Amend House Bill No. 83 by striking "A. B. Schroeter and ________ of Karnes County, and John Weber and ________ of Goliad County" on page 15, lines 59, 60 and 61 of the printed copy of said bill and substituting in lieu thereof the following:

"Thomas B. Baker and Hugh B. Ruckman, Jr., of Karnes County; and John Weber and L. H. VonDohlen of Goliad County."

SENATE BILL ON FIRST READING

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

S. B. No. 76 to the Committee on Aeronautics.

ADJOURNMENT

Mr. Read moved that the House adjourn until 10:00 o'clock a.m. next Monday.

Mr. Lewis moved that the House adjourn until 10:30 o'clock a.m. next Monday.

Mr. Roberts of Dawson moved that the House adjourn until 11:00 o'clock a.m. next Monday.

The motion to adjourn until 10:00 o'clock a.m. next Monday was lost.

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 prevailed.

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

In accordance with the motion to adjourn the House at 1:56 o'clock p.m. adjourned until 11:00 o'clock a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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

Highways and Roads: H. B. No. 452.

Insurance: S. B. No. 218, S. B. No. 287.

Oil, Gas and Mining: H. B. No. 60.

State Affairs: H. C. R. No. 46.

SIXTY-THIRD DAY

(Monday, May 16, 1981)

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

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

Mr. Speaker

Crews

Adams of Lubbock

Carrington

Adams of Titus

Dewey

Alantis

Duff, Miss

Allen

Eberhardt

Andrews

Ehrle

Atwell

Fairchild

Bailey

Fletcher

Backfield, Mrs.

Floyd

Barlow

Foreman

Barnes

Garrison

Bartram

Gibbons

Bass

Gladden

Bell

Glue

Berry

Ginsing

Blalke

Green

Boyesen

Grover

Bridges

Guice

Burgess

Hale

Butler

Harding

Coldwell

Harring

Cannon

Harrington

Carriker

Haynes

Chapman

Healy

Cole of Harris

Hillson

Cole of Hunt

Hollinwell

Collins

Huscher

Connell

Hughes

Cook

Hughes of Dallas

Cottee

Iseack, Mike

Cowan

James

Cowles

Jamison

Craia

Jarvis
May 15, 1961  HOUSE JOURNAL  2023

Johnston of Dallas  Rapp
Johnson of Bexar  Ratchef
Johnson of Bell  Read
Jones of Dallas  Richards
Jones of Travis  Richardson
Kendall  Roberts of Hill
Koliba  Roberts of Dawson
Korioth  Rosas
Lack  Rosson
Lanier  Sandahl
La Valle  Shannon
Leaverton  Shippley
Lewis  Slack
Longoria  Stider
McCoppin  Smith of Bexar
McGregor  of McLennan  Spear
McGregor  of El Paso  Springer
Markgraf  of Galveston  Stewart
Martin  of Wichita
Mullen  Thurman
Murray  Thurmond
Mutscher  Townsend
Niemeier  Trevino
Nugent  Tunnell
Oliver  Walker
Osborn  Ward
Peavey  Wanam
Pearcy  Wells
Peeler  Wheeler
Petty  Whitted
Pipkin  Wilson of Trinity
Preston  Wilson of Potter
Price  Woods
Quilliam  Yezak

Absent
Smith of Jefferson

Absent—Excused
Ballman  Dungan
Buchanan  Kilpatrick
de la Garza  Pieratt

A quorum of the House was announced present.

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

"Father in Heaven, as we begin our duties for the coming week, we pray Thy spirit would cleanse our minds and hearts. Deliver us from the error of asking and expecting Thee in our private lives while closing doors to Thee in our private lives. Thou knowest what we are and where we are. Help us to be the best we can be today and forever. In the Name of Jesus we pray. Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Ballman for today on motion of Mr. Cotten.

Mr. Dungan for today on motion of Mr. Preston.

