indeed of decisive significance. May I thank President Kennedy and Vice-President Johnson for this clear, unmistakable language, which will be greeted with great joy in Germany. It will be greeted warmly not only in Germany, but also by all people in the free world, especially among the partners in our common alliance. And it will also be heard and understood—of this I am persuaded—for beyond the circle of the free peoples.

Here in Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world. In Texas we have always found understanding for our problems, for the fate of our divided country, and its capital Berlin, which is cut off and isolated from the free West. In spite of the geographic distance between Texas and Berlin, you are thoroughly aware of the significance of this outpost of the free world.

Let me add some words which arise from the experience of this day. I would like to convey to you, in a few sentences what pleased me so hugely about Texas. We flew about considerably in our helicopter yesterday, and today too, here from the ranch of Vice-President Johnson. How here in Texas the difficulties of the soil have been overcome is unparalleled. These huge irrigation works, this care of the soil is indeed exemplary. And what further touches a chord, that is the freshness and the vitality of the people, especially also of the children. I believe the saying was just spoken: if one looks into someone's eyes, then one knows what one has before oneself. Now believe me, I must indeed look into the eyes of people very frequently. But so many happy, so many bright, so many shining eyes as I have seen here, yesterday and today, I have for many a long day not seen in one place. And therefore the people of Texas, whose individuality, power and strength will I hope continue to be maintained in the United States, has moved me to the depths of my heart.

I thank you, the Representatives of the people of Texas, with all my heart for this, and express the wish that God will continue to protect your people and your land.”

Standing ovation.

SENATE RETIRES

At 1:05 o'clock p.m., Lieutenant Governor Ramsey stated that the purpose for which the Joint Session was called had been concluded and that the Senate would retire.

ADJOURNMENT

Speaker Turman then stated that the purpose for which the Joint Session was called had been concluded and the House, in accordance with a previous motion, would stand adjourned until 10:00 o'clock a.m. tomorrow.

The House accordingly, at 1:05 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Constitutional Amendments has filed a favorable report on H. J. R. No. 70.

FORTY-EIGHTH DAY

(Tuesday, April 18, 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 Bridges
Adams of Lubbock Buchanan
Adams of Travis Burgess
Allen Butler
Allen Caldwell
Andrews Cannon
Atwell Carriker
Bailey Chapman
Ballon Cole of Henry
Banks Mrs. Cole of Hunt
Barlow Collin
Barnes Connell
Barram Cook
Bass Cory
Boll Covenant
Berry Cowen
Blake Cowper
Boyd Cowper
Boyle Craik
April 18, 1961

<table>
<thead>
<tr>
<th>Crews</th>
<th>Miller</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curington</td>
<td>Moore</td>
</tr>
<tr>
<td>de la Garza</td>
<td>Mullen</td>
</tr>
<tr>
<td>Dewey</td>
<td>Murray</td>
</tr>
<tr>
<td>Duff, Miss</td>
<td>Muschler</td>
</tr>
<tr>
<td>Dungan</td>
<td>Nieneyer</td>
</tr>
<tr>
<td>Eckhardt</td>
<td>Nugent</td>
</tr>
<tr>
<td>Ehler</td>
<td>Oliver</td>
</tr>
<tr>
<td>Earick</td>
<td>Oborn</td>
</tr>
<tr>
<td>Fletcher</td>
<td>Parsons</td>
</tr>
<tr>
<td>Foreman</td>
<td>Peeler</td>
</tr>
<tr>
<td>Girson</td>
<td>Poty</td>
</tr>
<tr>
<td>Gladzen</td>
<td>Picket</td>
</tr>
<tr>
<td>Glass</td>
<td>Pipkin</td>
</tr>
<tr>
<td>Giising</td>
<td>Preston</td>
</tr>
<tr>
<td>Green</td>
<td>Price</td>
</tr>
<tr>
<td>Grover</td>
<td>Guilliam</td>
</tr>
<tr>
<td>Groffy</td>
<td>Haggard</td>
</tr>
<tr>
<td>Hale</td>
<td>Hatcher</td>
</tr>
<tr>
<td>Harding</td>
<td>Reade</td>
</tr>
<tr>
<td>Harring</td>
<td>Richards</td>
</tr>
<tr>
<td>Harrington</td>
<td>Richardson</td>
</tr>
<tr>
<td>Harris</td>
<td>Roberts of Hill</td>
</tr>
<tr>
<td>Hatley</td>
<td>Roberts of Dawson</td>
</tr>
<tr>
<td>Hinson</td>
<td>Ross</td>
</tr>
<tr>
<td>Hollowell</td>
<td>Rosson</td>
</tr>
<tr>
<td>Husbner</td>
<td>Sandahl</td>
</tr>
<tr>
<td>Hughes</td>
<td>Schram</td>
</tr>
<tr>
<td>of Grayson</td>
<td>Shannon</td>
</tr>
<tr>
<td>Hughes of Dallas</td>
<td>Shiple</td>
</tr>
<tr>
<td>Isaacks, Miss</td>
<td>Smith of Bexar</td>
</tr>
<tr>
<td>James</td>
<td>Smith of Jefferson</td>
</tr>
<tr>
<td>Jamison</td>
<td>Slider</td>
</tr>
<tr>
<td>Jarvis</td>
<td>Black</td>
</tr>
<tr>
<td>Johnson of Dallas</td>
<td>Blackwell</td>
</tr>
<tr>
<td>Johnson of Bexar</td>
<td>Spears</td>
</tr>
<tr>
<td>Johnson of Bell</td>
<td>Spillman</td>
</tr>
<tr>
<td>Jones of Dallas</td>
<td>Springer</td>
</tr>
<tr>
<td>Jones of Travis</td>
<td>Stewart</td>
</tr>
<tr>
<td>Kennard of Galveston</td>
<td>Stewart</td>
</tr>
<tr>
<td>Kilpatrick</td>
<td>of Wichita</td>
</tr>
<tr>
<td>Kolb</td>
<td>Struve</td>
</tr>
<tr>
<td>Kendrick</td>
<td>Thurman</td>
</tr>
<tr>
<td>Lack</td>
<td>Thurmond</td>
</tr>
<tr>
<td>Latimer</td>
<td>Townes</td>
</tr>
<tr>
<td>La Valle</td>
<td>Trevino</td>
</tr>
<tr>
<td>Lawhorn</td>
<td>Treadwell</td>
</tr>
<tr>
<td>Lewis</td>
<td>Walker</td>
</tr>
<tr>
<td>Longoria</td>
<td>Ward</td>
</tr>
<tr>
<td>Lott</td>
<td>Watson</td>
</tr>
<tr>
<td>McCoppin</td>
<td>Wells</td>
</tr>
<tr>
<td>McGregor of McLennan</td>
<td>Wheelwright</td>
</tr>
<tr>
<td>McGregor of El Paso</td>
<td>Whitefield</td>
</tr>
<tr>
<td>McLain</td>
<td>Wilson of Trinity</td>
</tr>
<tr>
<td>McPherson</td>
<td>Wilson of Potter</td>
</tr>
<tr>
<td>Markgraf</td>
<td>Woods</td>
</tr>
<tr>
<td>Martin</td>
<td>Ysasz</td>
</tr>
</tbody>
</table>

A quorum of the House was announced present.

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

"Heavenly Father, shed the light of Thy Holy Spirit within the minds and hearts of Thy servants in this place of responsibility and decision, that all who sincerely seek the truth may find it and finding it may follow it whatever the cost knowing it is the truth that makes men free. When we have the truth let us not hit each other over the head with it, but use it to light up the dark that we may see where we are going. In Christ's Name we pray. Amen.

LEAVES OF ABSENCE GRANTED

Mr. Floyd was granted leave of absence for today on account of illness, on motion of Mr. Garrison.

Mr. Cook was granted leave of absence temporarily for today on account of illness, on motion of Mr. Oliver.

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 Messrs. Latimer and Miller:

H. J. R. No. 79, A Joint Resolution "Proposing an amendment to the Constitution of the State of Texas by repealing Sections 42, 46, and 48 of Article III, Section 3a of Article VII, Section 13 of Article VIII, Section 10 of Article XI, Sections 1, 2, 3, 4, 5, 6, 7 and 8 of Article XII, Sections 1, 2, 3, 4, 5, 6, 7 and 8 of Article XIII, Sections 1, 2, 3, 4, 5, 6, 7 and 8 of Article XIV, Sections 1, 2, 3, 4, 5, 6, 7 and 8 of Article XV, Sections 1, 2, 3, 4, 5, 6, 7 and 8 of Article XVI, which Sections have been determined by the 57th Legislature to be obsolescent, superfluous or unnecessary, and, therefore, no longer need be included in the Constitution of the State of Texas."

Referred to the Committee on Constitutional Amendments.
By Messrs. Latimer and Miller:
H. J. R. No. 80, A Joint Resolution
"Proposing an amendment to Sec­tion 1 of Article XVII of the Con­stitution of the State of Texas, to provide that several amendments to the Constitution which amendments may deal with more than one (1) subject, may be submitted to the voters as one (1) proposition."
Referred to the Committee on Constitutional Amendments.

HOUSE BILLS ON FIRST READING

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

By Mr. James:
H. B. No. 1066, A bill to be entitled "An Act amending Article 17.52 of the Insurance Code enumerating Articles of the Statutes which shall apply and Articles which shall not apply to county mutual insurance companies; adding to the present enumeration a provision that all articles of the Texas Insurance Code numbered 5.01 to 5.11 inclusive shall apply to any county mutual insurance company which writes insurance in a county other than the county of the domicile of such company and any adjoining counties, and declaring an emergency."
Referred to the Committee on Insurance.

By Mr. Wilson of Potter:
H. B. No. 1067, A bill to be entitled "An Act relating to the appointment by the court of interpreters for any person who is deaf or a deaf mute in criminal prosecutions and cases in which such person may be committed to a mental institution; and declaring an emergency."
Referred to the Committee on Criminal Jurisprudence.

By Mr. Fletcher:
H. B. No. 1068, A bill to be entitled "An Act authorizing and directing the Board of Regents of the State Teachers Colleges to convey to the Methodist Student Movement of Texas, Inc., a tract of land owned by the State of Texas for the use and benefit of Southwest Texas State College, in consideration for convey­ance by the Methodist Student Move­ment of Texas, Inc., of a tract of land to the City of San Marcos for street purposes; and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. Bartram:
H. B. No. 1069, A bill to be entitled "An Act to validate the establish­ment, organization and/or creation of all school districts; validating the acts of county boards of school trustees, county judges, Commissi­ers Courts, boards of trustees of such school districts, and municipal govern­ing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said districts; authorizing the levy, assessment and collection of taxes; providing that the Act shall not be construed as validating any boundary change made or attempted to be made by any ex parte order, resolution or act of the Board of Trustees of any school district; pro­viding that this Act shall have no application to litigation now pend­ing questioning the validity of matters hereby validated, or to pro­ceedings now pending before the County Boards of Education, State Commissioner of Education or the State Board of Education, to any district which has heretofore been declared invalid by certain courts, or to districts which may have been established and later returned to original status, providing such il­ligation or proceedings are ultimate­ly determined against the validity of matters hereby validated; provid­ing a saving clause; and declaring an emergency."
Referred to the Committee on School Districts.

By Mr. Osborn:
H. B. No. 1070, A bill to be entitled "An Act validating under certain conditions, proceedings relating to the adoption of home rule charters; validating the charters so adopted and providing that such charters so adopted shall constitute the home rule charter of the city; validating elections held for the election of members of the governing bodies of the city and their assumption of office; validating acts of city of, officers and officials; providing that this Act shall not be construed as
validating the adoption of any charter or the charter so adopted if the validity of the charter adoption proceedings or of the charter are involved in litigation on the effective date of this Act and such litigation is ultimately determined against the validity thereof; providing a saving clause; providing a severability clause; and declaring an emergency.”

