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

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

"Almighty God, Creator of all things, Giver of every good gift, hear us today as we seek Thy blessing upon our deliberations. We acknowledge before Thee our shortcomings, our selfishness, our sinfulness and our pride. Forgive us wherein we have come short of Thy will for us and for our State. Give us clean hearts and a right spirit that we may do better and be better. In Jesus' Name.—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Lary for today on motion of Mr. Shannon.

Mr. Cole of Harris for today on motion of Mr. Grover.

Mr. Whitfield for today on motion of Mr. Grover.

Mr. Moore for today on motion of Mr. Harding.

Mr. Adams of Titus for today on motion of Mr. Collins.

Mr. Glenn for today on motion of Mr. Johnson of Bell.

Mr. Chapman for today on motion of Mr. Oliver.

Mr. McCoppin for today on motion of Mr. Spilman.

Mr. Ehrie was granted leave of absence for today to attend a funeral, on motion of Mr. Healy.

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

MESSAGE FROM THE SENATE

Austin, Texas, May 5, 1961
Hon. James A. Turner, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on S. B. No. 368 by the following vote:

28 yeas, 0 nays.

I am directed by the Senate to inform the House that the Senate concurred in House amendments to S. B. No. 352 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 340 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 319 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 392 by the following vote:

28 yeas, 0 nays.

Senate concurred in House amendments to S. B. 25 by the following vote:

28 yeas, 2 nays.

Senate concurred in House amendments to S. C. A. No. 23 by viva voce vote.

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

H. B. No. 1049, Validating creation of all school districts; and declaring an emergency.

S. C. A. No. 54, Resolved by the Senate of the State of Texas, with the
House of Representatives concurring, that the Joint Rules be and they are hereby suspended in order that the Senate or the House of Representatives may take up S. B. No. 117 on any day.

H. B. No. 762, Fishing regulations for Comal County; and declaring an emergency.

H. B. No. 302, Brookshire-Katy Drainage District; and declaring an emergency.

H. C. R. No. 95, Welcoming the Junior Class of the United States Air Force Academy, the Falcon Football Team, faculty and staff members, and other friends of the Air Force Academy.

H. B. No. 836, Relating to Llano County Water Control District No. 3, and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate.

CONGRATULATING THE HONORABLE LLOYD GUFFEY

Mr. Harrington offered the following resolution:

H. S. B. No. 616

Whereas, Lloyd M. Guffey was born on May 5, 1914. He is celebrating his birthday today as a Member of the House of Representatives of the Fifty-seventh Legislature, among friends and associates who respect and love him; and

Whereas, Lloyd Guffey is not only a valued Representative to his constituents in El Campo, District 31, Wharton County, he is also a favorite of the employees of the House who enjoy his good company and respect his opinions and ideals; and

Whereas, It is proper and fitting for this Legislature to have such a fine man and to give public recognition to him; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-seventh Legislature congratulates Lloyd Guffey and wishes him many more birthdays as a Member of the House.

The resolution was read and was adopted.

HOUSE BILL NO. 1082 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment.

H. B. No. 1082, A bill to be entitled "An Act amending Section 2 of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-2 in Vernon's Texas Civil Statutes), by extending the exemption from registration of farm trailers and farm semi-trailers to include trailers and semi-trailers to farmers to haul agricultural products from place of production to place of process, market or storage of such agricultural products; increasing the gross weight of exempt farm trailers or farm semi-trailers to ten thousand (10,000) pounds; defining the term 'gross weight' as used in said Section; providing maximum speed limits for farm trailers and farm semi-trailers; amending Subsection 3 of Section 13B, Uniform Act Regulating Traffic on Highways, by exempting from the provisions of said Subsection any farm trailer or farm semi-trailer operated upon the highways whose gross weight does not exceed ten thousand (10,000) pounds; defining the term 'gross weight' as used in said Subsection; repealing conflicting laws; and declaring an emergency."

The bill was read second time.

