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

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

"Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and greatest commandment. And the second is like unto it, Thou shalt love thy neighbor as thyself. On these two commandments hang all the law and the prophets." (Matthew 22:37-40).

"Father in Heaven, help us today to remember to keep Thee first in our lives. Instil in us Thy love that we may truly love others more than ourselves. Bless the labors of today. In Jesus' Name we pray.—Amen."

LEAVE OF ABSENCE GRANTED
Mr. Gibbens was granted leave of absence for today on account of illness in his family, on motion of Mr. Miller.

HOUSE BILL ON FIRST READING
The following House Bill was today laid before the House, read first time and referred to the appropriate Committee, as follows:

By Mr. Glusing:
H. B. No. 1084, A bill to be entitled "An Act closing the open season for hunting wild buck deer, wild turkey gobblers and collared peccary or javelina in Justice Precinct No. 1 in Kenedy County; excepting an area therein from application of this Act; providing a penalty for violation of this Act; and amending Chapter 269, Acts of the 56th Legislature, 1959; providing a severability clause; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

APPENDIX

STANDING COMMITTEE REPORTS
The following Committees filed favorable reports on a bill and resolutions, as follows:

Appropriations: S. B. No. 1.


REPORT OF THE COMMITTEE ON ENGROSSED BILLS
Austin, Texas, April 21, 1961
Hon. James A. Turman, Speaker of the House of Representatives,

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 27, "Congratulating and inviting the Honorable Bill Daniel to speak before a Joint Session of the House and Senate at his earliest convenience."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
H. J. R. No. 36, A joint resolution “Proposing an Amendment to Subsection (b) of Section 62 of Article XVI of the Constitution of Texas, authorizing each county to provide retirement, disability and death benefits for appointive and elective officers and for employees of the county or precinct, and for any political subdivision of the State the boundaries of which are completely within the boundaries of such county; providing for the submission of the proposed Amendment to the voters qualified to vote thereon, and providing for the necessary election, form of ballot, proclamation and publication.”

The resolution was read second time on April 18 and further consideration was postponed until 10:00 o’clock a.m., today.

Mr. Andrews offered the following amendment to the resolution:

Amend Committee Amendment No. 1 to H. J. R. 36 by striking the period at the end of Sec. 62 (b) of Sec. 1 and substituting a comma therefor and adding the following: “provided however that no person shall qualify unless he shall have served in such capacity for at least 12 years.”

The amendment was adopted.

H. J. R. No. 36 was passed to engrossment by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
<tr>
<td>85</td>
<td>55</td>
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</table>

**Yeas—85**

Adams of Tithus
Alaska
Andrews
Bailey
Ballman
Barlow
Bartram
Bass
Bridges
Buchanan
Burgess
Butler
Caldwell
Cannon
Chapman
Cole of Harris
Collins
Curtington
de la Garza
Dewey
Duffy, Miss
Dungan
Echardt
Leach
LaValle
McCoy
McGregor
McIlhaney
Markgraf
Martin
Miller
Mullen
Niemeyer
Nugent
Oliver
Pearcy
Peele
Pieratt
Preston
Rapp
Richards
Richardson
Roberts of Hill
Roberts of Dawson

**Nays—55**

Adams of Lubbock
Allen
Atwell
Barnes, Mrs.
Bell
Berry
Blaine
Boyna
Carrick
Connell
Corz
Cotten
Cowie
Craig
Crews
Fairchild
Foreman
Glasing
Goyer
Hardy
Hollowell
Hubbard
Hughes of Dallas
Imsack, Miss
James
Johnson of Dallas

**Absent**

McGregor
Cook of El Paso
McCoy
McIlhaney
Jarvis
Lewis

**Absent—Excused**

Gibbons
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HOUSE JOINT RESOLUTION NO. 13 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. J. R. No. 13, A Joint Resolution "Proposing an amendment to Article VIII of the Constitution of the State of Texas, exempting motor vehicles from all ad valorem taxes except those assessed and levied by school districts; authorizing the Legislature to increase the rates for motor vehicles registration fees; prescribing a limitation on such rates; and prescribing certain limitations on the disposition and use of such fees."

The resolution was read second time and was passed by the following vote:

**Yeas—103**


**Nays—34**


Mr. Watson moved to reconsider the vote by which H. J. R. No. 13 was passed and to table the motion to reconsider.

The motion to table prevailed.

***HOUSE JOINT RESOLUTION NO. 15 ON SECOND READING***

The Speaker laid before the House on its second reading and passage to engrossment, H. J. R. No. 15, A Joint Resolution "Proposing an amendment to Article XVI, Section 38 of the Constitution of the State of Texas, so as to give to the Legislature the power to provide, under such limitations and
restrictions as may be deemed by
the Legislature expedient, for the
garnishment of the current wages of
a parent for personal services for
child support payments in accord-
ance with an Order of a Court of
competent jurisdiction; providing for
the necessary election, form of ballot,
proclamation, and publication, and
making an appropriation to defray
the necessary expenses therefor."
Mr. Barnes asked unanimous consent of the House to show amendment No. 6 to H. B. 829 by Barnes corrected as follows:

Amend Committee Amendment No. 1 by adding to line 3, page 3, between the words “college and shall” the following:

which issues “Class A” certificates

There was no objection offered and it was so ordered.

HOUSE BILL NO. 260 WITH SENATE AMENDMENTS

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

H. B. No. 260. A bill to be entitled "An Act validating, ratifying, confirming and approving contracts, scrip warrants and time warrants and refunding bonds authorized by counties or cities (including home-rule cities) or towns since the approval by the Governor of Texas of Chapter 21, Acts of the 56th Legislature, Regular Session, 1959; validating, ratifying, confirming and approving time warrants and refunding bonds issued for the purpose of refunding time warrants and all proceedings, governmental Acts, orders, ordinances, resolutions and other instruments relating to the issuance of time warrants and refunding bonds for such purposes, of counties, cities (including home-rule cities) and towns; providing that this Act shall not apply to any contract, scrip warrant or time warrant or to any refunding bond proceedings, governmental Acts, orders, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of three hundred and fifty thousand (350,000) according to the last preceding Federal Census, or any contract, scrip warrant or time warrant or any refunding bond proceedings, governmental Acts, orders, ordinances, resolutions or other instruments, or bonds the validity of which is now involved in litigation; providing a savings clause; and declaring an emergency."

On motion of Mr. Wells the House concurred in the Senate Amendments.
TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 260

Senate Amendment No. 1
Amend House Bill 260, page 2 of the Senate-printed copy, by deleting the words and figures, "three hundred and fifty thousand (350,000)", as they appear on lines 3 and 4 and on line 27, and inserting in lieu thereof in both instances the following:
"two hundred and fifty thousand (250,000)."

Senate Amendment No. 2
Amend caption to conform to body of bill.

PROVIDING FOR CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Collins moved to suspend the Rules to set a Local and Uncontested Calendar on Thursday following the completion of the Senate Calendar or at 2 p.m., whichever time comes first.

The motion prevailed by unanimous consent.

RECESS

Mr. Oliver moved that the House recess until 2:30 o'clock p.m. today.

The motion prevailed.

In accordance with the motion to recess, the House met at 12:17 o'clock p.m., took recess until 2:30 o'clock p.m. today.

AFTERNOON SESSION

The House met at 2:30 o'clock, p.m., and was called to order by the Speaker.

CONSIDERATION OF LOCAL BILLS

The House, in accordance with a previous motion, proceeded to the consideration of the Local Bill Calendar.

HOUSE BILL NO. 163 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 163, a bill to be entitled "An Act amending Section 1 of Chapter 355, Acts of the 52nd Legislature, 1951 (Section 1 of Article 1969-A, Vernon's Texas Civil Statutes), relating to performance of duties of the County Judge by the Judge of any County Court at Law in certain counties, by changing the counties to which the Act is applicable from counties having a population of less than 650,000 inhabitants to counties, having a population of less than 700,000 inhabitants, according to the last preceding or any future Federal Census; and declaring an emergency."

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

COMMITTEE MEETING

On motion of Mr. Hale, and by unanimous consent of the House, the Committee on Judiciary was granted permission to meet at this time.

HOUSE BILL NO. 302 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 302, a bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Brookshire-Katy Drainage District"; prescribing its rights, powers, privileges and duties; providing a tax limit; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; providing for dividing said District for election of Supervisors; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
Amend H. B. No. 302 by striking all below the enacting clause and substituting in lieu thereof the following:
April 25, 1961

“Section 1. Under and pursuant to the provisions of Section 59 of Article XVI, Constitution of Texas, a conservation and reclamation district is hereby created and incorporated in Waller County, Texas, to be known as ‘Brookshire-Katy Drainage District,’ hereinafter referred to as the ‘District,’ and the boundaries of said District shall be as follows:

Beginning at the most South Easterly corner of Waller County, Texas, same being a common corner of Waller, Fort Bend and Harris Counties;

Thence Southwesterly, along the common line of Waller and Fort Bend Counties, to the Southeast corner of the Wm. Cooper League, Abstract 26, for a corner;

Thence Westerly, continuing along the common line of Waller and Fort Bend Counties, to a point in the South line of the Wm. Cooper League, Abstract 26, which point is the Northeast corner of the Randolph Foster Survey, Abstract 27, for a corner;

Thence Southerly, continuing along the common line of Waller and Fort Bend Counties, to the intersection of the common County lines with the centerline of Bessie Creek, for a corner;

Thence up the centerline of Bessie Creek, following its meanders in a generally Northerly direction, to the intersection of the centerlines of Bessie Creek and Bell Bottom Creek, in the J. McFarland Survey, Abstract 46, for a corner;

Thence up the centerline of Bell Bottom Creek, following its meanders in a generally Northerly direction, to the intersection of the centerlines of Bell Bottom Creek and the Northeast line of the Samuel Hady Survey, Abstract 31, for a corner;

Thence Southeasterly, along the Northeast line of the Samuel Hady Survey, Abstract 31, to the West corner of the C. D. Mixon Survey, Abstract 226, same being the South corner of the C. D. Mixon Survey, Abstract 225, for a corner;

Thence Southwesterly, along the common line of the said C. D. Mixon and Noel Mixon Surveys to the North corner of the W. McCutcheon Survey, for a corner;

Thence Southwesterly, along the Northeast line of the C. D. Mixon Survey, Abstract 226, to a point, same being the most Westerly Southwestern corner of the J. G. Bennett Survey, Abstract 258, and the Southwesterly corner of H. & T.C.R.R. Co. Survey, Abstract 319, for a corner;

Thence Northwesterly, along the West lines of the J. G. Bennett Survey, Abstract 258 and the W. McCutcheon Survey, Abstract 310, to the Northwest corner of the W. McCutcheon Survey, Abstract 310, for a corner;

Thence Easterly, along the North line of the said W. McCutcheon Survey, Abstract 310, to the West line of the H. & T.C.R.R. Co. Survey, Abstract 310, for a corner;

Thence Northwesterly, along the West line of the H. & T.C.R.R. Co. Survey, Abstract 310, and the West line of W. McCutcheon Survey, Abstract 311, to the Northwest corner of the W. McCutcheon Survey, Abstract 311, for a corner;


Thence Southwesterly, along the Waller-Harris County line to the most Southeasterly corner of Waller County.
considered to be organized and existing for the sole purpose of the reclamation and drainage of its overflowed lands and other lands needing drainage, and to accomplish such purpose the District shall have and exercise, and be hereby vested with, all of the rights, powers, privileges, and duties conferred and imposed by the General Laws of the State of Texas, now in force or hereafter enacted, applicable to fresh water supply districts created under authority of Section 59 of Article XVI, Constitution of Texas, but to the extent that the provisions of such General Laws may be in conflict or inconsistent with the provisions of this Act, the provisions of this Act shall prevail. All such General Laws are hereby incorporated with the same effect as if incorporated in full in this Act. Without limiting the generalization of the foregoing, it is expressly provided that all said powers now or hereafter conferred by such General Laws upon fresh water supply districts for the purpose of conserving, transporting and distributing fresh water are hereby specifically conferred upon the District for the purpose of reclaiming and draining its overflowed lands and other lands needing drainage. In the event that the District, in the exercise of the power of eminent domain, its power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, rerouting or changing the grade of, or altering the construction of, any highway, railroad, electric transmission line, telephone or telegraph property and facilities, or pipeline, all such necessary relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the District.