Referred to the Committee on Municipal and Private Corporations.

By Mr. Kennard:
H. B. No. 1071. A bill to be entitled “An Act to authorize and empower Tarrant County Water Control & Improvement District Number One to provide for and administer a retirement, disability and death compensation fund for officers and employees of the District; providing for the investment, reinvestment and change of investment of such funds; authorizing the Directors of such District to adopt a plan or plans for effectuating the purpose of this Act, to provide rules and regulations governing all such compensation and from time to time to change any such plan, rule or regulation; and providing that the recipients of benefits of such fund shall not be eligible for any other pension retirement fund or direct aid from the State of Texas, unless the fund created hereunder is released to the State as a condition precedent to receiving such other aid; providing for such District to include hospitalization, medical benefits and group life insurance to their officers and employees as part of the Compensation currently paid to such officers and employees; making this Act cumulative of other laws on the subject; providing that unconstitutionality of any part of the Act shall not invalidate the remainder; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Mr. Harring:
H. B. No. 1072. A bill to be entitled “An Act amending Section 1 of Chapter 482, Acts of the 56th Legislature, Regular Session, 1959, providing for the election of school trustees by separate positions in certain independent school districts; providing that when the board of trustees adopt the procedure herein it may not rescind such action; repealing all laws in conflict except statutes providing for election of school trustees by position number; and declaring an emergency.”

Referred to the Committee on Education.

By Mr. Melbany:
H. B. No. 1673. A bill to be entitled “An Act providing for the sale of certain surveyed unsold school land to the City of Dodson, in the County of Collingsworth, upon payment of a fair market value, along with the usual and customary fees; reserving all oil, gas, and other minerals to the Permanent Free School Fund; and declaring an emergency.”

Referred to the Committee on Education.

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. 30 to the Committee on Insurance.
S. B. No. 54 to the Committee on Public Health.
S. B. No. 89 to the Committee on Education.
S. B. No. 91 to the Committee on Public Health.
S. B. No. 98 to the Committee on Education.
S. B. No. 152 to the Committee on Judiciary.
S. B. No. 153 to the Committee on Judiciary.
S. B. No. 157 to the Committee on Banks and Banking.
S. B. No. 201 to the Committee on Education.
S. B. No. 237 to the Committee on State Affairs.
S. B. No. 247 to the Committee on Counties.
S. B. No. 252 to the Committee on Conservation and Reclamation.
S. B. No. 255 to the Committee on Highways and Roads.
S. B. No. 266 to the Committee on Motor Traffic.
S. B. No. 269 to the Committee on Judiciary.
S. B. No. 279 to the Committee on State Affairs.
S. B. No. 316 to the Committee on Judiciary.
S. B. No. 317 to the Committee on Counties.
S. B. No. 338 to the Committee on Conservation and Reclamation.
S. B. No. 340 to the Committee on Conservation and Reclamation.
S. B. No. 344 to the Committee on Criminal Jurisprudence.
S. B. No. 378 to the Committee on Counties.
S. B. No. 394 to the Committee on State Affairs.
S. B. No. 349 to the Committee on Judiciary.
S. B. No. 366 to the Committee on Criminal Jurisprudence.
S. B. No. 378 to the Committee on Counties.
S. B. No. 399 to the Committee on Counties.
S. B. No. 422 to the Committee on Counties.
S. B. No. 427 to the Committee on Municipal and Private Corporations.
S. B. No. 429 to the Committee on Counties.

INTRODUCTION OF HOUSE BILLS

Mr. Gladden asked unanimous consent of the House to introduce at this time and have placed on first reading House Bill No. 1075.

There was no objection offered and it was so ordered.

Mr. Watson asked unanimous consent of the House to introduce at this time and have placed on first reading House Bill No. 1077.

There was no objection offered and it was so ordered.

CORRECTION AUTHORIZED IN H. B. NO. 739

Mr. Pieratt asked unanimous consent for the Engrossing and Enrolling Clerk to delete all of Sec. 1 of H. B. No. 739 after the word "time" in the second clause of the last sentence and place a period after said word instead of the semi-colon.

There was no objection offered and it was so ordered.

RELATIVE TO CONSIDERATION OF TAX BILLS

Mr. Hinson made the following motion:

"I move to suspend the Rules to authorize the Speaker to place tax bills out of regular order on the daily Calendar at any time during the remainder of the Regular Session, including Wednesdays and Thursdays, if permission is granted by the Senate for such; provided, that the Speaker shall give notice of out-of-order consideration of such tax bills by placing printed Calendars containing them on the Members' desks on the calendar day prior to such consideration."

A record vote was requested on the motion by Mr. Hinson.

The motion by Mr. Hinson prevailed by the following vote: (having received the necessary two-thirds vote)

Yeas—99

Adams of Lubbock
Cory Adams of Titus
Cotten
Alanis
Cotten
Allen
Carrington
Bailey
de la Garza
Ballman
Dewey
Barlow
Duff, Miss
Barrez
Dungan
Bass
Duke
Bert
Eckhardt
Bey
Fritch
Bridges
Foreman
Buckman
Garrison
Burgess
Gladden
Calhoun
Glas
Cannon
Glassing
Carriker
Green
Chapman
Grover
Cole of Harris
Geoff
Cole of Hunt
Hale
Collins
Harding
April 18, 1961  HOUSE JOURNAL  1209

Haring  Piersatt
Harrington  Preston
Haynes  Price
Hinson  Rapp
Hollowell  Richardson
Husker  Roberts of Hill
Hughes  Rosam
of Grayson  Sandahl
Jamison  Schram
Johnson of Bexar  Smith of El Paso
Jones of Travis  Smith of Jefferson
Kennard  Snelson
Kilpatrick  Spears
Koroth  Springer
Lack  Stewart
La Valle  of Galveston
Leaverton  Stewart
Lungoria  of Wichita
McCoppin  Struve
of El Paso  Thurmond
McPherson  Townsend
McPherson  Trevino
Markgraf  Ward
Moore  Watson
Mullen  Wells
Murray  Wheatley
Mutscher  Whitley
Niemeyer  Wilson of Trinity
Oehlser  Woods
Pearcy  Yoss
Petyt  Absent—Excused

Nays—42

Andrews  Latimer
Atwell  McGregor
Barnes  Mrs. of McLennan
Barnes  Martin
Bell  Miller
Blaine  Nusent
Boyson  Oliver
Butler  Parsons
Connell  Prewer
Crist  Pipkin
Crews  Quilliam
Ebrie  Ratliff
Gibbens  Read
Healy  Richards
Huehns of Dallas  Roberts of Dawson
Inaacks, Miss  Shipley
Leaverton  Slider
Jarvis  Splisman
Johnson of Dallas  Thurman
Jones of Dallas  Tunnell
Koliba  Walker
Lary  Absent

Covin  Shannon
Fletcher  Slack
Lewis  Wilson of Potter

Reason for Vote

I voted "no" on the Hinson resolution because I feel that members are already called upon to do entirely too much voting without having sufficient notice to properly prepare themselves on a bill. I would have voted for the resolution if it had provided for three days notice to be given of the consideration out of order of proposed tax measures. While I believe that the Speaker will attempt to give sufficient notice on these bills, I fear that in these closing days of the regular session he will feel it necessary to place tax bills on the calendar with only one or two days' notice. If this is done, members of the Revenue and Taxation Committee will be better prepared on these bills than other members. Since my basic tax philosophy differs from the majority of the members on this committee, I want to have the opportunity to become as adequately prepared on the bills as they are prior to debating same on the floor.

REED QUILLIAM

CONGRATULATING THE MEMBERS OF THE COMMITTEE ON RULES

Mr. Johnson of Bexar offered the following resolution:

H. S. R. No. 519

Whereas, On yesterday the House and the Senate met in joint session to honor Vice-President Lyndon Johnson and Chancellor Konrad Adenauer; and

Whereas, The preparations for the session were in the hands of the House Committee on Rules on the part of the House; and

Whereas, Honorable Will Smith, Chairman of the Committee on Rules, and members of his Committee worked long and hard in making arrangements for Texas' illustrious guests, devoting many hours to assure a pleasant appearance for the visitors; and

Whereas, The entire ceremony was completed in a most successful session with no difficulties whatsoever; and

Whereas, The reception accorded the visitors by the Legislative and guests as planned and implemented
by Representative Smith and his Committee, was a true reflection of the open-hearted spirit of the people of this great State, whose very name of Texas is derived from the Indian word meaning "friend"; now therefore be it
Resolved, That the House wishes to thank the Honorable Will Smith and the entire Committee on Rules for the splendid manner in which they performed this important function of planning and directing proceedings in connection with the visit of Chancellor Adenauer and Vice-President Johnson; and be it further
Resolved, That the House hereby gives a standing ovation to Representative Smith and the Rules Committee.

The resolution was read.
On the motion of Mr. Atwell the names of all Members of the House were added to the resolution as signers thereof.
The resolution was unanimously adopted.

MEMORIAL RESOLUTION ADOPTED
H. S. R. No. 518, By Mr. Niemeyer: In Memory of M. Jerome Franklin.

CONGRATULATORY RESOLUTIONS ADOPTED
H. S. R. No. 508, By Mr. Schram: To recognize students of the fourth grade of the 12th Street Elementary School, Taylor, Texas.
H. S. R. No. 509, By Messrs. Jones of Travis, Sandahl and Foreman: Recognizing students of the seventh grade class from Porter Junior High School, Austin, Texas.
H. S. R. No. 510, By Mr. Yestak: Recognizing senior and junior students of Bremond High School, Robertson County.
H. S. R. No. 512, By Mr. Hayes: To welcome and commend a group from Orange County, representing Vocational Industrial Clubs.
H. S. R. No. 513, By Messrs. Foreman, Sandahl and Jones of Travis: To recognize Fifth Grade Girl Scout Troup Number 295 of St. Elmo School, Austin, Texas.
H. S. R. No. 514, By Mr. Townsend: Congratulating Arthur Stelling.
H. S. R. No. 515, By Mr. Watson: Congratulating Citizens of Waco and Central Texas on their recognition of Freedom Week.
H. S. R. No. 516, By Mr. Bailey: Congratulating W. B. Starr.
H. S. R. No. 520, By Mr. Schram: Congratulating Emil Walther.
H. S. R. No. 521, By Mr. Townsend: Congratulating Jerrilyn Lohn.
H. C. R. No. 78, By Mr. Caldwell: Congratulating Captain Joe B. Jordan.

CONGRATULATING THE HONORABLE BEN BARNES
Mr. Ehkle offered the following resolution;

H. S. R. No. 517
Whereas, This is an important date in the Calendar of the Fifty-seventh Legislature because an esteemed fellow Member, Ben Barnes, is celebrating the anniversary of his birth today, April 17, 1961; and
Whereas, Ben Barnes of District 73, Brown, Comanche, and Mills Counties, is a versatile and talented Member of the House whose primary concern is honorable and dependable representation of the respected citizens of his district and the preservation of the freedoms of all individuals; and
Whereas, The very personable Ben Barnes is a special person in the House because he has a maturity gained from a sense of well-being and service to his fellow man. His inward strength helps this tall Texan to meet every situation and nothing can down his spirit; and
Whereas, The qualities of the man from De Leon are of a generous nature on this birthday and his fellow Members take great pleasure in lighting the candles at both ends in celebration of his twenty-third year; now, therefore, be it
Resolved, That the House of Representatives of the Fifty-seventh Legislature congratulates Ben Barnes, wishes him many more wonderful years, and expresses to him a sincere appreciation for his loyal
The resolution was adopted.

HOUSE BILL NO. 77 WITH SENATE AMENDMENTS

Mr. Bartram called up with Senate Amendments for consideration at this time.