Mr. McIlhany offered the following amendment to the bill:

Amend H. B. No. 1082 by striking out all below the enacting clause and inserting the following:

"Section 1. Section 2 of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, 1929, as last amended by Chapter III, Acts of the Fifty-fifth Legislature, Regular Session, 1957, (codified as Article 6675a-2 in Vernon's Texas Civil Statutes), is hereby amended to read as follows:"

"Section 2 (a). Every owner of a motor vehicle, trailer or semi-trailer used or to be used upon the public highways of this State shall apply each year to the State Highway Department through the County Tax Collector of the county in which he resides for the registration of each..."
such vehicle owned or controlled by him for the ensuing or current calendar year or unexpired portion thereof; provided, that where a public highway separates lands under the dominion or control of the owner, the operation of such a motor vehicle by such owner, his agent or employee, across such highway shall not constitute a use of such motor vehicle upon a public highway of this State.

(b) Owners of farm tractors, farm trailers and farm semi-trailers with a gross weight not exceeding four thousand (4,000) pounds, and implements of husbandry operated or moved temporarily upon the highways shall not be required to register such farm tractors, farm trailers, farm semi-trailers and implements of husbandry.

(c) Owners of farm trailers and farm semi-trailers with a gross weight exceeding four thousand (4,000) pounds but not exceeding ten thousand (10,000) pounds and used solely to transport their own seasonally-harvested agricultural products and livestock from the place of production to the place of process, market or storage thereof, or farm supplies from the place of loading to the farm, and owners of machinery used solely for the purpose of drilling water wells or road construction machinery (not designed for the transportation of persons or property on the public highways), may operate or move vehicles temporarily upon the highways without the payment of the regular registration fee as prescribed by law, provided the owners of such farm trailers and semi-trailers and machinery secure for a fee of Five Dollars ($5.00) for each year or portion thereof a distinguishing license plate from the State Highway Department through the County Tax Collector upon forms prescribed and furnished by the Department. Such vehicles shall be exempt from the inspection requirements of Sections 140 and 141 of the Uniform Act Regulating Traffic on Highways.

(d) As used in this section, the term 'gross weight' means the combined weight of the trailer or semi-trailer and the weight of the load actually carried on the highway.

(e) The exemptions from registration under Subsection (b) hereof shall be from regular fees under Subsection (c) hereof and from regular fees under Subsection (e).

(f) The exceptions from registration under Subsection (b) hereof and from regular fees under Subsection (c) hereof, shall not apply to any farm trailer or semi-trailer; 

(1) Operating at a speed in excess of thirty (30) miles per hour when the gross weight of such trailer or semi-trailer exceeds four thousand (4,000) pounds;

(g) Any vehicle exempt from registration under Subsection (b) hereof or from regular fees under Subsection (c) hereof and operated and moved upon the public highways of this State in violation of this Section shall be deemed to be operated or moved unregistered and shall immediately be subject to the regular registration fee and penalties as prescribed by law.

Section 2. Subsection 3 of Section 132 of the Uniform Act Regulating Traffic on Highways is amended to read hereafter as follows:

'3. Every trailer or semi-trailer of a registered or actual gross weight of three thousand (3,000) pounds or more when operated on a highway shall be equipped with brakes adequate to control the movement of and to stop such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes shall be so designed and constructed that in case of an accidental breakaway of the towed vehicle the brakes shall be automatically applied; provided, that this subsection shall
not apply to any farm trailer or farm semi-trailer operated or moved temporarily upon the highways when its gross weight does not exceed ten thousand (10,000) pounds and when the speed of such farm trailer or farm semi-trailer does not exceed thirty (30) miles per hour, and when the vehicle and its operation meet all of the other requirements for total or partial exemption from registration fees as set forth in Section 2 of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, 1929, as last amended by Chapter III, Acts of the Fifty-fifth Legislature, Regular Session, 1957, (codified as Article 6675a-2 in Vernon's Texas Civil Statutes).

The term "gross weight" as used in this subsection shall mean the combined weight of the trailer or semi-trailer and the weight of the load actually carried on the highway.

Section 3. If any provision of this Act or the application thereof to any person or circumstances 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.

