The House met at 10:00 o'clock a.m., and was called to order by the Speaker.

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

The amendment was adopted.

S. B. No. 251 was passed to third reading.

SENATE BILL NO. 293 ON SECOND READING

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

S. B. No. 293, Authorizing certain cities to contract with water districts regarding sewage disposal; and declaring an emergency.

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

SENATE BILL NO. 294 ON SECOND READING

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

S. B. No. 294, Authorizing certain cities to contract with water districts regarding sewage disposal; and declaring an emergency.

The bill was read second time.

Mr. Cotten offered the following amendment to the bill:

Add a new section to be properly numbered as follows:

"The power of eminent domain exercised by the Tarrant County Water Control and Improvement District shall be limited to Tarrant County, Texas."

The amendment was adopted.

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

Committee Amendment No. 1

Amend S. B. 294 by adding the following words at the end of Section 3-1:

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. 394 was passed to third reading.

SENATE BILL NO. 304 ON SECOND READING

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

S. B. No. 304, Authorizing execution of a right-of-way easement to certain lands in Lubbock County of Texas Tech. College to City of Lubbock; and declaring an emergency.

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

SENATE BILL NO. 317 ON SECOND READING

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

S. B. No. 317, Relative to permitting certain counties to issue time warrants; etc., and declaring an emergency.

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

SENATE BILL NO. 339 ON SECOND READING

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

S. B. No. 339, Validating Matagorda County Water Control and Improvement District No. 6; and declaring an emergency.

The bill was read second time.

Mr. Glusng offered the following Committee amendment to the bill:

Committee Amendment No. 1

Amend Senate Bill 339 by inserting the following sentence at the end of Section 4, to-wit:

"Provided, however, that the right of eminent domain shall be limited to Matagorda County, Texas."

The amendment was adopted.

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

Committee Amendment No. 2

Amend Senate Bill 339 by inserting the following sentence at the end of Section 6, to-wit:

"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 of such facilities, after deducting therefrom the net salvage value derived from the old facility."

The amendment was adopted.

S. B. No. 339 was passed to third reading.

SENATE BILL NO. 378 ON SECOND READING

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

S. B. No. 378, Creating a juvenile board in Victoria County; and declaring an emergency.

The bill was read second time.

Mr. Cory offered the following amendment to the bill:

Amend Senate Bill No. 378 by adding to Section 3 thereof, immediately after the sentence ending "proper operation of the probation department," the following:

"The commissioners court may also allow the county clerk of Victoria County, for the added duties imposed upon him as clerk of the juvenile court, additional compensation of not more than Seventy-five Dollars ($75) per month."

The amendment was adopted.

S. B. No. 378 was passed to third reading.

COMMITTEE MEETING

Mr. Chapman asked unanimous consent of the House that the Committee on Judiciary be permitted to meet at this time.

There was no objection offered.
The Chair laid before the House, on its second reading and passage to third reading, S. B. No. 384, Permitting Commissioners Courts in certain Counties to employ special counsel; and declaring an emergency.

The bill was read second time.

Mr. Barlow offered the following amendment to the bill:

Amendment Number 1
Amend Section 1 of Senate Bill 384 by striking all after the first period on line 48 and inserting in lieu thereof the following:

"Provided, however, that in such counties having a County Attorney, the special counsel shall be named by the County Attorney, and in such counties having no county attorney, the special counsel shall be named by the District Attorney or Criminal District Attorney, and such employment shall be made for such time and on such terms as said County Attorney, District Attorney, or Criminal District Attorney may deem proper and expedient, subject to the approval of the Commissioners Court."

BARLOW, SPEARS, JOHNSON of Bexar.

The amendment was adopted.

Mr. Gladden offered the following amendment to the bill:

Amend Senate Bill 384 by striking all above the enacting clause and inserting in lieu thereof the following:

"A BILL
To Be Entitled
An Act permitting the Commissioners Court of all Counties containing more than 500,000 (500,000) population according to the last preceding Federal Census to employ special counsel, providing special duties for such special counsel, providing the manner in which such special counsel shall be named, and declaring an emergency."

The amendment was adopted.

S. B. No. 384 was passed to third reading.

REASON FOR VOTE
I voted no on S. B. 384 because it takes the authority to hire special counsel from the Commissioner's Court of Tarrant County.

TOMMY SHANNON

REASON FOR VOTE
I wish to be recorded as voting "nay" on the above amendments to S. B. No. 384.

COWEN

The Chair laid before the House, on its second reading and passage to third reading, S. B. No. 424, Authorizing Midwestern University at Wichita Falls to issue revenue bonds; and declaring an emergency.

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

SENATE BILL NO. 442 ON SECOND READING
The Chair laid before the House, on its second reading and passage to third reading, S. B. No. 442, Giving Game and Fish Commission regulatory authority over taking of antlerless deer in San Saba County; and declaring an emergency.

The bill was read second time.

(Speaker in the Chair)

S. B. No. 442 was passed to third reading.

HOUSE BILL NO. 143 ON SECOND READING
The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 143, A bill to be entitled "An Act exempting Freestone County from the Act providing for an open archery season for certain animals; amending Section 2A of Chapter 189, Acts of the 56th Legislature, Regular Session, 1959, as amended; and declaring an emergency."

The bill was read second time.
Mr. Martin offered the following amendment to the bill:

Amend H. B. No. 143 by striking all below the enacting clause and substituting thereof the following:

"Section 1. Section 2A of Chapter 189, Acts of the Fifty-sixth Legislature, Regular Session, 1919, as last amended by Chapter 36, Acts of the 54th Legislature, 2nd Called Session, 1925, is hereby repealed, and 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 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.""

The amendment was adopted.

H. B. No. 143 was passed to engrossment.

HOUSE BILL NO. 680 ON SECOND READING

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

H. B. No. 680. A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as Angleton 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."

The bill was read second time.

Mr. Caldwell offered the following amendment to the bill:

Amend House Bill 680 by amending Sections 3 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 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 at the end of the section, this sentence:

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

Caldwell, Dungan.
The amendment was adopted.

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

Amend House Bill 600 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 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.

Caldwell, Dungan.