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

Mr. Pieratt for today on motion of Mr. Collins.

Mr. de la Garza was granted leave of absence for today on account of illness in his family, on motion of Mr. Pipkin.

Mr. Buchanan was granted leave of absence for today and tomorrow on account of a death in his family, on motion of Mr. Hinson.

MESSAGE FROM THE SENATE

Austin, Texas, May 15, 1961

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

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

S. B. No. 79, Providing for Medical Assistance on behalf of recipients of public assistance; and declaring an emergency.

S. B. No. 179, Limiting the admissibility as evidence of the books, files and records of banks and building and loan or savings and loan associations and the accounts of depositors or shareholders; and declaring an emergency.

S. B. No. 190, Providing for the allocation of professional units to districts reporting increases on the basis of current average daily attendance; providing a repealing and severability clause; and declaring an emergency.

S. B. No. 399, Making it unlawful to obtain telecommunications service with the intent to defraud; and declaring an emergency.

S. B. No. 51, To provide for the allocation of professional units to districts reporting increases on the basis of current average daily attendance; providing a repealing and severability clause; and declaring an emergency.
Respectfully,
CHARLES A. SCHNABEL,
Secretary of the Senate.

INTRODUCTION OF HOUSE BILLS

Mr. Caldwell asked unanimous consent of the House to introduce, at this time and have placed on first reading, H. B. No. 1124.

There was no objection offered and it was so ordered.

Mr. McElhaney asked unanimous consent of the House to introduce, at this time and have placed on first reading, H. B. No. 1122.

There was no objection offered and it was so ordered.

Mr. Butler asked unanimous consent of the House to introduce, at this time and have placed on first reading, H. B. No. 1123.

There was no objection offered and it was so ordered.

Mr. Jones of Dallas asked unanimous consent of the House to introduce, at this time and have placed on first reading, H. B. No. 1125.

There was no objection offered and it was so ordered.

Mr. Stewart of Wichita asked unanimous consent of the House to introduce, at this time and have placed on first reading, H. B. No. 1127.

There was no objection offered and it was so ordered.

Mr. Curlington called up House Bill No. 482, relative to invalidating the incorporation of cities and towns of Five Thousand inhabitants or less.

Mr. Curlington moved that the House do not concur in the Senate Amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

HOUSE BILL NO. 137 WITH SENATE AMENDMENTS

Mr. Bartram called up Senate Amendments for consideration at this time.

H. R. No. 137, A bill to be entitled "An Act to repeal certain statutes and laws contained in Title 93 of the Texas Revised Civil Statutes, 1955, as amended, and certain subsequent legislative acts consisting under such title, which statutes, laws and acts are in conflict with the provisions of the Texas Business Corporation Acts, Acts 1955, 54th Legislature, p. 239, ch. 84, and of the Texas Non-Profit Corporation Acts, Acts 1959, 55th Legislature, p. 284, ch. 162, or are inconsistent with the general purposes of such Acts, or are supplanted by the provisions of those Acts; to provide for the effect of such repeal; and declaring an emergency."

On motion of Mr. Bartram the House concurred in the Senate Amendments.

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 137

Senate Floor Amendment No. 1

Amend H. R. No. 137 by removing therefrom Section 2 of said bill and substituting in its stead thereof the following:

"Section 2. The repeal of a prior Act by this Act shall not impair or otherwise affect:

(1) The organization or the continued existence of a domestic corporation existing at the time of such repeal, or any foreign corporation qualified to do business in this State at the time of such repeal to continue so to do without again qualifying to do business in this State, provided, however, that any corporation heretofore operating by virtue of Section 49 of Article 1302 or 1303h, Vernon's Civil Statutes, or of Article 1302, Vernon's Civil Statutes of Texas, or of both, must meet the qualifications of the Texas Business Corporation Act,

(2) Any right accrued or established, or any liability or penalty incurred, under the provisions of such Act prior to the repeal thereof.