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

Section 5. The importance of this legislation creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Bartram offered the following amendment to the amendment by Mr. McLlhany:

Amend the Amendment by adding at the end of Section (e) of Section 2 the following: provided, however, that this exemption shall not apply to farm trailers and farm semi-trailers owned by cotton gins and furnished to farmers upon the condition that their agricultural products will be delivered to said gin for processing purposes.
Thurman  Wells
Thurmond  Whaley
Townsend  Wilson of Trinity
Trevino  Woods
Watson  Yeak

Nays—34
Adams of Lubbock
Johnson of Dallas
Allen  Jones of Dallas
Atwell  Kilpatrick
Bass  Miller
Bell  Nugent
Bridges  Read
Cook  Rosson
Cowles  Shipley
Fairchild  Smith of Bexar
Floyd  Smith of Bexar
Haynes  Tunnell

Present—Not Voting

Garrison

Absent
Berry  Ratcliff
Cole of Hunt  Sandahl
Curington  Walker
Huebner  Ward
Jarvis  Wilson of Potter
Lewis

Absent—Excused
Adams ofTitles  Lary
Chapman  McCoppin
Cole of Harris  Moore
Ehlis  Petty
Gleason  Whitfield

PAIRED

Mr. Garrison (present), who
would vote "Nay", with Mr. Moore
(absent) who would vote "Yea."

Mr. Adams of Lubbock offered the following amendment to the amend­
ment by Mr. McLhany:

Amend the amendment, Section
2 (F) by adding the following after
(5) a new section:

"(6) which is operated at night
without at least two rear red lights
and red reflectors."

Mr. Cory moved to table the
amendment by Mr. Adams of Lubbock
to the amendment by Mr. McLhany.

A record vote was requested on
the motion to table.

The motion to table the amend­
ment by Mr. Adams of Lubbock to
the amendment by Mr. McLhany
prevailed by the following vote:

Yeas—96
Andrews  Beauchamp
Bailey  Longstaff
Ballman  McGregor
Barfield, Mrs.  of McLennan
Barlow  McGregor
Barnes  of El Paso
Blaine  McLain
Boyan  Markgraf
Bridges  Mullen
Beckham  Murray
Burgess  Muthcher
Butler  Niemeyer
Caldwell  Nugent
Cannon  Oliver
Carriker  Osborn
Collins  Parsons
Connell  Peary
Cory  Pickett
Gordon  Preston
Granum  Price
Grana  Quillian
Huntington  Rapp
de la Garza  Richardson
Dewey  Roberts of Hill
Duff, Miss  Roberts of Dawson
Dungan  Rosen
Fletcher  Schram
Foreman  Shannon
Gibbons  Shack
Gladden  Smith of Jefferson
Glass  Sloan
Green  Spillman
Grover  Springer
Guffy  Stewart
Harding  of Galveston
Harrington  of Wichita
Healy  Sturges
Hines  Thurman
Hughes of Grayson  Thurmond
Isaacs, Mrs.  Trevino
James
Jamison
Johnson of Bell  Watson
Jones of Travis  Wex
Kennard  Wheatley
Koliba  Wilson of Trinity
Korich  Woods
Lack  Yeak
Latham

Nays—34
Adams of Lubbock, Bass
Allen  Bell
Alison  Cook
Atwell  Cowles
Bartram  Eckhardt
The amendment by Mr. McLlhany was adopted.

H. B. No. 1082 was passed to engrossment.

HOUSE BILL NO. 1082 ON THIRD READING

Mr. McLlhany moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 1082 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Aladin
Allen
Andrews
Atwell
Ballman
Barlow
Barrow
Bartram
Bass
Baughfield, Mrs.
Bates
Bateman
Blanc
Bryan
Boyson
Bridges
Buchanan
Buchanan
Butler
Caldwell
Cannon
Carriker
Foreman

Peeler
Pieratt
Prescott
Price
Quaid
Rapp
Read
Read
Roberts of Dallas
Whitfield

Adams of Titus
Adams of Lubbock
Allen
Atwell
Andrews
Atwell
Ballman
Barlow
Barnes
Bartram
Blanc
Boyson
Bridges
Buchanan
Buchanan
Butler
Caldwell
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Carriker
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**Present-Not Voting**

- Atwell
- Kenerly
- Berry
- Roberts of Dawson
- Green
- Wilson of Potter

**Absent**

- Miller

**Absent—Excused**

- Adams of Titus
- Chapman
- Cole of Harris
- Ehrle
- Glusin

**Present**

- Present: Not Voting
- Absent

**PAIRED**

- Mr. Miller (present), who would vote "Nay", with Mr. Petty (absent) who would vote "Yea."

- Mr. McIlhany moved to reconsider the vote by which H. B. No. 1082 was passed and to table the motion to reconsider.

