The House met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker
Adams of Lubbock
Adams of Titus
Alaniz
Allen
Andrews
Atwell
Ballman
Bland, Mrs.
Barlow
Barrows
Bartram
Bass
Bell
Bland
Buchanan
Bridges
Burgess
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Connel
Cook
Cory
Cotzen
Cowens
Crain
Crews
Curthion
de la Garza
Dewey
Duw, Miss
Dungan

La Valle
Leaverton
Lewis
Longoria
McCoppin
McGregor
of El Paso
McLain
Markgraf
Martin
Miller
Moore
Mullen
Murray
Mutchler
Niemeyer
Norcutt
Osborn
Pearsen
Pearcy
Peeler
Petty
Pie Ratt
Pipkin
Preston
Price
Quilliam
Rapp
Ratcliff
Read
Richardson
Roberts of Hill
Roberts of Dawson

Rossen
Sandahl
Schrum
Shannon
Shipley
Smith of Bexar
Smith of Jefferson
Soekan
Spear
Spillman
Spigner
Stewart
of Galveston
Stewart
of Wichita
Strue
Thurman
Thurmond
Townsend
Trevino
Tunnell
Walker
Ward
Watson
Weisz
Weatley
Whitefield
Wilson of Trinity
Wilson of Potter
Woods
Yock

Absent

Cowen

Absent—Excused

Berry
Buchanan
Hughes of Dallas
Kilpatrick
Koliba
Koroth
Lacy
Latimer

A quorum of the House was announced present.

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

(1555)
"Our Father and our God, as we seek Thy blessing remind us that we cannot desist ourselves. We dare not devise our own plans and draft our own schemes and then have the audacity to ask Thee to bless them for we know that there are some things Thou wilt not and cannot bless.

Father, we know unless we have Thy blessing on what we do, we waste our time. Guide us in what we propose so Thou can bless us in what we do. Through Jesus Christ, our Lord. Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Hughes of Dallas for today on motion of Mr. Atwell.

Mr. Kilpatrick for today on motion of Mr. Lack.

Mr. Barry for today on motion of Mr. Alans.

Mr. McGregor of McLennan for today on motion of Mr. Woods.

Mr. Buchanan for today on motion of Mr. Slack.

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

Mr. Richards for today on motion of Mr. Martin.

Mr. Rojas was granted leave of absence for today on account of illness in his family, on motion of Mr. Trevino.

MEMORIAL RESOLUTION ADOPTED

H. S. R. No. 584, By Mr. Piersall; In Memory of Henry Isha Harms.

COMMITTEE TO ESCORT CONGRESSMAN WRIGHT

The Speaker announced the appointment of the following committee to escort the Honorable Jim Wright, Congressman, to the Speaker's Rostrum:

Messrs. Kennard, Chairman; Cotton, Owen, Gladdum, Green, Lary, Richardson, Shannon and Ward.

MESSAGE FROM THE SENATE

Austin, Texas, May 1, 1941
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to Senate Bill No. 1 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators: Roberta, Chairman; Martin, Aikin, Lane and Hallswood.

I am directed by the Senate to inform the House that the Senate has passed the following:

S. C. R. No. 52, Proclaiming Miss Barbara Anna Wray the 1941 Miss Bluebonnet of Texas.

S. R. No. 428, Requiring governing boards of institutions of collegiate rank to follow rules of Commission on Higher Education respecting non-resident student tuition fees; and declaring an emergency.

S. R. No. 294, Amending Article 3.33, Insurance Code, to add new article restricting certain activities of insurance companies; and declaring an emergency.

S. R. No. 300, Providing, at cost, certain information by employers to Texas Employment Commission; and declaring an emergency.

S. R. No. 351, Authorizing water and conservation districts situated wholly within incorporated cities to have their taxes assessed and collected by certain officials and to be abated and their assets and liabilities taken over by such cities; and declaring an emergency.

S. R. No. 429, Relating to the Municipal Pension Systems in certain cities; and declaring an emergency.

S. R. No. 416, Pertaining to the Elm Creek Watershed Authority of Bell, Milam, Falls and McLennan Counties; and declaring an emergency.

S. R. No. 452, Allowing the cumulation of credits for 'credible
service" of an employee employed by two or more participating departments, if certain conditions are met; and declaring an emergency.

S. B. No. 210, Providing for venue for prosecutions; and declaring an emergency.

S. B. No. 354, Providing for venue for prosecutions; and declaring an emergency.

S. B. No. 285, To redefine "Texas Securities"; and declaring an emergency.

S. B. No. 410, Creating Castileman Creek Watershed Association; and declaring an emergency.

S. B. No. 409, Validating additions of land and annexations to Dallas County Water Control and Improvement District No. 6; and declaring an emergency.

S. B. No. 419, Providing for the handling of unclaimed dividends, return assessments and other funds; and declaring an emergency.

S. B. No. 375, Relating to practice of dentistry and powers of State Board of Dental Examiners; and declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL
Secretary of the Senate.

REQUEST OF SENATE GRANTED

On motion of Mr. Cotten the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 1.

CONFERENCE COMMITTEE APPOINTED ON S. B. NO. 1

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on Senate Bill No. 1:


ADDRESS BY CONGRESSMAN JIM WRIGHT

Congressman Jim Wright, having been escorted to the Speaker's Rostrum by Messrs. Kennard, Chairman; Cotten, Cowen, Gladden, Green, Lary, Richardson, Shannon, and Ward, Speaker Turman presented Honorable Don Kennard who introduced Congressman Jim Wright to the House.

Congressman Wright then addressed the House as follows:

No person who has ever served in this Hall can think of this City and of this place except with a deep sense of nostalgia. Nor can be return here but with an exultant sense of homecoming.

It was 14 years ago last January when I first entered this Chamber as a member. You will know what I mean, and will therefore forgive me, when I speak of the sensation of mingled awe and suppressed excitement which accompanies every new member into this Hall where so much of Texas history has been written.

To those of you who have served here a long while, I hope that familiarity and repetition have not turned this process into an old chorus, an over-played and scratchy record, and erased from your memories that first flash breathlessness.

For those of you who are serving here for your first term, I hope you never lose it. And for myself, if the time should ever come when through some supposed sophistication I might grow a bit cynical about the representative system which this room symbolized, I hope that an enlightened electorate will retire me from public office, for I shall have passed my usefulness.

In an age when many Americans have come to view this entire business of public service with disguised cynicism, it is up to those of us who serve in positions of public trust to redeem it... and we cannot redeem it unless we ourselves revere it.

When the Constitution of the United States had been written, the delegates filed out onto the broad portico of the building in which they had been meeting to read the document to a motley crowd which had gathered there. A curious little charwoman, unwilling to await the formal reading, placed at the sleeve of Benjamin Franklin and insisted upon knowing what form of government they were to have.

With grave courtesy, Franklin replied: "A Republic, Madame... if you can keep it."

We have kept it, of course, for 172 years. I was startled some months ago when the Prime Minister of Ireland, addressing our Congress, brought greetings from an old nation.
and a new Republic to "a young nation and the oldest Republic on earth." What surprised me was the sudden realization that, in point of continuous operation, ours is the world's oldest Republic.

With much of the world looking hopefully to us, not only for broad but for inspiration, not only for material assistance but for political and moral example, the essential character of our governmental institutions is, more than ever before, "the last, best hope of Earth."

When people lose confidence in those who make up the institutions of a representative system, they cannot long keep faith in the system itself.

Today in Cuba we are witnessing the bitter harvest of a government in which the people became disillusioned. The depth of their disenchantment with the Batista regime has erupted in the excesses of the Castro tyranny. The experiences of the past week seem to indicate that the people of Cuba will not overthrow the present regime until it has become more obviously corrupt and more oppressive than its predecessor and until they lose all hope, as we have done, in its redemption.

The Castro government is the natural flowering of the weeds of neglect. It is not good enough simply to say how wrong it is. Rather, we must ask ourselves why it came into being and how similar aberrations can be prevented in the rest of Latin America.

For one thing, we would be foolishly blind to ignore the unmistakable appeal of Castro's land reform promises in a country where 90% of the people do not own one inch of ground or one penny's worth of equity in the hovels in which they dwell ... and where they had given up hope of ever achieving their legitimate objectives through the slow and orderly procedures of evolutionary government.

Mired in the futility of a 20th Century feudalism and thoroughly disappointed in a series of governments, whose leaders were personifications of graft and utterly careless of the crying public need, the people of Cuba were easy prey to the ridiculous ravings and alluring promises of a man who pledged them land and homes of their own.

This is the lesson of Cuba, and of all Latin America. It applies in greater or lesser degree to much of the world. When a man is impoverished to his landlord ... when he cannot claw his way out of the valley of debt but sees himself slipping farther into its quicksand each year while he gains a vague awareness of a better life enjoyed by others ... when his children look at him with eyes enlarged in their sunken cheeks and a gnawing hunger in their stomachs ... this man is a desperate man who will grasp at almost any straw that offers him hope at a better tomorrow.

Where there is a vacuum it will be filled. Free governments will survive and flourish where they demonstrate the desire and ability to solve the legitimate problems of their people. Where they are indifferent to these problems, they will sooner or later fall.

All of this is but to say that, if democracy is to triumph in this tawdry conflict of ideologies, it must be more dynamic than its detractors, more constructive than its competitors.

And what has this to do with state legislatures? A very great deal indeed! It has been the secular ennui of our government that we have developed here, the divisions, a system of divided responsibilities and clearly separated powers with a large middle area of concurrent jurisdiction between the state and federal levels of government. From this has our society developed its particular character.

We hear much in these days about the gradual and steady erosion of the rights and prerogatives of our states. Everyone talks about this tendency and most people lament it. Yet, as with the weather, hardly anybody ever seems to do anything about it.

In some respects, the tendency is a natural one. As the nation has grown more compact and distance has been eradicated, attention has shifted from the states to the National government. People more and more have looked to the federal authority for a solution to their problems, particularly when frustrated in seeking solutions at the state level.

And the attitude of the states themselves has sometimes hastened
the trend. The unwillingness of certain state legislatures to assume responsibility has on more than one occasion driven the public to look to the federal Congress for its remedy.

To wait against growing federal influence in state and local affairs without being willing to support more dynamic and responsible state governments is to engage in a hollow and hypocritical gesture. If federal government is ever to limit its authority, then this will be tied up in one package with stronger government close to home.

It would be hard to over-emphasize the great contributions which have been made and still are waiting to be made by a bold and imaginative assault upon the domestic problems of our land through the governmental institutions of our states.

The states have traditionally been our most valuable proving grounds for legislative policy. Many of our most far-reaching national reforms were first tested and proven in the laboratories of state government. Women's suffrage in Wyoming, anti-trust in Texas, conservation laws in Pennsylvania, and lobby reform in Wisconsin are but a few.

Although the cry of states rights has often been abused, often used as a cloak to cover states wrongs, it is most assuredly not a reactionary doctrine to hold out for the rights of the states to solve the problems of the people where those problems are most clearly seen and understood.

But it cannot be argued with any validity that our state or any other possesses a right to stay the progress of our society through deliberate inaction.