The amendment was adopted.

H. B. No. 600 was passed to engrossment.

COMMITTEE MEETING

Mr. Cannon asked unanimous consent of the House that the Committee on State Hospitals and Special Schools be permitted to meet at this time.

There was no objection offered.

HOUSE BILL NO. 736 ON SECOND READING

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

H. B. No. 736. A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Glenwood Bayou 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."

The amendment was adopted.

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

Amend House Bill 736 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 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.

Dungan, Caldwell.

The amendment was adopted.

H. B. No. 736 was passed to engrossment.

HOUSE BILL NO. 913 ON SECOND READING

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

H. B. No. 913. A bill to be entitled "An Act amending Sections 6 and 9 of Chapter 50, Acts of the Fifty-fifth Legislature, Regular Session, 1957, relating to the Regulatory Authority of the Game and Fish Commission in Mason County; and declaring an emergency."

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 to line 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 at the end of the section this sentence:

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

Dungan, Caldwell.

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

Amend H. B. 913 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. Section 6 of Chapter 89, Acts of the Fifty-fifth Legislature, Regular Session, 1957, is amended to read as follows:

"Sec. 6. The Game and Fish Commission’s proclamation, rule or regulation permitting the hunting or taking of doe deer or antlerless deer shall not be valid until the owner, or person in charge of the land upon which doe deer or antlerless deer are to be taken, shall have agreed in writing to the removal by hunting of such doe or antlerless deer from his tract under supervision and regulation of said Commission; and to the number of such deer which may be removed therefrom. No person shall, in any event, hunt or kill any doe deer or antlerless deer without first having procured a permit issued by the Game and Fish Commission. Such permit shall be issued in such form and under such rules as may be prescribed by the Game and Fish Commission."

Sec. 2. Section 9 of Chapter 89, Acts of the Fifty-fifth Legislature, Regular Session, 1957, is amended to read as follows:

"Sec. 9. Orders, rules and regulations adopted by said Commission shall become effective fifteen (15) days after their adoption, except in case of emergency as provided in this Act, and shall continue in full force and effect until they shall expire by their own terms, or are revoked or amended by said Commission, or except in case of disapproval by the Commissioners Court of the County, except Mason County, in which the rule, regulation, or order is to be in effect. The Commissioners Court in each County, except Mason County, affected by the rule, regulation, or order of the Commission shall approve or disapprove the Commission’s rule, regulation, or order at its next regular meeting occurring more than five (5) days after the said rule, regulation, or order is promulgated. If approved the rule, regulation, or order becomes effective immediately in accordance with the terms of this Act. If disapproved no public hearing on a similar proposal for the County in which the Commissioners Court so disapproved said rule, regulation, or order may be held for a period of six (6) months, unless said Commissioners Court certifies to the Commission that there has been some material change in the surrounding circumstances which necessitates the holding of a public hearing within the six (6) month period."

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.

The amendment was adopted.

H. B. No. 913 was passed to engrossment.

HOUSE BILL NO. 972 ON SECOND READING

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

H. B. No. 972, A bill to be entitled "An Act authorizing Nueces County Drainage and Conservation District Number 2, hereinafter sometimes referred to as ‘District,’ in Nueces Coun-
ty. Texas is hereby in all things validated and is hereby declared to be a validly existing and operating conservation and reclamation district under Section 59, Article XVI, of the Constitution of Texas, just as said District has been initially created and organised under said Section 59, Article XVI. Without in any way limiting the generalisation of the foregoing, it is expressly provided that the area and boundary lines of said District, as now existing, are hereby in all things validated.

Section 2. Such District shall be considered to be organised and existing for the sole purpose of the reclamation and drainage of its overflowed lands and other lands needing drainage, and to accomplish such purpose such District shall have and exercise, and is hereby vested with, all 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, but to the extent that the provisions of such General Laws may be in conflict or inconsistent with the provisions of this Act, the provisions of this Act shall prevail.

Section 3. All governmental proceedings and acts performed by the governing body of said District are hereby in all things validated as of the respective dates of such proceedings and acts.

Section 4. The Legislature hereby exercises the authority conferred upon it by Section 59, Article XVI, Constitution of Texas, and declares that said District is essential to the accomplishment of the purposes of said constitutional provision. It is further provided that the exercise of the right of eminent domain, under the provisions of this bill, shall be limited to that area lying within the district.

Section 5. No Commissioner of said District shall be eligible for office unless he resides within the boundaries of the District, owns land within the District and is a duly qualified voter of said District.

Section 6. The Commissioners of Nueces County Drainage and Conservation District Number 2 may receive for their services compensation for the time actually engaged in the work of their District, the amount of which compensation shall be fixed by the Commissioners' Court of Nueces County by an order entered in the minutes of said Court, in any amount up to, but not in excess of, Three Hundred Fifty Dollars ($350.00) in any one (1) calendar month. The amount of such compensation shall be determined upon the application therefor in writing by the Commissioners of the District located in Nueces County filed with the Commissioners' Court in said County showing the necessity therefor and provided that said Commissioners' Court, after having heard such petitions, may deny or grant the same in whole or in part and shall enter their written order in the minutes of said Court fixing the amount of such compensation within the limit aforesaid.

Section 7. 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.

Section 8. The fact that the existence and operation of such District under Section 59, Article XVI, Constitution of Texas, and the 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 efficiently 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 pass 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. 972 was passed to engrossment.

HOUSE BILL NO. 1025 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,
H. B. No. 1023, A bill to be entitled "An Act to be cited as the 'Wichita County Hospital District Law'; providing for an election on the question of creating a county-wide hospital district in Wichita County pursuant to authority granted by Article IX, Section 5 of the Constitution of the State of Texas; providing for the management of the district; providing for assumption of city and county assets and indebtedness; providing for issuance of bonds and for the levy of a tax not to exceed Seventy-Five Cents ($0.75) on each One Hundred Dollar ($100) valuation; etc., providing a severability clause; and declaring an emergency."

The bill was read second time.