- The motion to table prevailed.

**HOUSE BILL NO. 165 ON SECOND READING**

- The Speaker laid before the House, as unfinished business on its second reading and passage to engrossment,
H. B. No. 155, A bill to be entitled “An Act relating to filing fees and expenses for primary elections; amending Article 193 as amended, and Article 186 as amended, of the Election Code of Texas, 1951; and declaring an emergency.”

The bill was laid before the House for consideration on April 24.

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 155 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Article 194 of the Election Code as enacted in Chapter 492, Acts of the 52nd Legislature, Regular Session, 1951, (coddified as Article 13.16 of Vernon’s Texas Civil Statutes) is amended to read as follows:

“Art. 194. Each candidate for nomination for State Representative or State Senator shall pay a sum equal to five per cent (5%) of the total salary paid each holder of such offices as annual salary during the biennium then in progress, to the County Executive Committee to have his name placed on the primary ballot. If the district consists of more than one (1) county, then the amount to be paid each County Executive Committee shall be a percentage of the total amount payable, equal to the percentage that county’s population bears to the population of the whole district, and populations shall be determined according to the last preceding Federal Census.”

Sec. 2. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Sec. 3. The importance of this legislation and the crowded condition of the calendar in both houses, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

KILPATRICK,
BRIDGES.

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

Amend Committee Amendment No. 1

Amend Line 23 of the printed bill to provide a semi-colon in lieu of the period after the word “ballot” and add the following:

“; provided, however, that in districts having in excess of one million two hundred thousand (1,200,000), the fee shall be equal to Ten (10) percent of the total annual salary.”

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

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

Amend Committee Amendment No. 1 to H. B. No. 155 by adding there to the following at the end of Sec. 1:

“Payment of the fee herein required must be made within three (3) days after the candidate files his application for a place on the ballot and the name of no person who is required to pay a filing fee to the Chairman of each County Executive Committee shall be placed on the ballot unless he has paid a fee in accordance with these provisions; but it shall be sufficient to meet the requirements of these provisions to mail a money order, a certified check, or a good personal check to the chairman of each county executive committee by registered or certified letter within the time herein stated, as shown by the postmark on the letter. Candidates for these offices shall not be entitled to participate in the distribution of the surplus in the county executive committee’s primary fund.”

The amendment by Mr. Yezak to Committee Amendment No. 1 was lost.

Mr. Cotten offered the following amendment to Committee Amendment No. 1:
Amend H. B. 166 by deleting all of Art. 194 in the bill and substituting the following:

"Art. 194. Each candidate for nomination for State Representative or State Senator shall deposit a filing fee of Seven Hundred and Fifty Dollars ($750) with the County Executive Committee to have his name placed on the Primary Ballot. If the district consists of more than one (1) county, then the amount to be paid each County Executive Committee shall be a percentage of the total amount payable, equal to the percentage that county's population bears to the total population of the whole district, and populations shall be determined according to the last preceding Federal Census.

Provided further, that if said candidate shall receive as many votes as shall equal fifteen per cent (15%) of the total vote cast for all candidates in his district race, then the County Executive Committee shall refund to said candidate ninety per cent (90%) of the amount of the filing fee deposited by said candidate.

Mr. Dewey moved to table the amendment by Mr. Cotten to Committee Amendment No. 1. Committee Amendment No. 1, as amended, was adopted.

The motion to table prevailed.

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

Amend amendment to H. B. 156 at line 26, printed bill, by deleting the words beginning with "the" and ending with the word "progress" on line 21, printed bill, and substituting therefor the following:

"one year's salary paid to each holder of such offices as annual salary during the biennium then in progress."

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

Amend Committee Amendment No. 1 to H. B. 156 by adding thereto the following at the end of Art. 194:

"The payment must accompany the application and must be in the form of Cash Check or Certified Check. The application and payment must be delivered before the deadline for making application for a place on the ballot, and it shall not be sufficient for the application and payment to have been mailed before the deadline unless they are actually delivered by the deadline."
May 5, 1961    HOUSE JOURNAL    1751

**REASON FOR VOTE H. B. 155**

I feel that if we raise the filing fee for this office it will discourage a number of good honest people from offering their services. We should encourage economy rather than raising the cost of government.

SCOTT BAILEY.