It, B. No. 77, A bill to be entitled "An Act amending Article 49 of the Election Code of Texas, 1951, relating to certificates of exemption; and declaring an emergency''

On motion of Mr. Bartram the House concurred in the Senate Amendments.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 77

Senate Amendment No. 1

Amend House Bill 77 by striking out all below the enacting clause and substituting therefor the following:

Section 1. Section 49 of the Election Code of Texas, 1951 (compiled as Article 5.17, Vernon's Annotated Election Code), is amended to read:

"49. Certificates of Exemption Based On Nonage And Nonresidence

"As a condition to voting, any person who is in other respects a qualified voter and who is exempt from the payment of a poll tax by reason of the fact that he had not yet reached the age of twenty-one years or was not a resident of this State on the first day of January preceding its levy, must have obtained from the tax collector of the county of his residence a certificate of exemption from the payment of a poll tax not later than thirty days before any election at which he wishes to vote; provided, however, that a person who obtains an exemption certificate at any time before the first day of February for use during the ensuing voting year may vote at any election held after the beginning of the voting year if he is otherwise eligible to vote at the time of the election. No such person who has failed or refused to obtain such certificate of exemption shall be allowed to vote.

"Such exempt person shall on oath state the information required in Section 48 of this Code, and shall also state the date of his birth if the ground is nonage and the date on which he became a resident of this State if the ground is nonresidence.

"Certificates of exemption required by this section shall be issued from the same book and in the same form indicated by Section 48 of this Code, except that in addition thereto the certificate shall set out the date of birth if the ground is nonage and the date of becoming a resident of this State if the ground is nonresidence. No charge shall be made by the tax collector for the issuance of certificates of exemption required by this section.

"An exempt person who applies for a certificate as prescribed by this section between the dates of October 1 and January 1 following shall be issued a certificate for use during the remainder of the current voting year (the voting year being from February 1 through January 31) if he is then a qualified elector or will become a qualified elector before the expiration of that voting year, and shall also be issued a certificate for use during the ensuing voting year if he will be entitled to vote without payment of a poll tax during the ensuing year. On applications received between the dates of January 2 and January 31 following, the tax collector shall issue the applicant an exemption certificate for use during the ensuing voting year if he will be a qualified elector entitled to vote without payment of a poll tax at any time during the ensuing year. On applications received between the dates of February 1 and September 31 following, the tax collector shall issue the applicant an exemption certificate for use during the current voting year if he is a qualified elector or will become a qualified elector before the end of that voting year.

"If at the time of issuance of a certificate for a current voting year the applicant is a qualified elector or will become a qualified elector within thirty days thereafter, the tax collector shall place upon the face of the certificate the notation, "Holder not entitled to vote before
A BILL
To Be Entitled
"An Act amending Section 49 of the Election Code of Texas, 1951, relating to certificates of exemption based on nonage and nonresidence; and declaring an emergency."

HOUSE BILL NO. 122 WITH SENATE AMENDMENTS

Mr. Watson called up with Senate Amendments for consideration at this time.

H. B. No. 122, A bill to be entitled "An Act amending Title 122A, Taxation General, Chapter 1, Art. 1.07 Acts of the Fifty-sixth Legislature, Third Called Session, 1959, providing for recording of lien on all taxes provided for in this Act due the State of Texas before the taxes shall be a lien on real estate; providing such lien shall not be valid or effective as against mortgagee, purchaser, pledgee, holder of deed of trust lien or judgment creditor acquiring title, lien, or other right or interest before such notice has been so filed and recorded; adding a new article denominated 1.07A providing the method of recording; adding a new article denominated 1.07B providing for such lien to be a lien on real estate; repealing all laws or parts of laws in conflict herewith; providing that a holding of unconstitutionality of any part of this Act shall not affect the remainder; and declaring an emergency."

On motion of Mr. Watson the House concurred in the Senate Amendments by the following vote:

Yea-138
Adams of Lubbock  Buchanan
Adams of Titus  Burgess
Allen  Butler
Allens  Callall
Andrews  Cannon
Atwell  Carriker
Bailey  Chapman
Ballman  Cole of Hunt
Banfield, Mrs.  Cole
Barlow  Connell
Bartram  Cook
Bartram  Cory
Basa  Cotten
Bell  Cowen
Blinos  Cowles
Boyseen  Crain
Bridges  Crews

Senate Amendment No. 2

Amend House Bill 77 by striking out all above the enacting clause and substituting therefor the following:

A BILL
To Be Entitled
"An Act amending Section 49 of the Election Code of Texas, 1951, relating to certificates of exemption based on nonage and nonresidence; and declaring an emergency."

HOUSE BILL NO. 122 WITH SENATE AMENDMENTS

Mr. Watson called up with Senate Amendments for consideration at this time.

H. B. No. 122, A bill to be entitled "An Act amending Title 122A, Taxation General, Chapter 1, Art. 1.07 Acts of the Fifty-sixth Legislature, Third Called Session, 1959, providing for recording of lien on all taxes provided for in this Act due the State of Texas before the taxes shall be a lien on real estate; providing such lien shall not be valid or effective as against mortgagee, purchaser, pledgee, holder of deed of trust lien or judgment creditor acquiring title, lien, or other right or interest before such notice has been so filed and recorded; adding a new article denominated 1.07A providing the method of recording; adding a new article denominated 1.07B providing for such lien to be a lien on real estate; repealing all laws or parts of laws in conflict herewith; providing that a holding of unconstitutionality of any part of this Act shall not affect the remainder; and declaring an emergency."

On motion of Mr. Watson the House concurred in the Senate Amendments by the following vote:

Yea-138
Adams of Lubbock  Buchanan
Adams of Titus  Burgess
Allen  Butler
Allens  Callall
Andrews  Cannon
Atwell  Carriker
Bailey  Chapman
Ballman  Cole of Hunt
Banfield, Mrs.  Cole
Barlow  Connell
Bartram  Cook
Bartram  Cory
Basa  Cotten
Bell  Cowen
Blinos  Cowles
Boyseen  Crain
Bridges  Crews
April 18, 1961

HOUSE JOURNAL

Curington
de la Garza
Dewey
Duff, Miss
Dungan
Eckhardt
Ehrlis
Fairchild
Foreman
Garrison
Gibbens
Gladden
Glusing
Green
Grover
Gufey
Hale
Harding
Harling
Harrington
Hinson
Hollowell
Huebner
Hughes
of Grayson
Hughes of Dallas
Isaacks, Miss
James
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kilpatrick
Korich
Lack
Lary
Lemer
LaValle
Leawton
Lewis
Longoria
McCoppin
McGregor
of McLennan
McGregor
of El Paso
McIlhany
Markgraf
Martin
Miller
Mims
Mullen
Murray

Absenti

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 122

Senate Amendment No. 1

Amend paragraph (1) of Article 1.07 as quoted in Section 1 of H. B. 122 by inserting at the end of line 44 following the word "originated," the following phrase "subject, however, to the modification hereinafter contained."

Senate Amendment No. 2

Amend caption to conform to body of bill.

RELATIVE TO THE CONSIDERATION OF CERTAIN HOUSE BILLS

Mr. Hinson offered the following resolution:

H. C. R. No. 81

Be it Resolved by the House, the Senate concurring, that each House grant the other permission to consider House bills designed to raise revenue for the support of the State Government at any time during the remainder of the Regular Session.

The resolution was read and was referred to the Committee on Rules.

TO GRANT GEORGE T. ODOM PERMISSION TO SUE THE STATE AND THE LOWER COLORADO RIVER AUTHORITY

Mr. Townsend offered the following resolution:

H. C. R. No. 77

Whereas, In the year 1957 the Lower Colorado River Authority, after an attempt to hold the maximum amount of water in Lake Buchanan, was forced to open numerous flood gates and permit the running over of the spillway of so much water into Inks Lake at one time that it could not be released as fast as it came in, with the result that some five and one-half (5½) feet of back water flooded and thus damaged the property of Mr. George T. Odom; and

 Whereas, The said George T. Odom desires to institute suit against the State of Texas and the Lower Colo-
rado River Authority to recover compensation for such damages suffered by him in the flooding of his property; now, therefore be it
Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said George T. Odum be and he is hereby authorized to file suit against the State of Texas and the Lower Colorado River Authority, in the proper court or courts having jurisdiction thereof in Burnet County, Texas, to determine the damages, if any, he is entitled to recover; and that in the event said suit or suits are filed, service of citation or other necessary process shall be had upon the General Manager of the Board of Directors of the Lower Colorado River Authority and the Attorney General of the State of Texas, and that said suit shall be tried under the same rules of law and in the same manner as similar civil suits are instituted and tried; and, be it further
Resolved, That nothing herein shall be construed as an admission of liability on the part of the State of Texas or the Lower Colorado River Authority of any facts or the rights of either party in and to the above-described controversy, and that all allegations of George T. Odum shall be proved as in other civil suits.

The resolution was referred to the Committee on State Affairs.

TO GRANT W. E. WHITMIRE PERMISION TO SUE THE STATE AND THE VETERANS LAND BOARD

Mr. Pearcy offered the following resolution:

H. C. R. No. 79

Whereas, W. E. Whitmire, a resident of Bell County, Texas, and acting in the capacity of Guardian of his brother, A. L. Whitmire, an incompetent, alleges that A. L. Whitmire of Bell County, Texas, owns in fee simple a certain 300 acre tract of land located in Bell County, Texas, described, designated and distinguished by metes and bounds as follows, to wit:

All that tract, lot or parcel of land lying and being in Bell County, Texas, being 300 acres of land out of the John Hughes 3/4 labor, beginning at a walnut tree on the south bank of Nolan Creek, the N.W. Corner of the James Cowan tract also out of the John Hughes Survey; thence N 19 E 660 vrs to the N.E. Corner of the J. Newsome's 100 acre tract; thence N 19 E 540 vrs to a stake in the said Newsome's east line; thence S 71 E 1350 vrs to the center of Nolan Creek, from which an ash marked X bears N 75 W 8 vrs; thence on said creek S 65 W 360 vrs, S 16 W 270 vrs to a corner in the center of the said creek, from which a pecan marked X bears S 35 E 25 vrs; thence S 10 E 120 vrs, S 32 E 65 vrs, S 81 E 90 vrs, S 17 N 65 vrs ..., east 245 vrs, S 38 E 240 vrs; S 19 W 575 vrs to a pile of rocks on the Cowan's north line from which a small cedar tree marked X bears N 78 W 7 vrs; thence N 71 W with the Cowan line to Nolan Creek thence up the said creek with its meanders to the place of beginning. Also a roadway 20 feet wide beginning at the N.W. corner of the above described tract on Newsome's east line running N 19 E any parallel, with the Newsome east line and also the east line of the Josiah Turner tract of 33 acres and to the south line of the A. Peeler's tract, containing 500 acres, more or less. This is the same land conveyed by warranty deed to M. E. Whitmire by M. L. Crawford and wife May 6th, 1883, and found recorded in volume 41, pages 450, 451 and 452 of the deed records of Bell County, Texas, reference to which deed for descriptive purposes is here made. It is the same tract conveyed to A. L. Whitmire by Sula Whitmire, et al. July 18, 1956, and shown recorded in volume 754, page 32 of the Bell County deed records.

Whereas, The Veterans Land Board of the State of Texas, or rather Pink Stone, assignee of the said Veterans Land Board, is asserting an adverse interest in the described tract, and whereas, W. E. Whitmire desires to make the State of Texas and the Veterans Land Board a party to the suit at this time pending in the district court of Bell County, to determine and adjust the rights of the respective parties; therefore, be it
Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the consent
of the State of Texas is hereby given to W. S. Whitmire to make the State and the Veterans Land Board parties to the action pending in trespass to try title, for title, possession and damages, and for such action as may become necessary to clear the title, and for the protection of the rights of the ward in the described tract of land; and be it further resolved that service on the Veterans Land Board of the State and on the State of Texas, may be had by serving process on the Attorney General of Texas, or upon his First Assistant.