In a day when education becomes not just a school or a book but the very instrument of our national survival, and when the rapidly growing school age population is getting ready to thrust a burden of crisis proportions upon our institutions of learning, it cannot be argued that any state has the right inherent in its sovereignty to neglect this need and to deny to the children within its boundaries the opportunity which should be their birthright as children of this land.

Our states as well as our federal government will increasingly feel the threat of a mushrooming growth in population and the problems that it brings. Each day the American nation adds in people the equivalent of an average Texas county seat town. Between now and November, we shall gain enough additional population to comprise another city the size of Houston.

This leaping population foretells a time when our need for water may outstrip our supply of usable water.

It casts in the shadow of a huge question mark the ability of our land in tillable acreage to feed our own future citizens.

It telescopes the time when our cities may find themselves to be islands of smog and squalor and urban ugliness surrounded by seas of unplanned suburban sprawl.

It warns us that our system of roads and highways will have to race to keep up with the growth in traffic and to keep open and fluid the arteries of our nation's commerce.

At a time when state government may superficially seem to be waning, these developments have thrown in its face the greatest set of challenges state government has ever confronted.

Walter Lippman in his book, The Public Philosophy, seriously raises the question as to whether a free society, depending as it does upon public support for its policies, can endure the stresses and strains of rapid change in a world grown suddenly small and keenly demanding.

As legislators, sensitive to public reaction and faced with the dual necessity of both accurately reflecting and responsibly influencing public opinion, we shall have much to say with how tomorrow's historians will answer that question.

Solomon wrote that "Where there is no vision, the people perish." May we as lawmakers therefore demonstrate the breadth and depth of understanding, and the freedom from narrowness and prejudice to prove to a questioning world that this system established by our fathers is still viable, still relevant to our time, and still the "last, best hope of earth."

Mr. Kennard then addressed the House expressing appreciation to Mr. Wright for his address.
ADDRESS ORDERED PRINTED

On motion of Mr. Butler, the remarks of the Honorable Jim Wright, Member of Congress, made in addressing the House on this morning, were ordered printed in the Journal.

HOUSE BILLS ON FIRST READING

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

By Mr. Slack:
H. B. No. 1087. A bill to be entitled "An Act amending Article 6543b, Revised Civil Statutes of Texas, 1925, as amended, by allowing the cumulative credits for 'creditable service' of an employee employed by two or more participating departments, if certain conditions are met; by providing for the retroactive application of this act in favor of all persons eligible for benefits under the provisions hereof from and after January 1, 1959; and declaring an emergency." Referred to the Committee on Municipal and Private Corporations.

By Mrs. Banfield:
H. B. No. 1088. A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to convey to the adjoining landowner, a small segment to the adjoining landowner, a small segment of the Prairie View Agricultural and Mechanical College of Texas campus, excluding therefrom and reserving all mineral rights thereunder, the segment consisting of 2,452 acres of land, separated from the main campus by a Farm Road, providing for the appraisal of the land and disposition of the proceeds; and declaring an emergency." Referred to the Committee on Representation before the Legislature.

By Mr. Mullen:
H. B. No. 1089. A bill to be entitled "An Act providing an open season for hunting, taking, or killing quail in Jim Hogg County; fixing a penalty; and declaring an emergency." Referred to the Committee on Game and Fisheries.

By Mr. Miller:
H. B. No. 1090. A bill to be entitled "An Act to fix and make certain the amount of compensation to be paid from county funds by counties having a population of one million two hundred thousand (1,200,000) or more, according to the last preceding Federal census, as compensation to district and criminal district judges in such counties, providing for the compensation of substitute judges; and declaring an emergency." Referred to the Committee on Representation before the Legislature.

By Mr. Niemeyer:
H. B. No. 1091. A bill to be entitled "An Act authorizing and empowering Counties having less than 20,000 population according to the last or any succeeding Federal Census and any City or Cities therein located to finance, construct, maintain and operate jail, jails or jail facilities for the joint and mutual use of such Counties and City or Cities; authorizing the issuance of bonds and expenditure of funds therefor; authorizing the Commissioners Court of said Counties and the governing body of said city or cities to enter into contracts for the financing, construction, maintenance, and operation of such jails; providing a repealing clause; providing a severability clause; and declaring an emergency." Referred to the Committee on Counties.

By Mr. Trevino:
H. B. No. 1092. A bill to be entitled "An Act limiting the provisions of this Act to Webb County; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said county at any time; to take, kill or trap any fur-bearing animal in said county; to take or attempt to take any freshwater fish or other aquatic life in said county by any means or method; prescribing the legislative policy with respect to the wildlife resources in said county; conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation the taking of the wildlife resources of said county; requiring the Game and Fisheries Commission to cooperate with the U.S. Fish and Wildlife Service in the development of a plan for the management of wildlife resources in said county; and declaring an emergency." Referred to the Committee on Wildlife Resources.
Fish Commission to make investigation with respect to the depletion and waste of the wildlife resources of said county; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said county; defining depletion and waste; providing for the issuance of the antlerless deer permits and permits for the hunting and taking of pronged horn antelope or wild elk; providing for the adoption of proclamations, orders, rules and regulations of the Game and Fish Commission; providing for a public hearing and publication of notice thereof; providing for the effective period of regulations; providing for the publication of the regulations; providing the authority of the Commission is not limited; providing venue for suits to test the validity of this Act and of the rules and regulations of the Commission; providing a penalty for false swearing; providing a penalty for the violation of any of the provisions of this Act, as well as any order, rule or regulation of the Commission; providing for the forfeiture of licenses; making it unlawful to purchase a new license and providing a penalty therefor; defining wildlife resources; repealing certain laws and providing that Articles 901, 902, and 924a, of the Penal Code of the State of Texas shall remain in full force and effect; providing for the effective date of this Act; providing a saving clause; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

SENATE BILLS ON FIRST READING

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

S. B. No. 46 to the Committee on Examination of Comptroller's and Treasurer's Accounts.
S. B. No. 57 to the Committee on Insurance.
S. B. No. 128 to the Committee on Insurance.
S. B. No. 180 to the Committee on Insurance.
S. B. No. 213 to the Committee on Municipal and Private Corporations.
S. B. No. 231 to the Committee on Insurance.
S. B. No. 235 to the Committee on Revenue and Taxation.
S. B. No. 234 to the Committee on Education.
S. B. No. 238 to the Committee on Revenue and Taxation.
S. B. No. 271 to the Committee on Insurance.
S. B. No. 275 to the Committee on State Affairs.
S. B. No. 278 to the Committee on Revenue and Taxation.
S. B. No. 325 to the Committee on Judiciary.
S. B. No. 336 to the Committee on Municipal and Private Corporations.
S. B. No. 385 to the Committee on Judiciary.
S. B. No. 388 to the Committee on Counties.
S. B. No. 406 to the Committee of Conservation and Reclamation.
S. B. No. 426 to the Committee on Public Health.
S. B. No. 433 to the Committee on State Affairs.
S. B. No. 434 to the Committee on Education.
S. B. No. 437 to the Committee on Education.
S. B. No. 439 to the Committee on Counties.
S. B. No. 442 to the Committee on Game and Fisheries.
S. B. No. 443 to the Committee on Counties.
S. B. No. 444 to the Committee on Counties.
S. B. No. 447 to the Committee on Counties.
S. B. No. 451 to the Committee on State Affairs.

HOUSE BILL NO. 750 WITH SENATE AMENDMENTS

Mr. Floyd moved that all necessary rules be suspended for the pur-
pose of concurring in the Senate Amendments to:

H. B. No. 750, A bill to be entitled
"An Act amending Section 8 of Chapter 427, Acts of the Eighty-Fourth Legislature, Regular Session, 1955, so as to fix the minimum and maximum salaries of certain officials in all counties of the State having a population of 1,000,000 or more inhabitants according to the last preceding Federal Census; and declaring an emergency."

The motion prevailed by the following vote:

Yeas—122
Adams of Lubbock
Adams of Titus
Allan
Alton
Andrews
Atwell
Bolster
Ballman
Randolph, Mrs.
Bartlow
Barnes
Bartram
Bass
Bell
Blaine
Boyson
Bridges
Burkett
Butler
Caldwell
Canon
Cariker
Cole of Harris
Collins
Connell
Cory
Cotten
Cowen
Cowles
Crews
Curington
de la Garza
Duff, Miss
Dungan
Ehrle
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbens
Glass
Green
Grover

Nays—9
Chains
Jones of Dallas
Dewey
Lewis
Eckhardt
Nusent
Jarvis
Townsend
Johnson of Dallas

Present—Not Voting
Mullen

Absent
Chapman
Cole of Hunt
Cook
Glasing
Hughes
Johnson of Bexar

Absent—Excused
Berry
Buchanan
Hughes of Dallas
Klifiantz

Mr. Floyd moved to reconsider the vote by which the House concurred in the Senate Amendments to H. B. No. 750 and to table the motion to reconsider.

The motion to table prevailed.

TEXT OF SENATE AMENDMENTS
TO HOUSE BILL NO. 750
Committee Substitute For H. B. 750
A Bill To be entitled
An Act amending Section 8 of Chapter 427, Acts of the Fifty-Fourth Legislature, Regular Session, 1955, as amended codified as Section 8 of Article 3883, Vernon's Texas Civil Statutes, by adding there-
to a new Subsection so as to fix the minimum and maximum salar­ies of certain officials in all coun­ties of the State having a popu­lation of one million (1,000,000) or more inhabitants according to the last preceding Federal Census; and declaring an emergency."

Be It Enacted By The Legislature Of The State Of Texas:

Section 1. Section 6 of Chapter 457, Acts of the Fifty-Fourth Legis­lature, Regular Session, 1955, as amended by Section 1 of Chapter 43, Acts of the Fifty-sixth Legislature, Second Called Session, 1959, codi­fied as Section 6 of Article 3883j, Vernon's Texas Civil Statutes, is further amended by adding thereto a new subsection after Subsection (a) to read as follows:

"(b) In all counties of this State having a population of one million (1,000,000) or more inhabitants ac­cording to the last preceding Federal Census, the Commissioners Court of such counties shall fix the salaries of county officials in the following manner:

The salary of the county judge shall be Eighteen Thousand Dollars ($18,000) per annum; the county commissioners, Fourteen Thousand, Six Hundred Dollars ($14,600); criminal district Attorney and dis­trict attorney, not less than Fif­teen Thousand, Four Hundred Dollars ($15,400); probate judge and county attorney, not less than Fifteen Thousand, Eight Hundred Dollars ($15,800); judges of the county courts at law and county criminal courts, not less than Thirteen Thousand, Eight Hundred Dollars ($13,800); sheriff and tax assessor and collector, including all additional fees and compensation, shall not exceed Eighteen Thousand, Five Hundred Dollars ($18,500) per annum in the aggregate; justices of the peace and the constables at not to exceed Twelve Thousand Dol­lars ($12,000) per annum, to be paid in equal monthly installments; provided, however, that the justices of the peace and constables whose precincts lie wholly or in part in cities having a population of six hundred thousand (600,000) or more, according to the last preceding Fed­eral Census, shall receive not less than Ten Thousand Dollars ($10,000) per annum."