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

Amend House Bill No. 1023 by striking out subsection (a) of Section 4 and substituting in lieu thereof the following:

"(a) In the first even-numbered calendar year after the creation of the district, there shall be elected one (1) director from each county commissioners precinct in Wichita County, which places shall carry the same number as the precinct, and three (3) directors from the district at large, which positions shall be designated as Place 5, Place 6, and Place 7. The three (3) directors elected at large shall serve six-year terms; the first directors elected from Places 3 and 4 shall serve four-year terms; and the first directors elected from Places 1 and 2 shall serve two-year terms. Only qualified electors residing in each county Commissioners precinct shall be eligible to vote for the director to be elected from that precinct. All qualified electors residing in the county shall be eligible to vote for the three directors to be elected from Place 4, Place 5 and Place 6. After the first election, all terms of office of the directors of said hospital district shall be for six (6) years."

The amendment was adopted.

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

Committee Amendment No. 2

Amend House Bill No. 1023 by striking out subsection (b) of Section 4 and substituting in lieu thereof the following:

"(b) Members of the existing Board of Directors of the Wichita General Hospital shall serve as interim directors until the first election shall be held and shall establish the procedure for filing for said board, and said board shall also set the date of the first election. After said first election, the elected board of directors shall have authority to set the date and procedures of subsequent elections."

The amendment was adopted.

H. B. No. 1023 was passed to engrossment.

REASON FOR VOTE

I wish to be shown as voting "No" on engrossment and final passage of H. B. No. 1023 creating a Wichita County Hospital District, for the following reasons:

1. The bill provides for the levy of a new tax not to exceed .75 per $100 valuation; this is far excessive of the need and should be .15.

2. The District would or could be created within 30 days after passage by a called election, at this time I see no immediate need for a hospital district with taxing powers.

3. The bill provides for the power of condemnation and eminent domain within the county, this power is too easily abused and I see no reason for its inclusion.

JACK CONNELL, JR.

HOUSE BILL NO. 1044 ON SECOND READING

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

H. B. No. 1044, A bill to be entitled "An Act fixing the salaries to be paid certain officials in certain counties; repealing all laws in conflict therewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.
May 10, 1961

HOUSE BILL NO. 1065 ON SECOND READING

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

H. B. No. 1065, A bill to be entitled "An Act authorizing the Commissioners Courts of the Counties of the 38th Judicial District to supplement the salary of the District Attorney of the 38th Judicial District; and declaring an emergency."

The bill was read second time.

Mr. Townsend offered the following amendment to the bill:

Amend House Bill 1065 by striking all below the enacting clause and substituting In lieu thereof the following:

Section 1. The District Attorneys of the 38th Judicial District and of the 2nd 38th Judicial District shall be compensated for their services in such amount as may be fixed by the General Law relating to the salary paid to District Attorneys by the State, and in addition his services may be supplemented by the Commissioners Courts of the counties comprising the 38th Judicial District and the 2nd 38th Judicial District or any one or more of such Commissioners Courts; providing, however, that the total salary of such District Attorneys shall not be supplemented to exceed the sum of Eleven Thousand Dollars ($11,000.00) per annum. The Commissioners Courts of the counties comprising the 38th Judicial District and the 2nd 38th Judicial District or any one or more of them, are hereby authorized to pay the supplemental salary herein authorized, in such amount within the limit fixed above.

Section 2. The fact that there is no present law that would permit the Commissioners Court of any county of the 38th Judicial District or of the 2nd 38th Judicial District to supplement the salary of the District Attorney of the 38th Judicial District or of the 2nd 38th Judicial District 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 and the same is hereby suspended; and that 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. 1065 was passed to engrossment.

HOUSE BILL NO. 1073 ON SECOND READING

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

H. B. No. 1073, A bill to be entitled "An Act providing for the sale of certain surveyed unsold school land to the City of Dodson, in the County of Collingsworth, upon payment of a fair market value, along with the usual and customary fees; reserving all oil, gas, and other minerals to the Permanent Free School Fund; and declaring an emergency."

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

HOUSE BILL NO. 1076 ON SECOND READING

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

H. B. No. 1076, A bill to be entitled "An Act fixing the salaries to be paid certain officials in certain counties; repealing all laws in conflict therewith; and declaring an emergency."

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

HOUSE BILL NO. 1081 ON SECOND READING

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

H. B. No. 1081, A bill to be entitled "An Act regulating the hunting, taking, or killing of wild turkey gobblers in Austin County; providing penalties; and declaring an emergency."

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

HOUSE BILL NO. 1083 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,
H. B. No. 1083. A bill to be entitled "An Act granting to the Game and Fish Commission regulatory authority over the wildlife resources of Kendall County subject to certain procedures and limitations; defining 'wildlife resources,' 'depletion,' 'waste,' and 'state of emergency' in relation to such wildlife resources; regulating issuance of antlerless deer permits; providing for public hearing in Kendall County on each proposed rule, regulation, or order of the Commission, and granting the Commissioners Court of Kendall County veto power, etc., and declaring an emergency."

The bill was read second time.

Mr. Bartram offered the following amendment to the bill:

Amend House Bill No. 1083 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. This Act shall apply only to Kendall County and shall have for its purpose the granting of regulatory authority over the game, fish, and other wildlife resources in Kendall County to the Texas Game and Fish Commission conditioned upon certain procedures and limitations as described herein, in order to assure an ample supply of the wildlife resources in Kendall County; so that the most reasonable and equitable privileges may be enjoyed by the people of the State and their posterity in their ownership and in the taking of such resources. It is deemed for the public welfare that this Legislature provide a law adaptable to changing conditions and emergencies which threaten depletion or waste of the wildlife resources in Kendall County. The Game and Fish Commission is therefore granted the authority, power, and duty to provide, by rule, regulation, or order, from time to time, periods of time when it shall be lawful to take a portion of the wildlife resources of Kendall County; provided however, that such wildlife resources shall not be taken by any means during an open season established by the Commission unless the owner of the land or water, or his duly authorized agent, shall give consent thereto.