The suits shall be tried in the same manner as other civil cases, and either of the parties shall have the right of appeal; and be it further resolved, That service on the Veterans Land Board of the State and on the State of Texas, may be had by serving process on the Attorney General of Texas, or upon his First Assistant.

The suits shall be tried in the same manner as other civil cases, and either of the parties shall have the right of appeal; and be it further resolved, That service on the Veterans Land Board of the State and on the State of Texas, may be had by serving process on the Attorney General of Texas, or upon his First Assistant.

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the Departments or Agencies of the State of Texas, as to the validity of any allegations or claims asserted in said suits, but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and be it further resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the Departments or Agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in said suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on State Affairs.

TO DIRECT THE TEXAS EDUCATION AGENCY TO MAKE CERTAIN STUDY

Mr. Grover offered the following resolution:

H. C. R. No. 80

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

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

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

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 by the House of Representatives of the Fifty-seventh Legislature, the Senate Concurring, That the Texas Education Agency make a survey to determine the financial savings and the practical utility 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; and be it further resolved, That the Texas Education Agency be directed to report its findings and recommendations to the Fifty-eighth Legislature immediately upon the convening of that body.

The resolution was referred to the Committee on Education.

MESSAGE FROM THE GOVERNOR

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

Austin, Texas, April 18, 1961
To The Members of The Fifty-Seventh Legislature:

I am returning unsigned House Bill 59 authorizing certain exemptions to the laws which require registration of motor vehicles and adequate braking facilities.

As introduced, this bill would have increased the exemption from registration now accorded farm trailers and semi-trailers from the present 4,000 pounds to 12,000 pounds and would have added to the exemption trailers owned by cotton gins and grain elevators when supplied without charge to farmers to haul ag-
gricultural products from the place of production to the place of process, market or storage.

However, in the course of the legislative process, amendments were adopted to exempt these trailers from all brake requirements, to exempt additional water-well drilling machinery and construction machinery from registration even if a part of a conventional vehicle, and to reduce the present registration fee to $6 per vehicle on trailers of up to 12,000 pounds transporting liquid fertilizers.

Thus, in addition to the farm trailers, as finally passed this bill includes exemptions or reductions affecting more than 16,500 additional trucks and trailers, and would cost the State Highway Fund and the Road and Bridge Funds of the various Counties an estimated $5,705,000 annually in loss of revenue. Of this amount, the various Counties would lose approximately $455,000 annually and the State Highway Fund approximately $1,950,000 per year. Photographs are attached hereunto showing examples of the type of commercial vehicles which would be exempt from registration under the terms of this bill.

As amended, House Bill No. 59 would, for the first time, exempt heavier farm trailers from the requirement of adequate brakes. Even as to farm trailers, the present law, Article 6701d, Section 132, requires adequate brakes on all loads over 3,000 pounds and requires that the brakes be "so designed and connected that in case of an accidental breakaway of the towed vehicle, the brakes shall be automatically applied." An increased weight to 12,000 pounds would seem to call for more adequate brakes and safety precautions rather than complete abandonment of the requirements which now exist for lesser loads.

The exemption of 12,000 pound farm trailers from any brake requirements would constitute an ever-present danger to the motorizing public. Since there is no provision for proper hitches on these vehicles and no limit on their speed except the general law, the innocent and unsuspecting driver of an approaching vehicle could stand little chance of avoiding a fatal collision if one of these trailers should become unhitched and cross over to his side of the highway.

House Bill No. 59 does not change the provisions of the existing law permitting farm trailers and semitrailers to operate on the highways with steel or metal tires of a width of three inches or more. Even with a special speed limit on these metal-tired vehicles, raising their gross weight to 12,000 pounds could prove most destructive to asphalt roads, especially in hot weather.

Since tree-farming is considered agricultural, the farm trailer exemption would also apply to log trailers. These are now operated with an average registered gross weight of 18,000 pounds, but if House Bill No. 59 becomes law, it would be most economical for the operators of such trailers to reduce or lower the gross weight to 12,000 pounds so as to avail themselves of complete license fee exemption. Certainly, these are not the type of loads which could be safely hauled on our highways without adequate braking and hitching requirements.

Since the bill would permit these exempt trailers an increase to 12,000 pounds and for whatever distances may exist between the place of production and the place of marketing, storing or processing, it is quite conceivable that there would be a great increase in their use across the whole length of the State, further decreasing State and County revenues more than the $2,780,000 annual loss based on existing operations.

In summary, this bill goes far beyond its original purpose and far beyond anything which I believe the Legislature intended to enact. I have voted the measure because:

1. Any vehicle towed on the public highways with a gross weight of 12,000 pounds should be properly identified with a license plate, even if the registration fee is drastically reduced for farm products. If such a vehicle side-swipes a car or runs over a person, the injured parties should have the normal means of identifying the vehicle and its owner. Public safety, law enforcement, and redress for damages to injured persons all require proper identification of such vehicles and owners.

2. Trailers with a gross weight of more than 3,000 pounds should...
April 18, 1961  HOUSE JOURNAL  1217

be required to have adequate brakes, horns, and safety devices for protection of the operator and the public.

3. Gross weights of 12,000 pounds should not be permitted on metal tires because of the great damage which would occur to many of our roads and highways.

4. Extension of the registration exemption to more than 16,000 commercial trucks, and the even greater number of vehicles which would take advantage of this law in the future, would result in a great financial loss to the State and County highway funds.

Respectfully submitted,

PRICE DANIEL, Governor of Texas.

TO GRANT WILLIAM W. CARROLL PERMISSION TO SUE THE STATE AND THE TEACHER RETIREMENT SYSTEM

The Speaker laid before the House for consideration at this time, H. C. R. No. 35, To grant William W. Carroll permission to sue the State and the Teacher Retirement System.

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

Mr. Hale offered the following committee amendment to the resolution:

Committee Amendment: No. 1

Amend H. C. R. 35 by adding a semi-colon at end of last paragraph, adding the following words: "and be it further"; and by adding the following 2 paragraphs:

Resolved, that nothing herein shall be construed as a waiver of any defenses of fact as well as of law, that may be asserted by or available to the State of Texas, or any of the political subdivisions of the State of Texas, in said suit, but all such defenses are hereby specifically reserved.

The amendment was adopted.

H. C. R. No. 35, as amended, was adopted.

TO GRANT ANTONIO R. GUTIERREZ PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time, H. C. R. No. 66, To grant Antonio R. Gutierrez permission to sue the State.

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

Mr. Hale offered the following committee amendment to the resolution:

"Committee Amendment No. 1

Amend H. C. R. 66 by adding a semi-colon at end of last paragraph, adding the following words: "and be it further."; and by adding the following 2 paragraphs:

Resolved, that nothing herein shall be construed as an admission on the part of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity of any allegations or claims asserted in said suit, but that all allegations and claims asserted in said suit must be proved as in other suits under the same laws as apply in and govern the trial of other civil cases; and be it further.

Resolved, that nothing herein shall be construed as a waiver of any defenses as well as of law, that may be asserted by or available to the State of Texas, or any of the political subdivisions of the State of Texas.
TO GRANT RAYMOND RENFRO AND WIFE, STELLA RENFRO, PERMISSION TO SUE THE STATE

The amendment was adopted.

H. C. R. No. 66, as amended, was adopted.

H. C. R. No. 67, as amended, was adopted.

TO GRANT RAYMOND RENFRO AND WIFE, STELLA RENFRO, PERMISSION TO SUE THE STATE

The amendment was adopted.

H. C. R. No. 66, as amended, was adopted.

H. C. R. No. 67, as amended, was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 119

The Speaker announced the appointment of the following Conference Committee on the part of the House on Senate Bill No. 119:

Messrs. Dewey, Chairman; Hale, Johnson of Dallas, Nugent, and Spilman.

HOUSE JOINT RESOLUTION NO. 16 ON SECOND READING

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

H. J. R. No. 16. "A House Joint Resolution proposing an Amendment to Article III of the Constitution of Texas, relating to apportionment of the State into congressional districts."

The resolution was read second time.

Mr. Haring offered the following amendment to the resolution:

Amend H. J. R. No. 16 by adding the words "and at the regular session of the 68th Legislature" immediately preceding the comma on line 13 of page 1, line 46 of page 1, and line 56 of page 1.

The amendment was adopted.

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

Amend H. J. R. No. 16, Section 1, Line 20 by striking therefrom the words "State Treasurer" and substituting therefor the words "Commissioner of the General Land Office."

The amendment was adopted.

H. J. R. No. 16 was passed by the following vote:

Yeas—107

Adams of Lubbock
Alaniz
Atwell
Bailey
Ballman
Barlow
Barneb
Bartram
Bell
Berry
Blaine
Boyce

The amendment was adopted.
Mr. Green moved to reconsider the vote by which H. J. R. No. 16 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 22
ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. J. R. No. 22, A Joint Resolution "Proposing an amendment to Section 10 of Article I of the Constitution of the State of Texas, to provide for waiver of indictment by a grand jury by an accused in a criminal proceeding upon a plea of guilty to the offense; setting up standards as to the time that must elapse before such waiver will be allowed; and requiring the employment or appointment of counsel prior to the acceptance of such waiver."

The resolution was read second time.

APPOINTMENT OF COMMITTEE

The Speaker announced the appointment of the following Committee to escort Mr. Gabe Paul to the Speaker's Rostrum:

Messrs. Green, Chairman; Cowles, Barnes, de la Garza, Fairchild, Johnson, and Wilson of Potter.

ADDRESS BY MR. GABE PAUL

(The Senate and the House of Representatives in Joint Session.)

In accordance with the provisions of H. C. R. No. 52, providing for a Joint Session for the purpose of...
hearing an address by Mr. Gabe Paul, baseball executive and general manager of the Houston Colts Baseball Team, the Honorable Senators were admitted to the Hall of the House and occupied seats arranged for them.

Senator Ray Roberts, President Pro Tempore of the Senate, was escorted to a seat on the Speaker’s Rostrum.

At 12:00 o’clock noon, Mr. Gabe Paul and party, escorted by Messrs. Green, Cowlee, Barnes, de la Garza, Fairchild, Johnson of Bexar, Jones of Travis, Moore, Wells and Wilson of Potter, Committee on the part of the House, were announced at the bar of the House and being admitted, were escorted to seats on the Speaker’s Rostrum.

Senator Ray Roberts called the Senate to order.

A quorum of the House was announced present.

The Honorable James A. Turman, Speaker, called the House of Representatives to order and directed the Clerk to call the roll of the House.

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

Mr. Speaker Cook
Adams of Lubbock Cory
Adams of Titus Cottam
Alamis Cowen
Allen Cowles
Andrews Crais
Atwell Crews
Bailey Cerrington
Ballman de la Garza
Barlow Dewey
Bartram Duff, Miss
Bass Duncan
Bell Ehrie
Berry Fairchild
Blaine Fletcher
Bossem Foreman
Bridges Garrison
Buchanan Gibbens
Burgess Gladden
Butler Glass
Caldwell Glasing
Casson Green
Carriker Grover
Chapman Guffey
Cole of Harris Halsa
Cole of Hunt Harding
Harrington Peaty
Haynes Pietz
Healy Fipkin
Hinson Frinton
Hollowell Price
Hugues Quilliam
Hughes of Grayson Napp
Hughes of Dallas Raskiff
Issacks, Miss Richards
James James
Jamilson Roberts of Hill
Jarvis Roberts of Dawson
Johnson of Dallas Rosas
Johnson of Bexar Rosson
Johnson of Bell Sandahl
Jones of Dallas Schram
Jones of Travis Shannon
Kennard Shipley
Kilpatrick Slack
Kolba SILER
Koroth Smith of Bexar
Lack Smith of Jefferson
Lary Snelson
La Valle Sparks
Leaverton Spillman
Longoria Springer
McGregor of Galveston Stewart
McGregor of El Paso Stewart
McLanahan of Wichita Struve
MacKgraf Thurman
Martin Thurmond
Miller Trevino
Moore Tunnell
Mutcher Walker
Niemeyer Watson
Nugent West
Oliver Whaley
Osborn Whitfield
Parsons Wilson of Trinity
Pearcy Woods
Peeler Yeak

Absent

Banfield, Mrs. Lewis
Barnes Mullen
Connell Murray
Eckhardt Ward
Latimer Wilson of Potter

Absent—Excused

Floyd

A quorum of the House was announced present.