Sec. 2. The importance of this matter and the crowded condition of the Calendar create an emergency and an imperative public necessity that the Constitutional Rule require­ing bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

HOUSE BILL NO. 789 WITH SENATE AMENDMENTS

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

H. B. No. 789, A bill to be entitled "An Act creating Jasper County Road District No. 8, of Jasper County, Texas under authority of Section 55, Article III, Constitution of Texas, for the purpose of the construction, maintenance and operation of un­made or unpaved roads and turnpikes, or in aid thereof, making it a body corporate and taxing district; delineating the boundaries of said district and including provisions relating thereto; granting said district the authority to issue bonds and containing provisions relating to said bonds and the issuance thereof; providing that the fact that said district may overlap other road districts shall not affect said district or the powers granted by this Act; providing for the assumption of bonds of road districts included within said district; containing pro-
visions with respect to abolishing road districts included within said district; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency."

Mr. Collins moved that all necessary rules be suspended for the purpose of concurring in the Senate Amendments to H. B. No. 789.

The motion prevailed by the following vote:

Yeas—132
Adams of Lubbock
Harrington
Allen
Healy
Andrews
Hinson
Atwell
Huebner
Bailey
Huebner
Balman
Hotze
Bell
Johnson of Dallas
Blaine
Johnson of Bexar
Boyesen
Jones of Dallas
Bridges
Jones of Travis
Burgess
Koliba
Butler
Korfoth
Caldwell
Cannon
Campbell
Carriker
Lary
Chapman
Leaverton
Cole of Harris
Collins
Lewis
Connell
Longoria
Cotten
McCoplin
Cowen
McGregor
Cowe
McPhee
Crain
McMney
Crear
Martin
Curington
Mart
de la Garza
LaValle
Duff, Miss
Mullen
Dungan
Murray
Dyer
Mutisaher
Fletcher
Niemeyer
Floyd
Nugent
Foreman
Oliver
Garrison
Osborn
Gibbons
Parsons
Gladen
Peary
Green
Peeke
Grover
Petty
Gufeld
Piersall
Hale
Pipkin
Harding
Preston
Haring
Price
Quilliam
Stewart
Rapp
Stewart
Ralph
Struve
Richardson
Struve
Roberts of Hill
Thurman
Roberts of Dawson
Thurmond
Rosson
Townsend
Sandahl
Trevino
Scharm
Turnbull
Shannon
Walker
Shipley
Ward
Slack
Watson
Slider
Weiss
Smith of Bexar
Wheeler
Smith of Jefferson
Whitefield
Smelser
Wilson of Trinity
Sparks
Wilson of Potter
Mcmillan
Woods
Springer
Vesak

Absent
Adams of Titus
Fairchild
Barlow
Glass
Cole of Hunt
Gusting
Cook
James
Dickhardt
Johnson of Bell

Absent—Excused
Barry
Medlin
Buchanan
McGregor
Hughes of Dallas
Richards
Kilpatrick
Russo

TEXT OF SENATE AMENDMENTS
TO HOUSE BILL NO. 789

Floor Amendment No. 1 to H. B. No. 789
Amend House Bill No. 789 by striking out the word "projects" occurring in line one of page 2 and substituting therefore the word "intersects," and
Further amending House Bill No. 789 by striking out the word "southwest" occurring in line five on page 4 and substituting therefore the word "southeast," and
Further amending House Bill No. 789 by striking out the word "easterly" occurring in line eight on page 4 and substituting therefore the word "eastern."

Amend Caption to conform to body of bill.

HOUSE BILL NO. 396 WITH SENATE AMENDMENTS

Mr. Slider called up with Senate Amendments for consideration at this time.
H. B. No. 396, A bill to be entitled "An Act establishing a juvenile board in Morris County; prescribing the membership of the board and providing for the compensation of its members; providing who shall be the juvenile officer; providing compensation and expenses of the juvenile officer; and declaring an emergency."

Mr. Slider moved that all necessary rules be suspended for the purpose of concurring in the Senate Amendments to H. B. No. 396.

The motion prevailed by the following vote:

Yes-131
Adams of Lubbock Glissing
Adams of Titus Green
Alaniz Grover
Allen Gaffey
Andrews Harding
Atwell Haring
Ballman Haynes
Bancroft, Mrs. Hestly
Barnes Higginson
Bartram Hollowell
Bass Haubner
Bell Hughes
Blaine Isaacks, Miss
Boyd Jamison
Bridges Johnson of Dallas
Burgess Johnson of Bexar
Butler Johnson of Bell
Caldwell Jones of Dallas
Cannon Jones of Travis
Carriker Koliba
Chapman Koeth
Cole of Harris Lack
Collins Larry
Connell Latimer
Cory La Valle
Cotoan Leaverton
Cowen Lewis
Cowles Longoria
Crain McCoppin
Crews Melbay
Curtis Markgraf
de la Garza Martin
Dewey Miller
Duff, Miss Moore
Duncan Mullin
Dickard Murray
Ehrle Mutscher
Frelich Niesmyer
Fletcher Nagen
Floyd Oliver
Foreman Parsons
Garrison Peary
Gibbons Peeler
Giddens

Patty Springer
Peiratt Stewart
Preston of Galveston
Price Stewart
Quilliam of Wichita
Rapp Struve
Hord Thurmond
Richardson Thurman
Roberts of Hill Townsend
Roberts of Dawson Trevizo
Rosson Tunnell
Sandahl Walker
Schar Lot
Shanahan Watson
Shipley Watts
Sleck Wheatley
Slider Whited
Smith of Bexar Wilson of Trinity
Smith of Jefferson Wilson of Potter
Shelton Woods
Spears Yezak

No-1
Jarvis

Absent
Barlow Kennard
Cole of Hunt McGregor
Cook of El Paso
Glass Pfigtas
Hale Ratcliff
James

Absent—Excused
Berry McGregor
Buchanan of Lennan
Hughes of Dallas Richards
Kilpatrick Noss

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 396

Senate Amendment No. 1

Amend House Bill No. 396 by striking out all below the enacting clause and inserting the following:

"Section 1. There is hereby established the Morris County Juvenile Board, which shall be composed of the county judge of Morris County and the judge of each judicial district which includes Morris County. The judge of the court which is designated as the juvenile court for Morris County shall be chairman of the board and its chief administrative officer.

Sec. 2. As compensation for the added duties imposed upon members
of such juvenile board, each member thereof may be allowed additional compensation not to exceed Eighteen Hundred Dollars ($1,800) per year, to be fixed by the commissioners court of Morris County and paid monthly in twelve (12) equal installments out of the general fund of the county. Such compensation shall be in addition to all other compensation now provided or allowed by law for county judges and district judges.

Sec. 3. The Morris County Juvenile Board shall have all the powers conferred on juvenile boards created under Article 5139 of the Revised Civil Statutes of 1925 as herebefore or hereafter amended. If the juvenile board determines that it is necessary to have a juvenile officer for Morris County, it may appoint a juvenile officer, whose salary shall be fixed by the commissioners court of Morris County in an amount not to exceed Three Thousand Dollars ($3,000) per year, and whose allowance for expenses shall not exceed Five Hundred Dollars ($500) per year. The juvenile officer shall have the powers and duties prescribed by Article 5142 of the Revised Civil Statutes of 1925 as herefore or hereafter amended. All claims for expenses of the juvenile officer shall be certified by the chairman of the juvenile board as being necessary in the performance of the duties of the juvenile officer. The commissioners court of Morris County shall provide the necessary funds for payment of the salary and expenses of the juvenile officer.

Sec. 4. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict only.

Sec. 5. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 6. The need for making more adequate provisions for the handling of juvenile matters in Morris County creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house is hereby suspended, and said rule is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

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

MOTION TO INTRODUCE A HOUSE JOINT RESOLUTION

Mr. Garrison asked unanimous consent of the House to introduce at this time and have placed on first reading a House Joint Resolution.

There was objection offered.

Mr. Garrison then moved to introduce at this time and have placed on first reading a House Joint Resolution.

The motion was lost, not receiving the necessary four-fifths vote, by the following vote:

Yeas—71

Adams of Lubbock Johnson of Bell
Adams of Titus Lack
Allen LaValle
Andrews Longoria
Barlow McLain
Barnes Markgraf
Bartram Martin
Bell Miller
Blaine Mitchener
Boysen Nugent
Butler Oliver
Clements Osborn
Cory Parsons
Coten Peery
Crain Peeler
Crews Petty
Craws Pfeatt
Curpton Preston
Duff Miss Rapp
Dungan Read
Ehrlie Roberts of Hill
Ehrig Roberts of Dawson
Fletcher Schram
Fitzgerld Shively
Gibbons Black
Gladden Bledsoe
Glaising Smilk of Beaux
Grover Smith
Guffey Slemp
Harding Struve
Harling Thurman
Healey Thurmond
Hinson Townesend
Hollowell Tunessell

Mr. Garrison then moved to introduce this act and have placed it on the general calender.

There was objection offered.

Mr. Garrison asked for the suspension of the rule.

The rule is suspended, and that said act be read the third time and have placed on the general calender at this time.
Mr. Harding asked unanimous consent of the House to introduce at this time and have placed on first reading H. J. R. No. 81.

There was no objection offered and it was so ordered.

Mr. Adams of Titus asked unanimous consent of the House to introduce at this time and have placed on first reading H. J. R. No. 82.

There was no objection offered and it was so ordered.

REQUEST OF SENATE GRANTED

On motion of Mr. McCoppin, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 368.

CONFERENCE COMMITTEE APPOINTED ON S. B. NO. 368

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on S. B. No. 368:


RELATIVE TO HOUSE BILL NO. 243

Mr. Barlow asked unanimous consent of the House to show the following corrective amendment as adopted to H. B. No. 243:

Amend H. B. No. 243 by striking all of Section 1 thereof and substituting in lieu thereof the following:

"Section 1. Article 43 of the Code of Criminal Procedure of Texas, 1925, is hereby amended to read as follows:

'Article 43. Report as to prisoners. On the first day of each month, the sheriff shall give notice, in writing, to the district or county attorney, where there be one, as to all prisoners in his custody, naming them, and of the authority under which he detains them.'"

There was no objection offered and it was so ordered.
Mr. Dewey 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 at 12:30 o'clock p.m., today, 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.

LEAVE OF ABSENCE GRANTED

Mr. Bartram was granted leave of absence for the remainder of the day on account of important business, on motion of Mr. Butler.

H. B. NO. 673 REFERRED

Mr. Woods moved to suspend the necessary rules in order to rerefer House Bill No. 673 to the Committee on Appropriations.
The motion prevailed.

REQUESTING STATE COMPTROLLER TO FURNISH CERTAIN INFORMATION RELATIVE TO HOUSE BILL NO. 727

Mr. Hinson moved that the State Comptroller be requested to report to the Members of the House and Senate immediately, as required under the motions of April 31 and that he further be requested to furnish a comprehensive analysis concerning his estimate of income under H. B. 727, as well as a comprehensive analysis of the number of personnel and the total cost to administer and to adequately collect the proceeds from H. B. 727; adequate to the point that the people will not be paying more in sales taxes than is collected by the State.
The motion prevailed.

RELATIVE TO H. B. NO. 391

Mr. Harrington called from the Journal the motion to reconsider the vote by which H. B. No. 391 failed to pass to engrossment.
The motion to reconsider the vote prevailed.

H. B. NO. 1077 ORDERED NOT PRINTED

On motion of Mr. Hale, House Bill No. 1077 was ordered not printed.