**MOTION TO PLACE HOUSE BILL NO. 155 ON THIRD READING**

Mr. Dewey moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 155 be placed on its third reading and final passage.

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

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

**S. B. No. 23.** "An Act amending Subsection (1) of Section 23 of the Uniform Narcotic Drug Act, Chapter 169, Acts of the 46th Legislature, Regular Session, as amended, by in­
creasing the minimum penalty for selling or offering to sell narcotic drugs as prohibited by such Act; and providing the provisions of Article 63, Vernon's Texas Penal Code shall be applicable; and declaring an emergency."

S. B. No. 30. "An Act amending Article 3.34 of Chapter 491, Acts of the 62nd Legislature, Regular Session, 1951, as last amended, which is codified as Article 3.34 of the Texas Insurance Code, Vernon's Texas Civil Statutes, by adding certain public utility gas corporate securities as eligible investments for Texas insurance companies; repealing laws in conflict; providing for severability; and declaring an emergency."

S. B. No. 98. "An Act amending Article 2842 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 518, Acts of the 56th Legislature, Regular Session, 1959; providing a formula for distribution of textbooks on the subject of agriculture to certain grades; and declaring an emergency." 

S. B. No. 110. "An Act amending Article 7.05 of the Texas Business Corporation Act, Chapter 44, Acts, 1955, Fifty-Fourth Legislature, by adding a new subsection (e), to Section A(1) thereof, providing that a receiver may be appointed for the assets and business of a corporation when it is established in an action by a shareholder that the shareholders are deadlocked in voting power, and have failed for a period which includes at least two consecutive annual meeting dates, to elect successors to directors whose terms have expired or would have expired upon the election of their successors; and declaring an emergency."

S. B. No. 243. "An Act amending Section 17 of Chapter 152, Acts of the Fifty-Fifth Legislature, Regular Session, 1957, as amended, to extend the existing authority of the Game and Fish Commission to regulate wildlife in Bexar County; and declaring an emergency."

S. B. No. 252. "An Act creating a conservation and reclamation district under provisions of Section 69, Article XVI, Constitution of Texas, to be known as 'El Lago Municipal...
Utility 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; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

S. B. No. 280, "An Act relating to the selection of members of the Board of Directors of Donley County Water Control and Improvement District No. 1, their qualifications and their terms of office; providing for this transfer by the District to the City of Memphis of District's properties after District becomes debt free; and declaring an emergency."

S. B. No. 297, "An Act amending Chapter 117, House Bill No. 441, Acts of 54th Legislature of Texas, Regular Session, 1957, relating to Harris County Houston Ship Channel Navigation District of Harris County, Texas; validating all acts and governmental proceedings of the Board of Navigation and Canal Commissioners and other officials of said District and all bonds and other obligations of said District heretofore issued and all proceedings hereafter adopted relating to bonds and other obligations of said District; providing a severability clause; and declaring an emergency."

S. B. No. 319, "An Act creating a Court of Domestic Relations for Jefferson County, Texas, fixing its jurisdiction and conforming the jurisdiction of other courts thereto; fixing its term; providing the manner of selection, qualifications, tenure and compensation of the Judge and other officers of said court; providing the manner of and grounds for the removal of said court; etc., containing a savings clause; and declaring an emergency."

S. B. No. 340, "An Act creating a conservation and reclamation district under the provisions of section 59, Article XVI, Constitution of Texas, to be known as 'Glenwood Bayou Municipal Utility District'; prescribing its rights, powers, privileges, and duties; etc; providing a severability clause; and declaring an emergency."

S. B. No. 343, "An Act amending Section 7 of Chapter 35, Acts of the Fifty-third Legislature, First Called Session, 1954, relating to the powers of the Green Belt Municipal and Industrial Water Authority with respect to condemnation of land and easements; providing a severability clause; and declaring an emergency."

S. B. No. 348, "An Act creating a conservation and reclamation district under Article XVI, Section 59 of the Constitution of Texas, comprising certain territory contained in Bowie County, Texas, to be known as 'Bowie County Water Supply District' (hereinafter called District); constituting the same a governmental agency and body politic and corporate; etc., and declaring an emergency."