With the exception of Section 49 of Article 1302 and Article 1303h, Vernon's Civil Statutes of Texas, the repeal by this Act of any purpose clause shall not give rise to the inference that corporations may not hereafter be organized for the purpose so repealed."
May 15, 1961

**HOUSE JOURNAL 2025**

**Senate Floor Amendment No. 2**

Amend Section 1 of H. B. No. 137 by inserting after the semicolon on line 40 of said bill the following:

"Acts 1919, Thirty-sixth Legislature, page 134, Chapter 83, Section 1 (Article 1302, Section 49)."

**Senate Amendment No. 3**

Amend caption to conform to body of bill.

**HOUSE BILL NO. 139 WITH SENATE AMENDMENTS**

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

H. B. No. 139, A bill to be entitled "An Act to amend Article 3914, Texas Revised Civil Statutes, 1925, as amended, Acts 1931, 42nd Legislature, Chapter 120, Section 1, in order to eliminate those filing fee provisions which have been supplanted by filing fee provisions in the Texas Business Corporation Act and in the Texas Non-Profit Corporation Act; and declaring an emergency."

On motion of Mr. Bartram the House concurred in the Senate Amendments.

**TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 139**

**Senate Amendment No. 1**

Amend H. B. No. 139 by striking out the figure $1.00 where it appears in lines 20 and 21 in the printed H. B. and inserting therein the figure $2.00. 

**Senate Amendment No. 2**

Amend caption to conform to body of bill.

**HOUSE BILL NO. 1061 WITH SENATE AMENDMENTS**

Mrs. Banfield called up with Senate Amendments for consideration at this time,

H. B. No. 1061, A bill to be entitled "An Act enlarging and extending Fort Bend County Water Control and Improvement District No. 2 and defining the boundaries thereof as enlarged; finding a benefit and pub-
Amend House Bill No. 1061 by adding a new section to follow Section 5, to be known as Section 6, reading as follows;

"Sec. 6. In the event that the District, in the exercise of the power of eminent domain or power of re-location, or any other power granted hereunder, makes necessary the relocation, raising, re-routing, or changing of grade, or altering of construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipelines, all such necessary relocation, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District. The term 'sole expense' shall mean the actual cost of such relocation, raising, lowering, re-routing; or changing 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."

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

HOUSE BILL NO. 91 WITH SENATE AMENDMENTS
Mr. Kennard called up with Senate Amendments for consideration at this time,

H. B. No. 91, A bill to be entitled "An Act amending Article SU-206 of the Texas Banking Code of 1944, same being Acts of the Forty-eighth Legislature, Chapter 97, Page 137, Et. Seq., as amended, by creating a savings and loan department; authorizing the appointment of a savings and loan commissioner, a deputy savings and loan commissioner, and savings and loan examiners, prescribing their qualifications and duties; fixing the conditions under which the rule making power of the building and loan section of the finance commission shall be exercised; abolishing the office of building and loan supervisor; relieving the banking commissioner of certain duties; and declaring an emergency."

On motion of Mr. Kennard the House concurred in the Senate Amendments by the following vote:

Yea—135
Amend H. B. No. 91 by striking out all of sub-section (d) thereof and substituting in lieu thereof the following:

“(d) Upon the appointment and qualification of a Savings and Loan Commissioner under this Act such Savings and Loan Commissioner shall in person or by and through the Deputy Savings and Loan Commissioner, Savings and Loan Examiners, or other officers of the Savings and Loan Department, supervise and regulate, in accordance with the rules and regulations promulgated by the Savings and Loan Commissioner together with the Building and Loan Section of the Finance Commission, all savings and loan associations doing business in this State (except Federal Savings and Loan Associations organized and existing under Federal Law), and he shall have and perform all of the duties and shall exercise all of the powers theretofore imposed upon the Banking Commissioner and the Building and Loan Supervisor under and by virtue of the laws of this State with reference to savings and loan associations, and the Banking Commissioner shall be relieved of all responsibility and authority relating to the granting of charters and the regulation and supervision of such associations.”

