606c, Vernon's Civil Statutes for Fire Marshals previously established shall be, in this respect, held invalid for any reason, then this entire Act, omitting this section shall be in full force and ef-
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feet and all statutes in conflict therewith shall be deemed repealed.

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

"Section 5. Emergency Clause. The fact that there have been recent disasters and near disasters which might have been prevented, or better guarded against, had there been some single, coordinating authority devoted to the problem of prevention of community disaster; the fact that the number of deaths from explosions as reported in the most recent report of the Industrial Accident Board is double that reported for the immediately preceding year; the fact that there is no official, coordinating authority with adequate investigative and enforcement powers, in areas where several municipalities and governmental agencies exist within a single county, dealing with the problem of county-wide community disaster prevention, and the fact that there is no official specifically assigned to this important need may be useful in any or all counties of the State, but the law prior to this Act does not extend to all counties authority to establish such an authority: Such facts 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 Act shall take effect and be in force from and after its passage, and it is so enacted.

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

Amend Committee amendment, Section 1 (6) by substituting therefor the following:

Section 1 (6) No action taken by the County Fire Marshal shall affect the rights of any policyholder or any company in respect to a loss by reason of any fire, explosion or rupture so investigated; nor shall the result of any such investigation be taken in evidence upon trial of any civil action upon such policy; nor shall any statement made by any insurance company, its officers, agents, or adjusters, nor by any policyholder or by anyone representing him, nor by any party to litigation growing out of the incident investigated, made, with reference to the origin, cause or supposed origin or cause of the fire, explosion or rupture, to the County Fire Marshal or to anyone acting for him or under his direction, be admitted in evidence or be made the basis for any civil action for damages. No opinion may be given by the County Fire Marshal in a civil suit as to the origin, cause or supposed origin of the fire, explosion or rupture investigated by him, and he may not testify in such civil suit as to any statements or testimony obtained by him from witnesses under oath or affirmation under the provisions of Section 1 (5) (f) of this Act, nor may he testify in such civil suit as to the contents of any book, paper or document required to be produced before him under the provisions of such subsection. Subject to the limitations and provisions of this subsection, the County Fire Marshal may give testimony under the rules of evidence in civil cases.

The amendment to Committee Amendment No. 1 was adopted.

A record vote was requested on the adoption of Committee Amendment No. 1, as amended.

Committee Amendment No. 1 was lost by the following vote:

Yeas-42

Alaniz  Harrington
Bailey  Haynes
Barlow  Hinson
Bridges  Hughes
Caldwell  of Grayson
Cannon  Isaac, Miss
Carriker  Jamison
Cate of Harris  Johnson of Bexar
Collins  Johnson of Bell
Dewey  Jones of Travis
Dungan  Kennedy
Eckhardt  Kilpatrick
Gladden  Lary
Glass  McIlhany
Guffey  Mullen
Hale  Peeler
Haring  Richardson

Nays-43
Mr. Oliver moved to reconsider the vote by which Committee Amendment No. 1 was lost and to table the motion to reconsider. The motion to table prevailed.

Mr. Eckhardt moved that House Bill No. 35 be laid on the table subject to call. The motion prevailed.

Mr. Oliver moved to call H. B. No. 35 from the table. The motion was lost.

MESSAGE FROM THE SENATE

Austin, Texas, March 7, 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. C. R. No. 28, Memorializing the United States Congress to Expand the Sugar Production in the Continental Limits of the United States.

H. C. R. No. 29, Inviting Dr. James H. Jauncey to address a Joint Session of both Houses at 11:30 A.M. on Thursday, March 9, 1961.

Respectfully,

CHARLES A. SCHNABEL, Secretary of the Senate.

RELATIVE TO HOUSE BILL NO. 260

Mr. Wells asked unanimous consent of the House that the Engrossing and Enrolling Clerk be authorized to insert the words "or time" between the words "scrip" and "warrants" on page 1, line 38 of House Bill 260. There was no objection offered and it was so ordered.

HOUSE BILL NO. 39 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,
H. B. No. 39, A bill to be entitled "An Act relating to the carrying on of any trade, business or occupation injurious to health, amending Article 695 of the Penal Code of the State of Texas so as to increase the maximum fine from one hundred dollars ($100.) to two hundred fifty dollars ($250.)".

The bill was read second time.

Mr. Cannon offered the following amendment to the bill:

Amendment No. 1
Amend H. B. 39 by striking out the words Commissioner's Court in Section 3 and inserting in lieu thereof County Court.

The amendment was adopted.

Mr. Thurman offered the following amendment to the bill:

Amendment No. 2
Amend H. B. No. 39 by deleting Section 3.

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

Mr. Cannon moved to table the HOUSE BILL NO. 46 ON THIRD READING. The motion to table was lost. The amendment by Mr. Thurman was adopted.

Mr. Cannon moved that H. B. No. 39 be recommitted to the Committee on Labor.