Sec. 3. The management and control of the District is hereby vested in a Board of five (5) supervisors which shall have all of the powers and authority and duties conferred and imposed upon boards of supervisors of fresh water supply districts organized under the provisions of Chapter 4 of Title 128, Revised Civil Statutes of Texas, 1925, together with all amendments thereof and additions thereto. The members of the first Board of Supervisors shall be Arthur Robichaux, O. M. Pederson, Jr., Cecil M. Beckendorff, Joe K. Moore and William H. Moore. Said members shall become Supervisors immediately after this Act becomes effective, and said first Board of Supervisors shall meet and organize as soon as is practical after the effective date of this Act, and shall within such time file their official bonds. If any of the aforementioned members of said first Board of Supervisors shall die, become incapacitated, or otherwise not qualify to assume their duties under this Act, the remaining members of the Board of Supervisors shall fill such vacancy by appointment and as provided by General Law for fresh water supply districts. Prior to the second Tuesday in January, 1962, the Board of Supervisors shall divide said District into five (5) areas, numbered one (1) to five (5), both inclusive, and assign one of their number to be the Supervisor for each said area. On said second Tuesday in January, 1962, the Board of Supervisors shall hold an election for the purpose of electing to the Board of Supervisors, a Supervisor for two (2) of said areas, which shall be designated by the Board of Supervisors after having been determined by lot. Each of said Supervisors shall be elected to a two (2) year term of office commencing the day following his election. On the second Tuesday of January, 1963, a Supervisor to serve a two (2) year term of office commencing the day following his election shall be elected to the Board of Supervisors for each of the remaining three (3) areas and thereupon annually elections on the second Tuesday of each succeeding year shall be held in the same manner and for the same term of office. Each candidate for Supervisor shall be designated on the official ballot according to the number of area in which he resides, and at Supervisors' elections each qualified voter of the District shall be entitled to vote on candidates from all five (5) areas. The candidate in each area respectively receiving the highest number of votes for Supervisor of the respective area shall be elected. Each such candidate must be more than...
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Sec. 4. The Assessor and Collector of taxes of Waller County shall, as office, be the Assessor and Collector of taxes for the District. The blanks used by the Assessor and Collector to accept rendition of property for taxation by the County shall be printed so as to show that the rendition of property situated in the District is also made for the benefit of the District. The property which is situated in the District shall be clearly indicated on the approved tax rolls in the office of the Assessor and Collector. The value of property situated in the District as equalized by the Board of Equalization shall constitute the assessed value of such property for purposes of District taxation. Within five (5) days after the approval of the report of the Board of Equalization by the Commissioners Court of the County the Assessor and Collector of taxes shall certify to the District the total assessed valuation of property situated in the District according to such approved rolls.

Sec. 5. Taxes shall be levied and collected under the provisions of the General Laws applicable to fresh water districts, and when an election is required by the General Laws, before taxes may be levied, the District must hold an election. The total amount of taxes levied by the District for all purposes shall never in any one year exceed thirty-five cents (35¢) on the One Hundred Dollars ($100) valuation of taxable property within the District. For the services rendered to the District in assessing and collecting taxes for the District, the Assessor and Collector shall be entitled to deduct from all taxes thus collected on the current year's tax rolls a sum as agreed upon by the Board of Supervisors, not to exceed the amount provided by the General Laws relative to the assessment, levy, and collection of ad valorem taxes, and for the collection of delinquent taxes compensation in like manner to that which he receives in collecting delinquent State and County taxes, provided that no duplicated charge shall be made for costs of suit where a charge is made in reference to enforcement of State and County taxes.

Sec. 6. It is hereby found and determined that all of the lands and other property included within the District are, and will be, benefited by the creation of the District and by the improvements that the District will purchase, construct, or otherwise acquire, and that the District is created to serve a public use and benefit. Upon the adoption of this Act, said District shall be a fully created and established fresh water supply district.

Sec. 7. The Legislature hereby exercises the authority conferred upon it by Section 59 of Article XVI, Constitution of Texas, and declares that this District created by this Act is essential to the accomplishment of the purposes of said constitutional provision. Finds that all of the land and other property included therein are, and will be, benefited thereby and by the improvements that the District will purchase, construct, or otherwise acquire; and declares to be a governmental agency, a body politic and corporate, and a municipal corporation.

Sec. 8. If any word, phrase, clause, sentence, paragraph, section, or other part of this Act or the application thereof shall ever be held by a court of competent jurisdiction to be invalid or unconstitutional, the remainder of the Act and the application of such word, phrase, clause, sentence, paragraph, section, or other part of this Act to other persons or circumstances shall not be affected thereby.

Sec. 9. The fact that the creation of such District will result in material benefit to the State of Texas and to the land and other property included in said District and to promote effectively the conservation of water 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 this Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

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

Amend Committee Amendment No. 1 to H. B. 302 by adding the following at the end of Section 2, line 49:

"The exercise of the power of eminent domain shall not extend beyond the boundaries of the authority, as defined herein."

The amendment was adopted.

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

Amend Committee Amendment No. 1 to House Bill 302 by adding the following at the end of Section 2, line 49:

"The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, re-routing, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility."

The amendment was adopted.

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

H. B. No. 302 was passed to engrossment.

RESOLUTIONS SIGNED BY THE SPEAKER

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

S. C. R. No. 50, Commending Bob Thornton on his service to the City of Dallas as Mayor, and the time he has given to other civic duties.

S. C. R. No. 51, Requesting the Governor to return S. B. No. 376 to the Senate for further consideration.

(House Bill No. 415 on Second Reading)

On motion of Mr. Korloth, and by unanimous consent of the House, the Committee on Public Health was granted permission to meet at this time.

HOUSE BILL NO. 415 ON SECOND READING

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

H. B. No. 415, A bill to be entitled "An Act regulating the taking, transporting, and selling of minnows in Zavala County; providing that minnows may be transported into Zavala County from outside said County; providing penalties; and declaring an emergency."

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

HOUSE BILL NO. 461 ON SECOND READING

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

H. B. No. 461, A bill to be entitled "An Act providing for the compensation of the official shorthand reporter of the 115th Judicial District of Texas; providing the manner of payment; and declaring an emergency."

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

SENATE BILL NO. 195 ON SECOND READING

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

S. B. No. 195, Validating certain proceedings of Home Rule Cities; and declaring an emergency.

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

S. B. No. 276 LAID ON TABLE SUBJECT TO CALL

Mr. Lewis moved that House Bill No. 276 be laid on the table subject to call.

There was no objection offered and it was so ordered.
HOUSE BILL NO. 499 ON SECOND READING
The Chair laid before the House, on its second reading and passage to engrossment.

H. B. No. 499, A bill to be entitled "An Act amending Section 17 of Chapter 152, Acts of the Fifty-fifth Legislature, Regular Session, 1957, as amended, to extend the existing authority of the Game and Fish Commission to regulate wildlife in Bexar County; and declaring an emergency."

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

HOUSE BILL NO. 552 ON SECOND READING
The Chair laid before the House, on its second reading and passage to engrossment.

H. B. No. 552, A bill to be entitled "An Act to amend Acts 1961, 52nd Legislature, Chapter 272, by adding a new section to such Act making the bonds and notes issued by Regional College Districts pursuant to such Act, authorized investments, and making them eligible to secure public funds, and declaring an emergency."

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

HOUSE BILL NO. 564 ON SECOND READING
The Chair laid before the House, on its second reading and passage to engrossment.

H. B. No. 564, A bill to be entitled "An Act amending Section 2 of Chapter 163, Acts of the 52nd Legislature, Regular Session, 1951, codified as Section 2 of Article 1970-110b, Vernon's Texas Civil Statutes, by removing jurisdiction of civil actions from County Court at Law No. 3 of Harris County, Texas; and declaring an emergency."

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

HOUSE BILL NO. 565 ON SECOND READING
The Chair laid before the House, on its second reading and passage to engrossment.

H. B. No. 565, A bill to be entitled "An Act to repeal Section 2A of Chapter 453, Acts of the 55th Legislature, Regular Session, 1957, which is codified as Section 2A, Article 1970-110c, Vernon's Texas Civil Statutes, so as to remove jurisdiction of civil actions from County Court at Law No. 4 of Harris County, and declaring an emergency."

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

HOUSE BILL NO. 566 ON SECOND READING
The Chair laid before the House, on its second reading and passage to engrossment.

H. B. No. 566, A bill to be entitled "An Act to create a second County Civil Court at Law for Harris County, Texas, to be known as 'County Civil Court at Law Section B,' setting out the jurisdiction of said Court the terms, practice, providing for the appointment of a Judge, elections and appointment to fill vacancies, the bond and oath of said Judge, providing for the appointment or election of a special Judge, for the Clerk of said Court, the seal of said Court, for filing of civil cases therein, providing for the exchange of judges among County Court at Law both civil and criminal, setting the salary of the County Civil Court at Law Section B, amending Article 1970-77, Revised Civil Statutes of Texas, 1925, so as to change the name to 'County Civil Court at Law Section A'; amending Article 1970-95, Revised Civil Statutes of Texas, 1925, so as to change the name to 'County Civil Court at Law Section 2'; amending Section 1 of Chapter 453, Acts of the 55th Legislature, Regular Session, 1957, codified as Section 1 of Article 1970-110c, Vernon's Texas Civil Statutes, so as to change the name to 'County Criminal Court at Law No. 3'; amending Section 1 of Chapter 453, Acts of the 55th Legislature, Regular Session, 1957, codified as Section 1 of Article 1970-110b, Vernon's Texas Civil Statutes, so as to change the name to 'County Criminal Court at Law No. 1'; and declaring an emergency."

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

H. B. No. 678, A bill to be entitled "An Act relating to size limit upon fish taken from the Laguna Madre within the Counties of Cameron, Kenedy, and Willacy; amending Chapter 80, Acts of the 24th Session, Regular Session, 1956, to make the act applicable to an emergency." 

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

H. B. No. 687, A bill to be entitled "An Act amending Article 8120, Revised Civil Statutes of Texas, 1925, as amended, by providing increased compensation for Commissioners of Drainage Districts in all counties having a population of not less than seventy-five thousand (75,000) and not more than ninety thousand (90,000) according to the last preceding Federal Census, and having an assessed valuation for county tax purposes of Two Hundred Forty-five Million Dollars ($245,000,000) or more, providing such districts lie wholly within one (1) county; and declaring an emergency." 

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

H. B. No. 756, A bill to be entitled "An Act amending Article 8120, Revised Civil Statutes of Texas, 1925, as amended, by providing increased compensation for Commissioners of Drainage Districts in all counties having a population of not less than seventy-five thousand (75,000) and not more than ninety thousand (90,000) according to the last preceding Federal Census, and having an assessed valuation for county tax purposes of Two Hundred Forty-five Million Dollars ($245,000,000) or more, providing such districts lie wholly within one (1) county; and declaring an emergency." 

