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

SENATE BILL NO. 252 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,
S. B. No. 252, Creating El Lago Municipal District; and declaring an emergency.

(Mr. Dewey in the Chair.)
The bill was read second time.

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

Committee Amendment No. 1

Amend Senate Bill 252 by amending Sections 2 and 6 as follows:

Section 2. Delete the sentence reading, "Said District shall also have the power to make, construct, or otherwise acquire improvements either within or without the boundaries thereof necessary or convenient to carry out the powers and authority granted by this Act and said General Laws," and adding in lieu thereof, "Said District shall also have the power to make, construct or otherwise acquire improvements within the boundaries thereof necessary to carry out the powers and authority granted by this Act and said General Laws."

Section 6 by adding a sentence at the end of said Section reading as follows:

"Nothing in this Act shall be construed as extending the power of eminent domain outside the boundaries of the district created hereby."

Caldwell, Glusing.
The amendment was adopted.

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

Committee Amendment No. 2

Amend Senate Bill 252 by adding the following sentence at the end of Section 2 of said bill:

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

The amendment was adopted.

S. B. No. 252 was passed to third reading.

SENATE BILL NO. 280 ON SECOND READING

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

S. B. No. 280, Relating to selection of members of Board of Directors of Dooley County Water Control and Improvement District No. 1; and declaring an emergency.

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

SENATE BILL NO. 297 ON SECOND READING

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

S. B. No. 297, Relating to Harris County Houston Ship Channel Navigation District; and declaring an emergency.

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

SENATE BILL NO. 340 ON SECOND READING

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

S. B. No. 340, Providing for the creation of Glenwood Bayou Municipal Utility District; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend Senate Bill 340 by adding the following sentence to the end of Section 2 of said bill:

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

The amendment was adopted.

S. B. No. 340 was passed to third reading.

SENATE BILL NO. 542 ON SECOND READING

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

S. B. No. 542, Amending Art. 5280-160, V.A.C.S., relating to powers of Green Belt Municipal and Industrial Water Authority; and declaring an emergency.

The bill was read second time and was passed to third reading.
SENATE BILL NO. 381 ON SECOND READING
The Chair laid before the House, on its second reading and passage to third reading.

S. B. No. 381, Amending Chapter 398, Acts 51st Legislature, to change name of Haltom City Water Authority to Northeast Tarrant County Water Authority; and declaring an emergency.

The bill was read second time.

Mr. Murray offered the following committee amendment to the bill:
Committee Amendment No. 1
Amend Senate Bill No. 381 by striking out the phrase "or useful" as it appears in Sec. 3, Line 52, following the word necessary.

The amendment was adopted.

Mr. Murray offered the following committee amendment to the bill:
Committee Amendment No. 2
Amend Senate Bill No. 381 by adding a new sentence to follow the last sentence of Sec. 3, Line 51, to read as follows:

"Provided however, no dam or other works for the impounding of surface water shall be constructed until the plans thereof are approved by the Board of Water Engineers of the State of Texas."

The amendment was adopted.

Mr. Jamison offered the following amendment to the bill:
Amend S. B. 381 by adding thereto a new section appropriately numbered to read as follows:

"Sec. .... Notwithstanding any other provisions of this act the exercise of the power of eminent domain by the authority shall be limited to land situated in Tarrant County."

The amendment was adopted.

S. B. No. 381 was passed to third reading.

SENATE BILL NO. 407 ON SECOND READING
The Chair laid before the House, on its second reading and passage to third reading.

S. B. No. 407, Bringing Cochran County within regulatory authority of Game and Fish Commission; and declaring an emergency.

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

SENATE BILL NO. 422 ON SECOND READING
The Chair laid before the House, on its second reading and passage to third reading.

S. B. No. 422, Relative to providing for salary increase for Criminal District Attorney for Galveston County; and declaring an emergency.

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

SENATE BILL NO. 319 ON SECOND READING
The Chair laid before the House, on its second reading and passage to third reading.

S. B. No. 319, Creating Court of Domestic Relations for Jefferson County; and declaring an emergency.

The bill was read second time.

Mr. Kilpatrick offered the following committee amendment to the bill:
Committee Amendment No. 1
Amend Senate Bill No. 319, Section 2, by striking out the last sentence of the section and substituting therefor the following:

"In the event of disqualification of the Judge to try a particular case, or because of the illness, inability, failure or refusal of said Judge to hold Court at any time, the practicing lawyers of the Court may elect a special Judge of said Court in the same manner as provided in Chapter 1 of Title 69 of the Revised Civil Statutes of 1925, and such special Judge when so elected shall have and exercise all the powers and duties which the regular Judge of said Court could have and exercise."

The amendment was adopted.

Mr. Kilpatrick offered the following committee amendment to the bill:
Committee Amendment No. 2
Amend Senate Bill No. 319, Section 16, by striking out all of Sec.
tion 16 and substituting therefor the following:

"Section 16, Transfer of Cases. This Court of Domestic Relations may transfer any case or matter to the County Court, County Court of Jefferson County at Law, or any other District Court of Jefferson County, having jurisdictional qualifications for such case or subject matter."