HOUSE BILL NO. 645 WITH SENATE AMENDMENTS

Mr. Ratcliff moved that all necessary rules be suspended for the purpose of concurring in the Senate Amendments to,

H. B. No. 645, A bill to be entitled "An Act relating to the change in name of the North Texas State Teachers College to North Texas State College; amending Chapter 258, Acts of the Fifty-first Legislature, 1949, so as to change the name of North Texas State College to "University of North Texas"; ratifying and confirming in behalf of 'The University of North Texas' all legislative Acts and appropriations heretofore passed in behalf of North Texas State Teachers College or North Texas State College, or The University of North Texas, and declaring an emergency."
The motion prevailed, having received the necessary two-thirds vote.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 645

Amend House Bill No. 645 by striking therefrom the words "The University of North Texas" which appear on lines 22, 29, 34, 35, and 41,42 of the printed bill and substituting therefor the words "North Texas State University."
Amend the Caption to conform to body of the bill.

INTRODUCTION OF HOUSE BILL NO. 1093

Mr. Ehrle asked unanimous consent of the House to introduce at this time and have placed on first reading H. B. No. 1093.
There was no objection offered and it was so ordered.

HOUSE BILL NO. 200 WITH SENATE AMENDMENT

Mr. de la Garza moved that all necessary rules be suspended for the purpose of concurring in the Senate Amendment to,
May 1, 1961
HOUSE JOURNAL

H. B. No. 200, A bill to be entitled "An Act to authorize water improvement districts to sell lands belonging to such districts; providing for the disposition of the proceeds of such sale in certain cases; and declaring an emergency."

The motion prevailed by the following vote:

Yeas-132

Abstention:

- Alberts
- Anderson
- Andrews
- Atwell
- Baer
- Ballman
- Bankston, Mrs.
- Barnes
- Bass
- Bellaire
- Bixler
- Boyles
- Bridges
- Burgess
- Butcher
- Caldwell
- Cannon
- Carriker
- Chapman
- Cole of Harris
- Cole of Hunt
- Collins
- Connell
- Cory
- Cotlon
- Cowen
- Crow
- Cross
- Curtington
- de la Garza
- Dewey
- Duff, Miss
- Eckhardt
- Ethel
- Fairchild
- Fletcher
- Floyd
- Foreman
- Garrison
- Gibbons
- Gladden
- Glasson
- Glustom
- Groover
- Guffey
- Hale
- Harding
- Rosson
- Sandahl
- Schram
- Shannon
- Shapley
- Black
- Slider
- Smith of Bexar
- Smith of Jefferson
- Snelson
- Spears
- Stollman
- Springer
- Steward
- of Galveston
- Stewart
- of Wichita

- Barlow
- Bare
- Cook
- James
- Johnson of Bexar
- Kernt

- Bartram
- Berry
- Buchanan
- Richards
- Hughes of Dallas
- Kilpatrick

TEXT OF SENATE AMENDMENT TO HOUSE BILL NO. 200

Floor Amendment No. 1 to H. B. 200 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Any land or interest in land acquired by any water improvement district to carry out the plans of the district which may be found to reasonably required for such purpose may be sold under orders of the directors of the district, and the proceeds of such sale shall be applied as follows:

(a) Unless said proceeds are needed as provided in (b) below, the same shall be placed in the interest and sinking fund account provided for the retirement of outstanding bonds of the district, if there be any such outstanding bonds;

(b) If additions or betterments to the improvements of the district are needed and sufficient funds from other sources are not available for making such additions or betterments..."
the proceeds of such sale may be used for such purposes to the extent required therefor:

e. If, and to the extent that such proceeds are not required to be applied under subparagraph (a) or (b) of this Section, the same may be used for any lawful purpose of the district as may be ordered by its board of directors.

Sec. 2. Before making any sale of any such land originally acquired for the purpose of carrying out plans of the district and found not to be needed for such purpose, the district must give notice of the intent to do so by publishing such notice once a week for two consecutive weeks in one or more newspapers to give general circulation in the district, the first of which publications to be made at least ten days prior to such sale.

Sec. 3. Any land of such district required through foreclosure of its lien for maintenance and operation assessments, or acquired otherwise for carrying out the plans of the district, may be sold at public sale to the highest bidder, and the proceeds of the sale therefor may be used for betterments or improvements, or the maintenance and operation of the system of the district, or otherwise in carrying on the business of the district as may be determined by the Board of Directors of the district.

Sec. 4. The fact that there is now no adequate law authorizing water improvement districts to sell lands under the circumstances provided in this Act, creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be suspended and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

H. B. NO. 1082 SET FOR SPECIAL ORDER

Mr. McIlhany moved that House Bill No. 1082 be set as a special order for Thursday, May 4, at 10:00 o'clock a.m.

The motion prevailed, having received the necessary two-thirds vote.

CONGRATULATING THE HONORABLE CHARLES E. HUGHES

Mr. KoriOth offered the following resolution:

H. S. R. No. 592

Whereas, Charles E. Hughes was born on April 30, 1862. Today, we are celebrating our esteemed fellow member's birthday with much gratitude for his awareness of the goals of this Legislature and his acknowledgment of the infinite possibilities of each Member's contributions toward our legislative objectives; and

Whereas, Charles Hughes represents Sherman, Grayson County, District 13, to the best of his ability and his capabilities do certainly please his constituents for they have re-elected him to care for the welfare of this North Texas utopia; now, therefore, be it

Resolved, That the House of Representatives wishes Charles Hughes a happy birthday and does indeed hope that he returns as a Member of the House to celebrate many more such birthdays in the grandiose halls of the greatest State Capitol in the world.

The resolution was read.

On the motion of Mr. KoriOth, the names of all Members of the House were added to the resolution as signers thereof.

The resolution was adopted.

H. B. NO. 844 RECOMMENDED

Mr. Yezak moved that H. B. No. 844, reported adversely with minority favorable report, be printed.

Mr. Lewis moved, as a substitute motion, that H. B. No. 844 be recommitted to the Committee on State Affairs.

The substitute motion to recommit H. B. No. 844 to the Committee on State Affairs prevailed.

The motion by Mr. Yezak, as substituted, then prevailed.

RELATIVE TO WORKING HOURS OF CERTAIN STATE EMPLOYEES

Mr. Martin moved to suspend all necessary rules in order to take up and consider, at this time, H. C. R. No. 87.

The motion prevailed.
The Speaker laid before the House for consideration at this time:

H. C. R. No. 57, Relative to Working Hours of Certain State Employees.

H. C. R. No. 57 was read and was adopted.

PROCLAMING MISS BARBARA ANNE WRAY THE 1961 MISS BLUEBONNET OF TEXAS

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 55

Whereas, On April 8, 1961, Miss Barbara Anne Wray was declared winner of the annual Miss Bluebonnet Contest, held by the Ennis Community Center Association in Ennis, Texas; and

Whereas, By her beauty and talent, Miss Wray exemplifies the feminine charm and grace which have always been a tradition in our fair state; and

Whereas, It is fitting that the Legislature of the State of Texas honor Miss Wray and the annual Miss Bluebonnet festival at Ennis, which calls national attention to our distinctive State flower and to the beauty of Texas' daughters, now therefore, be it

Resolved, By the Senate of the State of Texas, with the House of Representatives concurring, that Miss Barbara Anne Wray be and she is hereby proclaimed Miss Bluebonnet of Texas for 1961, and we extend to her our warm congratulations and good wishes; and be it further

Resolved, That copies of this Resolution be mailed to Miss Wray, our lovely Miss Bluebonnet of Texas for 1961, and to the Honorable Jack McKay, Manager of the Ennis Chamber of Commerce, in recognition of this annual festival welcoming the arrival of Texas' famed Bluebonnet Season.

The resolution was adopted.

EXPRESSING APPRECIATION TO ENGROSSING AND ENROLLING, PROOFING, AND BILL TYPING DEPARTMENTS

Mr. Wells offered the following resolution:

H. S. R. No. 588

Whereas, It is the desire of the House of Representatives to pay tribute to the various persons and their dedicated supervisors who have continuously performed such outstanding work under tremendous pressure at all hours of the day and night in facilitating the workings of this Legislature by perfectly typing and proofing and red lining innumerable bills, especially at such typical times as occurred on April 20 when House Bill No. 727 was engrossed in the same night that the Appropriations Bill was being typed, proofed and prepared for the submission to the House; and

Whereas, Mrs. Orea Guffin, Enrolling and Engrossing Clerk, whose smile matches her success, and her entire department have pleasantly and effectively typed, proofed and red lined, enrolled and engrossed House and Senate bills. As adroit head of this department, Orea Guffin has shown deft talent with the law in checking statutes and actually preparing bills to their proper form, both in enrolling and engrossment. The assistance she has given Members in defining meaning and in ferreting out subtle and drastic legal errors in the contents of their bills has been a real inspiration to Members of the House who are conscientiously at her desk in consultation on the work of her department rolls smoothly on in spite of volume and pressure; and

Whereas, In the House of Representatives, Leora McNeil's Bill Typing Department and Marjorie Wells, Proofreading Department on the third floor of the West Wing of the Capitol certainly deserve words of admiration and praise for their proficient production; and

Whereas, Members of the House of Representatives respect their workers and wish to say that they feel that each person's job is of utmost importance. The Members comprehend that behind the mass of wonderful work being done is an individual who wants his desires to become prayers, his prayers to become deeds, and his deeds to become character; now, therefore be it

Resolved, That the Members of this House of Representatives of the Fifty-seventh Legislature do

thank each person who has been
a builder of a better State through each job well done, and the Members do stand in sincere appreciation of the fact that in the manner of his performance, by precept and example, each person has dedicated his work to the glory of God and the dignity of man.

The resolution was read and was adopted.

CONGRATULATORY RESOLUTIONS

ADOPTED


H. S. R. No. 581, By Messrs. Foreman, Sandahl and Jones of Travis: Recognizing Students of the Third Grade Class of Pecan Springs School.

H. S. R. No. 582, By Messrs. Foreman, Jones of Travis and Sandahl: Recognizing Students from the Sixth Grade Class from Pecan Springs School.

H. S. R. No. 583, By Messrs. Foreman, Jones of Travis and Sandahl: Recognizing Students of Twelfth Grade Civics Class of Travis High School.

H. S. R. No. 585, By Mr. Stewart of Wichita: Recognizing Spanish Club of Zundelowitz Junior High School of Wichita Falls.

H. S. R. No. 589, By Mr. Bailey: Congratulating Miss Judy Chick.

H. S. R. No. 590, By Messrs. Jones of Travis, Foreman and Sandahl: Recognizing Students of Seventh Grade Texas History Class from the O. Henry Junior High School.


INVITATION TO MRS. MARION MILLER TO ADDRESS A JOINT SESSION

Mr. Foreman offered the following resolution:

H. C. R. No. 88

Whereas, Mrs. Marion Miller, Los Angeles, served as an undercover agent for the Federal Bureau of Investigation. She joined the Communist Party and later reported Communist activities in the F.B.I. She wrote the revealing book, "I Was A Spy." Her biography has been recognized by former President Dwight D. Eisenhower, Vice-President Richard Nixon, J. Edgar Hoover, the American Legion, Sons of the American Revolution and many other individuals and organizations. She has been honored for her wonderful devotion to her country through this service in the F.B.I.; and

Whereas, Mrs. Miller will speak on the adventure and intrigue of her life in Austin at the Municipal Auditorium on Tuesday, May 16, 1961, now, therefore, be it

Resolved, That the House of Representatives of the Fifty-seventh Legislature, the Senate concurring, invite Mrs. Marion Miller to speak in the House of Representatives at a Joint Session of both Houses on May 16, 1961, at 11:00 a.m.