Sec. 2. It shall be the duty of the Game and Fish Commission to conduct from time to time, or continuously, scientific research investigations and studies of the supply, economic value, environment, breeding habits, and, so far as possible, the sex ratio of the different species of game birds, game animals, fur-bearing animals, fresh-water fish, as well as the factors affecting their increase or decrease, particularly with reference to hunting, trapping, fishing, disease, infestation, predation, agricultural pressure, overpopulation, and any and all other factors that enter into a reduction or increase in the supply of such wildlife resources of Kendall County. Pursuant to and based upon such studies, said Commission shall enter its findings of fact with respect thereto, and if in the opinion of the Commission an open season or period of time may be safely provided for any of the wildlife resources of Kendall County, or a different season or period of time from that provided under existing laws is, in its opinion, advisable, said Commission is authorized and directed from time to time to provide such open season or different season of period of time when such wildlife resources may be taken. The rule, regulation, or order thus issued by the Commission shall be specific as to the quantity, species, sex, age or size that may be taken and shall provide the method or means that may be resorted to as well as the area or portion of the county where such wildlife resources may be taken.

Sec. 3. When the Commission shall find from its investigations, as provided in this Act, that danger of depletion, as defined herein, of any species of freshwater fish, game animal or fur-bearing animal exists in any portion of Kendall County, it shall be the duty of said Commission to issue such new rule, regulation, or order or revoke or modify or otherwise amend its existing rule, regulation, or order so as to deter or prevent contribution to depletion of such species by the taking thereof. When the Commission shall find that danger of waste, as defined in this Act, of any such species of freshwater fish, game bird, game animal or fur-bearing animal, or that waste of the same species of freshwater fish, game bird, game animal or fur-bearing animal, or any other species of wildlife resource, exists in any portion of Kendall County, it shall be the duty of the Commission to issue such new rule, regulation, or order, or amend its existing rule, regulation, or order, so as to afford to all of the people
of this State the most equitable and reasonable privileges in the pursuit, taking or killing of such species or sex thereof in said area. Provided, further, that when said Commission shall find that danger of depletion exists in any area by virtue of an act of God, such as from flood, hurricane, fire or drought, said Commission shall declare a "state of emergency" as to such species in said area, and its rules and regulations issued under such state of emergency shall take effect and be in full force immediately upon approval by the Commissioners Court.

Sec. 4. 'Depletion' as used in this Act shall be construed to mean reduction of a species below immediate recuperative potential by any deleterious cause or causes.

Sec. 5. 'Waste' as used in this Act shall be construed to mean supply of a species or sex thereof sufficient that a seasonal harvest thereof will not prevent or, in the case of overpopulation, that will aid in the re-establishment of normal numbers of such species.

Sec. 6. The Game and Fish Commission's rule, regulation, or order permitting the hunting or taking of antlerless deer shall not be valid until the owner, or person in charge, of the land upon which antlerless deer are to be taken, shall have agreed in writing to the removal by himself such antlerless deer from his tract under supervision and regulation of said Commission and to the number of such antlerless deer which may be removed therefrom. No person shall, in any event, hunt or kill any antlerless deer without first having procured an antlerless deer permit issued by the Game and Fish Commission. Such antlerless deer permit shall be issued in such form and under such rules as may be prescribed by the Game and Fish Commission. Further, it shall be unlawful for any person to sell any permit that he has received from the Game and Fish Commission for the hunting and taking of antlerless deer if payment for such permit by the purchaser is contingent upon the purchaser killing and taking such antlerless deer.

Sec. 7. There shall be a public hearing held in Kendall County on each proposed rule, regulation or order of the Commission before such proposed rule, regulation or order is adopted in the county. Notice of this public hearing shall be given in a newspaper published in the county at least ten (10) days prior to the date of the hearing. If no newspaper is published in the county notice of such hearing must be given in the newspaper published in an adjoining county which is best known by the inhabitants of Kendall County. The hearing may be conducted by an employee of the Game and Fish Commission upon order of the Commission, or upon order of one (1) member of the Commission, it not being necessary for the entire Commission or a member of the Commission to be present.

Sec. 8. Orders, rules, and regulations shall be adopted by a quorum of the Commission in regular or special meetings, or meetings, of the Commission, notice of which has been given in writing by the Executive Secretary (or in his absence, his assistant) of the Commission. Such meetings shall be held only in the office of the Commission at Austin, Texas. Any person interested shall be entitled to be heard at such meetings and to introduce evidence as to the imminent danger of waste or depletion as defined in this Act. Six (6) members of the Commission, or five (5) members, shall constitute a quorum, and no order, rule or regulation, general or local, shall be adopted at any regular or special meeting of the Commission unless or until a quorum is present.

Sec. 9. The Commissioners Court of Kendall County shall approve or disapprove the Commission's rule, regulation, or order, or any part thereof, at its next regular meeting occurring more than five (5) days after said rule, regulation, or order is promulgated. If approved, the rule, regulation, or order, or part thereof, shall become effective within fifteen (15) days, except in state of emergency as provided in this Act, in which event it shall become effective upon approval by the Commissioners Court, and shall remain in full force and effect until such order, rule, or regulation, or part thereof, shall expire by its own terms or is revoked or amended by the Commission as provided herein. If
disapproved by the Commissioners Court, in whole or in part, so public hearing on a similar proposal may be held for a period of six (6) months, unless said Commissioners Court certifies to the Commission that there has been some material change in the surrounding circumstances which necessitates the holding of a public hearing within the six (6) months period. Should the Commissioners Court disapprove an order, rule, regulation, or part thereof, then the general or special law governing the wildlife resources to be made subject thereto shall remain in full force and effect until altered at some later date according to the provisions of this Act.

Sec. 10. Immediately after the adoption and approval by the Commissioners Court of an order, rule or regulation of the Commission, said Commission shall number and file each order, rule or regulation in its office in Austin, Texas, and copies shall be filed in the office of the Secretary of State, the County Clerk, and the County Attorney of Kendall County, respectively, and mimeographed copies shall be furnished to all employees of the Game and Fish Commission.

Sec. 11. The particular regulatory powers herein granted to said Commission shall not be construed to limit other and general powers conferred upon it by law.