Senate Amendment No. 2

Amend caption to conform to body of bill.

HOUSE BILL NO. 348 WITH SENATE AMENDMENTS

Mr. Jones of Dallas called up with Senate Amendments for consideration at this time.

H. B. No. 348, A bill to be entitled “An Act amending Article 1994 of the Revised Civil Statutes of Texas, 1919, as amended, to provide that in suits by minors, lunatics, idiots or non compos mentis when a judgment is recovered not exceeding Fifteen Hundred Dollars ($1500), the court may by order, and upon the posting of bond, authorize such next friend to take charge of such money for the use and benefit of plaintiff; and declaring an emergency.”

May 15, 1961

Guthing
Green
Grove
Guerr
Hale
Harding
Harrell
Harrington
Haynes
Hinson
Hollowell
Hughes
Isaacs, Miss
James
Jamison
Jarvis
Johnson of Dallas
Johnson of Bexar
Johnson of Bell
Jones of Dallas
Jones of Travis
Kennard
Kilha
Kolloch
Lack
Lary
Latimer
Lewis
Longoria
McCoppin
McGregor
of McLennan
McGregor
of El Paso
McKilhany
Markgraf
Martin
Miller
Moore
Mullen
Murray
Mutschler
Niemeyer
Norton
Oliver
Osborn

Absemt
Absemt—Excused
Ballman
Ballmahan
de la Garza

Absents

Buchanan
dEhrle
Heatly
Huebner
Hughes
of Grayson
of El Paso
of Galveston
of Wichita
of Trinity
of Fort Worth

Ehrle
of Leaverton
Hubner
Hughes of Dallas

La Valle
Leaverton
Pearcy
Roberts of Dawson

Adams
Pickpatrick
Pieratt

Amendments to House Bill No. 91

Senate Amendment No. 1

TEXAS OF SENATE AMENDMENTS
On motion of Mr. Jones of Dallas, the House concurred in the Senate Amendments by the following vote:

Yes—138

Adams of Lubbock
Hughes
Adams of Titus of Grayson
Allen of Lubbock
Hughes of Dallas
Allen of Titus of Grayson
Andrews
Atwell
Bailey
Banfield, Mrs.
Bartow
Johnson of Dallas
Barrow
Johnson of Bexar
Bartram
Jones of Dallas
Bass
Jones of Travis
Bell
Kennard
Berry
Koliba
Blaine
Koloth
Boyes
Lack
Bridges
Lary
Burgess
Lattimer
Butler
La Valle
Caldwell
Laveerton
Cannon
Lewis
Carriker
Longoria
Chapman
McCoplin
Cole of Harris
McGregor
Cole of Hunt
of McLennan
Collins
McGregor
Connell of El Paso
Cook
McIlhany
Cory
Markgraf
Cotton
Martin
Cowen
Miller
Cowles
Moore
Crews
Mullen
Carrington
Mutter
Dewey
Niemeyer
Duff, Miss
Nugent
Eckhardt
Oliver
Ehle
Osborn
Faithchild
Parsons
Fletcher
Ferrey
Floyd
Feeler
Garrettson
Perry
Gibbens
Pipkin
Glass
Price
Gladden
Frost
Green
Guilbert
Grover
Hagg
Gofrey
Hail
Hale
Hankins
Harrell
Haring
Haskins
Hattie
Hawkins
Hayes
Henderson
Hensley
Hollis
Holleywell
Huebner