Mr. Adams of Lubbock moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote:


The Speaker laid before the House on its second reading and passage to engrossment, House Bill No. 46, A bill to be entitled "An Act amending Chapter I of H. B. 11, Chapter 1, Acts of the 56th Legislature, 3rd Called Session, revising statutes levying the inheritance tax and the additional inheritance tax; providing for the Comptroller to have full authority and responsibility for administration of the inheritance tax and the additional inheritance tax; providing for the filing of returns and penalties for failure to file; providing for payment of the tax within fifteen (15) months and interest for failure to pay; providing for a lien; providing for a refund for over payments; providing for additional information as the Comptroller may require; providing for the Comptroller to issue rules and regulations; providing for the Comptroller to examine records of estates; providing for the Comptroller and the Attorney General to enter into agreements with other states when the residence of a decedent is in question; providing a savings clause; repealing all laws in conflict herewith; providing for an effective date; and declaring an emergency."

The bill was read second time and was passed to engrossment.
Mr. Adams of Lubbock moved to reconsider the vote by which H. B. No. 46 was passed and to table the motion to reconsider. The motion to table prevailed.

HOUSE BILL NO. 56 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 56, a bill to be entitled "An Act amending Chapter 243, passed at the Regular Session of the 53rd Legislature in 1963 as here­fore amended by Chapter 299, passed at the Regular Session of the 54th Legislature in 1955 and by Chapter 204, passed at the Regular Session of the 55th Legislature in 1957, all relating to the Canadian River Municipal Water Authority, providing that a majority in number of the Authority's Board of Directors shall constitute a quorum for the transaction of any and all business; providing that a majority vote of a quorum present shall be sufficient in all official actions except as other­wise specifically provided; providing that water service charges, rates and penalties may be fixed only by unanimous vote of a quorum present at a regular meeting; providing that after having contracted with the Authority for a water supply no member city shall be eliminated from the Authority by virtue of failure to call or carry subsequent contract election, etc., and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Section 7 of House Bill No. 56 by striking the same and substituting the following in lieu thereof:

Section 7. This Act shall have no application to any litigation pend­ing upon the effective date hereof in which the validity of the matters herein validated may be involved, if such litigation is ultimately de­termined against the legality there­of.

The amendment was adopted.

House Bill No. 56 was then pass­ed to engrossment.

HOUSE BILL NO. 56 ON THIRD READING

Mr. Ballman moved that the constitu­tional rule requiring bills to be read on three several days be sus­pended and that House Bill No. 56 be placed on its third reading and final passage.

The motion prevailed by the follow­ing vote:

Yeas—129

Adams of Lubbock
Adams of Tucumcari
Alam
Allen
Ballman
Barfield, Mrs.
Barlow
Bartram
Boysen
Bolton
Bury
Buesen
Bridges
Buchanan

Nays—2

Johnson of Dallas
Wilson of Trinity
Wilson of Potter

Absent—Excused
Hughes of Dallas
Pipkin of El Paso

Mr. Adams of Lubbock moved to reconsider the vote by which H. B. No. 46 was passed and to table the motion to reconsider. The motion to table prevailed.
The Speaker then laid House Bill No. 56 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

**Yeas—140**

- Adams of Lubbock
- Gluslng
- Adams of Titus
- Green
- Allen
- Guffey
- Allen
- Wile
- Bailey
- Ballman
- Bankfield, Mrs.
- Barlow
- Barnes
- Bartram
- Bass
- Bell
- Berry
- Blaine
- Blyson
- Bridges
- Buchanan
- Burgess
- Butler
- Caldwell
- Cannon
- Carriker
- Chapman
- Cole of Harris
- Cole of Hunt
- Collins
- Conger
- Cook
- Cory
- Cowen
- Cowles
- Craig
- Crews
- Curington
- Dewey
- dusk, Miss
- Dungan
- Eckhardt
- Fairchild
- Fletcher
- Floyd
- Foreman
- Garrison
- Gibbons
- Gladden
- Glass
- Hanks
- Helmers
- Herrington
- Hinson
- Hollowell
- Huesner
- Hughes
- Hughes of Grayson
- Hughes of Dallas
- Hughes of McLennan
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- Ichabod
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HOUSE BILL NO. 63 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 63, A bill to be entitled "An Act amending Article 2094, Revised Civil Statutes of Texas, as last amended, to provide use or jury wheel for counties of at least ten thousand (10,000) population and all counties of two (2) or more District Courts; and declaring an emergency." The bill was read second time.

Mr. Crews moved that further consideration of House Bill No. 63 be postponed until 11:30 o'clock a.m. next Monday, March 11.

The motion prevailed.

MESSAGE FROM THE GOVERNOR

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

March 7, 1961

To The Members of the 57th Legislature:

The Legislative Budget Board and the Executive Budget recommend the construction of an additional floor on both the State Insurance Building and the second State Office Building.

A great saving can be made if these floors are authorized promptly so as to take advantage of alternative bids received in connection with construction now in progress. Under these alternative bids, the floors can be added at approximately $15.00 per square foot, which is much less than the work could be performed under a later and separate contract.

Because of the limited time within which the State Building Commission can accept these alternative bids and the great economy which can be effected by immediate action, I hereby submit to you as an emergency matter the enactment of appropriate legislation for this purpose.