The Speaker stated that the two Houses were in Joint Session for the purpose of hearing an address by Mr. Gabe Paul, General Manager of the Houston Colts Baseball Team.
Speaker Turman then presented the Honorable Howard Green of Tarrant County who introduced Mr. John Mullen, Farm Director of the Milwaukee Braves, and Mr. Allen Russell, President of the Austin Baseball Club, to the Joint Session.

Mr. Green then introduced Mr. Gabe Paul to the Joint Session.

Mr. Paul addressed the Joint Session.

SENATE RETIRES

At 12:15 o'clock p.m., Senator Ray Roberts stated that the business of the Joint Session was concluded and that the Senate would retire.

Speaker Turman then stated that the business of the Joint Session had been concluded, and that the House would stand at ease.

The Speaker called the House to order at 12:17 o'clock p.m.

RECESS

Mr. Barlow moved that the House recess until 2:15 o'clock p.m. today.

The motion prevailed.

In accordance with the motion to recess the House at 12:19 o'clock p.m., took recess until 2:15 o'clock p.m. today.

AFTERNOON SESSION

The House met at 2:15 o'clock p.m., and was called to order by the Speaker.

H. J. R. NO. 22 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being H. J. R. No. 22, Proposing an amendment to Sec. 10 of Art. 1 of the Constitution to provide for waiver of indictment by an accused in a criminal proceeding upon a plea of guilty.

The resolution was read second time on this morning.

Mr. Alaniz offered the following committee amendment to the resolution:

Committee Amendment No. 1

Amend H. J. R. No. 22 by striking all below the enacting clause and substituting the following in lieu thereof:

"Section 1. That Section 10 of Article I of the Constitution of the State of Texas be amended so as to read as follows:

"Section 10. Rights of Accused in Criminal Proceedings. (a) In all criminal proceedings the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him, and to have a copy thereof. He shall not be compelled to give evidence against himself, and shall have the right of being heard by himself or counsel, or both, shall be confronted by the witnesses against him, and shall have compulsory process for obtaining witnesses in his favor, except that when the witness resides out of State and the offense charged is a violation of any of the anti-trust laws of this State, the defendant and the State shall have the right to produce and have the evidence admitted by deposition, under such rules and laws as the Legislature may hereafter provide.

(b) No person shall be held to answer for a criminal offense, unless on an indictment of a grand jury, or upon a duly executed waiver of such indictment made as herein provided. No indictment shall be required in cases in which the punishment is by fine or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the Army and Navy, or in the militia, when in actual service in time of war or public danger.

(c) No defendant shall be allowed to waive indictment in any felony case other than one less than a capital offense, in which he enters a plea of guilty. The waiver of indictment must be in writing and signed by both the accused in person and by his attorney, and must be made in open court. The accused may then be tried on an information filed by the District Attorney, if the defendant desires to waive indictment by the grand jury, he must have an attorney of his own choice.
or a court appointed attorney to represent him, and such attorney must have been employed by the accused or appointed by the court at least five (5) full days before such waiver can be entered."

Section 2. This Amendment shall be deemed in all things self-enacting.

Section 3. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1962, at which election each ballot shall have printed thereon the following:

"FOR the Constitutional Amendment authorizing the waiver by an accused of the right to be indicted by a grand jury in a felony case less than capital, upon a plea of guilty only, requiring such waiver to be in writing and requiring that the accused be represented by counsel for at least five (5) days prior to such waiver.

"AGAINST the Constitutional Amendment authorizing the waiver by an accused of the right to be indicted by a grand jury in a felony case less than capital, upon a plea of guilty only, requiring such waiver to be in writing and requiring that the accused be represented by counsel for at least five (5) days prior to such waiver."

Section 4. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this State.

Committee Amendment No. 1 was adopted.

H. J. R. No. 22 failed to pass by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams of Lubbock</td>
<td>Alaniz</td>
</tr>
<tr>
<td>Adams of Travis</td>
<td>Barlow</td>
</tr>
<tr>
<td>Allen</td>
<td>Barnes</td>
</tr>
<tr>
<td>Andrews</td>
<td>Bass</td>
</tr>
<tr>
<td>Atwell</td>
<td>Bailes</td>
</tr>
<tr>
<td>Bailey</td>
<td>Banfield, Mrs.</td>
</tr>
<tr>
<td>Ballman</td>
<td>Barron</td>
</tr>
<tr>
<td>Bankhead</td>
<td>Bassett</td>
</tr>
<tr>
<td>Barney</td>
<td>Baxley</td>
</tr>
<tr>
<td>Barrow</td>
<td>Bean</td>
</tr>
<tr>
<td>Baugh</td>
<td>Bean, Mrs.</td>
</tr>
<tr>
<td>Bass</td>
<td>Bell</td>
</tr>
<tr>
<td>Baugh, Mrs.</td>
<td>Bell, Mrs.</td>
</tr>
<tr>
<td>Baxley</td>
<td>Bennett</td>
</tr>
<tr>
<td>Bear</td>
<td>Benavides</td>
</tr>
<tr>
<td>Becker</td>
<td>Bensinger</td>
</tr>
<tr>
<td>Bents</td>
<td>Bents, Mrs.</td>
</tr>
<tr>
<td>Bents, Mrs.</td>
<td>Betancourt</td>
</tr>
<tr>
<td>Bents, Mrs.</td>
<td>Betzler</td>
</tr>
<tr>
<td>Betts</td>
<td>Bibb</td>
</tr>
<tr>
<td>Biel</td>
<td>Biggs</td>
</tr>
<tr>
<td>Bills</td>
<td>Billings</td>
</tr>
<tr>
<td>Billips</td>
<td>Mikell</td>
</tr>
<tr>
<td>Billips</td>
<td>Miller</td>
</tr>
<tr>
<td>Billips</td>
<td>Miller, Mrs.</td>
</tr>
<tr>
<td>Billips</td>
<td>Millican</td>
</tr>
<tr>
<td>Billips</td>
<td>Miles</td>
</tr>
<tr>
<td>Billips</td>
<td>Miles, Mrs.</td>
</tr>
<tr>
<td>Billips</td>
<td>Minch</td>
</tr>
</tbody>
</table>
Absent
Chapman Schram
Cole of Hunt Shipley
Cowen Townsend Ward
Lary Roberts of Dawson Wilson of Potter
Absent—Excused
Cook Floyd

Mr. Yezak moved to reconsider Mr. Wilson of Trinity offered the following Committee Amendment to the resolution:

Committee Amendment No. 1

Amend House Joint Resolution Number 36 by striking out all below the resolving clause and substituting therefor the following:

"Section 1. That Subsection (b) of Section 62 of Article XVI of the Constitution of Texas be amended to read as follows:

'Section 62. (b) The Legislature may enact a law so as to authorize retirement, disability, and death benefits for appointive and elective officers and for employees of any county and precinct and for any political subdivision of the State, the boundaries of which are completely within the boundaries of such county.'

'Section 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 the first Tuesday after the first Monday in November, 1962, at which election all ballots shall have printed thereon the following:

'FOR the Constitutional Amendment authorizing the Legislature to enact a law so as to provide retirement, disability, and death benefits for appointive and elective officers of counties and precincts and political subdivisions of the State, the boundaries of which are completely within the boundaries of such counties.'

'AGAINST the Constitutional Amendment authorizing the Legislature to enact a law so as to provide retirement, disability, and death benefits for appointive and elective officers of counties and precincts and political subdivisions of the State, the boundaries of which are completely wi-
in the boundaries of such counties.'

"Section 3. Should the Legislature enact enabling laws in anticipation of the adoption of this Amendment, such legislation shall not be invalid by reason of its anticipatory character.

Section 4. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this State."

Committee Amendment No. 1 was adopted.

Mr. Harrington asked unanimous consent of the House to postpone further consideration of H. J. R. No. 36 until 10:00 o'clock a.m. next Tuesday, April 25.

There was no objection offered and it was so ordered.

HOUSE JOINT RESOLUTION NO. 70 ON SECOND READING

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

H. J. R. No. 70, A joint resolution "Proposing an amendment to Article IX of the Constitution of the State of Texas by adding thereto a new section authorizing the creation of a hospital district conterminous with the West Columbia, Brazoria, and Damon Independent School Districts; and providing a mode of funding."

The resolution was read second time.

Mr. McIlhany offered the following Committee Amendment to the resolution:

Committee Amendment No. 1 for H. J. R. No. 70

Strike out all below the resolving clause and insert in lieu thereof the following:

Section 1. Article IX of the Constitution of the State of Texas is amended by adding therein a new section to read as follows:

"Sec. 9. The Legislature may authorize the creation of two hospital districts, one of which shall be conterminous with the West Columbia, Brazoria, and Damon Independent School Districts and the other conterminous with the Sweeny Independent School District. The qualified electorate of the hospital districts may, by majority vote of each such hospital district, consolidate the Sweeny Hospital District into the Damon, West Columbia, and Brazoria Hospital District at any time subsequent to the organization of the separate hospital districts.

Such districts, if created, may be authorized to levy a tax not to exceed Twenty-five Cents ($0.25) on the One Hundred Dollars ($100) valuation of taxable property within the districts, provided no tax may be levied until approved by a majority vote of the participating resident, qualified, property taxpaying voters who may have duly rendered their property for taxation. The maximum rate of tax may be changed at subsequent elections, provided existing obligations are not impaired, but in no event shall any change of rate exceed Twenty-five Cents ($0.25) per One Hundred Dollars ($100) valuation.

The maximum tax rate submitted shall be sufficient to discharge such obligations, liabilities, and responsibilities, and to acquire, construct, maintain and operate the hospital system, and the Legislature may authorize the district to issue tax bonds for the purpose of the acquisition, construction, purchase, repair or renovation of improvements and initially equipping the same and such bonds shall be payable from said Twenty-five Cents ($0.25) tax."

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

Amend Committee Amendment No. 1 to H. J. R. 70 by adding the following Sections, following Section 1:

Section 2. Should the Legislature enact enabling laws in anticipation of the adoption of this Amendment, such Acts shall not be invalid because of their anticipatory character.

Section 3. The foregoing Constitutional Amendment shall be sub-
April 18, 1961  HOUSE JOURNAL  1225

mitted to a vote of the qualified electors of this State at the general election to be held the first Tuesday after the first Monday in November, 1962, to which election all ballots shall have printed thereon:

"FOR the Constitutional Amendment authorizing the Legislature to create a hospital district conterminous with the West Columbia, Brazoria, and Damon Independent School Districts.

AGAINST the Constitutional Amendment authorizing the Legislature to create a hospital district conterminous with the West Columbia, Brazoria, and Damon Independent School Districts."

Section 4. The Governor shall issue the necessary proclamation for said election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and Laws of this State.

The amendment by Mr. Caldwell to Committee Amendment No. 1 was adopted.

Committee Amendment No. 1, as amended, was adopted.