Sec. 12. The Game and Fish Commission is hereby expressly given power and authority to review its own rules, regulations, and orders and to modify or revise them as it shall, the facts to warrant, but such modifications or revisions shall be affected according to procedures prescribed for the issuance of an original order, rule, or regulation.

Sec. 13. (a) Any person who shall violate any provision of this Act or any person who shall violate any order, rule or regulation issued by the Game and Fish Commission under the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not less than Ten Dollars ($10) nor more than Two Hundred Dollars ($200).

(b) Any person convicted of violating this Act, or any order, rule, or regulation of the Game and Fish Commission under the provisions of this Act relating to fishing, hunting or trapping in any manner, shall, within the discretion of the court or jury trying the offense, forfeit such fishing, hunting or trapping license for each period of time as the court or jury might determine but such period of forfeiture shall not extend beyond the remainder of the license year.

(c) No person who has had his license forfeited under this Act shall be entitled to purchase or receive from the Commission, or any of its authorized agents, a similar license for such period of forfeiture, and it shall be unlawful for such person to purchase or possess another such license for such period. Any person violating any of the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not less than Ten Dollars ($10) nor more than Two Hundred Dollars ($200).

Sec. 14. For the purposes of this Act, the wildlife resources of Kendall County are defined to be all the game birds and game animals, fur-bearing animals of all kinds, banded pheasants, commonly called javelina, and freshwater fish of all kinds.

Sec. 15. On the effective date of this Act, all laws and parts of laws, both general and special relating to the taking or killing of the wildlife resources of Kendall County, shall remain in full force and effect unless or until altered, modified, or, in effect, suspended by an order, rule, or regulation of the Commission issued and approved as provided for in this Act. Also, any order, rule, or regulation which may expire by its own terms shall, by its expiration, vestate immediately the laws or parts of laws, both general and special, which regulated the taking or killing of the wildlife resources concerned at the time such order, rule, or regulation was adopted. Said laws, general and special, shall continue in full force and effect until such time as a new order, rule, or regulation may be promulgated by the Game and Fish Commission and...
approved by the Commissioner Court of Kendall County.

Sec. 16. It is hereby declared to be the legislative intent to enact each separate provision of this Act independent of all other provisions, and the fact that any section, word, clause, sentence, or part of this Act shall be declared unconstitutional shall in no event affect any other section, word, clause, sentence or part thereof; and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause or part thereof irrespective of the fact that any other section, sentence, clause or part thereof may be declared invalid.

Sec. 17. The regulatory authority granted to the Texas Game and Fish Commission over the wildlife resources of Kendall County shall terminate on December 31, 1965, at which time all laws and parts of laws, general or special, relating to the harvest of wildlife resources in Kendall County at the time an order, rule, or regulation of the Commission, as provided under this Act, became effective, shall again be in full force and effect.

Sec. 18. The fact that present laws do not adequately protect the wildlife resources of this State in Kendall County from depletion and waste, and the crowded condition of the calendars of both houses of the Legislature create an emergency and an imperative public necessity that the General Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

H. R. No. 1083 was passed to engrossment.

HOUSE BILL NO. 1083 ON SECOND READING

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

H. R. No. 1083, A bill to be entitled “An Act providing an open season for hunting, taking, or killing quail in Jim Hogg County; fixing a penalty; and declaring an emergency.”

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

HOUSE BILL NO. 1101 ON SECOND READING

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

H. B. No. 1101, A bill to be entitled “An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as El Paso County Water Control and Improvement District-Westway; declaring District a governmental agency, body politic and corporate, etc., and declaring an emergency.”

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

BILL SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

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

COMMITTEE MEETING

Mr. Lewis asked unanimous consent of the House that the Committee on Banks and Banking be permitted to meet at this time.

There was no objection offered.

SENATE BILL NO. 255 ON SECOND READING

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

S. B. No. 255, Concerning speed limits for passenger vehicles on turn-
The bill was read second time.

Mr. Gladden offered the following amendment to the bill:

Amend S. B. No. 255 by striking all of Section 1 "d".

The amendment was adopted.

S. B. No. 255 was passed to third reading.

SENATE BILL NO. 257 ON SECOND READING

Mr. Lewis moved that all the necessary rules be suspended for the purpose of taking up and considering at this time Senate Bill No. 257.

The motion prevailed by the necessary two-thirds vote.

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

S. B. No. 257, Relative to suit for recovery of license or privilege tax; and declaring an emergency.

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

SENATE BILL NO. 266 ON SECOND READING

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

S. B. No. 266, Relative to mounting height of certain reflectors on motor vehicles; and declaring an emergency.

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

SENATE BILL NO. 269 ON SECOND READING

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

S. B. No. 269, Concerning use of facsimile signatures and seals upon public securities; and declaring an emergency.

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

SENATE BILL NO. 271 ON SECOND READING

Mr. Kennard moved that all necessary rules be suspended for the purpose of taking up and considering at this time Senate Bill No. 271.

The motion prevailed by the necessary two-thirds vote.

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

S. B. No. 271, Amending Article 2.11, Insurance Code, to extend time within which insurance companies must hold annual election of directors; and declaring an emergency.

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

SENATE BILL NO. 289 ON SECOND READING

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

S. B. No. 289, Amending Probate Code regarding powers of personal representatives to provide for extension of oil and gas leases beyond primary terms of shutting gas wells; and declaring an emergency.

The bill was read second time.

Mr. Barlow offered the following amendment to the bill:

Amend Section 4, sub-paragraph (2) of S. B. 289 by striking the period at the end of sub-paragraph (2) and placing a comma in lieu thereof and adding the following: if the presence of such shut-in gas well is a ground for continuation of the lease by the terms of said lease.

The amendment was adopted.

S. B. No. 289 was passed to third reading.

SENATE BILL NO. 308 ON SECOND READING

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

S. B. No. 308, Relating to investment of proceeds of sale of bonds and assessment, equalization and collection of taxes by West Central Texas Municipal District; and declaring an emergency.
The bill was read second time.

Mr. Thurman offered the following amendment to the bill:

Amend S. B. No. 308 by striking sub-section (f) under section 2 in its entirety and adding another section to be known as sub-section (f) under section 2 to read as follows:

"All taxes becoming delinquent shall have added thereto a penalty of 6% of the amount thereof, which charge shall accrue each year that said taxes are delinquent."