This action will enable the State Building Commission and Board of Control to comply with the provisions of Senate Concurrent Resolution No. 7 to move the Department of Agriculture and the Board of Pardons and Paroles from the Capitol Building at the earliest possible time.

This action will not require any new appropriation at this time or any expenditure from the General Revenue Fund since appropriated funds are available, and all cost will be from special funds now on hand.

Completion and equipment of the fourth floor which has already been added to the State Archives and Library Building and the landscaping and building of walks and passageways between the Capitol Building and the new buildings also can be accomplished at a great saving under existing contracts.

I, therefore, recommend as an emergency matter that this work be authorized from presently appropri-
ated funds now held by the State Building Commission.

Respectfully submitted,
PRICE DANIEL,
Governor.

SENAITE 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. 35 to the Committee on Appropriations.

S. B. No. 119 to the Committee on Judiciary.

S. B. No. 145 to the Committee on Banks and Banking.

S. B. No. 214 to the Committee on Judiciary.

S. B. No. 246 to the Committee on Appropriations.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 254, By Mr. Carlington: In Memory of Mrs. Dorothy Wolens Block.

H. S. R. No. 260, By Mr. Cole of Hunt: In Memory of Rad W. Wallace.

H. S. R. No. 301, By Mr. Nugeent: In Memory of Edgar Steve.

H. S. R. No. 362, By Mr. Mutschler: In Memory of B. M. Woltman.

RECESS

Mr. Dewey moved that the House recess until 10:00 o'clock a.m. tomorrow.

The motion prevailed.

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

In accordance with the motion to recess, the House at 12:46 o'clock p.m. took recess until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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


REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, March 6, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 260, A bill to be entitled "An Act validating, ratifying, confirming and approving contracts, scrip warrants and time warrants and refunding bonds authorized by counties or cities (including Home Rule Cities) or towns since the approval by the Governor of Texas of Chapter 321, Acts of the Fifty-sixth Legislature, Regular Session, 1959; validating, ratifying, confirming and approving time warrants and refunding bonds issued for the purpose of refunding time warrants and all proceedings, governmental acts, orders, ordinances, resolutions and other instruments relating to the issuance of time warrants and refunding bonds for such purposes, of counties, cities (including Home Rule Cities) and towns; providing that this Act shall not apply to any contract, scrip warrant or time warrant or to any refunding bond proceedings, governmental acts, orders, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of three hundred and fifty thousand (350,000) according to the last preceding Federal Census, or any contract, scrip warrant or time warrant or any refunding bond proceedings,

H. S. R. No. 294, By Mr. Curington: In Memory of Mrs. Dorothy Wolens Block.

H. S. R. No. 300, By Mr. Cole of Hunt: In Memory of Rad W. Wallace.

H. S. R. No. 303, By Mr. Mutschler: In Memory of B. M. Woltman.
governmental acts, orders, ordinances, resolutions or other instruments, or bonds the validity of which is now involved in litigation; providing a saving clause; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, March 6, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. No. 533, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, by amending paragraph (7) of Section 15 of Article 1 and further amending said Section by adding a new paragraph to be designated (7a); by adding a new Section to Article 1, to be numbered Section 57; amending a portion of Section 5 of Article II, and adding two new Sections to Article II numbered Sections 5A and 5B; providing a General Class B Wholesaler's Permit and a Local Class B Wholesaler's Permit and fixing the authorities and privileges granted to the holder of each and fixing the annual State fee to be charged for each; providing for the issuance of a Brewer's Permit to the holder of a Manufacturer's License; providing a time limit during which the holder of a Manufacturer's License must begin to brew and package beer in a bona fide operation, during which period he must be actually engaged in preliminary activities leading to such brewing and packaging, and authorizing the Board to enforce this provision; and exempting from this provision holders of Manufacturer's Licenses in effect on January 1, 1962; granting to holders of Manufacturer's Licenses and Brewer's Permits the right to continue to manufacture beer or brew ale for sale in areas in which holders' license premises are located and by local election prohibits the sale of such beer or ale, and granting to them under such circumstances the continued right to deliver such beer and ale at their licensed premises to purchasers domiciled outside Texas, common carriers, contract carriers or other carriers, Distributors and Class B Wholesalers, and granting to all such the right to receive such beer or ale at the holder's premises for transportation; providing for the right of the holders of Manufacturer's Licenses and Brewer's Permits to manufacture and/or brew and package beer and ale which would be illegal for sale in Texas, packaged in containers or packages which would be illegal in Texas or so labeled as to make them illegal in Texas, and providing for their right to export or to deliver for shipment to points outside Texas such beer, ale, labels, containers and packages without being liable for any tax imposed by the State of Texas on beer or ale sold for resale in Texas; repealing laws in conflict herewith; providing a saving clause; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, March 6, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. C. R. No. 2, memorializing Congress as to the adoption of House Joint Resolution No. 2, 81st Congress, First Session, known as the Gossett-Lodge Amendment to the United States Constitution. Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, March 2, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. C. R. No. 29, inviting Dr. James H. Jauncey to address a Joint Session of both Houses at 11:30 a.m. on Thursday, March 9, 1961, Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.