Yeas—138

Adams of Lubbock
Hughes
Adams of Titus of Grayson
Allen of Lubbock
Hughes of Dallas
Allen of Titus of Grayson
Andrews
Atwell
Bailey
Banfield, Mrs.
Bartow
Johnson of Dallas
Barrow
Johnson of Bexar
Bartram
Jones of Dallas
Bass
Jones of Travis
Bell
Kennard
Berry
Koliba
Blaine
Koloth
Boyes
Lack
Bridges
Lary
Burgess
Lattimer
Butler
La Valle
Caldwell
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Cannon
Lewis
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Cole of Harris
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of McLennan
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Connell of El Paso
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Cory
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Martin
Cowen
Miller
Cowles
Moore
Crews
Mullen
Carrington
Mutter
Dewey
Niemeyer
Duff, Miss
Nugent
Eckhardt
Oliver
Ehle
Osborn
Faithchild
Parsons
Fletcher
Ferrey
Floyd
Feeler
Garrettson
Perry
Gibbens
Pipkin
Glass
Price
Gladden
Frost
Green
Guilbert
Grover
Hagg
Gofrey
Hail
Hale
Hankins
Harrell
Haring
Haskins
Hattie
Hawkins
Hayes
Henderson
Hensley
Hollis
Holleywell
Huebner

Absent—Excused

Ballman
Buchanan
Kilpatrick
de la Garza
Pieratt

Absent—Excused

Ballman
Buchanan
Kilpatrick
de la Garza
Pieratt

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 348

Amend House Bill 348, Section 1, by inserting the following paragraph after the word and number “Article 1994” as they appear on line 26 of the Senate printed copy of the bill:

“Minors, lunatics, idiots or non compos mentis persons who have no legal guardian may sue and be represented by a next friend under the following rules.”

Text of Senate Amendments to House Bill No. 348

Amend caption to conform to body of bill.

HOUSE BILL NO. 111 WITH SENATE AMENDMENTS

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

H. B. No. 111, A Bill to be entitled “An Act amending Section 1 of Chapter 360, Acts of the 47th Legislature, Regular Session, 1941, to provide that the Commissioners Court in all counties of this State may provide fire protection and fire fighting equipment for the citizens of the county outside of any city, town or village therein; to provide that this equipment may be paid for by time
warrants drawn on the General Fund; and declaring an emergency."

On motion of Mr. Huebner the House concurred to the Senate Amendments by the following vote:

Yeas—137

Adams of Lubbock Adams of Titus
Adams or Lubbock Adams of Titus
Allen Hanes of Dallas Allen Hanes of Dallas
Andrews Isaacks, Miss Andrews Isaacks, Miss
Arwell James Arwell James
Bailey James Bailey James
Banholt, Mrs. Jarvis Banholt, Mrs. Jarvis
Barlow Johnson of Dallas Barlow Johnson of Dallas
Barres Johnson of Bell Barres Johnson of Bell
Baas Jones of Dallas Baas Jones of Dallas
Bell Jones of Travis Bell Jones of Travis
Blaine Koenard Blaine Koenard
Boyens Koliba Boyens Koliba
Bridges Kortloh Bridges Kortloh
Burgess Larry Burgess Larry
Butler Larry Butler Larry
Caldwell Latimer Caldwell Latimer
Cannon La Valle Cannon La Valle
Carriker Leaverton Carriker Leaverton
Chapman Lewis Chapman Lewis
Cole of Hunt Longoria Cole of Hunt Longoria
Collins McCoppin Collins McCoppin
Cook McCoppin Cook McCoppin
Cory of McLennan Cory of McLennan
Cotten of El Paso Cotten of El Paso
Cowen McIlvaine Cowen McIlvaine
Cowles Markgraf Cowles Markgraf
Crain Martin Crain Martin
Crews Miller Crews Miller
Curtington Moore Curtington Moore
Dewey Mullen Dewey Mullen
Duff, Miss Muecher Duff, Miss Muecher
Eckhardt Niemeyer Eckhardt Niemeyer
Ehle Nugent Ehle Nugent
Fairchild Oliver Fairchild Oliver
Fletcher Osborn Fletcher Osborn
Floyd Parsons Floyd Parsons
Foreman Peary Foreman Peary
Garriston Peeler Garriston Peeler
Gibbens Petty Gibbens Petty
Gladden Pipkin Gladden Pipkin
Glass Preston Glass Preston
Green Price Green Price
Grover Quilliam Grover Quilliam
Gunhay Rapp Gunhay Rapp
Hale Ratzliff Hale Ratzliff
Harding Read Harding Read
Haring Richards Haring Richards
Harrington Roberts of Hill Harrington Roberts of Hill
Haynes Roberts of Dawson Haynes Roberts of Dawson
Healy Rosas Healy Rosas
Hinson Rosson Hinson Rosson
Hollowell Sandahl Hollowell Sandahl