The amendment was adopted.

Mr. Murray offered the following amendment to the bill:

Amend Section 7 of S. B. No. 319 by striking from line 49 on page 2 of the printed copy the words "county officers" and substituting therefor the words "district judges".

MURRAY, JAMES.

The amendment was adopted.

S. B. No. 319 was passed to third reading.

HOUSE BILL NO. 433 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 433, a bill to be entitled "An Act validating Calhoun County Drainage District No. 11 (eleven) and declaring the same to be converted into a validly existing and operating conservation and reclamation district under Section 59, Article XVI, of the Constitution of Texas, for the sole purpose of the reclamation and drainage of its overflowed lands and other lands needing drainage. To accomplish such purpose such District shall have and exercise, and is hereby vested with, all of the rights, powers, privileges and duties conferred and imposed by the General Laws of the State of Texas now in force and hereafter enacted applicable to water control and improvement districts created under authority of Section 59, Article XVI, Constitution of Texas, as to the extent that the provisions of such General Laws may be in conflict or inconsistent with the provisions of this Act shall prevail. The boundaries of said District are as follows:

Being 32,850 acres, more or less, situated in Calhoun County, Texas, to be designated as Drainage District No. 11, and is more particularly described by metes and bounds as follows:

Beginning at a fence corner at the intersection of the Northwest right-of-way line of State Highway No. 25 and the Northeast boundary line of the A.C.H. & B. Survey, said point is also in the Northern boundary line of Drainage District No. Ten as described in a Petition of record in Volume 1, Page 592 of the Minutes of Commissioner's Court Proceedings, approved and adopted March 8, 1954;

Thence, along the Northern boundary line of said Drainage District No. Ten, N 71° 30' W across the A.C.H. & B. Survey, a distance of 4024 feet to a stake set in the Southeast boundary line of the Boyd Estate Tract No. 11 owned by J. Walter Boyd, said point bears N 55° 00' E a distance of 900 feet from the Southwest corner of said Tract No. 11;
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Thence, continuing along the boundary line of Drainage District No. Ten, N 58° 00' W across said Tract No. 11 a distance of 2190 feet to a stake at the Northeast corner of the M. M. Crocker 183.5 acre tract of land in the Manuel Lopez Grant, A-25:

Thence, N 85° 00' E a distance of 2031.1 feet to a point for corner in the Northwest corner of said Boyd Estates Tracts No. 12 and No. 2, a distance of 3755 feet to the Northwest corner of said Tract No. 2:

Thence, continuing along the common line between Drainage District No. Ten, same being the common line between said Boyd Estates and the Marjorie H. Smith 55.73 acre tract, S 55° 00' W 1502.4 feet to a point for the South corner of said Smith Tract and the East corner of the Hughie Milstead 250 acre tract:

Thence, leaving the boundaries of Drainage District No. Ten and following the common line between the aforesaid Smith and Millstead tracts, N 35° 30' W a distance of 1952.5 feet to their common corner situated in the Southeast fence line of the Minnie S. Welder Estates;

Thence, with the common line between the Minnie S. Welder Estates and said Smith tract, N 55° 00' E a distance of 488.1 feet to a point for the East corner of the Cuadrilla Irrigation Company Survey No. 2, A-166 and the South corner of Cuadrilla Irrigation Company Survey No. 5, A-167:

Thence, N 35° 00' W along the common line between said Tracts, a distance of 6555.5 feet to their common corner in the South line of the Day Land and Cattle Survey, A-238:

Thence, with the common line between Day Land and Cattle Survey, A-238 and Cuadrilla Irrigation Company Survey, a distance of 6555.5 feet to the Southeast corner of said Tracts, a distance of 6555.5 feet to the Northeast corner of said Tracts, a distance of 6555.5 feet to a point for corner, said point also being in the Southeast fence line of the Minnie S. Welder Estates;

Thence, with the common line between the Poindexter Survey and the Landon & surveys, 1811.1 feet to a stake at the Northeast corner of the M. M. Crocker 183.5 acre tract of land in the Manuel Lopez Grant, A-25:

Thence, with the common line between the Poindexter Survey and the Cuadrilla Irrigation Company Survey No. 2, A-166, N 35° 00' W a distance of 488.1 feet to a point for the Northwest corner of said Poindexter Survey:

Thence, with the common line between the Poindexter Survey and the Cuadrilla Irrigation Company Survey No. 8, A-158, at 4982.8 feet pass the West corner of Cuadrilla Irrigation Company Survey No. 6, A-157, at 11,249.5 feet to the Northwest corner of said Survey No. 6, A-157, and at a total of 11,405 feet to the North corner of said Cuadrilla Irrigation Company Survey No. 8, A-158:

Thence, continuing N 55° 00' W 3253.3 feet to a point in the Northwest line of said Cuadrilla Irrigation Company Survey No. 7, A-161, said point also being in the Southwest line of Cuadrilla Irrigation Company Survey No. 19, A-162:

Thence, S 55° 00' W with the common line between said Surveys No. 7 and No. 10, a distance of 3796.0 feet to a point for corner, said point being the South corner of said Survey No. 10, in the Northwest line of the Peter Byrnes Survey, A-45:

Thence, N 55° 00' W, with the common line between the Peter Byrnes Survey and the Cuadrilla Irrigation Company Survey No. 10, 3882.3 feet, more or less, to a point for corner in the Northeast right-of-way line of a shelled public road:

Thence, with the Northeast right-of-way line of said public road, S 35° 00' E 1285 feet to an angle to the right:

Thence, continuing with said road, S 51° 00' E a distance of 1085 feet to an angle to the left:

Thence, continuing along the Northeast side of said road, S 29° 00' E a distance of 4055 feet to a point for corner at the intersection of this right-of-way line with the Northwest right-of-way line of a shelled public road running between
Six-Mile Community and Kamey;  Thence, with the Northwest right-of-way line of the last described road, N 32° 30' E 3252 feet to the South corner of a 50 acre tract of land owned by Jos. Nedbalek, description of said 50 acres being in record in Volume W, Page 537 of the Calhoun County Deed Records;  Thence, with the Southeast line of said 50 acres and Northwest side of the Six-Mile and Kamey road, N 55° 00' E a distance of 2107 feet, more or less, to a point for corner in the centerline of a public road running Northwest and Southeast, said corner being also in the Southwest line of the Valentine Garcia Grant, A·17;  Thence, along said Grant line and road centerline, S 36° 00' E, at 2497 feet pass the West corner of Drainage District No. 6, as described in Volume F, Page 327 of the Commissioner's Court Minutes dated April 14, 1926, and at a total distance of 7957 feet to a point for corner in the centerline of a road running East and West, same being the Southwest corner of the W. F. Hollaman 22 acre tract;  Thence, N 55° 00' E a distance of 1320 feet to the Northeast corner of a 44.15 acre tract owned by Alex Boyd;  Thence, continuing with the Southwest boundary line of Drainage District No. 6 and the centerline of a public road, S 35° 00' E 3314 feet to a point for corner in the centerline of Maxwell Ditch road, same being the Southwest line of said Valentine Garcia Grant;  Thence, along said Grant line and road centerline, N 55° 00' E, at 13,300 feet pass the beginning point and East corner of Drainage District No. 6, and at a total distance of 18,318 feet, more or less, to a point for corner on the West shoreline of Lavaca Bay;  Thence, in a Southwesterly direction along the northern edge of the West shoreline of Lavaca Bay, a distance of 9380 feet, more or less, to a point for corner, same being the North corner of a 210 acre tract owned by J. A. Garner;  Thence, with the common line between said Garner tract and the E 1/2, Marsh 200 acre tract, S 48° 30' W 5942 feet to a point for the Southeast corner of said 200 acre tract, situated in the North boundary line of a tract owned by H. A. Jamison;  Thence, N 60° 00' W 865 feet to an iron rod for the North corner of said Jamison tract;  Thence, continuing with said Jamison tract, S 60° 00' 40' W a distance of 1264.6 feet to an iron rod for corner in a curve to the right in the East right-of-way line of Farm to Market Road No. 1090 and having the following curve data:  \( r = 160.05', \)  \( D = 8° 14'46'' \) and  \( R = 694.82' \);  Thence, with said curve to the right 191.2 feet to the point of tangency;  Thence, continuing along said East right-of-way line, S 33° 35' E a distance of 1115.35 feet to an iron rod for a common corner between said Jamison tract and a tract owned by Frank Ransell;  Thence, continuing with said road right-of-way S 21° 30' E 1670.8 feet to a point for corner in the common line between the Alejandro Esparza, A-12 and the Maximo Sanches Grant, A-26;  Thence, S 42° 30' W, at 1590 feet, more or less, pass the North corner of an 82.3 acre tract owned by Mrs. A. Shofner and at a total distance of 2764 feet to the West corner of said 82.3 acres and the North corner of a 113 acre tract also owned by Mrs. A. Shofner;  Thence, S 45° 00' W, at 1225 feet pass the West corner of an 82.3 acre tract and Northeast edge of a public road known as Half-League Road, and at a total distance of 1565 feet to a point for corner in the Southwest right-of-way line of said road;  Thence, with the Southwest right-of-way line of Half-League Road, S 60° 15' E a distance of 1090 feet, more or less, to a point for the North corner of a tract of land owned by Willett Wilson;  Thence, with the Northwest boundary line of the Wilson tract, S 45° 00' W 2970 feet, more or less, to the West corner of said Wilson tract and the Southwest corner of the H. Hartman, Estate 180 acres;  Thence, S 45° 00' E along the common line between said Wilson tract and a 288 acre tract owned by H. C. and J. J. Wehmeyer; at 1146 feet, more or less, pass the North Corner of West Side Subdivision and at a total of 2676 feet, more or less, to a point for the East corner of...
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said Subdivision set in the North right-of-way line of the Southern Pacific Railroad;