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

H. B. No. 761, A bill to be entitled "An Act amending Article 8120, Revised Civil Statutes of Texas, 1925, as amended, by providing increased compensation for Commissioners of Drainage Districts in all counties having a population of not less than seventy-five thousand (75,000) and not more than ninety thousand (90,000) according to the last preceding Federal Census, and having an assessed valuation for county tax purposes of Two Hundred Forty-five Million Dollars ($245,000,000) or more, providing such districts lie wholly within one (1) county; and declaring an emergency." 

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

H. B. No. 762, A bill to be entitled "An Act amending Article 8120, Revised Civil Statutes of Texas, 1925, as amended, by providing increased compensation for Commissioners of Drainage Districts in all counties having a population of not less than seventy-five thousand (75,000) and not more than ninety thousand (90,000) according to the last preceding Federal Census, and having an assessed valuation for county tax purposes of Two Hundred Forty-five Million Dollars ($245,000,000) or more, providing such districts lie wholly within one (1) county; and declaring an emergency." 

The bill was read second time and was passed to engrossment.
HOUSE BILL NO. 794 ON SECOND READING

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

H. B. No. 794, A bill to be entitled “An Act creating a conservation district under Article XVI, Section 59, of the Texas Constitution comprising certain territory in Fisher and Scurry Counties, Texas, for the purpose of providing a source of water supply for municipal, domestic and industrial use and treating and transporting the same; providing for a board of directors for the government of said district; authorizing the district to do all things necessary to make water available for municipal and industrial uses; etc.; providing a saving clause and declaring an emergency.”

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. No. 794 by striking all below the enacting clause and inserting in lieu thereof the following:

Section 1. By virtue of Article XVI, Section 59 of the Texas Constitution, there is hereby created a Conservation and Reclamation District to be known as “Rotan Municipal Water Authority” (hereinafter called “Authority”), which shall be a governmental agency and body politic and corporate.

Section 2. The Authority shall contain the following described territory in Fisher County, Texas: 
The Authority being located in parts of Block 2 and 3 of the H. & T.C. Railroad Surveys located in Fisher County, Texas and being more fully described as follows:

Beginning at the Northeast corner of Section 171 of Block 2 of H. & T. C. R. R. Surveys in Fisher County, Texas;

Thence, in a Southeasterly direction along the East line of Sections 171, 124, and 113 in Block 2 of H. & T.C. R. R. Surveys in Fisher County, Texas, to the easternmost South corner of said Section 113; 

Thence, in a Southerly direction along a South line of Section 113 of Block 2 H. & T. C. R. R. Surveys in Fisher County, Texas, to an inside Southwesterly direction of said Section 113; 

Thence, in a Southwesterly direction along an East line of Section 113 of Block 2 H. & T. C. R. R. Surveys in Fisher County, Texas, to the Southwesterly corner of said Section 113 and the Northwest corner of Section 14 and continuing to the Southwest corner of Section 14, Block 2 H. & T.C. R. R. Surveys in Fisher County, Texas; 

Thence, in a Southwesterly direction along the South line of Section 14 and the North line of Section 15 in Block 2 H. & T. C. R. R. Surveys in Fisher County, Texas to the Southwest corner of said Section 14, and the Southwest corner of said Section 15 located in the East line of Section 45 in Block 2 H. & T.C. R. R. Surveys in Fisher County, Texas;

Thence, in a Southwesterly direction along the East line of Section 45 of Block 2 H. & T.C. R. R. Surveys in Fisher County, Texas to the Southeast corner of said Section 45 and the Northeast corner of Section 44 in Block 2 H. & T.C. R. R. Surveys in Fisher County, Texas;

Thence, in a Southwesterly direction along the West line of Section 44 and the East line of Section 47 of Block 2 H. & T. C. R. R. Surveys in Fisher County, Texas to a point in the East line of said Section 47 equal distance from and between the Northwest and Southeast corners of said Section 47;

Thence, in a Southwesterly direction along a line parallel to and equal distance from and between the North and South lines of Section 47 of Block 2 H. & T.C. R. R. Surveys in Fisher County, Texas, to a point in the West line of said Section 47 equal distance from and between the Northwest corner and Southwest corner of said Section 47;

Thence, in a Southwesterly direction along the West line of Section 47 and the East line of Section 48 in Block 2 H. & T.C. R. R. Surveys in Fisher County, Texas, to the
Southwest corner of said Section 47 and the Southeast corner of said Section 48;

Thence, in a Southwesterly direction along the South line of said Section 46, passing the Northeast corner of Section 41 in Block 2 H. & T.C. R.R. Surveys in Fisher County, Texas and continuing in a Southwesterly direction along the South line of said Section 46 and the North line of said Section 41 to a point in the North line of said Section 41 equal distance from and between the Northeast and Northwest corners of said Section 41;

Thence, in a Southwesterly direction along a line equal distance from, between and parallel to the East and West lines of said Section 41 to a point equal distance from and between the North and South lines of said Section 41;

Thence, in a Southwesterly direction along a line equal distance from, between and parallel to the North and South lines of said Sections 41 and 49 in Block 2 H. & T.C. R.R. Surveys in Fisher County, Texas and crossing the block line between Block 2 and Block 3 H. & T.C. R.R. Surveys at the West line of Section 40 Block 2 and the East line of Section 1 Block 3 H. & T.C. R.R. Surveys in Fisher County, Texas and continuing in a Southwesterly direction across Sections 1, 2, 3, 4, 5, 6, 7, and 8 in Block 3 of H. & T.C. R.R. Surveys in Fisher County, Texas along a line equal distance from and between the North and South lines of said Sections 1, 2, 3, 4, 5, 6, 7, and 8 to a point in the West line of said Section 8. Said point being equal distance from and between the Northwest and Southwest corners of said Section 8 in Block 8 of H. & T.C. R.R. Surveys in Fisher County, Texas;

Thence, in a Southwesterly direction along the West line of said Section 8 and the East line of Section 9 of Block 3 H. & T.C. R.R. Surveys in Fisher County, Texas to the South, west corner of said Section 8 and the Southeast corner of said Section 9;

Thence, in a Southwesterly direction along the South line of said Section 9 and the Southwest corner of said Section 9 and the Northeast corner of Section 28 of Block 3 H. & T.C. R.R. Surveys in Fisher County, Texas;

Thence, in a Southwesterly direction along the East line of said Section 29 to a point equal distance from and between the Northeast and Southeast corners of said Section 29;

Thence, in a Southwesterly direction along a line equal distance from, between and parallel to the North and South lines of Section 29 of Block 3 H. & T.C. R.R. Surveys in Fisher and Scurry Counties, Texas to a point of intersection with the West line of Fisher County and the East line of Scurry County;

Thence, in a Northerly direction along the West line of Fisher County and the East line of Scurry County to a point in Section 88 of Block 2 H. & T.C. R.R. Surveys in Fisher and Scurry Counties, Texas. Said point being in the West line of Fisher County and the East line of Scurry County and being equal distance from and between the North and South lines of said Section 88;

Thence, in a Northwesterly direction across a part of Section 88 and all of Sections 67, 64, 63, 60, 59, 58, 56, 55, and 52 of Block 2 H. & T.C. R.R. Surveys in Fisher and Scurry Counties, Texas along a line equal distance from and parallel to the North and South lines of said Sections 88, 67, 64, 63, 60, 59, 58, 56, 55, and 52 and continuing to a point in Section 51 of Block 3 H. & T.C. R.R. Surveys in Fisher County, Texas. Said point being ot the center of said Section 51 equal distance from and between the North, South, West and East lines of said Section 51;

Thence, in a Northwesterly direction along a line equal distance from, between and parallel to the East and West line of Section 51 of Block 3 H. & T.C. R.R. Surveys in Fisher County, Texas to the North line of said Section 51. Said point being equal distance from and between the Northwest and Northeast corners of said Section 51;

Thence, in a Northwesterly direction along the North line of Section 51 of Block 3 H. & T.C. R.R. Surveys in Fisher County, Texas to the South, west corner of said Section 51 and the Southwest corner of said Section 51 and the Southwest corner of Section 49 of Block 3 H. & T.C. R.R. Surveys in Fisher County, Texas and continuing Northwesterly along the South line of said Section 49 to a point in the South line of said Section 49 equal distance, from and
between the Southwest and South­
est corners of said Section 49; 

Thence, in a Northwesterly direc­
tion along a line equal distance from,
between and parallel to the East and
West lines of Section 49 of Block 2 H.
& T.C. R.R. Surveys in Fisher County,
Texas to a point in the

Northeast corner of said Section 49;

Thence, in a Northwesterly direc­
tion to a point in the East line of
Section 49 and the West line of Sec­
tion 169 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Northeast corner
of said Section 169; and

Thence, in a Northwesterly direc­
tion along the North line of Sections
169, 170 and 171 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Northwest corner
of said Section 169; and

Thence, in a Northeasternly direc­
tion along the line equal distance from,
between, and parallel to the East and
West lines of said Section 49;

Thence, in a Northeasternly direc­
tion to a point in the center of said
Section 49 and between the Northeast
and Southeast corners of said Section 49;

Thence, in a Northeasternly direc­
tion along the West line of
Sections 49, 111, 116, and 169 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Northwest corner
of said Section 49;

Thence, in a Northeasternly direc­
tion to a point in the East line of
Section 49 and the West line of Sec­
tion 169 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Northeast corner
of said Section 169; and

Thence, in a Northeasternly direc­
tion along the North line of Sections
169, 170 and 171 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Southeast corner
of said Section 169; and

Thence, in a Northeasternly direc­
tion along the line equal distance from,
between, and parallel to the East and
West lines of said Section 49;

Thence, in a Northeasternly direc­
tion to a point in the center of said
Section 49 and between the Northeast
and Southeast corners of said Section 49;

Thence, in a Northeasternly direc­
tion along the West line of
Sections 49, 111, 116, and 169 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Northwest corner
of said Section 49;

Thence, in a Northeasternly direc­
tion to a point in the East line of
Section 49 and the West line of Sec­
tion 169 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Northeast corner
of said Section 169; and

Thence, in a Northeasternly direc­
tion along the North line of Sections
169, 170 and 171 of Block 2 H.
& T.C. R.R. Surveys in Fisher Coun­
y, Texas to the Southeast corner
of said Section 169; and

It is hereby found that all of
the land thus included in said Au­
thority will be benefited by the im­
provement to

The petition shall be presented on such
date as will allow not less than fif­
teen (15) full days between the date

The returns of the election shall be
made to and canvassed by the Coun­
y Judge who shall enter an order
declar ing the result thereof. As soon
as such Directors qualify, they shall
hold a meeting and determine by
unanimous vote of the Board of
Directors the two (2) Directors
whose terms shall expire the first
Tuesday in April, 1962, and the
three (3) whose terms shall expire
the first Tuesday in April, 1963.

(c) On the first Tuesday in April
of each year hereafter, there shall
be elected two (2) Directors or three
(3) Directors, as the case may be,
who shall succeed the Directors
whose terms are then scheduled to
expire. Each Director so elected
shall serve for a term of two (2)
years from the date of his election,
or until his successor is elected and
qualified.

(d) The regular elections shall be
ordered by the Board of Directors.
The Board shall appoint the presid­
ing judge, who shall appoint an as­
istant judge and at least two (2)
clerks. Notice of the election shall
be published in a newspaper pub­
lished in the City of Rotan one (1)
time at least ten (10) days prior
to the election. Only qualified voters residing in the Authority shall be entitled to vote. The returns of the election shall be made to and can­
vassed by the Board of Directors of
the Authority who shall adopt a reso­
lution declaring the result thereof.