Shannon Tharman
Shippie Tharman
Slack Townsend
Slider Trevison
Smith of Beax Tunell
Smith of Jefferson Walker
Snelson Ward
Spears Watson
Spillman Wells
Springer Whestley
Stewart Whitefield
Stewart Wilson of Trinity
Stewart Wilson of Potter
Stewart of Wichita
Strake Yesak

Absent: Murray

Absents—Excused: Ballman Dungan

Buchanan Kilpatrick

de la Garza Pieratt

TEXT OF SENATE AMENDMENTS TO HOUSE BILL No. 111

Senate Amendment No. 1

Amend the quoted Section 1 of House Bill No. 111 by adding the word "Incorporated" between the word "any" and the word "city" appearing in the first sentence of that Section.

Senate Amendment No. 2

Amend caption to conform to body of bill.

HOUSE BILL NO. 1085 WITH SENATE AMENDMENTS

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

H. B. No. 1085, A bill to be entitled "An Act relating to the authority of the Commissioners Court or any county having a population of more than 20,385 individuals and less than 20,475 individuals according to the last preceding Federal Census."

On motion of Mr. Cannon the House concurred in the Senate Amendments by the following vote:

Yeas—135

Adams of Lubbock Adams of Titus
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**TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 1085**

**Floor Amendment No. 1**

Amend Section 1 of House Bill 1085 by striking out the words “General Fund” in Line 32 and inserting in lieu thereof the words “Officers’ Salary Fund.”

**Senate Amendment No. 2**

Amend caption to conform to body of bill.

**HOUSE BILL NO. 343 WITH SENATE AMENDMENTS**

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

**TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 343**

**Senate Amendment No. 1**

Amend House Bill 343 by striking out the words “or a member of the Central office staff” as they appear on line 54 of the Senate-printed bill.
May 15, 1961  HOUSE JOURNAL 2031

HOUSE BILL NO. 1046 WITH SENATE AMENDMENTS

Mr. Smith of Jefferson called up with Senate Amendments for consideration at this time.

H. B. No. 1046, A bill to be entitled "An Act applying to Incorporated cities and towns having a population of more than 100,000 inhabitants according to the Federal Census last preceding the taking of action hereunder (referred to hereafter as 'city'); authorizing such city to purchase, build, construct, acquire, improve, enlarge, extend, maintain, repair, and replace any and all properties, improvements and facilities which the governing body thereof deems to be necessary for the elimination of grade-level crossings by railroad lines of the streets of such city and for the relocation of railroad lines within said city (said properties, improvements and facilities being hereafter referred to as the "Facilities"); etc., and declaring an emergency."