FOREMAN, SANDAHL, JONES of Travis.

The resolution was referred to the Committee on Rules.

TO GRANT PERMISSION TO SUETHE STATE

Mr. Jones of Travis offered the following resolution:

H. C. R. No. 89

Whereas, On the 19th day of November, 1959, Walter John Szczurek was employed by the State of Texas at the Austin State Hospital as a maintenance mechanic and had been employed for at least four (4) years prior to that date; and

Whereas, On the 19th day of November, 1959, while performing his usual customary duties as a maintenance mechanic, Walter John Szczurek was so severely burned that he is now permanently disabled; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said Walter John Szczurek be and he is hereby authorized to file suit against the State of Texas in the proper court or courts having jurisdiction thereof in Travis County, Texas, to determine the damages, if any, he is entitled to recover; and that in the event said suit or suits are filed.
Whereas, Under the Foundation School Program, local school districts of the State are charged with twenty percent (20%) of the estimated total cost of the Foundation School Program for the immediately preceding year; and

Whereas, According to law, within thirty (30) days after such estimate has been made, the State Commissioner of Education, subject to the approval of the State Board of Education, must assign to each school district in accordance with its taxing ability its proportionate part of such total to be raised locally for the next school year and applied towards the financing of the Minimum Foundation Program; and

Whereas, The county economic index prescribed by law for determining the taxing ability of each school district is based upon and computed from the following weighted factors: (a) assessed valuation of the county, weighted by twenty (20); (b) scholastic population of the county, weighted by eight (8); and (c) income for the county as measured by value added by manufacture, value of minerals produced, value of agricultural products, payrolls for retail establishments, payrolls for wholesale establishments, and payrolls for service establishments, weighted collectively by seventy-two (72); and

Whereas, It is the desire of the House of Representatives to determine whether the county economic index so computed represents the fairest and most equitable way of judging the taxing ability of a school district for the purpose of establishing its share of the local fund assignment; now therefore be it

Resolved, That the Speaker of the House be directed to appoint an interim committee of five (5) members to study the equity of the county economic index used in determining local fund assignments for school districts in this State to assist in the financing of the Foundation School Program; and be it further

Resolved, That the interim committee so appointed be directed to report its findings and recommendations to the Regular Session of the 51st Legislature.

The resolution was referred to the Committee on Rules.

RELATIVE TO CERTAIN STUDY REGARDING THE FINANCING OF THE FOUNDATION SCHOOL PROGRAM

Mr. Wells offered the following resolution:

H. S. R. No. 587

WHEREAS, Under the Foundation School Program, local school districts of the State are charged with twenty percent (20%) of the estimated total cost of the Foundation School Program for the immediately preceding year; and

WHEREAS, According to law, within thirty (30) days after such estimate has been made, the State Commissioner of Education, subject to the approval of the State Board of Education, must assign to each school district in accordance with its taxing ability its proportionate part of such total to be raised locally for the next school year and applied towards the financing of the Minimum Foundation Program; and

WHEREAS, The county economic index prescribed by law for determining the taxing ability of each school district is based upon and computed from the following weighted factors: (a) assessed valuation of the county, weighted by twenty (20); (b) scholastic population of the county, weighted by eight (8); and (c) income for the county as measured by value added by manufacture, value of minerals produced, value of agricultural products, payrolls for retail establishments, payrolls for wholesale establishments, and payrolls for service establishments, weighted collectively by seventy-two (72); and

WHEREAS, It is the desire of the House of Representatives to determine whether the county economic index so computed represents the fairest and most equitable way of judging the taxing ability of a school district for the purpose of establishing its share of the local fund assignment; now therefore be it

RESOLVED, That nothing herein shall be construed as an admission on the part of the State of Texas of any facts or the rights of either party in and to the above-described controversy, and that all allegations of Walter John Szczurek shall be proved as in other civil suits.

The resolution was referred to the Committee on State Affairs.

TO GRANT TOM. D. TAYLOR, DR. WILLIAM M. CRAWFORD, C. L. MESSEROLE AND ROBERT C. GREEN PERMISSION TO SUE THE STATE

The Speaker said before the House for consideration at this time,

H. C. R. No. 21, Granting Tom D. Taylor, Dr. William M. Crawford, C. L. Messerole and Robert C. Green permission to sue the State.

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

Mr. Hale offered the following amendment to the resolution:

Committee Amendment No. 1

Amend HCR 21 by changing the period to a semi-colon at the end of the last paragraph, adding thereto the words "and be it further," and by adding the following two paragraphs:

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

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

The amendment was adopted.

The resolution, as amended, was adopted.

TO GRANT NUECES COMPANY PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time, S. C. R. No. 42, Granting Nueces Company permission to sue the State.

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

The resolution was adopted.

TO GRANT RAMON G. BAZALDUA, HARTMAN B. ESQUIVEL AND FLORENTINO L. ESQUIVEL PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time, H. C. R. No. 85, Granting Ramon G. Bazaldua, Hartman B. Esquivel and Florentino L. Esquivel permission to sue the State.

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

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

Committee Amendment No. 1

Amend HCR 85 by striking the last paragraph thereof and substituting in lieu thereof the following:

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

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

The amendment was adopted.

The resolution, as amended, was adopted.

TO GRANT W. R. HALL PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time, S. C. R. No. 22, Granting W. R. Hall permission to sue the State.

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

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

Committee Amendment No. 1

Amend SCR 22 by changing the period to a semi-colon at the end of the last paragraph, adding thereafter the words "and be it further," and by adding two new paragraphs to read as follows:

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

The amendment was adopted.

The resolution, as amended, was adopted.

HOUSE BILL NO. 106 ON SECOND READING

Mr. Roberts of Hill moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 106.

The motion prevailed.

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

H. B. No. 106. A bill to be entitled "An Act amending Sections 3, 5, 6, 12, 13, 14 and 17, of Senate Bill 44, Acts of the 48th Legislature, Regular Session, 1943, Chapter 204, Page 313, as amended, codified in Vernon's Article 2338-1. Vernon's Civil Statutes; providing for transfers of certain cases in juvenile courts from the jurisdiction of juvenile courts to the jurisdiction of the other courts in this State; providing that certain delinquent children shall be subject to the penal laws and criminal prosecution the same as if they were adults; etc. providing a severability clause and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 106 by adding a new section thereto, Section 7a, to read:

"Sec. 7a. Section 13-B of Chapter 204, Acts of the 48th Legislature, Regular Session, 1943, as last amended by Chapter 431, Acts of the 56th Legislature, Regular Session, 1959, is amended by adding a new subsection, Subsection (h), to read: '(h) Actions for damages against parents for malicious destruction of property by their children may be brought in the Juvenile Court, and may be heard simultaneously with a proceeding concerning the charges of delinquent acts by the child.'"

The amendment was adopted.

Mr. Glusing In The Chair

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

The amendment was adopted.

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

Committee Amendment No. 2

Amend H. B. 106 by striking the second paragraph of Section 3, subsection 6, and inserting the following:

"If a child sixteen (16) years of age or older is charged with an offense which would be a felony if committed by an adult and if the court, after diagnostic study, social evaluation, and full investigation, deems it contrary to the best interests of the child or the public to retain jurisdiction, the court may, in its discretion, certify such child for proper criminal proceedings in any court which would have jurisdiction of the offense, if committed by an adult; but no child under sixteen (16) years of age shall be so certified, and no child under sixteen (16) years of age at the time the offense is committed shall be prosecuted as an adult at any later date, and all such offenses shall be subject to disposition by the Juvenile Court only. Such certification shall include the written order and findings of the Juvenile Court, and shall be accompanied by a complaint against the accused in accordance with applicable provisions of the Code of Criminal Procedure of the State of Texas."

The amendment was adopted.
H. B. No. 106 was passed to engrossment.

HOUSE BILL NO. 106 ON THIRD READING

Mr. Roberts of Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 106 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adams of Lubbock
Hollowell
Adams of Titus
Huebner
Allen
Hughes
Allen of Grayson
Isacks, Miss
Bailey
Jamison
Ball
Johnson of Bexar
Barbee
Johnson of Bell
Bell
Jones of Travis
Blaine
Kenedy
Boyson
Lack
Bridges
Lary
Burgess
Leaverton
Caldwell
Longoria
Cannon
McCoplin
Carriker
McGinnis
Chapman
Mckinney
Cole of Harris
Mackraf
Collins
Martin
Connell
Miller
Cory
Moore
Coten
Mullen
Cowen
Murray
Craig
Mutchler
Crow
Niemeyer
De la Garza
Osborn
Dungan
Parsons
Dwight
Pearsy
Eckhardt
Petty
Ehrle
Pieratt
Fallard
Piper
Felder
Pipkin
Hale
Preston
Harding
Price
Harrington
Williamson
Hays
Read
Healy
Richardson
Hinson
Read
Smith of Bexar
Sparks
Trevino
Springer
Tunell
Stewart
Walker
- of Galveston
Ward
Stewart
Watson
- of Wichita
Wells
Strue
Whitfield
Thorman
Wilson of Trinity
Townsend
Yeak

Nays—16

Andrews
Johnson of Dallas
Atwell
Jones of Dallas
Banfield, Mrs.
Koliba
Butler
Lewis
Crain
Nugent
Dawey
Peeler
Haring
Ratcliff
Jarvis
Slider

In The Chair

Gluising

Absent

Baas
McGregor
Cole of Hunt
of El Paso
Cook
Shannon
Curlington
Spilman
James
Wilson of Potter
Koroth
Woods
Lattimer

Absent—Excused

Bartram
McGregor
Berry
of McLennan
Buchanan
Richards
Hughes of Dallas
Rosen
Kilpatrick
Sheston

The Chair then laid House Bill No. 106 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Roberts of Hill moved to reconsider the vote by which H. B. No. 106 was passed and to table the motion to reconsider.

The motion to table prevailed.

LEAVE OF ABSENCE GRANTED

Mr. Snelson was granted leave of absence for the remainder of the day on account of illness in his family, on motion of Mr. Johnson of Bell.

HOUSE BILL NO. 100 ON SECOND READING

Mr. Miller moved that the regular order of business be suspended to
take up and have placed on its second reading and passage to engrossment, H. B. No. 100.

The motion prevailed.

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

H. B. No. 100. A bill to be entitled "An Act to relieve from liability for civil damages persons who render emergency care at the scene of an emergency, and declaring an emergency."

The bill was read second time.

Mr. Markgraf offered the following amendment to the bill:

Amend House Bill 100 by striking out Section 1 and substituting in lieu thereof the following:

"Section 1. No person shall be liable in civil damages who administers emergency care in good faith at the scene of an emergency for acts performed during the emergency unless such acts are willfully or wanton-ly negligent."

The amendment was adopted.