Thence, with the North right of way line of the Railroad, same being the South line of said Subdivision, N 85° 53' W, at 2904 feet pass the West corner of said Subdivision and at a total of 2828 feet to a point for corner of a .3792 acre tract owned by T. E. Cook;

Thence, N 4° 01' E crossing said Southern Pacific Railroad right-of-way and U. S. Highway No. 87, a distance of 296 feet to a point for corner in the South right-of-way line of said Highway No. 87;

Thence, with the South line of U. S. Highway No. 87, S 85° 53' E 3520 feet to the point of intersection with the Northwest right-of-way line of State Highway No. 35;

Thence, in a Southwesterly direction following all offsets, curves and tangents of the Northwest right-of-way line of said State Highway No. 35 as shown on the right-of-way maps in the office of Resident Engineer, Victoria, Texas, a distance of 36,120 feet, more or less, to the PLACE OF BEGINNING; CONTAINING within these metes and bounds 33.85 acres of land, more or less, situated in and a part of Calhoun County, Texas.

Sec. 2. All or any part of any previously created drainage district (including but not limited to Calhoun County Drainage District No. 2) which is now inactive and which is included within the boundaries of Calhoun County Drainage District No. 11 as hereinafter described shall be, and is hereby, detached from such inactive district and shall no longer be a part thereof.

Sec. 3. It is hereby found and determined that all of the lands and other property included within the boundaries of the District are, and will be, benefited by said District and its improvements and facilities to be constructed and acquired.

Sec. 4. The Legislature hereby exercises the authority conferred upon it by Section 69, Article XVI, Constitution of Texas, and declares that said District is essential to the accomplishment of the purposes of said constitutional provision, finds that all the land and other property included therein are, and will be, benefited thereby and declares the District to be a governmental agency, a body politic, and a municipal corporation.

Sec. 5. The management and control of the affairs of the District shall be vested in a Board of Drainage Commissioners, consisting of six members as hereinafter provided. Such Board of Drainage Commissioners shall be appointed by the Commissioners' Court of Calhoun County, Texas, as soon as practicable after the effective date of this act; and one-third of the members shall be appointed for a term of two years, one-third of the members shall be appointed for a term of four years, and the remaining members shall be appointed for a term of six years. Upon the expiration of the respective terms of said Commissioners, the successors of each and all of them shall be appointed thereafter for a term of six years. They shall hold office after their appointment and qualification until their successors shall be appointed and qualified. Should any vacancy occur in the Board of Drainage Commissioners the same shall be filled in like manner by the Calhoun County Commissioners' Court for the unexpired term. Each Drainage Commissioner shall take the official oath of office and give a good and sufficient bond, made payable to the District conditioned upon the faithful performance of official duties of such Commissioner in the amount of $5,000 within ten days after appointment, and such bonds shall be approved by the Calhoun County Commissioners' Court. The costs of such bonds shall be paid by Calhoun County which shall be reimbursed when such District has funds available for such purpose.

Sec. 6. The Drainage Commissioner for Place No. 1 must be a bona fide resident of that portion of Calhoun County Commissioners' Precinct No. 1 which is included within the boundaries of the District. The Drainage Commissioner for Place No. 2 must be a bona fide resident of that portion of Calhoun County Commissioners' Precinct No. 2 which is included within the boundaries of the District. The Drainage Commissioner for Place No. 3 shall be a commissioner-at-large and need only be a resident of the District. The Drainage Commissioner for Place No. 4 must be a bona fide resident of that
portion of Calhoun County Commissioners' Precinct No. 4 which is within the boundaries of the District and also must own land within the portion of said Precinct No. 4 included within the boundaries of the District; if, however, the Calhoun County Commissioners' Court shall find no person having such qualifications, such appointment may be stricken, and, in that case, such appointee need only be a resident of the District. The Drainage Commissioner for Place No. 5 must be a bona fide resident of the City of Port Lavaca, Texas. The Drainage Commissioner for Place No. 6 must be a bona fide resident of the City of Port Lavaca, Texas, and must also be the owner of residential property, the natural drainage of which is served by Lynn's Bayou or its tributaries. Such Board shall organize, as soon as practicable after their appointment and qualification, by electing one of their members chairman, one vice-chairman, and one secretary. Thereafter, such election of officers shall be held biennially. Four Commissioners shall constitute a quorum at any meeting and the concurrence of a majority of those present shall be sufficient in all matters pertaining to the business of the District. Said Commissioners shall receive as fees of office the sum of not more than $10 for each day of service necessary to discharge their duties, plus actual expenses, subject to approval of same by the Calhoun County Commissioners' Court. Each Commissioner shall file with the Calhoun County Commissioners' Court a statement showing the amount due him each month or as soon thereafter as practicable before payment can be made therefor.