On motion of Mr. Smith of Jefferson the House concurred in the Senate Amendments by the following vote:

Yeas—138

Adams of Lubbock
Adams of Titus
Alaniz
Allen
Andrews
Atwell
Bailey
Bainfield, Mrs.
Barlow
Barnes
Bartram
Bass
Berry
Blaine
Bryan
Bridges
Burgess
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Cook
Cory

Hughes
Hughes of Dallas
Husak, Miss
James
Jarvis
Johnson of Dallas
Johnson of Benav
t Jones of Dallas
Jones of Travis
Kollard
Korchuth
Lacy
Latimer
La Valle
Leaverton
Lewis
Longoria
McCoppin
McGregor
of El Paso
McGregor
of Galveston
McGregor
of Wichita

Price
Quilliam
Rapp
Ratcliff
Richard
Richards
Richardson
Roberts of Hill
Roberts of Dawson
Rosson
Sabahal
Shannon
Shipley
Slager
Smith of Bexar
Smith of Jefferson
Sneed
Spears
Springer
Stewart
Stewart
Struve
Thurman
Thurmond
Townsend
Trevis
Tunnell
Walker
Ward
Watson
Wells
Wheelley
Whitefield
Wilson of Trinity
Wilson of Potter
Woods
Yeak

Absent

Gladon
Haas
Huebner
Spilman
Osborn

Balman
Buchanan
de la Garza

Dungan
Kilpatrick
Pieratt

TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 1046

Amend House Bill 1046 by striking out the last clause in the first "Whereas" paragraph on Lines 61 and 62 on the first page of the printed bill thereof and presently reading "and constitute a constant
Whereas, From time to time the House adjourns for such small amounts of time as five or twenty minutes to expedite procedure, thus calling for many opening and closing prayers a day; now, therefore, be it
Resolved, That the House of Representatives amend the temporary House Rules in order to have only one official opening and one official closing prayer for each calendar day.

The resolution was referred to the Committee on Rules.

COMMITTEE MEETING

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

There was no objection offered.

NOTICE GIVEN

Mr. Townsend gave notice that he would on tomorrow call from the Journal the motion to reconsider the vote by which House Joint Resolution No. 47 failed to pass to engrossment.

HOUSE BILL NO. 44 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 44, A bill to be entitled "An Act providing for determination, establishment and payment of prevailing scale of wages to all workers who perform labor on public work and for maximum hours of work by all such workers; declaring public policy and purpose of such provisions; defining terms; providing rights of workers on public work; providing duties of Commissioner of Bureau of Labor Statistics to determine prevailing scale of wages and wage area and to administer and enforce provisions of this Act; providing for judicial review of such determinations; creating duties of employers on public work and of public bodies awarding contracts for public work; defining offenses and penalties necessary and incident thereto; providing severability; repealing conflicting laws; and declaring an emergency."

The resolution was referred to the Committee on Rules.
The bill was read second time on April 19, and was considered on May 8.

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

Committee Amendment No. 1 To H. B. No. 44

Amend H. B. No. 44 by striking out all below the enacting clause and substituting in lieu thereof the following:

SECTION 1. Preamble of Public Policy and Purpose

The wages, hours of employment, working conditions and other conditions of employment prevailing on public works in the State of Texas have a vital effect and impact upon the economy of the State of Texas and the direct relationship between the health and welfare of working men and women performing labor on public works and such terms and conditions of employment is also a vital factor in the performance of public works by public and private employers.

Experience has demonstrated that a more stable economy may be obtained and maintained and unfair competition between employers, both public and private, usually based upon retrogressive repression of wages and working conditions at which working men and women are required to perform their labor, may be eliminated by means of a reasonable standard of wages, hours of employment, working conditions and other conditions of employment applicable on public works.

Accordingly, it is hereby declared the public policy of the State of Texas and the purpose of this Act to protect the health and welfare of working men and women performing labor on public works in this state and to prevent unfair competition between employers, public and private, undertaking public works in this state by establishing and maintaining maximum hours of work and prevailing scale of wages at which labor on such public works is performed. This Act shall be construed liberally to accomplish this public policy and purpose.