H. J. R. No. 70 was passed by the following vote:

<table>
<thead>
<tr>
<th>Yea</th>
<th>140</th>
</tr>
</thead>
</table>

```
Adams of Lubbock Cole of Hunt
Adams of Titus Collins
Alanis Connell
Allen Cory
Andrews Cowen
Atwell Cowies
Bailey Craig
Ballman Crew
Banfield, Mrs. Carlington
Barlow de la Garza
Barret Dewey
Bartram Duff, Miss
Bass Deegan
Bell Eckhardt
Berry Ehrle
Blake Fairchild
Boyson Fletcher
Bridges Foreman
Buchanan Garrison
Burgess Gibbens
Buxler Glidden
Calwell Glass
Cannon Green
Carriker Grover
Chapman Guffey
Cole of Harris Hale
```

Harding Parsons
Haring Peery
Harrington Peeler
Haynes Petty
Heady Persatt
Hinson Pipkin
Hollowell Preston
Hubner Price
Hughes Quijano
Hughes of Grayson Rapp
Hughes of Dallas Ratliff
Isaacs, Miss Read
James Richards
Jarvis Johnson of Dallas
Johnson of Brazoria Johnson of Bell
Johnson of Dallas Jones of Dallas Jones of Travis
Jones of Travis Kennard
Jones of Travis Koliba
Jones of Travis Koroth
Jones of Travis Lack
Jones of Travis Leaverton
Jones of Travis Lewis
Jones of Travis Longoria of Galveston
Jones of Travis McCoppin
Jones of Travis McGregor
Jones of Travis of McNeese
Jones of Travis of El Paso
Jones of Travis McFate
Jones of Travis McFate
Jones of Travis Markgraf
Jones of Travis Martin
Jones of Travis Miller
Jones of Travis Moore
Jones of Travis Mullen
Jones of Travis Murray
Jones of Travis Mutchin
Jones of Travis Neumayer
Jones of Travis Nagent
Jones of Travis Oliver
Jones of Travis Osborn

<table>
<thead>
<tr>
<th>Nay</th>
<th>1</th>
</tr>
</thead>
</table>

```
Cotten
```

Cook Floyd

REASON FOR VOTE

I voted no on this Constitutional Amendment (H. J. R. No. 70), because I do not believe that local
matters such as these should be in the Constitution.

JAMES M. COTTEN

MOTION TO ADJOURN

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

A record vote was requested on the motion to adjourn.

The motion to adjourn was lost by the following vote:

Yea—53

Adams of Titus Jones of Travis
Allen Koroith
Andrews Leaverston
Atwell Lewis
Bailey Mcllroy
Barnes of McLennan
Bartram Mcllroy
Bell of El Paso
Bridges Mcllroy
Caldwell Moore
Cannon Mullen
Chapman Percy
Cole of Harris Richardson
Collins Roberts of Dawson
Connell Sandahl
Cory Shannon
Cotten Shipley
Cowen Slider
Crews Slocison
Eckhardt Stewart
Fairchild of Galveston
Glover Stewart
Hughes of Wichita
Hughes of Dallas Tunnell
Isaacks, Miss Ward
Jarvis Weis
Jones of Dallas Woods
Nays—87

Adams of Lubbock Dunnington
Allee de la Garza
Allman Dewey
Barnett Duff, Mss
Bass Dungan
Berry Ehrle
Blaine Fercman
Boyce Garrison
Buchanan Gribbons
Burgess Gladden
Butler Glass
Carriker Glusing
Cole of Hunt Green
Cowley Guffey
Cren Hale
Harding Geborn
Harting Parsons
Harrington Fowler
Hays Pelly
Needly Piersall
Hinson Pipkin
Hollowell Preston
Hustner Price
James Quillian
James of Rapp
Johnson of Dallas Read
Johnson of Bexar Richards
Johnson of Bell Roberts of Hill
Kennard Ross
Kilpatrick Ross
Kilby Slack
Lattimer Smith of Bexar
LaValle Smith of Jefferson
Longoria Spears
McCoppin Springler
Markgraf Thurmond
Martin Townsend
Miller Walker
Murray Watson
Mutcher Wheelley
Niemeyer Whitfield
Nugent Wilson of Trinity
Oliver Texas

Fletcher Graves
Lary Trevino
Ratcliff Wilson of Potter
Ruscham

Absent—Excused

Cook Floyd

HOUSE BILL NO. 108 ON PASSAGE TO ENGROSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 108, Relative to requiring the labeling of the minimum percentage of butterfat in milk.

The bill was read second time on February 17, and further consideration was postponed until March 27 at 11:00 o'clock a.m. Mr. Chapman moved that further consideration of House Bill No. 108 be postponed until 11:00 o'clock a.m. on May 9, 1961.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, April 18, 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. 416, Making appropriation to pay judgment against the State; and declaring an emergency.

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

HOUSE BILL NO. 156 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 156, A bill to be entitled "An Act relating to the authority of the Railroad Commission to provide similar rate-making procedure on intrastate traffic movements as are in effect on interstate traffic movements which are under the jurisdiction of the Interstate Commerce Commission; and providing that this be accomplished by repealing Articles 6455, 6456, 6458 and 6469; amending Articles 6445, 6448, 6449, 6460, 6452, 6463, 6454, 6467, 6473, and 6813; and declaring an emergency."

The bill was read third time.

Mr. Slack offered the following amendment to the bill:

Amend House Bill 156 as amended, Section 2 thereof, by striking out the Second Paragraph of Article 6444, which commences with the words "the term 'Motor Carrier' and insert in lieu thereof the following:

"The term 'Motor Carrier' means 'Motor Carrier' as defined in Paragraph (1) of Section 1, Article 911b, Revised Civil Statutes, but shall not mean 'Specialized Motor Carrier' as defined in Paragraph (1) of Section 1, Article 911b, Revised Civil Statutes."

SLACK, ROSSON,

Mr. Cory moved to table the amendment by Mr. Slack.

The motion to table was lost.

A record vote was requested on the amendment by Mr. Slack.

The amendment by Mr. Slack was adopted by the following vote:

Yeas-106

Adams of Lubbock
Jones of Dallas
Adams of Travis
Almond
Atnip
Ballinan
Bailey, Mrs.
Barlow
Bartram
Barton
Bilton
Boesem
Booth
Buchanan
Butler
Caldwell
Cannon
Carrillo
Chapman
Cole of Harris
Cole of Hunt
Collins
Cotter
Crogan
Cowles
Crews
Croswell de la Garza
Dewey
Duffy, Miss
Dungan
Erickson
Foreman
Freeman
Garrison
Gibbons
Glaude
Glass
Glasing
Goedde
Groover
Hale
Harding
Haring
Haynes
Hearty
Hill
Hill
Hollis
Hollister
Huebner
Hughes
Hughes of Grayson
Innis, Miss
James
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Galveston
Johnson of Goliad
Johnson of Houston
Johnson of Harris
Johnson of Travis
"Nays-33

Allen
Andrews
Barrows
Baas
Bax
Bridges
Burgess
Barnett
Barnes
Bartlett
Beall
Bentley
Biedenbender
Bierholtz
Bishoff
Bivins
Bond
Bowers
Bray
Brooks
Brown
Brown of Harris
Brown of Smith
Brown of Travis
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Waco
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Brown of Tarrant
Brown of Williamson
Brown of Wood.
Mr. Slack moved to reconsider the vote by which the amendment offered by himself was adopted and to table the motion to reconsider. The motion to table prevailed. H. B. No. 156 failed to pass by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>65</td>
</tr>
</tbody>
</table>

Mr. Slack moved to reconsider the vote by which the amendment offered by himself was adopted and to table the motion to reconsider. The motion to table prevailed. H. B. No. 156 failed to pass by the following vote:

<table>
<thead>
<tr>
<th>Nay</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>72</td>
</tr>
</tbody>
</table>

Mr. Gibbens (present), who would vote "yea", with Mr. Lary (absent) who would vote "nay".

Mr. Gibbens (present), who would vote "yea", with Mr. Lary (absent) who would vote "nay".
Mr. Slider (present), who would vote "nay", with Mr. McGregor of El Paso (absent) who would vote "yea".

Mr. de la Garza (present), who would vote "nay", with Mr. Lewis (absent) who would vote "yea".

Mr. Grover (present), who would vote "nay", with Mr. Floyd (absent) who would vote "yea".

REASON FOR VOTE
I voted against H. B. 156 because the bill, if passed, allowed the big trucking firms to set the rates below the small truckers and would run them out of business.

OBIE JONES.

HOUSE BILL NO. 11 ON SECOND READING

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

H. B. No. 11, A bill to be entitled "An Act creating the University of Houston as a state supported institution of higher education; providing for its management and administration; providing that general laws affecting other State institutions of higher learning and not in conflict with this Act shall apply to the University of Houston; repealing laws in conflict; providing for severability; providing an effective date and declaring an emergency."

The bill was read second time.

Mr. Pieratt offered the following Committee Amendment to the bill:

Committee Amendment No. 1

Amend H. B. 11 by deleting all below the enacting clause and substituting the following in lieu thereof:

Section 1. Creation of the University:

There is hereby established in the City of Houston, Harris County, Texas, a co-educational institution of higher learning, which shall be known as the University of Houston, to be conducted, operated and maintained under a Board of Regents as herein provided.

Sec. 2. Organization and control:

The organization and control of such University shall be vested in a Board of nine Regents, who shall be appointed by the Governor of Texas with the advice and consent of the Senate. The Term of office of each Regent shall be six years, provided that in making the first appointment the Governor shall appoint three members for six years, three members for four years and three members for two years. Any vacancy that occurs on the Board shall be filled for the unexpired term by appointment of the Governor.

Each member of the Board shall take the Constitutional oath of office. The said Board of Regents shall meet for the first time, after the passage of this Act, at the time and place designated by the Governor, or as soon after their appointment as possible. They shall organize by electing one of the members Chairman, and by electing such other officers as they deem necessary. They shall enact such by-laws, rules and regulations as may be necessary for the successful management and government of the University. They shall select a President for the University as soon as possible after the organization of the Board of Regents. The President shall be the chief executive officer of the Board of Regents and shall work under its direction. He shall recommend the plan or organization of said University and shall be responsible to said Board for the general management and success of said University.

Sec. 3. General Business Powers of Board:

The Board of Regents has the power to sue and be sued in the name of the University of Houston, to have venue in either Harris County, or Travis County. The University shall be impleaded by service of citation on the President or any of its Vice-Presidents, and Legislative consent to such suits is herewith granted.

All contracts of the University shall be approved by a majority of the Board of Regents. All contracts, bonds and notes heretofore entered into or issued by or in behalf of University of Houston are hereby
ratified, confirmed and validated for and on behalf of the University hereby created. But as to such bonds and notes, such ratification, confirmation and validation shall apply subject to the provisions of and only to the extent provided in Section 8a hereof.

Sec. 4. Reimbursement of Regents:

Members of the Board of Regents shall serve without pay, but shall be reimbursed for their actual expenses incurred in attending the work of the Board, subject to the approval of the Chairman.

Sec. 5. Meetings of the Board of Regents:

The Board of Regents shall hold a regular meeting at the campus of the University of Houston during the month of April annually, and at such times and places as shall be scheduled by it, or as the Chairman shall call from time to time.

Sec. 5A. The Board of Regents shall report to the Governor annually, and to each regular session of the Legislature, the condition of the University, setting forth the receipts and disbursements, the number and salary of the faculty, the number of students, classified in grades and departments, the expenditures of each year, itemized, and the proceedings of the Board and faculty fully stated.

Sec. 6. Regents may appoint and remove officers:

The Board of Regents shall have power to appoint and to remove the President, any faculty member, or other officer or employee of the University when, in its judgment, the interest of the University shall require it, and it shall fix the respective salaries and duties of such officers and employees.