(e) Any candidate for director
desiring to have his name printed
on the ballot may do so by a peti­
tion so requesting signed by not less
than (5) residents of the trolling
areas who are qualified to vote at the
election. Such petition shall be pre­
sented to the County Judge for the first
election and thereafter to the Secre­
tary of the Board of Directors. The
petition shall be presented on such
date as will allow not less than fif­
teen (15) full days before the date

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of presentation and the date of the election.

(f) Vacancies occurring in the Board of Directors shall be filled for the unexpired term by majority vote of the remaining directors.

(g) Each director shall receive a fee of not to exceed Ten Dollars ($10) for attending each meeting of the Board. Each director shall also be entitled to receive not to exceed Ten Dollars ($10) per day devoted to the business of the Authority and to reimbursement for actual expenses incurred in attending to Authority business provided that such service and expenses are expressly approved by the Board.

Section 4. The Board of Directors shall elect from its number a president and a vice-president of the Authority, and such other officers as in the judgment of the Board are necessary. The president shall be the chief executive officer of the Authority and the presiding officer of the Board, and shall have the same right to vote as any other director. The vice-president shall perform all duties and exercise all powers conferred by this Act upon the president when the president is absent or fails or declines to act. The Board shall also appoint a secretary and a treasurer who may or may not be members of the Board, and it may combine those offices. The treasurer shall give bond in such amount as may be required by the Board of Directors. The condition of such bond shall be that he will faithfully account for all money which shall come into his custody as treasurer of the Authority. The Board shall appoint all necessary engineers, attorneys and other employees. The Board shall adopt a seal for the Authority.

Section 5. Other territory may be annexed to the District in the following manner: (a) A petition praying for such annexation signed by fifty (50) or a majority of the qualified voters of the territory who own taxable property therein and who have duly rendered the same to the city or county for taxation shall be filed with the Board of Directors of the District. The petition shall describe the territory by metes and bounds or otherwise unless such territory is the same as that contained in a city or town, in which event it shall be sufficient to state that the territory to be annexed is that which is contained within such city or town.

(b) If the Board of Directors finds that the petition complies with, and is signed by the number of qualified persons required by the foregoing subsection, that the annexation would be to the interest of the territory and the District and that the District will be able to supply water to the territory, it shall adopt a resolution stating the conditions, if any, under which such territory may be annexed to the District, and requesting the Board of Water Engineers of the State of Texas (or any board or body succeeding substantially to the powers and duties of said Board of Water Engineers) hereinafter called "State Board," to annex said territory to the District. A certified copy of such resolution and of the petition shall be filed with the State Board.

(c) The State Board shall adopt a resolution declaring its intention to call an election in the territory for the purpose of submitting the proposition of whether or not such territory shall be annexed to the District, and fix a time and place when and where a hearing shall be held by the State Board on the question of whether the territory will be benefited by the improvements, works, and facilities which shall be operated or contemplated to be owned or operated by the District. Railroad right of way which is not situated within the defined limits of an incorporated city or town will not be beneficial by improvements, works and facilities which shall be authorized to construct, therefore, it is provided that no railroad right of way shall hereafter be annexed to the District except such right of way as is contained within the limits of an incorporated city or town that, or theretofore annexed to the District.

(d) Notice of the adoption of such resolution stating the time and place of such hearing, addressed to the citizens and owners of property in such territory shall be published once (1) time in a newspaper designated by the State Board at least ten (10) days prior to the date of such hearing. The notice shall describe the territory in the same manner as required or permitted for the petition.
eral election law. A certified copy and duly recorded the same to the City the manner and within the time for thereafter be incontestable except in

annexation of territory, may include of said order shall be recorded in

the election on the proposition for cast are in favor of annexation the

State Board shall enter an order said election shall be made to the

adopt a resolution calling election and appointing a presiding

vote in said election. Returns of

(a) All persons interested may appear at such hearing and offer evidence for or against the intended annexation. Such hearing may proceed in such order and under such rules as may be prescribed by the State Board, and the hearing may be recessed from time to time. If, at the conclusion of the hearing, the State Board finds that all of the land in such territory will be benefited by the present or contemplated improvements, works or facilities of the District, the State Board shall adopt a resolution calling election in the territory to be annexed stating therein the date of the election, the place or places of holding the same, and appointing a presiding judge for each voting place who shall appoint the necessary assistant judges and clerks to assist in holding the election.

(b) Notice of such election, stating the date thereof, the proposition to be voted upon and the conditions under which the territory may be annexed, or making reference to the resolution of the Board of Directors for that purpose, and the place or places of holding the same, shall be published one (1) time in a newspaper designated by the State Board at least ten (10) days before the day set for the election.

(c) Only qualified electors who reside in, and who own taxable property in such territory and who have duly declared the same to the City or County in which it is situated for taxation shall be qualified to vote in said election. Returns of said election shall be made to the State Board.

(d) The State Board shall canvass the returns of the election and adopt a resolution declaring the result thereof. If such resolution shows that a majority of the voters cast are in favor of annexation, the State Board shall enter an order annexing said territory to the District, and such annexation shall thereafter be incontestable except in the manner and within the time for contesting elections under the general election law. A certified copy of such order shall be recorded in the deed records of the county in which the territory is situated.

(e) The State Board in calling the election on the proposition for annexation of territory, may include as a part of the same proposition, a proposition for the assumption of its part of the tax supported bonds of the District and those therefor voted but not yet sold, and for the levy of an ad valorem tax on taxable property in said territory along with the tax in the rest of the District for the payment thereof.

(f) After territory is added to the District, the Board of Directors of the District may call an election over the entire District for the purpose of determining whether the entire District as enlarged shall assume the tax supported bonds then outstanding and whether the same may be levied upon all taxable property within the District as enlarged for the payment thereof, unless such proposition is voted along with the annexation election and becomes lawfully binding upon the territory annexed. Such election shall be called and held in the same manner as elections for the issuance of bonds as provided in this Act.

(g) If no newspaper is published in territory to be annexed, the notice shall be posted in three (3) public places therein.

Section 6 The Authority is empowered to construct and otherwise acquire and operate, within or without the Authority, all works, plants, pipelines and other facilities necessary or useful for the purpose of treating such water and transporting it to cities and others for municipal, domestic and industrial purposes, and to purchase water supply, or water storage space from the United States Government, or any agency thereof, or contract for the use of its water supply line. The Authority is authorized to sell any real or personal property not needed for the exercise of its powers hereunder.

Section 7 (a) For the purpose of carrying out any power or authority conferred by this Act, the Authority shall have the right to acquire land and easements within and without the authority by condemnation in the manner provided by Title 52, Revised Civil Statutes, as amended, relating to eminent domain.

The amount of and character of interest in land and easements thus to be acquired shall be determined by
the Board of Directors. The Authority shall have the same power as is conferred upon water control and improvement districts by Section 49 of Chapter 25, Acts of the Thirty-ninth Legislature with reference to making surveys and to attending to other business of the Authority.

(b) In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary re-location, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District.

Section 9. Any construction contract or contract for the purchase of material, equipment or supplies requiring an expenditure of more than Two Thousand, Five Hundred Dollars ($2,500) shall be made to the lowest responsible bidder after publication of a notice to bidders once each week for two (2) weeks beginning the thirty-first day of the month in which the contract is to be awarded. Such notice shall be sufficient if it states the time and place when and where the bids will be opened, the general nature of the work to be done, or the material, equipment or supplies to be purchased, and states where and the terms upon which copies of the plans and specifications may be obtained. The publication shall be in a newspaper published in the Authority and designated by the Board of Directors.

(a) For the purpose of providing a source of water supply for cities and other users for municipal, domestic and industrial purposes, as authorized by this Act, and for the purpose of carrying out any other power or authority conferred by this Act, the Authority is empowered to issue its negotiable bonds to be payable from such revenues of the Authority as are pledged by resolution of the Board of Directors.

Such bonds shall be authorized by resolution of the Board of Directors and shall be issued in the name of the Authority, signed by the president or vice-president, attested by the secretary, or the facsimile signatures of either or both of such officials may be printed thereon, and shall have the seal of the District impressed or printed thereon. They shall mature serially or otherwise in not to exceed forty (40) years and they may be sold at a price and under terms determined by the Board of Directors to be the most advantageous reasonably obtainable, provided that the interest cost to the Authority, calculated by use of standard bond interest tables currently in use by insurance companies and investment houses does not exceed six per cent (6%) per annum, and within the discretion of the Board, may be made callable prior to maturity at such times and prices as may be prescribed in the resolution authorizing the bonds, and may be made registerable as to principal or as to both principal and interest.

(b) Bonds may be issued in more than one (1) series and from time to time as required for carrying out the purposes of this Act.

(d) The bonds may be secured by a pledge of all or part of the net revenues of the Authority, or by the net revenues of any one (1) or more contracts theretofore or thereafter made or other revenues specified by resolution of the Board of Directors or a trust indenture authorized by said Board. Any such pledge may reserve the right, under conditions therein specified, to issue additional bonds which will be on a parity with or subordinate to the bonds then being issued. The term "net revenues" as used in this Section shall mean the gross revenues of the Authority after deduction of the amount necessary to pay the cost of maintaining and operating the Authority and its properties.

(e) For the purposes stated in Section 9 (a) hereof, the District is also empowered to issue bonds payable from ad valorem taxes to be levied on all taxable property therein, or to issue bonds secured both by and payable from such taxes and the revenues of the Authority. Where bonds are issued payable wholly or partially from ad valorem taxes, it shall be the duty of the Board of Directors to levy a tax sufficient to pay the bonds and in...
interest thereon as such bonds and interest become due, but the rate of the tax for any year may be fixed after giving consideration to the money received from the pledged revenues which may be available for payment of principal and interest to the extent and in the manner permitted by the resolution authorizing the issuance of the bonds or the trust indenture.

(f) Where bonds payable wholly from revenues are issued, it shall be the duty of the Board of Directors to fix, and from time to time to revise, the rates of compensation for water sold and services rendered by the Authority which will be sufficient to pay the expense of operating and maintaining the facilities of the Authority and to pay the bonds as they mature and the interest as it accrues and to maintain the reserve and other funds as provided in the resolution authorizing the bonds. Where bonds payable partially from revenues are issued it shall be the duty of the Board to fix, and from time to time to revise, the rate of compensation for water sold and services rendered by the Authority which will be sufficient to assure compliance with the resolution authorizing the bonds or the trust indenture.

(g) From the proceeds from the sale of the bonds, the Authority may set aside an amount for the payment of interest expected to accrue during construction and a reserve interest and sinking fund, and such provision may be made in the resolution authorizing the bonds or the trust indenture. Proceeds from the sale of the bonds may also be used for the payment of all expenses necessarily incurred in accomplishing the purposes for which this Authority is created.

(h) In the event of a default or a threatened default in the payment of interest or principal on bonds payable wholly or partially from revenues, any court of competent jurisdiction may, upon petition of holders of outstanding bonds, appoint a receiver with authority to collect and receive all income of the Authority except taxes, employ and discharge agents and employees of the Authority, take charge of funds on hand (except funds received from taxes unless comingled) and manage the proprietary affairs of the Authority without consent of or hindrance by the Directors. Such receiver may also be authorized to sell or make contracts for the sale of water or renew such contracts with the approval of the court appointing him. The court may vest the receiver with such other powers and duties as the court may find necessary for the protection of the holders of the bonds. It is provided, however, that the resolution authorizing the issuance of the bonds or the trust indenture securing their payment may specify the minimum per cent of outstanding bonds which must be held by the holders seeking the appointment of a receiver, and may otherwise qualify the right of holders to institute litigation which might affect the District's property or funds.