Sec. 7. The Tax Assessor-Collector of Calhoun County shall be the District's Tax Assessor-Collector. The Calhoun County Auditor shall be the District's Auditor, the Calhoun County Treasurer shall be its Treasurer, and the Calhoun County depository shall be its depository. The compensation to be paid such officials, respectively, shall be as agreed upon by such officials and said Drainage Commissioners and approved by the Calhoun County Commissioners' Court. All checks, vouchers, bonds and warrants of the District shall be countersigned by said Auditor and be signed by the chairman, or, in his absence, the vice-chairman and the District Secretary.

Sec. 8. Said District shall have the power to make, construct or otherwise acquire improvements either within or without the boundaries thereof necessary to carry out the powers and authority granted by this Act and the General Laws of the State of Texas applicable to water control and improvement districts created under authority of Section 59, Article XVI, Constitution of Texas, and shall have the authority to act jointly with any other political subdivision of the State, with cities and towns, and with the Federal government or any of its departments or agencies, in the performance of any of the things permitted by this Act and said General Laws.

Sec. 9. The ad valorem basis or plan of taxation shall be used by said District, and it shall not be necessary for the Board of Drainage Commissioners to hold a hearing on the adoption of a plan of taxation. The District Tax rolls shall be the same as Calhoun County's, and the rate of taxes to be levied annually by such Board of Drainage Commissioners shall be at the rate recommended by said Board of Drainage Commissioners and approved by the Calhoun County Commissioners' Court.

Sec. 10. In addition to the levying and collection of taxes to pay principal and interest on District bonds or other obligations as provided in this Act and in said General Laws above mentioned, said Board may levy and cause to be collected a tax not to exceed 50 cents on each $100 valuation of taxable property within the District for the purpose of the maintenance and operation of the District and its properties; provided, however, that no such tax shall be levied, assessed or collected, however, that no such tax shall be levied, assessed or collected, without authorization at an election called and held for such purpose by said Board of Drainage Commissioners. The time and place of holding said election shall be determined in the election order, and such election shall be held not less than fifteen (15) days from the date of such order. Notice of such election shall be given by posting a substantial copy of the election
order at one (1) public place within said District. Such notices shall also be published on the same day in each of two (2) successive weeks in a newspaper of general circulation in said District and published in Calhoun County, Texas. The date of such posting and the date of the first publication shall be not less than fourteen (14) days prior to the date set for said election. Only duly qualified resident electors of said District who own taxable property within said District and who have duly rendered the same for taxation shall vote at said election.

Sec. 11. In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing, or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising re-routing, changing or grade or alteration of construction shall be accomplished at the sole expense of the District. The term “sole expense” shall mean the actual cost of such relocation, raising, lowering, re-routing, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

Sec. 12. If any word, phrase, sentence, paragraph, section or other part of this Act or the application thereof to any person or circumstance shall ever be held to be invalid or unconstitutional, the remainder of the Act and the application of such word, phrase, sentence, paragraph, section, or other part of this Act to other persons or circumstances shall not be affected thereby.

Sec. 13. The fact that the creation and validation of such District will result in material benefit to the State of Texas and to the territory included in said District and will promote effectively the conservation of water of the State of Texas, creates an emergency and an imperative public necessity requiring that the Constitutional Rule that bills shall be read on three several days in each House be suspended, and such Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

H. B. No. 433 was passed to engrossment.

HOUSE BILL NO. 527 ON SECOND READING

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

H. B. No. 527. A bill to be entitled “An Act providing annual salary of Sixteen Thousand Five Hundred Dollars ($16,500) for district attorneys of all counties of a population of not less than six hundred thousand (600,000) nor more than seven hundred thousand (700,000) according to the last preceding Federal Census; and declaring an emergency.”

The bill was read second time.

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

Amend House Bill No. 527, lines 17 and 19 by deleting the word “shall” and substituting the word “may.”

The amendment was adopted.

Mr. Haring offered the following amendment to the bill:

Amend H. B. No. 527 by adding to lines 7 and 17, after the word “of” the following words, “not more than.”

Mr. Johnson of Bexar moved to table the amendment by Mr. Haring. The motion to table prevailed.

H. B. No. 527 was passed to engrossment.

HOUSE BILL NO. 568 ON SECOND READING

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

H. B. No. 568, A bill to be entitled “An Act amending Section 7, of Chapter 437, Page 1621, Acts of 1947, 56th Legislature, Regular Session, known as Article 8161b, to increase the salaries of Commissioners...
of Drainage Districts covered by the Act to a sum not to exceed $350.00 per month, and declaring an emergency.”

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

**HOUSE BILL NO. 817 ON SECOND READING**

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

H. B. No. 817, A bill to be entitled “An Act relating to the closing of the wild turkey season in Caldwell County until November 14, 1964, providing a penalty, repealing all conflicting laws; and declaring an emergency.”