S. B. No. 352, "An Act relating to the appointment, qualifications, duties and compensation of official shorthand reporters for the District Courts of the 72nd, 149th and 99th Judicial Districts of Texas, and for County Court at law No. 1 and County Court at law No. 2, of Lubbock County, Texas, fixing maximum salaries to be paid, in addition to compensation for transcripts, statements of facts and other fees, repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

S. B. No. 407, "An Act amending Section 1 of Chapter 34, Acts of the 51st Legislature, 1st Called Session, 1955, (Compiled as Article 978n-1 of Vernon's Texas Penal Code) to bring Cochran County within the regulatory authority of the Game and Fish Commission; and declaring an emergency."

S. B. No. 411, "An Act providing that any town which has been duly and legally incorporated and which has heretofore adopted or may hereafter adopt the provisions of Title 26, Revised Civil Statutes of Texas, 1925, as amended, may change its name or designation from town to city, by ordinance passed by the governing body of such town; provided, however, that the change in the designation of such town shall in no wise affect its corporate existence or powers; providing that bonds which have been voted by such town and which bonds are unissued prior
to the change of such designation from town to city may be issued in the name of such city as designated in the ordinance changing its designation; providing a severability clause; and declaring an emergency."

S. B. No. 422, "An Act amending Sections 4 and 5 of Chapter 194, Acts of the 64th Legislature, Regular Session, 1955, to provide for a salary increase for the Criminal District Attorney for Galveston County; to authorize appointment of one (1) first assistant and four (4) additional assistants to the Criminal District Attorney of Galveston County; to authorize employment of three (3) secretaries to the Criminal District Attorney of Galveston County; and declaring an emergency."

S. C. R. No. 32, Allowing W. R. Hall to sue the State.

S. C. R. No. 40, Relative to granting the Board of Control authority to enter into appropriate contract for production of motion pictures involving use of San Jacinto State Park property.

MESSAGE FROM THE SENATE
Austin, Texas, May 5, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

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

S. C. R. No. 43, Requesting the Governor of Texas to establish within the Executive Department the position of State Coordinator of Aging Services.

H. C. R. No. 27, Congratulating and inviting the Honorable Bill Daniel to speak before a Joint Session at 11:45 a.m., Wednesday, May 16th. (as substituted)

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

INVITATION TO AND RECOGNIZING SENATOR WILLIAM A. BLAKLEY

Mr. Watson offered the following resolution:

H. S. R. No. 486

Whereas, Senator William A. Blakley, a Democrat of a true Democratic State, is a champion of the very fundamentals that have made Texas a magnificent cog in the Democratic wheels of this country; and

Whereas, United States Senator Blakley was born in Missouri, schooled in Oklahoma and branded with the spirit of self-reliance in Texas. He studied at night and passed the Texas bar examination without the help of a college education. He married his Oklahoma sweetheart, Miss Villa Darnell. They lived in Palestine, Texas, before moving to Dallas where his influence has been a contribution to the financial progress of that city. At sixty-two years of age, this financier stands lean and helps carry the Democratic program for Texas legislation on his shoulders; and

Whereas, Businessman, banker, builder and rancher, Senator Blakley is a trustee and executive committee member of Southern Methodist University’s Southwestern Legal Foundation. He is a director of the Texas Research Foundation and the Southwestern Medical Foundation. He has contributed from his personal fortune to many great Texas projects. He is a member of the Presbyterian Church; and

Whereas, He was appointed by Governor Price Daniel to an interim term in the United States Senate in 1951, and by Governor Allan Shivers in 1957, in filling the shoes of former United States Senator and now Vice-President Lyndon B. Johnson. Senator Blakley received administrative appointments on two major committees, Judiciary and Banking and Currency; and

Whereas, It is the desire of the House of Representatives to invite Senator William A. Blakley to speak to the Texas Legislature at his earliest convenience, in order that the House may have the opportunity to honor him for his varied policies and to listen to his ideas of Democratic government; and

Whereas, In the true, unwavering, Democratic traditions of Speaker Sam Rayburn, Vice-President Lyndon B. Johnson and Governor Price Daniel, Senator William A. Blakley merits recognition by all Texans. His candidacy for the United States Senate brings into focus not
a rate of philosophies of government, but a down-the-line race between two parties: Now, therefore, be it
Resolved, That the House of Representatives of the Fifty-seventh Legislature stands as one voice in
support of Senator William A. Blakley in his dynamic effort to serve the true Democratic principles of the
State of the functions or these institutions; and
The resolution was adopted.