Section 10. The Authority is authorized to issue refunding bonds for the purpose of refunding any outstanding bonds authorized by this Act and interest thereon. Such refunding bonds may be issued to refund more than one (1) series of outstanding bonds and combine the pledges and mortgage liens for the outstanding bonds for the security of refunding bonds, and the refunding bonds may be secured by other or additional revenues. The provisions of this law with reference to the issuance of other bonds and their approval by the Attorney General and the remedies of the holders shall be applicable to refunding bonds. Refunding bonds shall be registered by the Comptroller upon surrender and cancellation of the bonds to be refunded, but in lieu thereof, the resolution authorizing their issuance may provide that they shall be sold and the proceeds thereof deposited in the bank where the original bonds are payable, in which case the refunding bonds may be issued in an amount sufficient to pay the interest on the original bonds to their option date or maturity date, and the Comptroller shall register them without concurrent surrender and cancellation of the original bonds.

Section 11. Any bonds (including refunding bonds) authorized by this law, not payable wholly from ad valorem taxes, may be additionally secured by a mortgage lien upon
physical properties of the Authority and all franchises, easements, water rights and appropriation permits, leases and contracts and all rights appurtenant to such properties, vesting in the trustee power to sell the properties for payment of the indebtedness, power to operate the properties and all other powers and authority for the further security of the bonds. The trust indenture may contain any provisions prescribed by the Board of Directors for the security of the bonds and the preservation of the trust estate, and may make provision for amendment or modification thereof and the issuance of bonds to replace lost or mutilated bonds. Any purchaser under a sale under such trust indenture shall be the owner of the properties and facilities purchased and shall have the right to maintain and operate the same.

Section 12 (a) No bonds payable wholly or partially from ad valorem taxes (except refunding bonds) shall be issued unless authorized by an election at which only the qualified voters who reside in the Authority and who own taxable property therein and who have duly rendered the same for taxation shall be permitted to vote. Bonds not payable wholly or partially from ad valorem taxes may be issued without an election.

(b) Such election may be called by the Board of Directors without a petition. The resolution calling the election shall specify the time and place of holding the same, the purpose for which the bonds are to be issued, the maximum amount thereof, the maximum maturity thereof, the form of the ballot, and the preiding judge for each voting place. The preiding judge serving at each voting place shall appoint one (1) assistant judge and at least two (2) clerks to assist in holding such election. Notice of the election shall be given by publishing a substantial copy thereof in a newspaper having general circulation within the Authority for two (2) consecutive weeks. The first publication shall be at least twenty-one (21) days prior to the election.

(c) The returns of the election shall be made to and canvassed by the Board of Directors of the Authority.

(d) The general laws relating to elections shall be applicable to elections held under this section of this law except as otherwise provided in this law.

Section 13 After any bonds are authorized by the Authority, such bonds and the record relating to their issuance shall be submitted to the Attorney General for his examination as to the validity thereof. Where such bonds recite that they are secured by a pledge of the proceeds of a contract theretofore made between the Authority and any city or other governmental agency or district, a copy of such contract and the proceedings of the city or other governmental agency or district authorizing such contract shall also be submitted to the Attorney General. If the Attorney General finds that such bonds have been authorized and such contracts have been made in accordance with the Constitution and laws of the State of Texas he shall approve the bonds and such contracts, and the bonds and such contracts shall then be registered by the Comptroller of Public Accounts. Thereafter, the bonds, and the contracts if any, shall be valid and binding and shall be incontestable for any cause.

Section 14 Proceeds from the sale of bonds may be invested in direct obligations of the United States of America, or obligations unconditionally guaranteed by Federal Intermediate Credit Banks, Federal Land Banks, Federal National Mortgage Associations, Federal Home Loan Banks for Cooperatives.

Section 15 The Authority is authorized to enter into contracts with cities and others for supplying water to them. The Authority is also authorized to contract with any city for the rental or leasing of, or for the operation of the water production, water supply and water supply facilities of such city upon such consideration as the Authority and the city may agree. Any such contract may be upon such terms and for such time as the parties may agree, and it may provide that it shall continue in effect until bonds specified therein and refunding bonds issued in lieu of such bonds are paid.
Section 16 (a) The Board of Directors shall designate one or more banks within the Authority to serve as depository for the funds of the Authority. All funds of the Authority shall be deposited in such depository bank or banks except that funds pledged to pay bonds may be deposited with the trustee bank named in the trust agreement, and except that funds shall be remitted to the bank of payment for the payment of principal of and interest on bonds. To the extent that funds in the Depository banks and the trustee bank are not insured by the F.D.I.C., they shall be insured in the manner provided by law for the security of county funds.

(b) Before designating a depository bank or banks, the Board of Directors shall issue a notice stating the time and place when and where the Board will meet for such purpose and inviting the banks in the Authority to submit applications to be designated depositories. The forms of service for depositories shall be prescribed by the Board. Such notice shall be published once (1) time in a newspaper published in the Authority and specified by the Board.

(c) At the time mentioned in the notice, the Board shall consider the applications and the management and condition of the banks filing the same, and shall designate as depositories the bank or banks which offer the most favorable terms and conditions for the handling of the funds of the Authority and which the Board finds have proper management and are in condition to warrant handling of Authority funds. Membership on the Board of Directors of an officer or director of a bank shall not disqualify such bank from being designated as depository.

(d) If no applications are received by the time stated in the notice or if no such application is accepted, the Board shall designate some bank or banks within or without Authority upon such terms and conditions as it may find advantageous to the Authority.

Section 17. The Authority is authorized to acquire water appropriation permits directly from the Board of Water Engineers of the State of Texas, or from owners of permits. The Authority is also authorized to enter into contracts for the purchase of water or a water supply or water storage space from any person, firm, corporation or public agency.

Section 18. All bonds of the Authority shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees, guardians, and for the sinking funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas. Such bonds shall be eligible to secure the deposit of any and all public funds of the State of Texas, and any and all public funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas; and such bonds shall be lawful and sufficient security for said deposits to the extent of their value when accompanied by all unmatured coupons appurtenant thereto.

Section 19. The accomplishment of the purposes stated in this Act being for the benefit of the people of this State and for the improvement of their properties and industries, the Authority in carrying out the purposes of this Act will be performing an essential public function under the Constitution and shall not be required to pay any tax or assessment on the project or any part thereof, and the bonds issued hereunder, and their transfer and income therefrom, including the profits made on the sale thereof, shall at all times be free from taxation within this State.

Section 20. Prior to the sale and delivery of bonds which are payable wholly or partially from ad valorem taxes the board of directors shall appoint a tax assessor and collector and a board of equalization and cause taxes to be assessed, valuations to be equalized, and tax rolls to be prepared. General laws applicable to water control and improvement districts with reference to tax assessors and collectors, boards of equalization, tax rolls and the levy and collection of taxes, tax lists, and delinquent taxes shall be applicable to this Authority. The Authority may make a contract with
the City of Rotan under which said City shall assess and equalize taxes and collect taxes for the entire Authority.

Section 21. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 22. The fact that additional sources of water are immediately and urgently needed in the Authority hereby established, creates an emergency and an imperative public necessity requiring that the Constitutional Rule that bills be read on three several days be suspended, and such Rule is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

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

Amend Committee Amendment to House Bill 784 on page 6 of the printed Bill, Section 6, line 17, by striking the words "or useful".

The amendment was adopted.

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

Amend the Committee Amendment to House Bill 784 by adding the following language at the end of Sub-section (b) under Section 7, on page 6 of the printed Bill:

The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, re-routing, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

The amendment was adopted.

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

H. B. No. 784 was passed to engrossment.

HOUSE BILL NO. 802 ON SECOND READING

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

H. B. No. 802, A bill to be entitled "An Act making it unlawful to hunt, take, or kill, or attempt to hunt, take, or kill deer in Howard County until the general open season in 1965; providing penalties; and declaring an emergency."

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

HOUSE BILL NO. 856 ON SECOND READING

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

H. B. No. 856, A bill to be entitled "An Act relating to the authority of certain cities or towns to pledge certain revenue to redeem bonds, notes or warrants, as well as the interest thereon of such cities or towns; providing severability and general repealing clauses; and declaring an emergency."

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

HOUSE BILL NO. 871 ON SECOND READING

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

H. B. No. 871, A bill to be entitled "An Act abolishing office of county superintendent in counties of more than 64,000 persons and less than 69,000 persons according to last preceding Federal Census; repealing Chapter 6, Acts of the 51st Legislature, Regular Session, 1949 (compiled as Article 2688c Vernon's Annotated Civil Statutes) as last amended; delegating duties of county superintendent to county judge; providing for severability; and declaring an emergency."

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

HOUSE BILL NO. 881 ON SECOND READING

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

H. B. No. 881, A bill to be entitled "An Act abolishing office of county superintendent in counties of more than 64,000 persons and less than 69,000 persons according to last preceding Federal Census; repealing Chapter 6, Acts of the 51st Legislature, Regular Session, 1949 (compiled as Article 2688c Vernon's Annotated Civil Statutes) as last amended; delegating duties of county superintendent to county judge; providing for severability; and declaring an emergency."

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

H. B. No. 784 was passed to engrossment.
H. B. No. 881. A bill to be entitled "An Act to alter and reduce the territorial boundaries of Donna Irrigation District Hidalgo County No. 1, a governmental agency and a conservation and reclamation District, by removing and excluding therefrom certain described land, and declaring an emergency."

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

HOUSE BILL NO. 893 ON SECOND READING

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

H. B. No. 893. A bill to be entitled "An Act to authorize the Lamar Control and Improvement District, No. 3, to levy, assess and collect a special assessment based upon actual benefits received by land within the District arising from floodwater retarding structures and dams in the District constructed by the District; providing maximum amount of assessment, and when assessment may not be levied; providing purposes for which moneys derived from such assessments may be used, and their accounting; providing designation of lands benefited and amount of benefits; providing assessment lists; etc., providing for severability; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill 893 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. By virtue of Article XV, Section 59, of the Texas Constitution, there is hereby created a district to be known as 'Logan Slough Creek Improvement District' (hereinafter called 'District') which shall be a governmental agency and a body politic and corporate.

Section 2. The District shall contain the territory described as follows, lying, and being in the State of Texas, County of Lamar:
Thence West across said road to the SE corner of the Leon Parson 150 acre tract of land;

Thence West with the SB line of said Parson 150 acre tract of land 5450 feet, more or less, to its intersection with the North-South boundary line of the Mildred B. Stephens 195 acre tract of land;

Thence South 1460 feet, more or less, to the SE corner of said Mildred Stephens land;

Thence West with the SB line of said Mildred Stephens land 1300 feet to its SW corner;

Thence North with the WB line of said Mildred Stephens land 1600 feet to the SE corner of the Roy Smith 70 acre tract of land;

Thence West with the SB line of said county road 3900 feet, more or less, to its SW corner and intersection of county road;

Thence North with the EB line of said county road 2700 feet, more or less, to the NW corner of said Emogene Cass land;

Thence West 250 feet to the county road and the SW corner of the Joe Shannon 60 acre tract of land;

Thence in a Northeasterly direction with said county road 760 feet, more or less;

Thence East with the SB line of said county road 700 feet, more or less;

Thence North with said county road and the WB line of the Felix Morris land 710 feet, more or less, to the NW corner of said Morris land;

Thence East with the NB line of said Felix Morris land 1400 feet, more or less, to its NE corner and the intersection of the WB line of the Leon Parson 248 acre tract of land;

Thence North 2350 feet, more or less, to the South bank of Red River;

Thence East with the South bank of Red River 3.4 miles, more or less, to the place of beginning.