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

**HOUSE BILL NO. 979 ON SECOND READING**

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

H. B. No. 979, A bill to be entitled “An Act limiting the provisions of this Act to Trinity 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 and to possess, take, kill or trap any fur-bearing animal in said County: to take or attempt to take any fresh-water fish or other aquatic life in public waters of 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 of regulation, the taking of the wildlife resources of said County; etc., and declaring an emergency.”

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

**HOUSE BILL NO. 980 ON SECOND READING**

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

H. B. No. 980, A bill to be entitled “An Act relating to the taking, possessing and transporting of minnows in certain counties; amending Chapter 121, Acts of the 84th Legislature, 1943, to permit the taking, possessing, and transporting of not more than two thousand (2,000) minnows in any one day in Trinity County; and declaring an emergency.”

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

**HOUSE BILL NO. 981 ON SECOND READING**

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

H. B. No. 981, A bill to be entitled “An Act relating to commercial fishing in certain counties; amending Section 2 of Chapter 297, Acts of the 62nd Legislature, Regular Session, 1961, as amended, by removing Angelina County from the list of counties in which commercial fishing is illegal; and declaring an emergency.”

The bill was read second time.

Mr. Burgess offered the following Amendment to the bill:

Amendment No. 1 to H. B. 981

Amend Section 2 of H. B. 981 by removing therefrom the words “Nacogdoches” and “San Augustine.”

The amendment was adopted.

H. B. No. 981 was passed to engrossment.

**HOUSE BILL NO. 1046 ON SECOND READING**

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

H. B. No. 1046, A bill to be entitled “An Act 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 on that portion of Matagorda Island lying to the North and East of the Northeast line of the Powers and Hawkeson Grant No. 2 as recorded in the State General Land Office, Austin, Texas, and is shown on the map entitled “San Antonio Bay and vicinity” Aransas and Calhoun Counties, August 1, 1944, to take, kill, or trap any fur-bearing...
animal on said lands; etc., and declaring an emergency."
The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1078 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,
H. B. No. 1078, A bill to be entitled "An Act amending Section 1 of Chapter 50, Acts of the 55th Legislature, Regular Session, 1951, as amended, relating to regulatory authority of the Game and Fish Commission in certain counties, so as to include Kerr County; and declaring an emergency."
The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1085 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,
H. B. No. 1085, A bill to be entitled "An Act relating to the authority of the Commissioners Court of any county having a population of more than 20,385 individuals and less than 20,475 individuals according to the last preceding Federal Census."
The bill was read second time and was passed to engrossment.

SENATE BILL NO. 110 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,
S. B. No. 110, Amending the Texas Business Corporation Act; and declaring an emergency.
The bill was read second time and was passed to third reading.

SENATE BILL NO. 392 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,
S. B. No. 392, Relating to appointment of shorthand reporter for district courts of 72nd, 140th and 99th Judicial Districts and County Courts at Law Nos. 1 and 2 in Lubbock County; and declaring an emergency.
The bill was read second time.
Mr. Adams of Lubbock offered the following amendment to the bill:
Amendment to SB 392
Amend S. B. No. 392 by striking the following words "less than Seven Thousand, Five Hundred Dollars ($7,500) per annum, nor" as it appears in Section 1. The amendment was adopted.
S. B. No. 392 was passed to third reading.

SENATE BILL NO. 411 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,
S. B. No. 411, Enabling towns to change their designation from town to city without affecting corporate powers; and declaring an emergency.
The bill was read second time.

HOUSE BILL NO. 105 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,
H. B. No. 105, A bill to be entitled "An Act amending Section 5 of Chapter 103, Acts of the 41st Legislature, First Called Session, 1929, as amended as Section 5 of Article 8263a of Vernon’s Texas Civil Statutes,
governing elections of Navigation and Canal Commissioners in certain Navigation Districts; providing severability; and declaring an emergency.

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

RELATIVE TO H. J. R. No. 55

Mr. Tunnell asked unanimous consent of the House to delete the appropriation of the fund to the State in Section 4 in H. J. R. No. 55, passed on yesterday.

There was no objection offered and it was so ordered.

SENATE BILL NO. 98 ON SECOND READING

The Chair laid before the House in lieu of H. B. No. 76, on its second reading and passage to third reading.