Mr. Eckhardt offered the following amendment to the bill:

Amend H. B. No. 100 by striking the period at the end of line 13 thereof and adding at the end of Section 1 and immediately before line 14 the following:

"provided that nothing herein shall apply to the administering of such care where the same is rendered for remuneration or with the expectation of remuneration or is rendered by any person or agent of a principal who was at the scene of the accident or emergency because he or his principal was soliciting business or seeking to perform some services for remuneration."

The amendment was adopted.

H. B. No. 100 was passed to engrossment.

HOUSE BILL NO. 100 ON THIRD READING

Mr. Miller moved that the constitutional rule requiring bills to be read on three several days be sus-
The bill was read second time and was passed to third reading.

SENATE BILL NO. 125 ON THIRD READING

Mr. Jamison moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 125 be placed on its third reading and final passage.

The motion prevailed by the following vote:

YEAS-125
Adams of Lubbock
Adams of Titus
Alaniz
Allen
Andrews
Atwell
Bailey
Barlow
Barlow
Barnes
Berry
Boysen
Bridges
Butler
Caldwell
Cannon
Carriger
Chapman
Cole of Harris
Collins
Connell
Cory
Cozen
Cowen
Cowles
Crain
Crews
Curington
Dewey
Duff, Miss
Dungan
Eckhardt
Earle
Fairchild
Fischer
Floyd
Forest
Garrigan
Gibbens
Gladden
Glass
Green
Guilliam
Hale
Hare
Harney
Hare
Harrington
Hays
Hepburn
Hollings
Hollis
Hornsby
Howard
Howard
Johnson of Dallas
Johnson of El Paso
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Koliba
Koliba
Koliba
Koliba
Koliba
Koliba
LaVelle
LaVelle
Leaverton
Lewis
Lindig
McGinn
McGinn
McGuffey
McGuffey
McGuffey
McGuffey
McGuffey
McGuffey
McGuffey
McGuffey
Moore
Mullen
Murray
Mueller
Niemeyer
Oliver
Osborn
Parsons
Peery
Peery
Perry
Petty
Piersall
Pipkin
Preston
Price
Quilliam
Rapp
May 1, 1961

The Chair then laid Senate Bill No. 135 before the House on third reading and final passage.

Mr. Janison moved to reconsider the vote by which S. B. No. 135 was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 522 ON SECOND READING

Mr. Preston moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 522.

The motion prevailed.

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

H. B. No. 522, A bill to be entitled “An Act relating to the creation of a National Seashore Area on part of Padre Island and the surrounding submerged lands.”

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 522 by striking all below the enacting clause and substituting in lieu thereof the following:

“Section 1. The surface estate of all the following described lands situated in Kleberg, Kenedy, Willacy and Cameron Counties, to which the State of Texas has title by virtue of any Act or Acts or that have been acquired or that have become vested under any previous Act or Acts or for any other reason shall be and are hereby established, dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be known and designated as the Padre Island National Seashore, which area is approximately described as follows:

Beginning at a point one (1) mile northerly of North Bird Island on the easterly line of the Intracoastal Waterway; thence due east to a point on Padre Island one (1) mile west of the mean high water line of the Gulf of Mexico; thence southwesterly paralleling the said mean high water line of the Gulf of Mexico, a distance of about three and five-tenths (3.5) miles; thence due east to the two-fathom line on the east side of Padre Island as depicted on the United States Coast and Geodetic Survey chart number 1286; thence along the said two-fathom line on the east side of Padre Island to the easterly line of the Intracoastal Waterway as indicated by channel markers...”
in the Laguna Madre to the point of beginning.

Sec. 2. The Legislature of the State of Texas hereby withdraws from sale the surface estates of all State-owned lands in said area regardless of the purpose or purposes for which they are held and regardless of the instrumentalities of the State for which they are held and hereby transfers and conveys all such surface estates to the State of Texas for park purposes only, and said surface estates shall become a part of the Padre Island National Seashore. The said surface estates hereby transferred and conveyed or conveyed in fee simple title, and the mineral estate with the right of occupation and use of so much of the surface as may be required for all purposes reasonably incident to the mining or removal of the minerals in the lands so ceded, shall not affect the mineral estate in the lands so acquired, nor the right of Ingress and egress for the occupation or gross receipts from sales of products or commodities upon which a tax is levied in this State, and regardless of the purpose or purposes for which they are held and title hereby vested in the State of Texas for park purposes only, and said surface estates shall become a part of the Padre Island National Seashore, in like manner and like effect as if no suchcession had taken place and, reserving further to the State the right to levy and collect taxes on sales, use or gross receipts from sales of products or commodities upon which a tax is levied in this State, and to tax persons and corporations, their franchise, properties and incomes, on land or lands deeded and conveyed under the terms of this Act, and reserving also, to persons residing in or on any of the land or lands deeded or conveyed, the right to vote at all elections within the counties in which said land or lands are located, upon like terms and conditions and to the same extent as those who would be entitled to vote in such counties had not such lands been deeded or conveyed as aforesaid to the United States of America; and reserving further the right to lease a reasonable number of sites on that portion of Padre Island which may lie within the Padre Island National Seashore Area for the purpose of drilling directionally from Padre Island, or any of the adjoining submerged lands both in and out of the National Seashore Area, under such rules and regulations as may be promulgated by the United States Department of the Interior.

Sec. 3. The Commissioner of the General Land Office shall prepare a list of the lands now owned in said area by the State of Texas or its instrumentalities for any purpose and deliver a certified copy of such list to the Texas State Parks Board. The surface estate in said lands shall be for recreational park purposes and shall be under the supervision and control of the Texas State Parks Board.

Sec. 4. Immediately after enactment by the Congress of the United States of legislation authorizing the creation of a National Seashore Area on Padre Island, and in consideration of the United States agreeing to assume and maintain said area as a National Seashore Area, the School Land Board of the State of Texas is hereby authorized and directed to execute a deed of conveyance to the United States Government covering such parts of the State-owned lands on Padre Island as may be included in the National Seashore Area, but not to exceed the area described in Section 2 hereof, for recreational parks purposes, and to cede to the United States Government Jurisdiction over said lands in conformity with the provisions of Article 5247, Revised Civil Statutes of Texas of 1915. Said deed shall reserve the mineral interest to the State with the right of occupation and use of so much of the surface of the land or waters as may be required for all purposes reasonably incident to the mining or removal of the minerals. Said deed shall also reserve to the State of Texas the right to retain concurrent jurisdiction with the United States government over every portion of the lands so ceded, so that all process, civil and criminal, issuing under the authority of this State or any of the courts or Judicial officers thereof, may be executed by the proper officers of the State upon any person amenable to the same within the limits of the land so ceded as the area for the Padre Island National Seashore, in like manner and like effect as if no suchcession had taken place and, reserving further to the State the right to levy and collect taxes on sales, use or gross receipts from sales of products or commodities upon which a tax is levied in this State, and to tax persons and corporations, their franchise, properties and incomes, on land or lands deeded and conveyed under the terms of this Act, and reserving also, to persons residing in or on any of the land or lands deeded or conveyed, the right to vote at all elections within the counties in which said land or lands are located, upon like terms and conditions and to the same extent as those who would be entitled to vote in such counties had not such lands been deeded or conveyed as aforesaid to the United States of America; and reserving further the right to lease a reasonable number of sites on that portion of Padre Island which may lie within the Padre Island National Seashore Area for the purpose of drilling directionally from Padre Island, or any of the adjoining submerged lands both in and out of the National Seashore Area, under such rules and regulations as may be promulgated by the United States Department of the Interior.

Sec. 5. The United States Government, through the Secretary of the Interior or any other agency, is hereby authorized to purchase, receive, hold and acquire title to the surface estate of any land in the area above described in the Padre Island National Seashore for use as a recreational park; provided that the acquisition of lands in such area shall not affect the mineral estate in the lands so acquired, nor the right of ingress and egress for the purpose of mining or removing the minerals in the lands so acquired.
May 1, 1961

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purpose of exploring for, developing, processing, storing and transporting minerals from beneath said lands and waters with the right of housing employees for such purpose.

Sec. 6. Permission of the State of Texas is hereby granted to the United States Government to build and maintain a public road throughout the National Seashore Area and full cooperation of the State of Texas is pledged in that regard.

Sec. 7. To the extent possible without jeopardizing the purposes of this Act, the State of Texas recognizes the lands, spoil banks, easements and right-of-ways owned, leased or otherwise controlled by the Willacy County Navigation District, and requests the United States Government to give every possible consideration to the rights and needs of this governmental unit, so long as such lands and other rights are used solely for the public purposes of a navigation district.

Sec. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 9. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Sec. 10. The fact that the Department of Interior has recommended the creation of a National Seashore Area on Padre Island and surrounding submerged areas as a tourist attraction, a game preserve for migratory waterfowl, a spawning ground for fish, and a controlled area for the study of the sea and its inhabitants; and the fact that the State-owned submerged lands in the proposed park area are presently for sale to certain special districts for One Dollar ($1) per acre; and the fact that State legislation will encourage the National Congress to create the much needed park; and the fact that a National Park in such area would be of unlimited financial benefit to Texas; and the fact that the right of future generations to go down to the sea should be preserved 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 that this Act take effect and be in force from and after its passage, and it is so enacted.

(Speaker In The Chair)

Mr. Adams of Lubbock offered the following amendment to the Committee Amendment No. 1 by Mr. Hale:

Amend amendment to H. B. No. 525 by striking the word “National” wherever it may appear and inserting in lieu thereof the word “State”, and by striking Section 4; Section 5; Section 6; Section 7; Section 10.

Mr. Hale moved to table the amendment by Mr. Adams of Lubbock.

The motion to table prevailed.

Mr. Rapp offered the following amendment to the Committee Amendment No. 1 by adding to section 1, after line 23, the following:

“The Legislature of the State of Texas specifically requests the United States Government and the Department of the Interior, in establishing a National Seashore area on Padre Island, to exempt from the Seashore area, an area located in Willacy County, such area being a distance of approximately five (5) miles on Padre Island, beginning at the southern line of the Port Mansfield Channel right of way, continuing southward with the Padre Island seashore area, ending at this five (5) mile location and continuing southward as provided for in this Act.”

Mr. Preston moved to table the amendment by Mr. Rapp.

The motion to table prevailed.

COMMITTEE MEETING

Mr. Hughes of Grayson asked unanimous consent of the House that the Committee on Public Lands and Buildings be permitted to meet at this time.

There was no objection offered.
Mr. Rapp offered the following amendment to the Committee Amendment No. 1:

Amend Committee Amendment No. 1, by striking out Section 6 and substituting in lieu thereof the following:

"Sec. 6. The State of Texas requests the United States Government to construct a paved road from Corpus Christi to Port Isabel, and to construct a causeway from Port Mansfield to Padre Island, and to provide such ferries and other bridges as may be necessary in order to make the entire length of the National Seashore Area and adjacent lands accessible to the public; and full cooperation of the State of Texas is pledged in that regard."

RAPP, LONGORIA.

Mr. Bridges moved to table the amendment by Mr. Rapp to Committee Amendment No. 1.

The motion to table was lost.

The amendment by Mr. Rapp was adopted.