Section 3. (a) All power of the District shall be exercised by a Board of five (5) Directors. Each Director shall serve for his term of office as herein provided and thereaf ter until his successor shall be elected or appointed and qualified. No person shall be a director unless he is a resident citizen of the State of Texas and owns taxable property in the District. No member of a governing body of any county, city or town, and no employee of a county, city or town shall be a Director. Such Directors shall subscribe to the Constitutional oath of office, and each shall give bond in the amount of Five Thousand ($5,000.00) Dollars for the faithful performance of his duties, the cost of which shall be paid by the District. A majority shall constitute a quorum.

(b) Immediately after this Act becomes effective the following named persons shall be the Directors of said District and shall constitute the Board of Directors of said District:

E. A. Hysaw
Leon Parson
George O'Connor
B. R. Stephens
Roy Smith, all land owners within said District.

If any of the aforementioned persons shall die, become incapacitated, or otherwise be disqualified to assume his duties under this Act, the remaining Directors shall appoint his successor. Succeeding Directors shall serve until the first Tuesday in April of each year, beginning in 1962, and the following three (3) Directors shall serve until the first Tuesday in April, 1963. An election for the election of Directors shall be held on the first Tuesday in April of each year, beginning in 1962, and as herein provided. Two (2) Directors shall serve until the first Tuesday in April of each year and three (3) in each odd numbered year. The yearly election shall be ordered by the Board of Directors. Notice of the election shall be published in a newspaper of general circulation in said District one (1) time at least thirty (30) days before the election. The election order shall state the time, place and purpose of the election, and the Board of Directors of said District shall appoint a presiding judge, who shall appoint an assistant judge and two (2) clerks
to assist in holding the election. Only qualified voters under the laws of the State of Texas who reside in or own property in the District shall be entitled to vote at said election. The candidates receiving the highest number of votes shall be declared elected. The returns of the election shall be made to and canvassed by the Board of Directors of said District, who shall enter an order declaring the results of the election.

(d) Any candidate for Director desiring to have his name printed on the ballot may do so by a petition so requesting signed by not less than three (3) residents of the District who are qualified to vote at the election. Such petition shall be presented to the secretary of the Board of Directors. The petition shall be presented on such date as will allow not less than ten (10) full days between the dates of presentation and the date of election.

(e) Any vacancies occurring in the Board of Directors shall be filled for the unexpired term by majority vote of the remaining Directors.

(f) Each Director shall receive reimbursement for actual expenses incurred in attending to District business, provided such service and expense are expressly approved by the Board.

Section 4. The Board of Directors shall elect from its number a president and vice president of the District, and such other officers as in the judgment of the Board are necessary. The president shall be the chief executive officer of the District and the presiding officer of the Board, and shall have the same right to vote as any other Director. The vice president shall perform all duties and exercise all powers conferred by this Act upon the president when the president is absent or fails or declines to act. The Board shall also appoint a secretary and a treasurer, who may or may not be members of the Board, and it may combine those offices. The treasurer shall give bond in such amount as may be required by the Board of Directors. The condition of such bond shall be that he will faithfully account for all money which shall come into his custody as treasurer of the District. The Board shall appoint all necessary engineers, attorneys and other employees. The Board shall adopt a seal for the District.

Section 5. The District is hereby empowered to control, store and preserve the waters and flood waters within the District for the conservation, preservation, reclamation and improvement of the soil and lands or in aid thereof within the District; to carry out flood prevention measures to prevent or aid in the prevention of damage to land and soil and the fertility thereof; to engage in land treatment measures to prevent deterioration, erosion and loss of land and soil; to carry out preventive and control measures within the District; to construct, acquire, improve, carry out, maintain, repair and operate dams, structures, projects, and works of improvement for flood prevention (including structural and land treatment measures) and for agricultural phases of the conservation, development, utilization, and disposal of water within the District and to purchase or acquire other facilities and equipment necessary or useful in connection therewith and to engage in activities necessary or convenient to carry out these functions; to obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, any property, real or personal, or rights or interest therein within the District necessary to carry out the purposes of this Act and to maintain, administer, and improve any properties acquired; to purchase or acquire land, easements or rights-of-ways within the District necessary to carry out the purpose of this Act; to cooperate with other conservation districts, county officials, State Soil Conservation Board, State Agricultural Department, Secretary of Agriculture of the United States, and other county, state and federal agencies and departments in order to carry out the purpose of this Act.

Section 6. For the purpose of carrying out any power or authority conferred by this Act, the District shall have the right to acquire land, right-of-ways and easements by condemnation in the manner provided by Title 22, Revised Civil Statutes
of Texas, as amended, relating to eminent domain. The amount of and character of interest on land and easements thus to be acquired shall be determined by the Board of Directors. In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, rerouting or changing the grade of, or altering the construction of any highway, railroad, electric transmission line or pipeline, all such necessary relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the District. In the use of the powers of eminent domain against persons, firms and corporations or receivers or trustees thereof who have the power of eminent domain, the fee title may not be condemned, but the District may condemn only an easement.

Section 7. Any construction contract or contract for the purchase of materials, equipment or supplies requiring an expenditure of more than Five Thousand ($5,000.00) Dollars shall be made to the lowest and best bidder after publication of a notice to bidders once each week for two (2) weeks before awarding the contract. Such notice shall be so stated if it states the time and place when and where the bids will be opened, the general nature of the work to be done, or the material, equipment or supplies to be purchased, and states where and the terms upon which copies of the plans and specifications may be obtained. The publication shall be in a newspaper of general circulation within said District and designated by the Board of Directors.

Section 8. The District shall be empowered to cooperate with the Federal government, its agencies and departments and representatives thereof in getting assistance, help, aid, benefits, grants, credit and money as provided in Public Law 566, 83rd Congress, Ch. 666, 2nd Session, H. R. 6788.

Section 9. The District is cooperating with the Federal government shall:

1. Acquire without cost to the Federal government such land, easements, or right-of-ways as will be needed in connection with works of improvement installed with Federal assistance.

2. Assume such proportionate share of the cost of installing any works of improvement involving Federal assistance as may be determined by the Secretary of Agriculture of the United States to be equitable in consideration of anticipated benefits from such improvements; provided that no part of the construction cost for providing any capacity in structures for purposes other than flood prevention and features related thereto shall be borne by the Federal government under the provisions of Public Law 566, 83rd Congress, Ch. 666, 2nd Session, H. R. 6788.

3. Make arrangements satisfactory to the Secretary of Agriculture of the United States for defraying costs of operating and maintaining such works of improvements, in accordance with regulations presented by the Secretary of Agriculture;

4. Acquire, or provide assurance that land-owners have acquired, such water rights, pursuant to state law, as may be needed in the installation and operation of the work of improvement;

5. Obtain agreements to carry out recommended soil conservation measures and proper farm plans from owners of not less than fifty per cent (50%) of the lands situated in the drainage area above each retention reservoir to be installed with federal assistance.

Section 10. For the purpose of providing dams, structures, projects and works of improvement for flood prevention (including structural land treatment measures) and for agricultural phases of conservation, development and utilization and disposal of water, and for other necessary facilities and equipment in connection therewith, and for the im-
provement, maintenance, repair and operation of same, and for carrying out any other powers or authority conferred by this Act, and for the purpose of paying attorneys' fees, fiscal agents' fees, engineers' fees, and cost of printing and issuing bonds, the District is empowered to issue negotiable bonds payable from ad valorem taxes to be levied on all taxable property within the District. It shall be the duty of the Board of Directors to levy a tax sufficient to pay the bonds and interest thereon as such bonds and interest become due.

Section 11. No bonds, except refunding bonds, shall be issued unless authorized at an election at which only the qualified voters who reside in the District, and who own taxable property therein, and who have duly rendered the same for taxation, shall be qualified to vote, and unless a majority of the votes cast at said election is in favor of the issuance of the bonds. Such election may be called by the Board of Directors without a petition. The resolution calling the election shall specify the time and places of holding the same, the purpose for which the bonds are to be issued, the maximum amount thereof, the maximum maturity thereof, the maximum interest rate, the form of the ballot, and the provisions for printing the bonds. The presiding judge serving at each voting place shall appoint an (1) assistant judge and at least two (2) clerks to assist in holding such election. The returns of the election shall be made to and canvassed by the Board of Directors of the District. The General Laws relating to elections shall be applicable to elections held under this section of the law, except as otherwise provided in this law.

Section 12. Such bonds shall be authorized by resolution of the Board of Directors, after having been authorized as provided in section 11 hereof, and shall be issued in the name of the District, signed by the president or vice president, and countersigned by the secretary, and have the seal of the District impressed thereon or a facsimile of the seal printed or lithographed thereon. They shall mature serially or otherwise in not to exceed forty (40) years and may be sold at a price and under terms determined by the Board of Directors to be the most advantageous reasonably obtainable, provided that the interest cost to the District, calculated by the use of standard bond interest tables currently in use by insurance companies and investment houses, does not exceed six per cent (6%) per annum, and, within the discretion of the Board, may be made callable prior to maturity at such times and at any price or a facsimile of the seal printed or lithographed thereon. They shall mature serially or otherwise in not to exceed forty (40) years and may be sold at a price and under terms determined by the Board of Directors to be the most advantageous reasonably obtainable, provided that the interest cost to the District, calculated by the use of standard bond interest tables currently in use by insurance companies and investment houses, does not exceed six per cent (6%) per annum, and, within the discretion of the Board, may be made callable prior to maturity at such times and at any price.
Section 14. After any bonds (including refunding bonds) are authorized by the District, such bonds and the record relating to their issuance shall be submitted to the Attorney General for his examination as to the validity thereof. If such bonds have been authorized in accordance with the Constitution and laws of the State of Texas, he shall approve the bonds, and the bonds then shall be registered by the Comptroller of Public Accounts. Thereafter the bonds shall be valid and binding and shall be incontestable for any cause.

Section 15. The Board of Directors shall designate one or more banks to serve as depository for the funds of the District. All funds of the District shall be deposited in such depository bank or banks except that funds shall be remitted to the bank or banks of payment of principal of and interest on bonds. To the extent that funds in the depository bank or banks and the bank or banks of payment are not insured by the Federal Deposit Insurance Corporation they shall be secured in the manner provided by law for the security of county funds. Before designating a depository bank or banks the Board of Directors shall issue a notice stating the time and place in and where the Board will meet for such purpose and inviting the banks to submit applications to be designated depositories. The terms of service for depositories shall be prescribed by the Board. Such notice shall be published one (1) time in a newspaper of general circulation within said District and specified by the Board at least ten (10) days before the date set for receiving applications. At the time mentioned in the notice the Board shall consider the applications and the management and condition of the banks filing them, and shall designate as depositories the bank or banks which offer the most favorable terms and conditions for the handling of the funds of the District and which the Board finds have proper management and are in condition to warrant handling of the District funds. Membership on the Board of Directors of an officer or director of a bank shall not disqualify such bank from being designated as depository. If no application is received by the time stated in the notice, or if no application is accepted, the Board shall designate some bank or banks within or without Lamar County, upon such terms and conditions as it may find advantageous to the District.

Section 16. All bonds (including refunding bonds) of the District shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees, guardians and for the sinking funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas. Such bonds shall be eligible to secure the deposit of any and all public funds of the State of Texas, and any and all public funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas and the bonds shall be lawful and sufficient security for said deposits to the extent of their value, when accompanied by all unmatured coupons appurtenant thereto.

Section 17. The accomplishment of the purposes stated in this Act being for the benefit of the people of this state and for the improvement of their properties and industries, the District in carrying out the purposes of this Act will be performing an essential public function under the Constitution and shall not be required to pay any tax or assessment on the project or any part thereof, and the bonds issued hereunder and their transfer and the income therefrom, including the proceeds made on the sale thereof, shall all times be free from taxation within this state.