S. B. No. 98, Relative to providing a formula for distribution of certain text books; and declaring an emergency.

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

RELATIVE TO H. B. NO. 70

Mr. Preston moved that House Bill No. 70 be laid on the table subject to call.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 107 ON SECOND READING

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

H. B. No. 107, A bill to be entitled "An Act relating to the re-employment of retired teachers; amending Section 1, Chapter 28, Acts of the Fifty-sixth Legislature, Regular Session, 1959, to extend the period allowed for re-employment of retired teachers to eighty (80) days in a single school year; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill 107 by striking all below the enacting clause and substituting therefor the following:

Section 1. That Chapter 149, Acts of the Regular Session of the Fifty-fourth Legislature, 1955, be amended so that it shall hereafter read as follows:

Section 1. Any person retired from service under the Teacher Retirement System of Texas and receiving benefits under the System may be employed, on a part-time, day to day, basis only, as a substitute teacher in the public school or in the State supported institutions of higher education for a period not to exceed eighty (80) days in a single school year without affecting existing benefits under the retirement system, including the right to receive retirement allowance. Any such person who reports for duty as a substitute teacher during any day and works any portion of the day, shall be considered to have taught one day. The substitute employment does not entitle the person to additional creditable service under the retirement system. Section 2. Any retired person who exceeds eighty (80) days of substitute teaching or who is again employed in any position in the public schools of Texas shall, except as provided in Section 1 above, forfeit all retirement benefits for any month in which such employment occurs.

Section 3. The fact that the State is in urgent need of additional part-time teachers and the sixty-day period now allowed for re-employment of retired teachers during any single school year is often insufficient in communities and cities where the shortage of part-time teachers is critical creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

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

Amend the amendment to H. B. 107 by adding a paragraph following Section 1, to read as follows:
Section 1a. Any person receiving service retirement under the Teacher Retirement System of Texas and who is over sixty-five (65) years of age may be employed as a teacher by a state-supported college or university in this state on as much as one-third (1/3) of a work week basis, which shall in no event exceed six (6) semester hours. This employment of a person receiving service retirement shall not affect his right to continue to receive benefits under the Teacher Retirement System of Texas. However, this employment does not entitle the person to receive additional creditable service under the Teacher Retirement System of Texas and the person so employed shall not be required to make further contributions to the Teacher Retirement System of Texas.

The amendment by Mr. Jamison was adopted.

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

H. B. No. 107 was passed to engrossment.

HOUSE BILL NO. 117 ON SECOND READING

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

H. B. No. 117, A bill to be entitled "An Act relating to the appointment, qualifications, duties and compensation of official shorthand reporters for the District Courts of the Seventh and One Hundred Sixt-first Judicial Districts of Ector County, Texas; fixing maximum and minimum salaries to be paid, in addition to compensation for transcripts, statement of fact and other fees; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

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

HOUSE BILL NO. 601 ON SECOND READING

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

H. B. No. 601, A bill to be entitled "An Act authorizing the State Building Commission to locate and purchase land in the City of San Antonio, Texas, on which to construct a State Office Building and an adjoining parking lot; granting authority to said Commission to construct and equip such building; granting authority to said Commission to enter into certain lease agreements; repealing all laws and parts of laws in conflict; providing for severability; and declaring an emergency."

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

HOUSE BILL NO. 699 ON SECOND READING

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

H. B. No. 699, A bill to be entitled "An Act amending Section 12 of Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended, and Section 17 of Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, and repealing Section 18 of Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, to provide that certain fees collected by the Commissioner of the Bureau of Labor Statistics be deposited in the General Revenue Fund of the State; abolishing the Boiler Inspection Fund; providing for the transfer of the unexpended balance in that Fund to the General Revenue Fund; providing an effective date; and declaring an emergency."

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

HOUSE BILL NO. 610 ON SECOND READING

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

H. B. No. 610, A bill to be entitled "An Act amending Section 16 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended, and repealing Section 16 of Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, to provide that certain fees collected by the Railroad Commission be deposited to the General Revenue Fund of the State; abolishing the Motor Transportation Fund; transferring the balance in that Fund to the General Revenue Fund; providing an effective date; and declaring an emergency."
The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 624 ON SECOND READING

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

H. B. No. 624, A bill to be entitled "An Act abolishing the Radio and Television Administration Fund; transferring the balance in that fund to the General Revenue Fund; and declaring an emergency."

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

HOUSE BILL NO. 815 ON SECOND READING

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

H. B. No. 815, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 460, Acts of the 51st Legislature, Regular Session, 1949, (codified as Article 941b of the Penal Code of Texas, 1925), relating to the taking of minnows and rough fish; and declaring an emergency."

The bill was read second time.

Mr. Hale offered the following amendment to the bill:

Amend H. B. No. 1035 by striking therefrom all of sub-section (b) of the quoted Section 2 on page 2 of the printed bill, and re-numbering the remaining sub-sections.

The amendment was adopted.

Mr. Hale offered the following amendment to the bill:

Amend H. B. No. 1036 by adding a new Section 5 and re-numbering all subsequent sections, said new Section 5 to read as follows:

Section 5. The provisions of this Act shall apply only to existing structures which have heretofore been constructed pursuant to law.

The amendment was adopted.

H. B. No. 1035 was passed to engrossment.

REASON FOR VOTE

We wish to be recorded as voting "nay" on engrossment and final passage of H. B. No. 1035.