Sec. 7. Courses and Degrees:

The Board of Regents shall have the authority to prescribe courses leading to customary degrees such as are offered in American universities of the first rank; provided, however, that the role and scope of the University of Houston, including its authorized departments and offerings of degree and certificate programs at the University of Houston, shall be subject to the determination and approval of the Texas Commission on Higher Education, and provided, further, that no new department, degree program, or certificate program shall be added by the University of Houston after the effective date of this Act, except by specific prior approval by the Texas Commission on Higher Education. All work done and all courses, degrees, certificates and diplomas awarded shall conform to standard college requirements as promulgated by the accrediting associations that supervise matters of accreditation of universities and colleges in the State of Texas.

Sec. 8. Transfer of Property:

The University of Houston, acting by and through its Board of Regents, has agreed to donate to the Board of Regents of the University herein created all of the assets, real, personal, tangible and intangible, held in its name, whether of record or not, on the first day of September, 1963, together with all of the indebtedness against it on that date still outstanding to the extent set forth in this Act, and from such date the University of Houston created by this Act shall hold title to all property so conveyed and shall commence operation for the use and benefit of the State of Texas.

Sec. 8a. The indebtedness and limited liability obligations of the present University of Houston are as follows:

(1) Dormitory bonds: The remaining unpaid $825,000.00 portion of an original dormitory bond issue in the sum of $3,696,000.00 issued in 1949; the sum of $2,871,000.00 of such original bond issue having already been paid and liquidated.

Such bonds are presently secured not only by the revenue from dormitory rentals, net income from book store and food service operations, but also by oil and gas royalties given to the University of Houston, and such oil royalties are to be transferred to the University of Houston created by this Act upon the effective date hereof.
It is anticipated that additional payments will be made on such bonds prior to the effective date of this Act. Such bonds being secured at the present time only by liens on the revenues and the oil royalties mentioned above, it is hereby enacted that they shall never become general obligations of the University of Houston created by this Act, but shall remain a charge upon the income tolls, fees, rent and charges encumbered and pledged to pay principal and interest thereon, as well as a lien or charge upon the oil royalties pledged in the deed of trust to support such bonds; and this Act shall not be construed to place any further or additional obligations on the University of Houston created by this Act, than is placed on the present University of Houston by Sec. 6 of Art. 2815k of Vernon's Civil Statutes and the deed of trust securing such bonds. When such bonds have been paid and discharged in full, such oil royalties shall remain the property of the University of Houston created by this Act.

(2) The present University of Houston has outstanding an unpaid indebtedness amounting to, as of January 31, 1961, the sum of $555,000.00, secured by an oil payment given to and owned by it. This payment is to be transferred to the University of Houston created by this Act, and such loan is assumed only to the extent that such oil payment shall liquidate same, and no further lien or obligation other than the lien given against such oil payment is or shall be created by or under this Act; but such note or obligation may be renewed or extended from time to time as the Board may determine.

(3) The present University of Houston, on the effective date of this Act, will owe current obligations and accounts, but anticipates and pledges sufficient cash will be transferred to the University of Houston created by this Act to liquidate all of such current accounts. Such indebtedness and liabilities shall not be assumed by the University of Houston created by this Act save and except to the extent of the unencumbered cash transferred to it at that time. No other debts or liabilities of the present University of Houston (save and except those stated in this Section 8a, and only to the extent provided in this Section 8a) shall be in any manner or to any extent assumed by or become debts or liabilities of the University of Houston created by this Act.

Sec. 9. Donations, Gifts and Endowments:

The Board of Regents is authorized to accept donations, gifts and endowments for the University to be held in trust and administered by said Board for such purposes and under such directions, limitations and provisions as may be declared in writing in the donation, gift or endowment, not inconsistent with the laws of the State of Texas or with the objectives and proper management of said University.

Sec. 10. Control of Mineral Lands:

The Board of Regents is hereby invested with the sole and exclusive management and control of all its lands, including lands with minerals, oil and gas, owned by the University of Houston. The Board of Regents is authorized and empowered to sell, lease, explore and develop its lands, to make and enter into pooling agreements, division orders, or other contracts necessary in the management and development of its said lands, all on such terms as the Board deems in the best interest of the University of Houston. Provided, however, that no lease shall be sold for less than the royalty and rental terms demanded at that time by the General Land Office in the sale of oil, gas and other mineral leases of the public lands of the State of Texas.

Sec. 11. Eminent Domain:

The Board of Regents is hereby vested with the power of eminent domain to acquire for the use of the University of Houston such lands as may be necessary and proper for carrying out its purposes as a State owned and operated institution of higher education. Said Board of Regents shall not be required to deposit a bond or the amount equal to the award of the commissioners as provided in Section 2 of Article 3268, Revised Civil Statutes of Texas, as amended.
Sec. 12. Borrowing Funds for Construction and Equipment of Buildings, Assessing and Pledging

The Board of Regents of the University of Houston is hereby authorized and empowered without cost to the State of Texas to construct or acquire through funds or loans obtained from the United States of America, or any agency thereof, or any other source, public or private, and accept title thereto subject to such conditions and limitations as may be prescribed by said Board, including, but not limited to classroom buildings, dormitories, kitchens and dining halls, hospitals, libraries, student activity buildings, gymnasiums, athletic buildings and stadiums, and such other buildings and facilities as may be needed for the good of the University of Houston and the moral welfare and social conduct of its students, when the total cost, type of construction, capacity of the buildings, plans and specifications have been approved by the Board.

Provided further that the Board is authorized to fix fees and charges against the students for the use of the buildings and facilities erected under the authorization of this Section so long as indebtedness remains against such buildings and their equipment, and to pledge the revenues from such fees and charges for the payment of the costs of construction and equipment of such buildings.

Sec. 13. Management of Dormitories and Other Facilities:

The Board of Regents is authorized to fix fees, rentals and charges for the use of the dormitories, auditoriums, dining halls, buildings and all other facilities of the University of Houston, and shall make rules and regulations to assure the maximum occupancy and use thereof. The charges made and fees fixed against students and others using any such facilities shall be in amounts deemed by the Board to be reasonable, taking into consideration the cost of providing such facilities and services, the use to be made thereof, and the advantages to be derived therefrom.

Sec. 14. Charges for Services to the Public:

A schedule of minimum fees and charges shall be established by the Board of Regents for services performed by any department of the University of Houston for students and the public. Said schedule shall conform to the fees and charges customarily made for such services in the community. By way of example, but not as a limitation, are services of the hearing clinic, optometry clinic, reading clinic, data processing and computing center, etc.

Sec. 15. Contracts for Military Training:

The Board of Regents is empowered to contract with the Department of Defense of the United States of America to establish and maintain courses of military training as a part of its curriculum, with the work of students enrolling in such courses being credited toward degree requirements under such regulations as the Board of Regents may prescribe. Included within its power to contract is the power to lease armory lands and buildings from and to the United States of America, and to acquire such equipment and material as is necessary to accomplish the purposes of such courses, and to enter into insurance contracts for the protection of the Federal Government's rights in and to such properties.

No student of the University shall ever be required to take any portion of such military training as a condition for entrance into the University or for graduation therefrom.

Sec. 16. Applicability of General Laws:

From and after the operative date of this Act, the University of Houston herein created shall be subject to the obligations and entitled to the benefits of all general laws of Texas applicable to all other State institutions of higher learning, except where such general laws are in conflict with this Act, and in such instances of conflict this Act shall prevail only to the extent of such conflict.

Sec. 17. Repeal of Conflicting Laws:

All laws and parts of laws in conflict with the provisions of this Act...
are hereby repealed to the extent of such conflicts only.

Sec. 18. Severability Clause: If any provision of this Act or the application to any person or circumstance shall be held invalid or unconstitutional, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Sec. 19. Emergency Clause: The fact that there is an imperative need for this state institution of higher learning at the University of Houston, and the fact that the present tuition rates required to operate the University of Houston are depriving many youths of a superior college education because they cannot afford to attend college away from their home, and the fact that the creation of the University of Houston under this Act is in the best interest of all of the people of the State of Texas, creates 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 said Rule is hereby suspended; and this Act shall take effect and be in force from and after September 1, 1963, and it is so enacted.

PIERATT, COLLINS, WELLS.

ADDRESS ORDERED PRINTED IN THE JOURNAL

Mr. Dewey moved that the addresses made at the Joint Session on yesterday be reduced to writing and printed in the Journal, if they can be obtained.

The motion prevailed.

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. Johnson of Bexar:
H. B. No. 1074. A bill to be entitled "An Act abolishing the office of county superintendent in all counties in the State having a population of not less than six hundred and fifty thousand ($50,000) and where-in 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 should 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 judges of such counties; providing compensation for the duties of such county judges; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."

Referred to the Committee on Education.

By Messrs. Cowen and Gladden:
H. B. No. 1075. A bill to be entitled "An Act promoting health and safety by regulating construction standards of mobile homes; defining certain terms; providing for establishment of standards; requiring a seal of approval; providing for reciprocity with other states; conferring powers and duties of enforcement upon the State Department of Health; providing for submission of construction plans; providing for transmission of moneys to the State Treasury; superceding local ordinances; providing Annual Permits to move mobile homes or component parts thereof in excess of the legal length, width or height by manufacturers, transport companies, dealers or component part suppliers; providing for applications, fees, designation of routes; providing for penalties; amending Sections 136 and 140 of Chapter 431, Acts of the 50th Legislature, 1947, as amended; providing for severability; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Snelson: (by request)
H. B. No. 1076. A bill to be entitled "An Act fixing the salaries to be paid certain officials in certain counties; repealing all laws in conflict therewith; and declaring an emergency."

Referred to the Committee on Counties.

By Messrs. Hale, Watson, Bartram, de la Garza, Cory, McGregor of El
Paso, Hinson, Pieratt, Collins, Jamison, and Adams of Lubbock:

H. B. No. 1077, A bill to be entitled "An Act revising and rearranging certain statutes of this State relating to public education into a consistent whole and under a single code to be known as the Texas Public Education Code; providing a severability clause; providing a savings clause; repealing certain enumerated laws and all other laws in conflict; providing for an effective date; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Nugent:

H. B. No. 1078, A bill to be entitled "An Act amending Section 1 of Chapter 50, Acts of the 55th Legislature, Regular Session, 1967, as amended, relating to regulatory authority of the Game and Fish Commission in certain counties, so as to include Kerr County; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

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. 100 to the Committee on State Affairs.
S. B. No. 115 to the Committee on State Affairs.
S. B. No. 137 to the Committee on Education.
S. B. No. 182 to the Committee on Revenue and Taxation.
S. B. No. 186 to the Committee on Judiciary.
S. B. No. 257 to the Committee on State Affairs.
S. B. No. 320 to the Committee on Counties.
S. B. No. 345 to the Committee on State Affairs.
S. B. No. 346 to the Committee on State Affairs.
S. B. No. 367 to the Committee on State Affairs.
S. B. No. 376 to the Committee on State Affairs.
S. B. No. 401 to the Committee on State Affairs.
S. B. No. 416 to the Committee on Judiciary.

RELATIVE TO H. J. R. NO. 70

Mr. Caldwell asked unanimous consent to authorize the Engrossing and Enrolling Clerk to change the word "conterminous" to "conterminous" in H. J. R. No. 70.

There was no objection offered and it was so ordered.