TO REQUEST A STUDY OF THE INSTITUTIONS UNDER THE JURISDICTION OF THE BOARD FOR TEXAS STATE HOSPITALS AND SPECIAL SCHOOLS

Mr. Smith of Jefferson offered the following resolution:

H. S. R. No. 621

Whereas, The State of Texas provides annually for the support, care, treatment, training and education of more than 24,600 of its citizens who are dependent or afflicted in some twenty (20) institutions operated by the State Board for Texas State Hospitals and Special Schools and in the Texas School for the Deaf and the Texas School for the Blind operated by the Texas Education Agency; and
Whereas, Millions of dollars are expended annually in the operation of these institutions; and
Whereas, In recent years, the concept of the functions of these State-supported institutions has changed from one of primarily custodial care to one of treatment and training aimed at cure and rehabilitation so that patients may be restored to useful lives in society; and
Whereas, This new concept, together with increasing patient population in many of the institutions, has added greatly to the problems of organization, administration and business operation of these institutions; and
Whereas, The operation of these institutions poses one of the most urgent and continuing problems facing the State and its Legislature; and
Whereas, It is the duty of the Legislature to understand and work out for itself the means of maintaining and supporting an economical and effective system for the operation of such institutions in this State; and
Whereas, Members of the Texas Legislature need to know firsthand of the operations of such institutions in this State if they are to understand and deal effectively with the administrative, operational, treatment and training problems at these institutions and to make adequate legislative provisions for their efficient and economical operation; now therefore be it
Resolved, By the House of Representatives of the State of Texas, That the Texas Legislative Council be requested to undertake a study of the operation of the institutions under the jurisdiction of the Board for Texas State Hospitals and Special Schools and of the Texas School for the Deaf and the Texas School for the Blind, with special attention to the organizational, operational and other needs of these institutions; care and treatment; training and education; construction and expansion of facilities; and discharge program; and be it further
Resolved, That the Texas Legislative Council be instructed to report to the Legislature on its observations and studies and to make such recommendations as it deems desirable to the Regular Session of the 58th Legislature.

The resolution was referred to the Committee on Rules.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 622, By Mr. de la Garza: Congratulating the Most
MEMORIALIZING THE CONGRESS OF THE UNITED STATES

Mr. Townsend offered the following resolution:

H. S. R. No. 618, MEMORIALIZING THE CONGRESS OF THE UNITED STATES REGARDING AWARDING NAVAL COMMANDER ALAN B. SHEPARD, JR., THE CONGRESSIONAL MEDAL OF HONOR

Whereas, Naval Commander Alan B. Shepard, Jr., is the first United States astronaut to make a successful suborbital flight into space and reentry into the earth’s atmosphere; and

Whereas, Commander Shepard has performed the most heroic act in our century and his successful flight is a tribute to his marvelous discipline and courage; now, therefore,

Resolved, That the House of Representatives of the Fifty-seventh Legislature of the State of Texas requests the Congress of the United States and President John Fitzgerald Kennedy to award Commander Alan B. Shepard, Jr., the Congressional Medal of Honor for his successful flight into space.

TOWNSEND, LATIMER.

By unanimous consent of the House, the names of all Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

RELATIVE TO H. B. NO. 28

Mr. Kortith moved that all necessary rules be suspended to set H. B. No. 28 at the top of the Calendar on next Tuesday, May 9.

A record vote was requested on the motion by Mr. Kortith.
The motion to adjourn until 10:30 o'clock a.m. next Monday was lost.

The motion to adjourn until 11:00 o'clock a.m. next Monday then prevailed.

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

In accordance with the motion to adjourn, the House at 1:00 o'clock p.m., adjourned until 11:00 o'clock a.m. next Monday, May 8.

APPENDIX

STANDING COMMITTEE REPORTS

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

Appropriations: H. B. No. 9.