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

Amend Committee Amendment Number 1, by striking out Section 7 and substituting in lieu thereof the following:

"Sec. 7. The State of Texas recognizes the lands, spoil banks, easements and right-of-ways owned, leased or otherwise controlled by the Willacy County Navigation District, and requests the United States Government to give every possible consideration to the rights and needs of this governmental unit, so long as such lands and other rights are used solely for public purposes."

The amendment was adopted.

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

Amend Committee Amendment No. 1 by striking the first sentence on Page 2 of the printed bill and striking the semicolon in line 21 and placing a period in lieu thereof of and striking all the remainder of Section 4 after said period and placing in lieu thereof the following:

Said land shall not be conveyed unless the School Land Board is first satisfied that the mineral interest with the right of occupation and use of so much of the surface of the land or waters as may be required for all purposes reasonably incident to the mining, development, or removal of the minerals is protected and the deed to the federal government and federal legislation establishing Padre Island as a national seashore area contains the following provisions, to wit:

"The Secretary of the Interior shall permit a reservation by the grantor of all oil, gas, and other minerals in such land or waters with the right of occupation and use of so much of the surface of the land or waters as may be required for the purposes of development of oil, gas and other minerals. Such permit shall be granted when requested by the Chairman of the School Land Board upon recommendation of the School Land Board of the State of Texas."

Mr. Price moved to table the amendment by Mr. Rapp to Committee Amendment No. 1.

A record vote was requested on the motion to table.

The motion to table was lost by the following vote:

Yeas—45
Andrews
Harlow
Bridges
Caldwell
Carriker
Collins
Dungan
Eckhardt
Gladden
Glass
Glusing
Green
Hale
Haring
Haynes
Hinson
Hutcheson of Grayson

Nays—27
Isaacks, Miss
Johnson of Bexar
Jones
Kennard
Lack
McCoppin
McGreer
of El Paso
Markgraf
Mullen
Niemeyer
Peeler
Preston
Richardson
Schram
Shannon
Smith of Jefferson
Spears
Springer
May 1, 1961  HOUSE JOURNAL  1613

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Nays—84

Adams of Lubbock  Jones of Dallas
Adams of Titus    Korieth
Altans          Lary
Allen           Latimer
Atwell          La Valle
Bailey          Leaverton
Ballman         Lewis
Barnes          Longoria
Bell            McVay
Berry           Martin
Blaine          Miller
Borsen          Moore
Burns           Murray
Butler          Mutscher
Chapman        Nungesser
Cole of Hunt    Oliver
Connell        Osborn
Cory           Persons
Cotten         Petty
Cowen          Pipkin
Cowins         Price
Crews          Rapp
Curiatton      Ratcliff
de la Garza     Read
Dewey          Roberts of Hill
Duff, Miss     Roberts of Dowson
Fairchid       Rosen
Fletcher       Sandahl
Floyd          Shipley
Foreman        Slack
Foreman        Smith of Bexar
Garrison       Thurman
Gibbens        Thurmond
Goker          Tannell
Harman         Walker
Headey         Watson
Hollowell      Wheatley
Jamison        Whiteley
Jarvis         Whitefield
Johnson of Dallas       Woods
Johnson of Bell     Zeak

Present—Not Voting
Stewart       Trevino
of Galveston   of Buchanan

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

Amend Section 1 of Committee Amendment No. 1 of H. B. 522 by striking out the first paragraph of said section and inserting in lieu thereof the following:

Section 1. The surface estate of that part of the following described lands situated in Kiezberg, Kenedy, Willacy and Cameron Counties, to which the State of Texas has title or may acquire title or that have been acquired or that have become vested under any previous Act or Acts, which Congress in its good judgment may require for a National Seashore Area, shall be and are hereby established, dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be known and designated as the 'Padre Island National Seashore' which area is approximately described as follows:

The amendment was adopted.

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

Amend the Amendment to H. B. 522 by striking all of lines 15 to 36 both incl., and by inserting in lieu thereof the following: "The precise boundaries of such national seashore shall be established by the Secretary of the Interior except that the northern boundary of such national seashore shall not extend north of 27 degrees 23 minutes north latitude. The eastern boundary shall not extend east beyond the two-fathom line on the east side of Padre Island as depicted on United States Coast and Geodetic Survey Chart Numbered 1286, 1287 and 1288. The southern boundary shall not extend south of 26 degrees 30 minutes north latitude, and the western boundary shall not extend west of the easterly..."
line of the Intra-coastal Waterway as indicated by channel markers in the Laguna Madre. (As provided in H. R. 5049 by Congressman Young and H. R. 5013 by Congressman Kilgore of the 87th Congress, 1st Session.)

Mr. Hale moved to table the amendment by Mr. Lewis to Committee Amendment No. 1.

A record vote was requested on the motion to table.

The motion to table the amendment by Mr. Lewis prevailed by the following vote:

**Yea's—86**
- Adams of Titus
- Alaniz
- Andrews
- Bailey
- Balman
- Bandfield, Mrs.
- Barlow
- Bass
- Boyson
- Bridges
- Burgess
- Butler
- Caldwell
- Carrick
- Cole of Harris
- Cole of Hunt
- Collins
- Cory
- Crews
- Curington
- Dewey
- Duff, Miss
- Dugan
- Eckhardt
- Fletcher
- Floyd
- Garrison
- Gladden
- Glass
- Gluesing
- Green
- Grover
- Guffey
- Hale
- Harding
- Harrington
- Haynes
- Hinson
- Hughes
- Hughes of Grayson
- Isaacks, Miss
- Johnson of Bexar
- Johnson of Bell

**Nays—44**
- Adams of Lubbock
- Allen
- Alwell
- Barans
- Barnes
- Board
- Berry
- Blaine
- Chapman
- Connelly
- Cotten
- Cowen
- Cowles
- Craig
- da Garza
- Fairchild
- Fair
- Foreman
- Gibbens
- Gillies
- Hollowell
- Jarvis
- Johnson of Dallas
- Johnson of Hunt
- Jones of Dallas
- Jones of sidewalk

Present—Not Voting
- Murray
- Price
- Present—Not Voting
- Morgan
- Price
- Present—Not Voting
- Morgan
- Price
- Absent
- Absent—Excluded
- Bartram
- Buchanan
- Hughes of Dallas
- Kilpatrick
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Present—Not Voting

Roberts of Hill

Absent

Handfield, Mrs. Le Vallee
Kole of Hunt McCoppin
Cook Pipkin
Rhie Quillian
Garrison Spilman
Hinson Stewart
Hudgins of Wichita
James Wilson of Potter
Kennard Yerak

Absent—Excused

Bartram McGregor
Buchanan of McLennan
Hughes of Dallas Richards
Kilpatrick Ross

PAIRED

Mr. Roberts of Hill (present), who would vote “yea” with Mr. Spilman (absent), who would vote “nay.”

The Speaker then laid House Bill No. 522 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Preston moved to reconsider the vote by which H. B. No. 522 was passed and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 1, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 370, Relating to establishment of a retirement, disability, and death compensation fund for officers and employees of the state; and declaring an emergency.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.

HOUSE BILL NO. 73 ON SECOND READING

Mr. Spears moved that the regular order of business be suspended to
The motion prevailed.

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 73, A bill to be entitled "An Act amending Chapter 125, Acts of the Regular Session of the 46th Legislature, as heretofore amended (relating to Firemen's Relief and Retirement Funds); providing for the financing of the benefits herein provided for; levying an additional gross-premium tax against insurance companies transacting the business of fire insurance, and providing for distribution of the proceeds thereof, providing for contributions to be made by firemen who are covered by the pension plans and organizations provided for in this Act, and for contributions by the cities or towns served by such firemen; creating and establishing the Firemen's Pension System of Texas, and providing for participation therein of Firemen's Relief and Retirement Funds, and of members of such Funds: and declaring an emergency."

The bill was read second time.

RECESS

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

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

The motion to adjourn was lost.

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

In accordance with the motion to recess, the House at 5:23 o'clock p.m., took recess until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committee has filed a favorable report on bills and a resolution, as follows:


REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 112, A bill to be entitled "An Act authorizing establishment of Rehabilitation districts to provide education, training, special services and guidance for handicapped persons; providing for its financing and administration; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 124, A bill to be entitled "An Act to amend Section 6 of Chapter 283, page 424, Acts of the Fortieth Legislature, Regular Session, 1927, as last amended by Section 1 of Chapter 287, page 732, Acts of the Fifty-third Legislature, Regular Session, 1953, (compiled as Article 101lf of Vernon's Texas Civil Statutes), relating to Municipal Zoning Commissions, to provide that the legislative body of a city or town may hold joint public hearings with the Zoning Commission; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 221, A bill to be entitled "An Act amending Acts, 1955, Forty-fourth Legislature, page 88, Chapter 55, Section 236, the Texas Probate Code, so as to permit Probate

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and County Courts to approve expenditures by guardians from the corpus of ward's estates for support, maintenance and education under certain circumstances; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 284, A bill to be entitled "An Act to amend Article 1014 and Article 1015 of the Revised Civil Statutes of Texas of 1925 to make the provisions thereof applicable to any city or town incorporated under the general laws of this State and to authorize the governing body of any such city or town, upon petition of abutting property owners, to vacate, abandon, and close streets and alleys within such city or town; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 285, A bill to be entitled "An Act to amend Section 1, Article 1160, of the Texas Penal Code, 1925, as amended, relating to the offense of assault with intent to murder; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 295, A bill to be entitled "An Act to amend Article 1994 of the Revised Civil Statutes of Texas, 1925, as amended, to provide that in suits by minors, lunatics, idiots, or non compos mentis when they are represented by next friend where a judgment is recovered not exceeding Fifteen Hundred Dollars ($1500), the court may by order, and upon the posting of bond, authorize such next friend to take charge of such money for the use and benefit of plaintiff; providing the Act shall not apply to pending litigation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 442, A bill to be entitled "An Act amending Section 3 of Acts of 1925, Thirty-ninth Legislature, page 7, Chapter 5, same being Section 3 of Article 9263h of Vernon's Texas Civil Statutes, changing the composition of the Navigation Board in navigation districts which include a city or cities or part thereof acting under special charter granted by the Legislature and in which the City Council or City Board of Com-