ADJOURNMENT

Mr. Atwell moved that the House adjourn 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 adjourn, the House at 4:37 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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


Representation Before the Legislature: S. C. R. No. 36.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 13, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
April 18, 1961  

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 12, A bill to be entitled "An Act creating the Commission on Organization of the Executive Branch of the Government to promote economy, efficiency, and improved services in the transaction of the public business; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 111, A bill to be entitled "An Act amending Section 1 of Chapter 360, Acts of the Forty-seventh Legislature, Regular Session, 1941, to provide that the Commissioners Court in all counties of this State may provide fire protection and fire fighting equipment for the citizens of the county outside of any city, town or village therein; to provide that this equipment may be paid for by time warrants of the county as provided by law; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 129, A bill to be entitled "An Act amending Subsections (5) and (6) of Article 9.13, Title 122A, Revised Civil Statutes of the State of Texas; removing the necessity to notarize claims for motor fuel tax refund; setting out the required contents of such claim; making provision relative to certain reports required under Title 122A, Revised Civil Statutes of Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 137, A bill to be entitled "An Act to repeal certain Statutes and Laws contained in Title 32 of the Texas Revised Civil Statutes, 1925, as amended, and certain subsequent legislative acts codified under such Title, which Statutes, Laws and Acts are in conflict with the provisions of the Texas Business Corporation Act, Acts 1955, Fifty-fourth Legislature, page 239, Chapter 64; and of the Texas Non-Profit Corporation Act, Acts 1959, Fifty-sixth Legislature, page 286, Chapter 162, or are inconsistent with the general purposes of such Acts, or are supplanted by the provisions of those Acts; to provide for the effect of such repeal; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 138, A bill to be entitled "An Act to adopt and establish certain miscellaneous statutory provisions applicable to private corporations, whether for profit or not for profit: to provide certain special laws applicable to veteran, educational, cemetery, detective, and certain railroad corporations; to provide restrictions upon the acquisition of land by corporation and to impose penalties for violation; to provide for the authority of the Attorney General to examine corporate books and records and for penalties for refusal of examination; to provide a lien against corporate property for fines and penalties and for forfeiture of such lien; to provide authority in the Attorney General to proceed against insolvent corporations; to reenact the Uniform Stock Transfer Act; to repeal certain statutory provisions contained in Title 32 of Texas Revised Civil Statutes, 1925, as amended, which have been supplanted by the provisions of this Act."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
Act; containing saving and partial invalidity clauses; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 140, A bill to be entitled "An Act to amend the Texas Business Corporation Act, Acts 1955, Fifty-fourth Legislature, Regular Session, 1949, so as to empower all incorporated cities having a population in excess of three hundred eighty thousand (380,000) and being in a county of over eight hundred thousand (800,000) population, according to the last preceding United States Census, to provide for the establishment of corporation courts of a number not to exceed one (1) for each eighty thousand (80,000) inhabitants; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 247, A bill to be entitled "An Act amending Section 1, Chapter 269, Acts of the Fifty-first Legislature, Regular Session, 1949, so as to authorize water improvement districts to sell lands belonging to such districts; providing for the disposition of the proceeds of such sale in certain cases; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 208, A bill to be entitled "An Act to authorize water improvement districts to sell lands belonging to such districts; providing for the disposition of the proceeds of such
April 18, 1961

HOUSE JOURNAL

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 259, A bill to be entitled "An Act authorizing the Chairman of the Board of Regents of the State Teachers Colleges to exchange a certain tract of State-owned land for another tract of privately-owned land of similar size; and declaring an emergency."

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

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 343, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Abilene State School; to sell and convey same; and declaring an emergency."

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

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 359, A bill to be entitled "An Act relating to false advertising of insurers not authorized to transact business in this State; subjecting such insurers to the jurisdiction of the State Board of Insurance and the courts of this State; providing for actions by this State with respect to such insurers; providing for service of process upon such insurers; providing separability; and declaring an emergency."

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

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 431, A bill to be entitled "An Act providing for County Juvenile Boards in each county comprising the 26th Judicial District, and in each county comprising the 156th Judicial District; providing for compensation of members of the Boards; providing for reimbursement of members of the Boards; providing for action by this State with respect to the Boards; providing that this Act shall be cumulative of existing laws relating to compensation of Judges of District Courts and County Judges; providing a saving clause; and declaring an emergency."

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

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 454, A bill to be entitled "An Act changing the name of the Burnet County Water Control and Improvement District, No. 1, to the Bertram Water Control and Improvement District, No. 1; providing that such change of name shall in no way invalidate the outstanding bonds of said District; changing the number and terms of the Directors thereof and of the San Gabriel River Water Control and Improvement
District, No. 1; and declaring an
emergency.

Has carefully compared same and
finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed
Bills to whom was referred

H. B. No. 660, A bill to be entitled
"An Act authorizing the County
Judge, upon an order of the Com­
missioners Court, to convey certain
of the county's interests in certain
lands when such interests are neces­
sary for the maintenance of any
federally owned or operated military
installation or facility; ratifying and
validating certain previous convey­
ances; providing severability; and
declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed
Bills to whom was referred

H. B. No. 541, A bill to be entitled
"An Act selling certain State-owned
submerged lands to the City of
Seadrift, providing for a mineral re­
ervation with right of ingress and
egress, for a reversion; and declaring
an emergency."

Has carefully compared same and
finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed
Bills to whom was referred

H. B. No. 468, A bill to be entitled
"An Act to amend Article 6.08 of
Chapter 6 of the Insurance Code
(Acts of the 1951 Fifty-second Leg­
sislature, Chapter 491, as amended
by the Acts of the 1955 Fifty-fourth
Legislature, page 413, Chapter 117,
Section 29), to amend Article 6.19
of the Insurance Code (Acts of the
1951 Fifty-second Legislature, Chap­
ter 491), to reenact Article 8.18, as
amended (Acts of the 1955 Fifty­
fourth Legislature, page 413, Chap­
ter 117, Section 23), to amend
Article 3.40 of the Insurance Code
(Acts of the 1951 Fifty-second Leg­
sislature, Chapter 491), as amended
by the Acts of the 1955 Fifty-fourth
Legislature, page 880, Chapter 411,
Section 4), to permit fire and marine
insurance companies, casualty in­
surance companies, and life in­
surance companies, to hold mineral
and royalty interests reserved upon
the sale of land acquired under fore­
closure of loans contracted or for
money due or which shall have been
conveyed to them in satisfaction of
debts previously contracted in the
legitimate business of the company
or for money due or such as was
paid on account of judgment, decree,
or mortgages obtained or made for
such debt prior to January
1, 1942; repealing conflicting laws
and parts of laws to the extent of
such conflict; providing for a sever­
ability clause; and declaring an
emergency."

Has carefully compared same and
finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed
Bills to whom was referred

Sir: Your Committee on Engrossed
Bills to whom was referred

H. B. No. 628, A bill to be entitled
"An Act applicable to any Home
Rule City having a charter which
provides that its bonds shall be ad­
vertised for sale after the bonds
have been authorized and issued;
providing that the governing body
of such city shall advertise its bonds
for sale and receive bids therefor
before passage of the ordinance au­
thorizing the issuance of the bonds;
and declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed
Bills to whom was referred

Sir: Your Committee on Engrossed
Bills to whom was referred
H. B. No. 661, A bill to be entitled “An Act authorizing the County Judge, upon an order of the Commissioners Court, to convey certain of the County’s interests in certain lands when such interests are necessary for the construction, operation or maintenance of flood control, river and harbor improvement, water conservation, or other civil works projects of the United States; ratifying and validating certain previous conveyances; providing severability; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 721, A bill to be entitled “An Act to amend Section 1, Section 2, and Section 4 of House Bill No. 127, Acts of the Regular Session, Fifty-first Legislature, providing for the creation, regulation, and financing of Mosquito Control Districts in counties; providing for a tax of five cents (5¢) but not to exceed twenty-five cents (25¢) on each one hundred dollar tax valuation; providing that this Act shall be severable; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 742, A bill to be entitled “An Act to provide that certain independent school districts may, by petition and vote, establish a board of trustees to be composed of seven members; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 748, A bill to be entitled "An Act amending Article 872 of the Penal Code of Texas, 1925, relating to the definition of game birds; amending Section 1 of Article 871b of the Penal Code of Texas, 1925, relating to the definition of migratory game birds; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 791, A bill to be entitled "An Act relating to cooperation between State and Federal agencies in the destruction of predatory animals; amending Chapter 96, Acts of the Forty-first Legislature, First Called Session, 1929, as amended, to include the Russian boar as a predatory animal; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 805, A bill to be entitled "An Act to require any person, association of persons, corporate or other, who customarily engage in the business of obtaining motor vehicles for purposes of scrap, resale of parts therefrom or salvage, to surrender to the State Highway Department all unexpired vehicle license plates and Certificates of Title for such motor vehicles; providing for a penalty; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 896, A bill to be entitled "An Act to require any person, association of persons, corporate or other, who customarily engage in the business of obtaining motor vehicles for purposes of scrap, resale of parts therefrom or salvage, to surrender to the State Highway Department all unexpired vehicle license plates and Certificates of Title for such motor vehicles; providing for a penalty; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 924, A bill to be entitled "An Act transferring to the State Board of Water Engineers the powers and duties originally vested in the State Reclamation Engineer under Chapters 5 and 6, Title 128, Revised Civil Statutes of Texas, 1925, as amended, and under general and special laws, and all powers and duties of the State Reclamation Engineer vested by law in the Commissioner of the General Land Office by Senate Bill No. 281, Acts of the Forty-sixth Legislature, Regular Session, 1939, Title: Water, Chapter 1, page 704 (codified as Article 5421h-1, Vernon's Annotated Civil Statutes of Texas), herein referred to as Chapter 1; and transferring all books, papers, records, property and pending business pertaining to the exercise of the powers and duties under said Chapter 1; repealing said Chapter 1 to the extent it is in conflict herewith; 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, April 13, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 169, limiting the provisions of this Act to Dimmit, Uvalde and Zavala Counties; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said Counties at any time; to take, kill or trap any fur-bearing animal in said Counties; to take or attempt to take any fresh-water fish or other aquatic life in public waters in said Counties by any means or method; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.
JAMES V. ADAMS, Chairman.
Austin, Texas, April 18, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 216, An Act amending Section 8 of Chapter 76, Acts of the Forty-third Legislature, First Called Session, 1933, 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 enrolled.
JAMES V. ADAMS, Chairman.
Austin, Texas, April 18, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 360, An Act amending Chapter 1 of Acts, Fifty-sixth Legislature, Third Called Session, House Bill No. 11, Chapter 12, Articles 12.01, 12.08 and 12.10, providing for simultaneously filing reports and paying the tax on or before May 1st of each year; dispensing with the requirement of filing reports in duplicate; authorizing exchange of information with other states and Federal Government; repealing all laws in conflict; and declaring an emergency.

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

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

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 224, An Act to amend Section 1 of Chapter 112, page 235, Acts of the Fifty-fifth Legislature, Regular Session, 1957 (compiled as Section 1 of Article 1269 1-2 of Vernon's Texas Civil Statutes), to authorize the Texas State Department of Health to provide planning assistance for political subdivisions and to accept grants therefor under the provisions of the Federal Housing Act of 1954, as amended, or from other sources; and declaring an emergency.

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

FORTY-NINTH DAY
(Wednesday, April 19, 1961)
The House met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 266, An Act amending Article 266, Revised Civil Statutes of Texas, 1911, to provide for administration and enforcement purposes; and declaring an emergency.

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

Austin, Texas, April 18, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 224, An Act to amend Section 1 of Chapter 112, page 235, Acts of the Fifty-fifth Legislature, Regular Session, 1957 (compiled as Section 1 of Article 1269 1-2 of Vernon's Texas Civil Statutes), to authorize the Texas State Department of Health to provide planning assistance for political subdivisions and to accept grants therefor under the provisions of the Federal Housing Act of 1954, as amended, or from other sources; and declaring an emergency.

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

Austin, Texas, April 18, 1961

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

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 360, An Act amending Chapter 1 of Acts, Fifty-sixth Legislature, Third Called Session, House Bill No. 11, Chapter 12, Articles 12.01, 12.08 and 12.10, providing for simultaneously filing reports and paying the tax on or before May 1st of each year; dispensing with the requirement of filing reports in duplicate; authorizing exchange of information with other states and Federal Government; repealing all laws in conflict; and declaring an emergency.

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

Austin, Texas, April 18, 1961

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