Section 18. The District is authorized to acquire water appropriation permits, permits for dams and structures and dam sites, and other necessary permits and licenses from the Water Engineers of the State of Texas or other state or federal boards, commissions, agencies or departments for the purpose of carrying out the purposes of this Act.

Section 19. The District shall have all and singular the powers, duties
and functions, and shall observe procedures, insofar as the same may be applicable and practicable, to collect taxes, on an ad valorem basis, as provided for by Chapter 25 of the General Laws of the 39th Legislature, Regular Session, and the several amendments thereof, including but not limited to the following: to provide for a tax assessor and collector to determine property subject to taxation; to provide for rendition of taxable property; to provide for a taxpayer’s oath; to provide for verification by tax assessor and collector of property rendered; to provide for penalties for making false oaths; to provide for a Board of Equalization; to provide for an oath for the Board of Equalization; to provide when the Board of Equalization shall convene; to provide who may file complaints; to provide for a notice of hearing and hearing for protests; to provide for duplicate tax rolls; to provide for books of account and an audit; to provide when taxes are due and payable; to provide for delinquent taxes, collection, and sale of property; to provide that taxes are not barred by any law of limitations and no law providing for a period of limitations as to debts or actions shall apply to such taxes; to provide for penalties and interest; to provide for publication of delinquent tax roll; to provide for attorney to bring suit for delinquent taxes; to provide for redemption of delinquent property; and to provide for anything necessary for the accomplishment of the foregoing and to carry out the purposes of this Act.

Section 20. It is hereby found and determined that all the lands included within the boundaries of the District will be benefitted and that the District is created to serve a public use and benefit. No election shall be necessary for the purpose of confirming its organization and no hearing shall be held to determine whether any lands included within its boundaries shall be excluded.

Section 21. If any word, phrase, sentence, section, portion or provision of this Act or the application thereof to any person or circumstances shall be held to be invalid or unconstitutional, the remainder of this Act, and the application of such word, phrase, sentence, section, portion or provision to other persons or circumstances, shall not be affected thereby.

Section 22. The fact that there is a present need to preserve the soil and the fertility thereof, a valuable natural resource, and to prevent floods; and the fact that such conservation and preservation measures are immediately and urgently needed in the District hereby established, create an emergency and an imperative public necessity requiring that the Constitutional Rule that bills be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

The amendment was adopted.

H. B. No. 983 was passed to engrossment.

S.B. No. 250 On Second Reading

The bill was read second time.

Mr. LaVallée offered the following amendment to the bill:

Amendment No. 1

Amend Senate Bill 250 by striking all of Section 4 and substituting in lieu therefor the following:

“Section 4. The proceedings for the adoption and adopting or attempting to adopt a Home Rule Charter for any such city or town in this State heretofore incorporated or attempting to be incorporated under the general laws of Texas and having a population according to the Federal census of 1960 of not less than 5100 nor more than 5300, where any legal step required to make such adoption effective has been omitted or was done in an irregular manner and where a majority of the qualified voters of said city voting at said election voted in favor of the adoption of said charter are in
all things validated, ratified and confirmed, and such charter shall constitute the Home Rule Charter of said city under the constitution and laws of this state. All elections held under the provisions of said charter for the purpose of electing members of the governing body of the city and the assumption of office by such elected members are hereby in all things validated. All acts of the city officers and officials of any such city are hereby in all things validated."

The amendment was adopted.

S. B. No. 250 was passed to third reading.

HOUSE BILL NO. 896 LAID ON TABLE SUBJECT TO CALL.

Mr. LaValle moved that House Bill No. 896 be laid on the table subject to call.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 916 ON SECOND READING

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

H. B. No. 916, A bill to be entitled "An Act providing maximum compensation for assessor-collectors of taxes for all counties having a population of not less than six hundred thousand (600,000) nor more than seven hundred thousand (700,000) according to the last preceding Federal Census; and declaring an emergency."

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

RELATIVE TO CONTINGENT EXPENSES OF HOUSE MEMBERS

Mr. James offered the following resolution:

H. S. R. No. 570

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

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

Be it resolved, by the House of Representatives, That each Member of the House be permitted to expend not more than Eight Hundred and Fifty Dollars ($850) for contingent expenses during the Regular Session of the Fifty-seventh Legislature.

Signed—James, Ratcliff, Parsons, Stewart of Wichita, Berry, Richardson, Shirley, Jones of Travis, Miller, Caldwell, Kennard, Harrington, Shannon, Base, Johnson of Dallas, Jones of Dallas, Alani, Bridges, Richardson, Wilson of Trinity, Whitley, Allen, Kilpatrick, Adams of Travis, Thurman, Hinson, Carriker, Cory, Lewis, Andrews,Johnson of Bexar, Barnes, Cole of Harris, Ballman, Peary, Latimer, Roberts of Dawson, Townsend, Ehrle and Jambon.

The resolution was referred to the Committee on Contingent Expenses.

HOUSE BILL NO. 917 ON SECOND READING

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

H. B. No. 917, A bill to be entitled "An Act to provide that the judges of the County Courts at Law Nos. 1, 2, and 3, of Bexar County, Texas shall each receive an annual salary of not less than Twelve Thousand Dollars ($12,000) nor more than Sixteen Thousand Dollars ($16,000) to be determined and fixed by the Commissioners Court of Bexar County, Texas, and when thus determined and fixed such annual salary shall be paid in twelve (12) equal monthly installments by warrants drawn upon the County Treasurer of Bexar County, Texas, upon orders by the Commissioners Court; and declaring an emergency."

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

HOUSE BILL NO. 922 ON SECOND READING

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

H. B. No. 922, A bill to be entitled "An Act creating a water control
and improvement district under Article XVI, Section 59 of the Constitution of Texas, to be known as "Kimble County Water Control and Improvement District No. 1" comprising lands lying within the County of Kimble, Texas; providing for approval by qualified, resident, taxpayable property owners of the District; prescribing its powers and duties including the power necessary to cooperate fully with the Federal Government, its agencies and departments, under Public Law 566, 83rd Congress, Chapter 656, 2d Session, H. R. 6788, as amended by Public Law 1018, 84th Congress, Chapter 1027, 2d Session, H. R. 875, including the power or authority to secure a federal loan or loans and enacting the applicable provisions of said public laws into this Act by reference; etc., and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1
Amend House Bill 922, Section 6, by striking out the words and figures five cents (5¢) and inserting in lieu thereof the words and figures fifty cents (50¢) appearing in the last sentence of said section.

The amendment was adopted.

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

Committee Amendment No. 2
Amend House Bill 922 by striking out Section 2a.

The amendment was adopted.

Mr. Nugent offered the following amendment to the bill:

Amend House Bill 922 by adding a new paragraph Numbered Three A (3A) (on page 2 of the bill) to read as follows:

Sec. 3A. All powers of Eminent Domain conferred by the terms of this act are specifically limited to Kimble County, Texas.

The amendment was adopted.

H. B. No. 922 was passed to engrossment.

HOUSE BILL NO. 938 ON SECOND READING

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

H. B. No. 938, A bill to be entitled "An Act relating to the regulatory authority of the Game and Fish Commission in Tyler, Jasper and Newton Counties; amending Section 1 of Chapter 19, Acts of the Fifty-fifth Legislature, Second Called Session, 1957, to make the Act applicable to all of Tyler County, including Precinct 4; and declaring an emergency."

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

On motion of Mr. Collins the vote by which H. B. No. 938 was passed to engrossment was reconsidered.

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

Committee Amendment No. 1
Amend House Bill No. 938 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Amend Chapter 19, Acts of the 55th Legislature, Second Called Session, 1957, by adding thereto a new section immediately following Section 1, to be numbered Section 1a, which shall read as follows:

"Section 1a. Notwithstanding provisions to the contrary elsewhere in this Act, this Act shall apply to Precinct 4 of Tyler County in addition to the counties named in Section 1, and all other parts of this Act in conflict herewith are hereby repealed."

Sec. 2. Chapters 352 and 353, Acts of the 55th Legislature, Regular Session, 1957, and all other laws and parts of laws, both general and special, in conflict with the provisions of this Act are hereby repealed.

Sec. 3. The importance of this legislation and the crowded condition of the Calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended, and this Act
The amendment was adopted.
H. B. No. 938 was passed to engrossment.

HOUSE BILL NO. 995 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment:
H. B. No. 995, A bill to be entitled "An Act relating to the establishment of a hospital district conterminous to the West Columbia, Brazoria, and Damon Independent School Districts; providing funding, administration and procedure; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 2
Amend House Bill No. 995 by striking out all of Section 1 and in lieu thereof substituting the following:

"Section 1. The Commissioners Court of Brazoria County may establish a hospital district to be conterminous to the West Columbia, Brazoria, and Damon Independent School Districts, and another hospital district to be conterminous with the Sweeny Independent School District. The following provisions shall apply to either of the districts severally, or to the district established by the merger of said districts provided by Section 31 of this Act."

The amendment was adopted.

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

Committee Amendment No. 3
Amend House Bill No. 995 by inserting after the words "name of" and before the words "and in that" in Section 7, in lieu of "West Columbia, Brazoria, and Damon District", substituting the following:

"West Columbia, Brazoria, and Damon Hospital District and also the Sweeny Hospital District, or if merged according to the provisions of Section 31, the West Columbia, Brazoria, Damon, and Sweeny Hospital District."

The amendment was adopted.
Mr. Caldwell offered the following committee amendment to the bill:

Committee Amendment No. 4
Amend House Bill No. 995 by re-numbering Section 31 to Section 32, and appropriately re-numbering the remaining Sections thereof, and adding the following to be numbered Section 32:

"Sec. 32. The qualified electorate of the hospital districts as provided in Section 1, 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. When it is proposed to consolidate the two districts, five percent (5%) of the qualified taxing voters of each district may, by petition, request the Commissioners Court to submit such a proposal to an election in each of the two hospital districts. By the same petition and at the same election there shall be an election of seven (7) trustees to serve the consolidated district. No more than one (1) such election may be held after each general election. Both districts must separately approve the merger to effect the consolidation. Refunding bonds may be issued by the district to refund any outstanding bonds (whether issued by said district or assumed by the district upon merger and whether such outstanding bonds are original or refunding bonds). Additional funding may be as provided by this Act."
compensation for the county judge of Tarrant County for his service as a member of the juvenile board, providing that such compensation shall be in addition to all other compensation now provided or allowed by law for said county judge; providing that the commissioners court of Tarrant County shall provide the necessary funds for such compensation; and declaring an emergency."

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

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

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

H. B. No. 602, "An Act regulating hunting of wild turkey and deer in Bastrop County for certain periods and certain described areas within Bastrop County; and declaring an emergency."

H. B. No. 1051, A bill to be entitled "An Act amending Section 102 of Article 199, Revised Civil Statutes of Texas, 1925, as amended, to provide the 102nd District Court may hear nonjury criminal cases at Texarkana, Texas; and declaring an emergency."

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

H. C. R. No. 62, Relative to office space in the Capitol Building.


H. B. No. 1050 ON SECOND READING

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

H. B. No. 1050, A bill to be entitled "An Act providing that in the Forty-Seventh Judicial District of Texas the maximum salary of the District Attorney shall be fixed at not to exceed Twelve Thousand Dollars ($12,000), and the maximum salary of the Assistants shall not exceed Ten Thousand Dollars ($10,000) for the First Assistant District Attorney and Eight Thousand Dollars ($8,000) for the Second Assistant District Attorneys in said District, containing a severability clause; and declaring an emergency."

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

H. B. No. 1051 ON SECOND READING

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

H. B. No. 1051, A bill to be entitled "An Act amending Section 102 of Article 199, Revised Civil Statutes of Texas, 1925, as amended, to provide the 102nd District Court may hear nonjury criminal cases at Texarkana, Texas; and declaring an emergency."