XVI. Constitution of Texas, to be known as 'Brookshire-Katy Drainage District'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; providing for division said District for election of Supervisors; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 348, A bill to be entitled "An Act amending Article 924 of the Revised Civil Statutes of Texas, 1925, as amended, to provide that in suits by minors, lunatics, idiots, or non compos mentis when they are represented by next friend where a judgment is recovered not exceeding Fifteen Hundred Dollars ($1500), the court may by order, and upon the posting of bond, authorize such next friend to take charge of such money for the use and benefit of plaintiff; providing the Act shall not apply to pending litigation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
missioners exceeds in number the County Commissioners Court; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 448, A bill to be entitled "An Act amending Section 6 of Chapter 370, Acts of the Fifty-fifth Legislature, Regular Session, 1957, to provide that deer tags bear the date and place of kill of the deer to which attached; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 482, A bill to be entitled "An Act validating the incorporation of all cities and towns of five thousand (5,000) inhabitants or less, hereafter incorporated or attempted to be incorporated under the general laws of Texas; validating the boundary lines thereof; validating governmental proceedings; providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation or annexation; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 489, A bill to be entitled "An Act amending Article 3.16 of Chapter 3 of the Insurance Code (Acts of 1951, Fifty-second Legislature, Chapter 491), as amended by the Acts of 1957, Fifty-fifth Legislature, Chapter 314, Section 2) relating to deposits of securities or lawful money of the United States or conveyance of real estate in trust in an amount equal to the legal reserve of all of the outstanding policies in force of any life insurance company; amending Article 3.17 of Chapter 3 of the Insurance Code (Acts of 1951, Fifty-second Legislature, Chapter 491) relating to what deposits made under Article 3.16 of Chapter 3 of the Insurance Code may include; amending Article 3.18 of Chapter 3 of the Insurance Code (Acts of 1951, Fifty-second Legislature, Chapter 491) relating to the effect and value of deposits and amount of legal reserve; repealing Article 3.19 of Chapter 3 of the Insurance Code (Acts of 1951, Fifty-second Legislature, Chapter 491) relating to fees for making deposits; repealing conflicting laws and parts of laws to the extent of such conflict; containing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 491, A bill to be entitled "An Act amending Article 3.01 of the Insurance Code of Texas, Acts of 1951, Fifty-second Legislature, page 888, Chapter 491, by defining the term 'net assets' and providing for certain data processing systems to be considered as admitted assets of a life insurance company; providing for severability of the different parts of said Article so that the unconstitutionality of one or more shall not affect the remainder of the Act; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
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Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 495, A bill to be entitled
"An Act to amend Article 2.40 of the Insurance Code (Acts of 1951, Fifty-second Legislature, as amended by the Acts of 1955, Fifty-fourth Legislature, page 916, Chapter 363, Section 13, as further amended by Acts of 1959, Fifty-sixth Legislature, page 890, Chapter 411, Section 4) pertaining to investments by life, health or accident insurance companies in real estate by adding to said Article a paragraph permitting such companies to acquire, secure, retain, hold and convey production payments subject to restrictions and limitations; repealing conflicting laws and parts of laws to the extent of such conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 512, A bill to be entitled
"An Act authorizing the Governor, upon recommendation of the State Highway Commission, to convey certain of the State's interests in certain lands when such interests are necessary for the construction, operation or maintenance of any Federally owned or operated military installation or facility; ratifying and validating certain previous conveyances; providing severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 524, A bill to be entitled
"An Act amending Article 5435, Revised Civil Statutes of Texas, so as to provide the State Librarian shall be provided the executive and administrative officer of the Texas Library and Historical Commission; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Your Committee on Engrossed Bills to whom was referred

H. B. No. 596, A bill to be entitled "An Act authorizing the County of Goliad to convey title to certain lands to the State Parks Board of the State of Texas, aggregating two acres of land, more or less, and being the area surrounding and adjoining the site of the birthplace of General Ignacio Zaragoza in La Bahia, site in the County of Goliad, as a State park and historical site; authorizing the State Parks Board to construct, maintain and repair historical and recreational structures and facilities; repealing all laws and parts of 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 27, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir:

Your Committee on Engrossed Bills to whom was referred

H. B. No. 628, A bill to be entitled "An Act to amend Subsection (2) Brokers and Factors, of Article 19.01 of Title 12A, Taxation General, of the Revised Civil Statutes of Texas, enacted by Chapter 1, Acts 1959, Fifty-sixth Legislature, Third Called Session, by deleting therefrom real estate as an object or subject matter with reference to which said Article 19.01 levies an occupation tax; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 882, A bill to be entitled "An Act to be known as 'The Rehabilitation Act of Texas'; providing for rehabilitation of the mentally and physically handicapped, except the legally blind; establishing a Texas Rehabilitation Agency and prescribing its powers and duties; providing for administration by a Texas Rehabilitation Council and prescribing its membership, powers and duties; providing for appointment of a Director of Rehabilitation and setting out his qualifications, compensation and duties; providing for the promulgation of regulations necessary to carry out the purposes of this Act; providing for the establishment and operation of facilities and workshops; providing that rehabilitation services provided under this Act shall be available in equity; providing for cooperation in the transfer of personnel of the Division of Vocational Rehabilitation and providing It shall assume all statutory duties, obligations and responsibilities of said Division; providing it shall assume all statutory duties, obligations and responsibilities of said Division; providing for limitation of political activity by employees; providing a fair hearing for aggrieved applicants for and recipients of rehabilitation services; providing that benefits shall not be transferable or assignable at law or in equity; providing for co-operation with the Federal Government; providing that personnel of the Division of Vocational Rehabilitation, Central Education Agency, hereby transferred to the Texas Rehabilitation Agency shall have the option of retaining membership in the Teacher Retirement System of Texas or becoming members of the Employee Retirement System of Texas; providing that nothing in this Act shall affect or alter in any way the Federal-State programs for rehabilitation of the legally blind administered by the Texas Commission for the Blind or for the physical restoration of crippled children administered by the Crippled Children's Division of the Texas State Department of Health; providing a severability clause; repealing Sections 2, 2-a, and 2-b of Chapter 23, Acts of the Forty-first Legislature, First Called Session, 1925, as amended by Chapter 99, Acts of the Forty-third Legislature, First Called Session, 1933, and all other laws and parts of laws in conflict with this Act: setting an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 716, A bill to be entitled "An Act amending Article 7897, Revised Civil Statutes of Texas, 1925, to provide alternate days to hold the election of certain water district officials in the event of certain holidays; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 726, A bill to be entitled "An act amending Section 3, D. of Chapter 382, Acts of the Fifty-sixth Legislature, Regular Session, 1959, to provide that none of the provisions of the Liquefied Petroleum Gas Code shall apply to any pipeline company; and declaring an emergency."
Austin, Texas, April 27, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 764, A bill to be entitled
"An Act providing for the regulation of motor vehicle driving schools, setting forth procedures therefor; providing for certain penalties; providing for a severability clause; and declaring an emergency."

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

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 731, A bill to be entitled
"An Act authorizing the Texas National Guard Armory Board to convey certain lands in Wood County, Texas; describing the manner of sale and disposition of proceeds; reserving a certain portion of the minerals in and under said land and providing for the disposition of all moneys received from the leasing of said mineral estate; and declaring an emergency."

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

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 733, A bill to be entitled
"An Act amending Article 901, Vernon's Texas Penal Code, so as to permit certain incapacitated persons to hunt from vehicles upon certain conditions; and declaring an emergency."

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

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 755, A bill to be entitled
"An Act providing for the sale of certain land to the city of Texas City, upon payment of a stated sum; reserving all oil, gas and other minerals; providing certain conditions; enacting other provisions relating to the subject matter; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 860, A bill to be entitled "An Act to amend the subject matter of the Texas Unemployment Compensation Act, as amended, and as embraced in Section 7 providing for definition of terms for the Texas Unemployment Compensation Act, as amended (Senate Bill No. 9, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, 1936, as amended); providing for the repeal of all laws and parts of laws in conflict herewith and for preserving rights accrued thereunder; providing for the separability of provisions; providing an effective date for this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 873, A bill to be entitled "An Act relating to Water Supply or Sewer Service Corporations amending Sections 3, 5, 6 and 8 of Chapter 76, Acts of the Forty-third Legislature, First Called Session, 1933, as amended, to provide for increasing the number of directors by amendment to the bylaws; for making the requirement of a bond of the officers discretionary with the board of directors; for making the handling of the business by a manager discretionary with the board of directors; for selecting as a depository a bank which is insured with the Federal Deposit Insurance Corporation; adding a new Section exempting the corporation from the Texas Securities Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 878, A bill to be entitled "An Act amending Article 4584 of the Revised Civil Statutes of Texas, 1925, so as to repeal that portion of the law allowing procedures that lead to diversion of bodies which would otherwise be, some available for the advancement of medical science; and with the purpose of eliminating the shortage of bodies that can be used for medical teaching and research; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 879, A bill to be entitled "An Act amending Section 2, House Bill No. 264, Fifty-sixth Legislature, 1959, so as to repeal that portion of the law which is not correlated with the Anatomical Law (Article 4584, Revised Civil Statutes of Texas, 1925), permits indiscriminate distribution of bodies, and does not provide for keeping records; and with the purpose of unifying the laws dealing with human bodies used for the advancement of medical science, providing for recording their distribution, and giving a uniform method of handling all such bodies through the activity of the Anatomical Board of the State of Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 897, A bill to be entitled "An Act amending a portion of the
Texas Liquor Control Act; amending Subsection 1 of Article 667-24a, Texas Penal Code, the Texas Liquor Control Act, Acts of the Forty-fourth Legislature, Second Called Session, as amended, to more clearly define "outdoor advertising"; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1044, A bill to be entitled "An Act amending Article 1.09-3 of the Insurance Code to provide that members and employees of the State Board of Insurance shall be subject to the same code of ethics and standards of conduct as members and employees of other State regulatory agencies; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1046, A bill to be entitled "An Act applying to incorporated cities and towns having a population of more than one hundred thousand (100,000) inhabitants according to the Federal Census last preceding the taking of action hereunder (referred to hereafter as 'city'); authorizing such city to purchase, build, construct, acquire, improve, enlarge, extend, maintain, repair, and replace any and all properties, improvements and facilities which the governing body thereof deems to be necessary for the elimination of grade-level crossings by railroad lines of the streets of such city and for the relocation of railroad lines within said city (said properties, improvements and facilities being hereafter referred to as the 'Facilities'); providing certain things that said Facilities shall include; authorizing the governing body of the city to enter contracts, leases, conveyances, contracts of sale, lease-purchase agreements, and any other agreements with respect to the Facilities, and containing provisions relating thereto; authorizing the issuance of tax bonds and revenue bonds of the city for the purpose of providing funds for any of the Facilities, and containing provisions relating to said bonds and to said Facilities and the revenues and income thereof; authorizing the mortgaging and encumbering of the physical properties of the Facilities as additional security for revenue bonds and containing provisions relating thereto and to the Facilities; authorizing the placing of the management and control of the Facilities in the governing body of the city or in a board of trustees; authorizing the issuance of tax refunding bonds and revenue refunding bonds, and containing provisions relating thereto; expressly conferring the right of eminent domain; providing that this Act is cumulative of existing laws, but providing that the provisions of this Act shall govern and prevail over such existing laws and shall take precedence over city charter provisions; validating proceedings heretofore had and actions heretofore taken and contracts heretofore entered into by such city, but excepting from such validation certain pending litigation; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1049, A bill to be entitled "An Act providing for the conveyance and mutual exchange of certain State-owned free public school land in El Paso County to the County of El Paso for park purposes in exchange for certain lands now owned by the County of El Paso and containing all the oil, gas, and other minerals, enacting other provisions relating to the subject matter; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 27, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
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Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, April 25, 1961

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

Sir:  Your Committee on Engrossed Bills to whom was referred 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 provision of Article XVI, Section 59 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 its duties; adopting certain provisions of the General Law; enacting other provisions required for the functioning of the District; providing a severance clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

FIFTY-FIFTH DAY
(Continued)

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

Mr. McGregor of McLennan for today, on motion of Mr. Lewis.

COMMITTEE MEETING

Mr. Collins asked unanimous consent of the House that the Committee on Local and Uncontested Bills be permitted to continue its meeting at this time.

There was no objection offered.

HOUSE BILL NO. 960 ON SECOND READING

The Speaker laid before the House, in accordance with a previous motion, on its second reading and passage to engrossment,