Conservation and Reclamation:


REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 3, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 107, relating to the re-employment of retired teachers; amending Section 1, Chapter 22, Acts of the Fifty-sixth Legislature, Regular Session, 1959, to extend the period allowed for reemployment of retired teachers to eighty (80) days in a single school year; providing a penalty for employment in excess of eighty (80) days; and providing that certain persons receiving retirement may teach on a one-third...
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authors and limitations as to the County

Assessor-Collector, County Treasurer,

and County Auditor; providing that the

District in exercising the powers

of eminent domain and the power

of relocation shall bear the sole ex-

pense of any necessary relocation,

raising, rerouting or changing the

grade of, or altering the construction

of any highway, railroad, electric

transmission line, telephone or tele-
graph properties and facilities, or

pipelines; enacting other provisions

relating to the subject; providing a

saving clause; and declaring an

emergency.”

Has carefully compared same and

finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1941

Hon. James A. Turman, Speaker of

the House of Representatives.

Sir: Your Committee on Engrossed

Bills to whom was referred

H. B. No. 422, A bill to be entitled

“An Act validating Calhoun County

Drainage District No. 11 and declar-
ing the same to be converted into

a validly existing Conservation and

Reclamation District under authority

of Section 59, Article XVI, Constitu-
tion of Texas; providing said Dis-

trict shall be considered to be organ-

ized and existing for the sole pur-

pose of reclamation and drainage of

its overflowed lands and other lands

needing drainage; providing that to

accomplish these purposes the Dis-

trict shall have all of the rights,
powers, privileges and duties con-

ferred or imposed by General Law

of Texas, as now in force or here-
after enacted, applicable to Districts

created under the authority of Sec-

tion 59, Article XVI, Constitution

of Texas, as provided by Chapter 3A,

Title 128, Articles 7880-1, et seq.,

Vernon’s Civil Statutes of Texas, in-

sofar as the same apply to the rights

and powers of drainage and reclama-
tion and are not in conflict with the

authorizations and limitations here-
in provided; providing findings that

the creation of the District is es-

sential to the accomplishments of

the Constitutional purposes and that

the land and property included

within its boundaries will be benefitted;

providing the District to be a body

politic, a governmental agency and

a municipal corporation and that no

election be required to confirm the

District’s organization; combining

time basis in State-supported col-

leges and universities; and declar-
ing an emergency.

Has carefully compared same and

finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1941

Hon. James A. Turman, Speaker of

the House of Representatives.

Sir: Your Committee on Engrossed

Bills to whom was referred

H. B. No. 609, A bill to be entitled

“An Act amending Sections 12 of

Chapter 435, Acts of the Forty-fifth

Legislature, Regular Session, 1937,
as amended, and Section 17 of Chap-
ter 435, Acts of the Forty-fifth

Legislature, Regular Session, 1937,
and repealing Sections 15 of Chap-
ter 436, Acts of the Forty-fifth

Legislature, Regular Session, 1937,
to provide that certain fees, levied by

the Commissioner of the Bureau of

Labor Statistics be deposited in the

General Revenues Fund of the State;

abolishing the Boiler Inspection

Fund; providing for the transfer of

the unexpended balance in that Fund

to the General Revenues Fund; pro-

viding an effective date; and declar-
ing an emergency.”

Has carefully compared same and

finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1941

Hon. James A. Turman, Speaker of

the House of Representatives.

Sir: Your Committee on Engrossed

Bills to whom was referred
H. B. No. 1045, 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 Hewitson 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, 1948, to take, kill, or trap any fur-bearing animal on said lands; prescribing the legislative policies with respect to the wildlife resources of said lands; requiring the Game and Fish Commission to make investigations with respect to the depletion and waste of the wildlife resources of said lands; 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 lands; requiring the Commission to provide a new license and providing a penalty therefor; defining wildlife resources; repealing certain laws; providing for the effective date of this Act; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 3, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 817, 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.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 4, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. C. R. No. 68, memorializing Congress to enact legislation withdrawing the Federal Government from the field of excise taxation.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

FIFTY-EIGHTH DAY
(Monday, May 8, 1961)

The House met at 11:30 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 Cannon
Adams of Lubbock Carriker
Adams of Titus Chapman
Akins Cole of Harris
Allen Cole of Hunt
Andrews Collins
Atwell Connell
Bailey Cory
Ballman Cotten
Banfield, Mrs. Cowen
Barnes Crow
Bartram Crews
Bass Cushing
Bell de la Garza
Berry Dewey
Blaine Daff, Miss
Boyes DuBose
Bridges Hubbard
Buchanan Ehrle
Burges Fairchild
Butler Fletcher
Caldwell Floyd