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

H. B. No. 1052 ON SECOND READING

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

H. B. No. 1052, A bill to be entitled "An Act amending Section 5 of Article 199, Revised Civil Statutes of Texas, 1925, as amended, to provide the Fifth District Court may hear nonjury criminal cases at Texarkana, Texas; and declaring an emergency."

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

H. B. No. 1054 ON SECOND READING

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

H. B. No. 1054, A bill to be entitled "An Act authorizing the County Commissioners Court of any county having a population of not less than Nine Thousand, One Hundred (9,100) and not more than Nine Thousand, Three Hundred (9,300) inhabitants according to the last preceding federal Census to fix the salaries of the deputies, clerks and assistants of any district, county or precinct officer at a sum not to exceed Four Thousand, Two Hundred Dollars ($4,200) per year; providing that no deputy, assistant or clerk shall receive a greater salary than is allowed the district, county or precinct officer under whom such deputy, assistant or clerk is employed, providing that the provisions of this Act shall be cumulative of all other laws pertaining to the compensation of deputies, assistants and clerks of any district, county or precinct officer; providing for severability; and declaring an emergency."

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


The bill was read second time and was passed to engrossment.
The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1060, A bill to be entitled "An Act to create the Farmers Creek Watershed Authority as a conservation and reclamation district in Montague County under the provisions of Article XVI, Section 69 of the Constitution of Texas; describing its metes and bounds; prescribing the duties, powers, functions, and procedures for the district; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the district; providing for a governing body and prescribing their duties; adopting certain provisions of the General Law; enacting other provisions required for the functioning of the district; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations; providing for a severance clause; and declaring an emergency.''

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

H. B. No. 1061, A bill to be entitled "An Act enlarging and extending Fort Bend County Water Control and Improvement District No. 2 and defining the boundaries thereof as enlarged; finding a benefit; providing for calling and holding an assumption of indebtedness election or elections; validating governmental proceedings and acts; authorizing the district to add or annex additional land as provided by law; providing a severability clause; and declaring an emergency.''

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

H. B. No. 1062, A bill to be entitled "An Act to amend Section One (1) of Chapter 511, Acts 1956, 56th Legislature, Regular Session, as heretofore amended by Chapter 66, Acts 1957, 56th Legislature, Regular Session, and by Chapter 6, Acts 1959, 56th Legislature, Regular Session; finding a benefit; and declaring an emergency.''

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

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, Commissioners 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 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; etc., providing a saving clause; and declaring an emergency.''

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

S. B. No. 368, Creating Bowie County Water Supply District, a conservation and reclamation district; and declaring an emergency.''

The bill was read second time.

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

Committee Amendment No. 1

Amend Senate Bill No. 368 by striking paragraph (a) of Section 1 and substituting in lieu thereof the following:
"(a) Pursuant to authority conferred by Section 59 of Article 16 of the Constitution, there is hereby created within the State of Texas, in addition to the Districts into which the State has heretofore been divided, a conservation and reclamation district to be located wholly within Bowie County, Texas, and known as the 'Bowie County Water Supply District', hereinafter called 'District'. The boundaries thereof shall be as follows:

All that part of Bowie County, Texas, described by metes and bounds as follows, to-wit:

Beginning at the S. E. Corner of the Collin McKinney Headright Survey, Bowie County, Texas;

Thence West, following the South line of said survey 1450 feet;

Thence North, on a line parallel to and 1450 West of the East line of the Collin McKinney HRS a distance of 2627 feet;

Thence West 3567.6 feet, more or less, to the East line of the Mary Morris HRS;

Thence South 2712.0 feet, along the East line of the Mary Morris HRS to the Southeast corner of said Mary Morris HRS;

Thence West, 4777.8 feet, more or less, along the South line of the Mary Morris HRS to the Southwest corner of said Mary Morris HRS;

Thence North, 3450 feet, along the West line of the Mary Morris HRS to a point; on the East line of the John Barkman HRS and being a point on the West line of Mary Morris HRS;

Thence West, 2627.7 feet, inside the John Barkman HRS;

Thence South, 2108.2 feet;

Thence West, 3291.7 feet;

Thence North, 3144.4 feet;

Thence West, 2950.6 feet;

Thence North, 2120.8 feet;

Thence East, 8733 feet, to a point in a public road;

Thence North, 9 degrees 32 minutes West, 1079 feet, following the center line of the public road, to an angle point;

Thence North, following the center line of the public road, 4450 feet to a point;

Thence East, 2500 feet, more or less, to a point on the East line of the Collin McKinney HRS;

Thence South, 4116 feet along the East line of the Collin McKinney HRS to a point; being also a point on the West line of the Ashley McKinney HRS;

Thence East 4550 feet, more or less, crossing the Ashley McKinney HRS to the East line thereof; being a point in a public road;

Thence South, along the public road, following the East line of the Ashley McKinney HRS 4723 feet, to a point that bears 4764.7 feet north of the southeast corner of said Ashley McKinney HRS;

Thence West, 4550 feet, more or less, crossing the Ashley McKinney HRS to the West line thereof, being also a point on the East line of the Collin McKinney HRS;

Thence South 3467 feet, more or less, following the East line of the Collin McKinney HRS to the Southeast corner thereof, being the point of Beginning;"
Committee Amendment No. 3

Amend S. B. No. 368 by striking the phrases "or convenient" and "or without" in sections 5(g), 5(h), 5(i), 5(k), and 5(q) wherever they appear therein.

The amendment was adopted.

S. B. No. 368 was passed to third reading.

HOUSE BILL NO. 1063 ON SECOND READING

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

H. B. No. 1063, A bill to be entitled "An Act enlarging Jefferson County Drainage District No. 6, of Jefferson County, Texas; converting said District as so enlarged to, and creating and establishing said District as, a conservation and reclamation district under Section 59, Article XVI, Texas Constitution; providing that the general laws, with exceptions, shall apply to said District and to its Drainage Commissioners; containing provisions relating to, and authorizing the issue of, bonds of the District, and the assumption of bonds herefore issued; authorizing the levy and collection of maintenance taxes; granting the right of eminent domain to the District; etc., and declaring an emergency."

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

HOUSE BILL NO. 345 ON SECOND READING

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

H. B. No. 345, A bill to entitled "An Act authorizing the Commissioners Court in all counties having a population of not less than ninety, five thousand (95,000) and not more than one hundred fifteen thousand (115,000) according to the last preceding Federal census to purchase automobiles to be paid for out of county funds, and to be used by the County Commissioners in the discharge of their official business; and declaring an emergency."

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

RELATIVE TO H. B. NO. 391

Mr. Harrington moved to reconsider and spread on the Journal the vote by which the Bell amendment to H. B. No. 391 was adopted on this legislative day.

ADJOURNMENT

Mr. Collins moved that the House adjourn until 3:50 o'clock p.m. today.

The motion prevailed.

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

In accordance with the motion to adjourn the House at 3:48 o'clock p.m., adjourned until 3:50 o'clock p.m. today.

APPENDIX

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 24, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 91, A bill to be entitled "An Act amending Article 342-205 of the Texas Banking Code of 1943, same being Acts of the Forty-eighth Legislature, Chapter 97, page 127, et seq., as amended, by creating a Savings and Loan Department; authorizing the appointment of a Savings and Loan Commissioner, a Deputy Savings and Loan Commissioner, and Savings and Loan Examiners, prescribing their qualifications and duties; fixing the conditions under which the rule-making power of the Building and Loan Section of the Finance Commission shall be exercised; abolishing the office of Building and Loan Supervisor; relieving the Banking Commissioner of certain duties; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
April 25, 1961

HOUSE JOURNAL 1425

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 526, A bill to be entitled

"An Act transferring control and management of East Texas State College from the Board of Regents of the State Teachers Colleges to a new body to be called the Board of Regents of East Texas State College; providing for the creation of a governing Board to be appointed by the Governor and confirmed by the Senate with residential limitations as to Board members, their qualifications, and their length of term of office; providing for the filling of vacancies occurring on the governing Board and removal for certain causes; providing for the qualifying of appointees to the Board and its organization; providing for the work and activities to be pursued in said College, and subject to actions of the governing Board; providing that all powers, duties, rights, obligations, and functions of the Board of Regents of the State Teachers Colleges as these relate to East Texas State College shall be invested in and/or performed by the Board of Regents of East Texas State College on the enactment of this Bill into law; providing a repealing clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 24, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 692, A bill to be entitled

"An Act to amend Section 1, Sub-section 3c, B of House Bill No. 442, Acts of the Fifty-first Legislature, 1949, Chapter 396, page 159, as amended by Sections 6 of House Bill No. 494, Forty-fourth Legislature, 1955, Chapter 496, page 1239, known also as Section B of Article 7880-3c, Vernon's Annotated Civil Statutes, dealing with Underground Water Conservation Districts, by adding a new paragraph (11) at the end thereof, which shall be Section B (11) of Article 7880-3c, Vernon's Annotated Civil Statutes, authorizing a District to require the closing or capping of an "open or uncovered well," defining an "open or uncovered well," and permitting a District to close or cap the same if the owner and/or operator of the land upon which such open or uncovered well is located refuses to do so, creating a lien on said land for expenses incurred by the District for closing or capping such open or uncovered well, providing that such remedies shall be cumulative; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 24, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 821, A bill to be entitled

"An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, by adding in Section 15 of Article I of the Texas Liquor Control Act provision and requirement for a Nonresident Brewer's Permit: by adding in Section 3 of Article II of the Texas Liquor Control Act provision and requirement for a Nonresident Manufactur-
er's License; and by amending Section 28 in Article II of the Texas Liquor Control Act by adding to the requirements for label approval; repealing laws in conflict herewith; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 24, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 838, a bill to be entitled "An Act to amend the subject matter embraced in Section 17, Section 19(A) and Section 21, of Title 86, Article 542lm, as amended, Revised Civil Statutes of Texas, providing for an increase in interest rates; providing for resale of forfeited land; providing for an increase in fees for processing and servicing applications; providing for the severability of provisions; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 24, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1016, a bill to be entitled "An Act amending Section 126, Chapter 25, Acts of the Thirty-ninth Legislature, Regular Session, 1925, as last amended (compiled as Article 7880-126, Vernon's Annotated Civil Statutes), relating to condemnation proceedings by certain Water Control and Improvement Districts, repealing all laws in conflict; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 24, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. C. R. No. 84, expressing appreciation and thanks to the Texas Junior Chamber of Commerce for its efforts in gaining annual salaries for Legislators.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

FIFTY-THIRD DAY
(Tuesday, April 25, 1961)

The House met at 3:50 o'clock p. m., pursuant to adjournment, and was called to order by the Honorable B. H. Dewey, Jr.

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

Adams of Lubbock
Adams of Titus
Alanis
Allen
Andrews
Atwell
Bailey
Ball
Barfield, Mrs.
Barlow
Barnes
Bartram
Bate
Bell
Bennie
Blaine
Boygren
Bridges
Buchanan
Burges
Butler
Coldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Collins
Connell
Cock
Cory
Cottee
Cowen
Cox
Crews
Curlington
de la Garza
Dewey
Dull, Miss
Dungan
Ehrle
Ehric
Ehric
Fairchild
Fischer
Floyd
Foreman
Garrison
Gladden
Glas
Glassing
Green
Grover
Guy
Hale
Harrison
Harrington
Harrison
Hayes
Healy
Hill
Hollowell
Hupper
Hughes
Hughes of Grayson
Hughes of Dallas
Isaacks, Miss
James
Jamison
Jarras
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilpatrick
KoUba
Korioth
Lack
Lary
Latimer