The amendment was adopted.

S. B. No. 308 was passed to third reading.

SENATE BILL NO. 315 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 315, Providing that State Agencies may make use of the electronic data processing center; and declaring an emergency.

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

COMMITTEE APPOINTED

The Speaker announced the appointment of the following Committee to escort the Honorable Bill Daniel, Governor of Guam, to the Speaker's Rostrum:

Messrs. Watson, Chairman; Hinson, Hollowell, de la Garza, Pearcy, Rosas, Spears and Latimer.

SENATE BILL NO. 332 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 332, To provide authority for and limitations upon reinsurances by "domestic" insurance companies; and declaring an emergency.

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

SENATE BILL NO. 336 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 336, Validating proceedings applying to Home Rule Cities in connection with adoption of new Home Rule Charters; and declaring an emergency.

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

SENATE BILL NO. 344 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 344, Relating to service fees charged by State Departments; and declaring an emergency.

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

SENATE BILL NO. 345 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 345, Relating to filing fees charged by Secretary of State; and declaring an emergency.

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

SENATE BILL NO. 346 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 346, Amending Texas Business Corporation Act; relating to filing fees charged by Secretary of State; and declaring an emergency.

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

SENATE BILL NO. 348 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 348, Amending Texas Business Corporation Act; relating to filing fees charged by Secretary of State; and declaring an emergency.

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

SENATE BILL NO. 367 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 367, Relating to fees charged by General Land Office; and declaring an emergency.

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

SENATE BILL NO. 418 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,
Amend Senate Bill 418 by striking out all of paragraph (3) and sub-paragraphs (a), (b) and (c) of Section 1 and substituting in lieu thereof the following:

"(3) A policy issued to any association of employees of the United States Government or any subdivision thereof, provided the majority of the members of such association are residents of this State, an incorporated city, town or village, an independent school district, common school district, State colleges or universities, any association of State employees, any association of State, County and City, town or village employees, and any association of any combination of State, County or City, town or village employees and any Department of the State Government which employer or association shall be deemed the policyholder to insure the employees of any such incorporated city, town or village, of any such independent school district, of any common school district, of any such State college and university, of any such Department of the State Government, members of any association of State, County or City, town or village or of the United States Government or any subdivision thereof, provided the majority of such employees reside in this State, employees for the benefit of persons other than the policyholder subject to the following requirements:

(a) The employee eligible for insurance under the policy shall be all of the employees of the employer or all of any class or classes thereof determined by conditions pertaining to their employment.
(b) The premium for the policy shall be paid by the policyholder wholly from funds contributed by the insured employees, provided, however, that any moneys or credits received by or allowed to the policyholder may revert to any participant in the agreement contained in or issued in connection with the policy shall be applied to the payment of future premiums and to the pro rata abatement of the insured employees' contributions thereof; and provided further that the employer may deduct from the employees' salaries the required contributions for the premiums when authorized in writing by the respective employees so to do; and provided further the premium for the policy may be paid by the policyholder wholly or partly from funds contributed by any incorporated city, town or village policyholder when authorized by the charter of such city, town or village, or by any independent school district in counties having a population of over one hundred fifty thousand (150,000) according to the most recent United States Government census. Such policy may be placed in force only if at least seventy-five per cent (75%) of the eligible employees, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required premium contributions and become insured thereafter.
(c) The policy must cover at least ten (10) employees at date of issue."

The amendment was adopted.

S. B. No. 418 was passed to third reading.

SENATE BILL NO. 429 ON SECOND READING

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

S. B. No. 429, Allowing County Commissioners Courts to compensate managers of County Hospitals by furnishing hospital insurance; and declaring an emergency.

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

MESSAGE FROM THE SENATE

Austin, Texas, May 10, 1941
Hon. James A. Turman, Speaker of the House of Representatives:

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to Senate Bill No. 25 and requests the appointment of a...
Conference Committee to adjust the differences between the two Houses. The following have been appointed on the part of the Senate:
Senators: Gonzales, Hardeman, Kazen, Willis, Moore.

I am directed by the Senate to inform the House that the Senate has passed the following:
H. J. R. No. 70, Proposing an Amendment to Article IX of the Constitution of the State of Texas. (with amendments)
H. B. No. 38, Increasing the amounts to be allocated from the Clearance Fund to the Blind Assistance Fund and the Old Age Assistance Fund; and declaring an emergency.

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

SENATE BILL NO. 426 ON SECOND READING
The Speaker laid before the House, on its second reading and passage to third reading,
S. B. No. 426, To provide for registration of out-of-State registered nurses with examination; and declaring an emergency.

PRESENTATION OF AN AWARD TO THE HONORABLE BILL DANIEL
In accordance with the provisions of H. C. R. No. 27, inviting the Honorable Bill Daniel, Governor of Guam, to address a Joint Session and to receive an award from the National Organization of the Veterans of Foreign Wars, the Honorable Bill Daniel, accompanied by Governor Price Daniel and Mrs. Price Daniel, Mrs. Bill Daniel, Miss Ellen Daniel, Mrs. Will M. Martin and Commander Peter Stack of the Veterans of Foreign Wars and escorted by Senators Aikin, Moffett, Kazen and Martin, Committees on the part of the Senate, and Messrs. Watson, Chairman; Hinson, Hollowell, de la Garza, Pearcy, Rossa, Latimer and Spears, Committee on the part of the House, were announced at the bar of the House and being admitted, were escorted to seats on the Speaker's Rostrum.

At 11:45 o'clock a.m. the Honorable Senators were announced at the bar of the House and were admitted and occupied seats arranged for them.

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

Senator Roberts called the Senate to order and stated that there was a quorum present.

Speaker Turman called the House to order and directed the clerk to call the roll of the House.

A quorum of the House was announced present.

Speaker Turman stated that the two Houses were in Joint Session to welcome the Honorable Bill Daniel, and to hear from him on the occasion of the presentation of the Veterans of Foreign Wars Award to the Governor of Guam, Bill Daniel.