HALE, GLUSING, BRIDGES, PEELE.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

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

S. B. No. 26, "An Act authorizing and empowering the Board of Regents of the State Teachers College of Texas to levy a regular fixed student fee for the purpose of financing constructing, operating, maintaining and improving the East Texas State College Union Center Building at the East Texas State College; fixing the amount of said fee; authorizing the Business Manager of East Texas State College to collect the same, and providing the purpose for which said fee shall be used; placing the control of the fees in the hands of the Board of Directors of the East Texas State College Union Center; providing for a budget for the operation of said Union Center; etc., and declaring an emergency."

S. B. No. 162, "An Act amending Section 14.23 of Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, as amended, codified as Article 14.23, Insurance Code, Vernon's Texas Civil Statutes, requiring the levy of regular and periodical assessments in proper intervals and amounts so as to pay expenses and claims in full; requiring the amount of assessments to be increased when inadequate; requiring the Board to act; permitting the Board of Directors of the association to increase rates on life policies in force on the rate on an attained age basis in accordance with the 1956 Chamberlain Rate and Reserve Table with interest at three and one-half per cent (3 1/2 %) or any other rate and necessary increase; authorizing adjustment of rates on health, accident, sickness and hospitalization policies in force; requiring advance approval of rate adjustments by the Board of Insurance; requiring ninety per cent (90%) of the increase in rates of life policies in force, exclusive of assessments-assessed policies, to be deposited in the mortuary or claim fund; granting certain authority to the State Board of Insurance; requiring the filing of rate schedules; providing for severability; and declaring an emergency."

S. B. No. 125, "An Act to authorize the acceptance and conditional use by Texas Woman's University of certain donated property; and declaring an emergency."

S. B. No. 157, "An Act relating to false advertising of insurers not authorized to transact business in this state; subjecting such insurers to the jurisdiction of the State Board of Insurance and the Courts of this state; providing for actions by this state with respect to such insurers; providing for service of process upon such insurers; providing separability; and declaring an emergency."

S. B. No. 196, "An Act making it unlawful to move or transport, or cause to be moved or transported into, through or across Texas, certain animals or products from areas under State or Federal Quarantine on account of screwworm infection or Fever Tick Infestation without proper treatment and certification; providing a penalty; repealing all laws in conflict therewith; providing for severability; and declaring an emergency."

S. B. No. 414, "An Act authorizing counties to acquire a supply of fresh water for the courthouse and other county purposes and providing for the acquisition of such treatment and distribution facilities as may be required; providing the circumstances under which such counties may sell water not needed for courthouse and other county purposes to others; providing for the issuance of bonds to pay the cost of such project; providing that such bonds shall be secured by a pledge of the net revenues from the operation of the project; providing that such bonds may be additionally secured by the levy of a tax; prescribing the procedure for the issuance of such bonds; authorizing the issuance of additional bonds to improve, repair, and/or extend the project under certain circumstances; authorizing the issuance of refunding bonds; providing bonds issued under Act shall be legal investments for certain banks, fiduciaries and political subdivisions and eligible to secure the deposit of certain funds; providing for the exercise of the power of eminent domain; providing certain obligations will be considered as tax obligations for certain purposes; declaring this Act cumulative of all other laws; declaring the accomplishment of the purpose of the Act to be essential; enacting other provisions incidental to and related to the subject; provid.
The House met at 10:46 o'clock a.m., pursuant to adjournment, and was called to order by the Honorable B. H. Dewey, Jr.

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

Mr. Speaker

Adams of Lubbock
Adams of Titus
Alans
Allen
Andrews
Atwell
Bailey
Ballman
Bassfield, Mrs.
Barlow
Barnes
Bartram
Baas
Bell
Blaine
Boyce
Bridges
Buchanan
Burgess
Butler
Caldwell
Cannon
Carroll
Chapman
Cole of Harris
Cole of Hunt
Collins
Connal
Cook
Cory
Cotten
Cowen
Cowles
Crain
Crews
Corington
Crecords de la Garza
dekay
Duff, Miss
Dungan
Eckhardt
Ehris
Fairchild
Fletcher
Floyd
Foreman
Garrigan
Gibbons
Gladden
Glass
Glouning
Green

The Committee on Oil, Gas and Mining filed an adverse report on House Bill No. 1025.

APPENDIX

STANDING COMMITTEE REPORTS

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


Oil, Gas and Mining: S. B. No. 230.


Revenue and Taxation: H. B. No. 197 and H. B. No. 481.

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

Mr. Speaker

Adams of Lubbock
Adams of Titus
Alans
Allen
Andrews
Atwell
Bailey
Ballman
Bassfield, Mrs.
Barlow
Barnes
Bartram
Baas
Bell
Blaine
Boyce
Bridges
Buchanan
Burgess
Butler
Caldwell
Cannon
Carroll
Chapman
Cole of Harris
Cole of Hunt
Collins
Connal
Cook
Cory
Cotten
Cowen
Cowles
Crain
Crews
Corington
Crecords de la Garza
dekay
Duff, Miss
Dungan
Eckhardt
Ehris
Fairchild
Fletcher
Floyd
Foreman
Garrigan
Gibbons
Gladden
Glass
Glouning
Green