Speaker Turman introduced Commander Peter Stack, Senior Vice-Commander of the Texas Veterans of Foreign Wars, to the Joint Session.

Commander Stack addressed the Joint Session and presented Governor Bill Daniel with a Medal of Merit and citation, an award from the national organization of the Veterans of Foreign Wars.

Speaker Turman then presented Governor Price Daniel, who introduced the Governor of Guam, Bill Daniel, to the Joint Session.

Governor Bill Daniel then addressed the Joint Session.

SENATE RETIRES
At 12:01 o'clock p.m. Senator Ray Roberts stated that the business of the Joint Session was concluded and that the Senate would retire.

Speaker Turman then stated that the business of the Joint Session had been concluded, and that the House would stand at ease.
The Speaker called the House to order at 12:05 o'clock p.m.

RECESS

Mr. Dewey moved that the House recess until 2:00 o'clock p.m. today.

The motion prevailed.

In accordance with the motion to recess, the House at 12:07 o'clock p.m. took recess until 2:00 o'clock p.m. today.

AFTERNOON SESSION

The House met at 2:00 o'clock p.m. and was called to order by the Speaker.

The House resumed consideration of pending business, same being the bills on the Local and Uncontested Bill Calendar, having been previously set for today.

HOUSE BILL NO. 671 ON SECOND READING

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

H. B. No. 671. A bill to be entitled "An Act confirming and validating sale of certain submerged and un-submerged land in the 'Cayo del Oro' to the City of Corpus Christi; retaining title to minerals in the State of Texas and prescribing terms for their development; providing for settlement of boundary conflicts with claimants of adjacent land; providing for improvement of such land by the City of Corpus Christi, or its assignees by January 1, 1971, with reversion to the State of portions thereof not so improved, except portions devoted to channels, canals and waterways, prescribing certain terms and conditions for conveyance of all or any part of such lands by the City of Corpus Christi; repealing conflicting laws; providing a saving clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. 671 by striking the words and figures "January 1, 1971" wherever they appear, and substitute in lieu thereof the words and figures "July 1, 1966."

The amendment was adopted.

H. B. No. 671 was passed to engrossment.

SENATE BILL NO. 399 ON SECOND READING

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

S. B. No. 399. Creating a Juvenile Board for Travis County; and declaring an emergency.

The bill was read second time.

Mr. Foreman offered the following amendment to the bill:

Amend S. B. 399 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. There is hereby established a County Juvenile Board in and for the County of Travis, to be known as Travis County Juvenile Board, hereinafter referred to as Juvenile Board, which Juvenile Board shall be composed of the County Judge and the Judges of the several Civil District Courts, and the Criminal District Court in and for Travis County.

Sec. 2. As compensation for the added duties imposed upon the members of the Juvenile Board, each member thereof shall receive the sum of Forty-Eight Hundred Dollars ($4800.00) annually, to be paid in equal monthly installments out of the general fund of said County. Such compensation shall be for all judicial and administrative services thereafter to be assigned to them as members of the Juvenile Board, and shall be in addition to all other compensation allowed or hereafter to be allowed by law for County Judges and District Judges.

Sec. 3. The Juvenile Board may appoint a discreet person of good moral character to serve as Chief Probation Officer. The Chief Probation Officer shall appoint assistant probation officers and other assistants whose services are necessary in the performance of his official duties, subject to confirmation by the Juvenile Board. The number of such assistant probation officers and other assistants shall be determined by the Juvenile Board. The Juvenile Board shall fix the salaries of and
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allowances for the said Chief Probation Officer, assistant probation officers and other assistants, and the Commissioners Court for said County shall provide the necessary funds for the payment of such salaries and operating expenses in the amounts fixed by the Juvenile Board, subject to the approval of the Commissioners Court. All claims for expenses of the Chief Probation Officer, the assistant probation officers and other assistants, shall be certified by the Chairman of the Juvenile Board to the said County Commissioners Court as being necessary in the performance of the duties of such officers, and the Commissioners Court shall out of the general fund provide funds for the payment of all expenses necessary to carry out the duties of the Chief Probation Officer in such amounts as fixed by the Juvenile Board, as certified by the Chairman of the Juvenile Board, subject to the approval of the Commissioners Court. The Chief Probation Officer, assistant probation officers, and other assistants, may be removed at any time by the authority appointing them.

Sec. 4. The Chief Probation Officer, in addition to his other duties, shall, if the Juvenile Board so direct, cause payments of moneys made under the orders of the several district courts and criminal district courts of said County, and/or payments made voluntarily, for the support of dependents, wives and children, and shall disburse said funds for the benefit of the wife and/or children of the person making such payment in such manner, by an order duly entered, as shall appear to the said courts, to be for the best interest of said wife and/or children. The Chief Probation Officer shall enter into a bond payable to the County, and certified or attested copies of such findings and recommendations with respect thereto to the Juvenile Board, subject to confirmation by the Juvenile Board, the Chief Probation Officer shall appoint such assistants as may be necessary to effect the directions of the Juvenile Board regarding his duties to receive and to disburse funds paid for the support of dependents; and such assistants may be designated by titles appropriately descriptive of their duties. Such assistants may be removed by the appointing authority at any time. The Commissioners Court of said County shall provide out of the general funds of the County, in such amounts as are recommended by the Juvenile Board, subject to the approval of the Commissioners Court, the funds necessary to employ assistants and to operate and maintain facilities for receiving and disbursing moneys for children and dependent families. Such appointment shall be confirmed by the Juvenile Board and the salary of the Superintendents and the expenses of maintaining and operating such institutions shall be paid out of the general fund by the Commissioners Court in such amounts as are recommended by the Juvenile Board, subject to the approval of the Commissioners Court. The Superintendents may be removed by the appointing authority at any time.

Sec. 5. The said Chief Probation Officer and Assistant Probation Officers shall have the authority, powers and duties authorized and required by Art. 5142 of the Revised Civil Statutes of Texas, 1925, and any amendments thereto. It shall be the duty of the county auditor to inspect and examine such records and audit such accounts quarterly, making due report of his findings and recommendations with respect thereto to the Juvenile Board. Subject to confirmation by the Juvenile Board, the Chief Probation Officer shall appoint such assistants as may be necessary to effect the directions of the Juvenile Board regarding his duties to receive and to disburse funds paid for the support of dependents; and such assistants may be designated by titles appropriately descriptive of their duties. Such assistants may be removed by the appointing authority at any time. The Commissioners Court of said County shall provide out of the general funds of the County, in such amounts as are recommended by the Juvenile Board, subject to the approval of the Commissioners Court, the funds necessary to employ assistants and to operate and maintain facilities for receiving and disbursing moneys for children and dependent families. Such appointment shall be confirmed by the Juvenile Board and the salary of the Superintendents and the expenses of maintaining and operating such institutions shall be paid out of the general fund by the Commissioners Court in such amounts as are recommended by the Juvenile Board, subject to the approval of the Commissioners Court. The Superintendents may be removed by the appointing authority at any time.

Sec. 6. The said Chief Probation Officer and Assistant Probation Officers shall have the authority, powers and duties authorized and required by Art. 5142 of the Revised Civil Statutes of Texas, 1925, and any amendments thereto. It shall be the duty of the county auditor to inspect and examine such records and audit such accounts quarterly, making due report of his findings and recommendations with respect thereto to the Juvenile Board. Subject to confirmation by the Juvenile Board, the Chief Probation Officer shall appoint such assistants as may be necessary to effect the directions of the Juvenile Board regarding his duties to receive and to disburse funds paid for the support of dependents; and such assistants may be designated by titles appropriately descriptive of their duties. Such assistants may be removed by the appointing authority at any time. The Commissioners Court of said County shall provide out of the general funds of the County, in such amounts as are recommended by the Juvenile Board, subject to the approval of the Commissioners Court, the funds necessary to employ assistants and to operate and maintain facilities for receiving and disbursing moneys for children and dependent families. Such appointment shall be confirmed by the Juvenile Board and the salary of the Superintendents and the expenses of maintaining and operating such institutions shall be paid out of the general fund by the Commissioners Court in such amounts as are recommended by the Juvenile Board, subject to the approval of the Commissioners Court. The Superintendents may be removed by the appointing authority at any time.
Civil Statutes of Texas, 1925, and any amendments thereto.

Sec. 7. This Act shall be cumulative of existing laws; and any laws in conflict herewith are repealed to the extent of such conflict only.

Sec. 8. If any portion of this Act is held unconstitutional by a court of competent jurisdiction, the remaining portion shall, nevertheless, be valid the same as if the invalid portion had not been a part hereof.

Sec. 9. Emergency Clause. The fact that the present laws relating to dependent and delinquent children, detention and shelter homes, juvenile boards, juvenile officers and juvenile probation services contain many obsolete, impliedly repealed and duplicated provisions, and urgently need clarifying to provide without doubt of speculation the necessary services and facilities for orderly, effective and humane disposition of proceedings involving juveniles in the courts of Travis County, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said 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.

Mr. Foreman offered the following amendment to the bill:

Amend Senate Bill 399 by amending all above the enacting clause to conform with the body of the bill.

The amendment was adopted.

S. B. No. 399 was passed to third reading.

SENATE BILL NO. 247 ON SECOND READING

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

S. B. No. 247, fixing compensation to be paid to certain county judges; and declaring an emergency.

The bill was read second time.

Mr. Spears offered the following amendment to the bill:

Amend Senate Bill 247 by striking out the first sentence in Section 1 of said bill and inserting in lieu thereof the following:

"In any county in the State having a population of $60,000 or more according to the last preceding federal census and having a Juvenile Court and the Juvenile Court of such county shall receive, in addition to the salary paid by the State to them, and to other District Judges of this State, the sum of $8,000.00 annually to be paid in equal monthly installments out of the General Fund or Officer's Salary Fund of such counties."

The amendment was adopted.

Mr. Spears offered the following amendment to the bill:

Amend Senate Bill 247 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL
To Be Enacted

AN ACT to fix and make certain the amount of compensation to be paid from county funds by counties having a population of $60,000 or more according to the last preceding federal census and having five (5) or more Criminal District Courts or more Criminal District Courts, Domestic Relations and Juvenile Courts of such counties, providing the time and method of payment, authorizing amendment of the budget, providing for the compensation of sheriffs, judges, and declaring an emergency."

The amendment was adopted.

S. B. No. 247 was passed to third reading.

ADJOURNMENT

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

The motion prevailed.

The Bill was read second time.

Mr. Spears offered the following amendment to the bill:

Amend Senate Bill 247 by striking out the first sentence in Section 1 of
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APPENDIX

STANDING COMMITTEE REPORTS

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

Banks and Banking: S. B. No. 352.
Congressional and Legislative Districts: H. B. No. 473, H. B. No. 484.


Municipal and Private Corporations: S. B. No. 462.

State Hospitals and Special Schools: S. B. No. 216.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 9, 1961

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

Str: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 94, Granting permission to Mr. C. Roy Davis, Mabel Lipscombe and husband, S. W. Lipscombe, Nell DeLodder and husband, George DeLodder, and Doris Meloy, a feme sole, to sue the State of Texas.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 9, 1961

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

SIXTIETH DAY

(Wednesday, May 10, 1961)

The House met at 2:25 o'clock p.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
Duff, Miss
Adams of Lubbock
Dungan
Adams of Titus
Ehrle
Allen
Fairchild
Andrews
Fletcher
Atwell
Floyd
Bailey
Garrison
Ballman
Gibbons
Barnfield, Mrs.
Gladden
Barlow
Glass
Barrow
Glass
Barnes
Bartram
Beall
Bass
Berry
Blaine
Boyken
Bridges
Haring
Buchanan
Harrington
Burgess
Haynes
Butler
Healy
Caldwell
Hinson
Cannon
Hollowell
Carriker
Huebner
Chapman
Hughs
Collins
Hughes of Dallas
Cole of Harris
Inaacks, Miss
Cole of Hunt
Counsel
Collins
Cook
Cory
Cottn
Coom
Cowl
Craig
Crews
Cunnington
de la Garza
Dewey
Kilpatrick
Koliba