SECTION 2. Definitions

When used in this Act:

(a) "Prevailing scale of wages" means the hourly rate of wages which are determined by the Commissioner of the Bureau of Labor Statistics, hereinafter called "Commissioner" to be generally accepted and used for each classification of work customarily required on public work and/or public road work, respectively, in a particular wage area, and shall include all cash remuneration for personal services including commissions and bonuses and cash gratuities customarily received by a worker in the course of his labor; provided, that payment by valid check or other negotiable paper payable upon presentation at a bank or established place of business, without discount, in lawful money of the United States shall be considered as cash remuneration for purposes of this definition; provided, further, that rates on other than an hourly basis shall be converted to an hourly basis by the Commissioner and included in any consideration or determination of prevailing scale of wages.

(b) "Wages area" means that geographical area, composed of one or more adjoining counties, within which the Commission determines that the extent of mining, agricultural, industrial, commercial and other economic growth and development; of availability of workers of all types of work; of collective bargaining contracts providing for wages, hours and working conditions; of current wages paid in mining, industrial and commercial enterprises but excluding agricultural public work and public road work wages; and, of the cost of living, is substantially similar.

(c) "Public work" means any work done by a public or private employer for the purpose of erection, remodeling, alteration, repairing, demolition or making any addition to any building and also means any other construction or repair work done by a public or private employer, except "public road work" wherein public funds are appropriated or extended for all or part of such work, whether such work is performed at the site thereof or in a closely related process or occupation directly essential to such work away from the site thereof. "Public road work" means any work done by a public
or private employer for the purpose of building, re-building, locating or repairing any street, highway, or bridge, wherein public funds are appropriated or expended for all or any part of such work.

(d) "Public employer" includes the State of Texas, any officer, agency, board, bureau, commission or other public body of the State, hereinafter called "the State," any county, city, town, municipality, district or other political subdivision of the State, any officer or public body of a political subdivision, hereinafter called "political subdivision," including any public work or public road work by direct supervision and control rather than by contract or other arrangement with a private employer.

(e) "Private employer" includes any person, firm, contractor, subcontractor or corporation (other than a public employer) and any officer, agent or representative thereof who enters into any contractual agreement or arrangement, written or oral, with an awarding public body to undertake any public work or public road work.

(f) "Awarding public body" includes the State of political subdivision which calls for bids on, awards any contract for, enters into any written or oral arrangement for, or makes any appropriation for any public work or public road work.

(g) "Worker" includes any person performing labor as a laborer, workman or mechanic on public work or public road work regardless of any contractual arrangement alleged to exist between the public or private employer and such person.

(h) "Maximum hours of work" on public work means not more than eight hours of work in any one calendar day from Monday through Friday or not more than forty hours of work in any one work week consisting of five consecutive days, Monday through Friday. "Maximum hours of work" on public road work means not more than forty hours of work in any one work week consisting of seven consecutive days.

SECTION 3. Rights of Workers

(a) Every worker who performs labor on public work or public road work shall be paid therefor at the prevailing scale of wages in the wage area within which the public work or public road work is located. No worker shall be required to labor more than the maximum hours of work or on a legal holiday unless such worker shall be paid not less than one and one-half times the regular straight time prevailing scale of wages for classification or work performed.

(b) Any worker required to perform labor under terms and conditions contrary to the provisions of this Act is given right of action to recover for any wrong or damage, including attorney's fees and costs of suit, and to obtain injunctive relief either through an individual or class action brought by himself or in his behalf, or through an action brought by the Commissioner through the Attorney General of the State of Texas or any District or County Attorney. Neither acceptance of money or other compensation nor his continuing to work under such terms and conditions shall constitute a waiver or release by any worker nor preclude his right of action or recovery of damages unless he has executed a written release based upon consideration in compromise and settlement of his claim.

Section 4. Duties of Commissioner.

(a) The Commissioner is empowered, as herein provided, to determine prevailing scale of wages and wage areas in which such prevailing scale of wages shall apply to public work and to public road work, respectively, and to any particular public work or public road work project. This power is exclusive in the Commissioner and shall not be affected by any other means of determination that has been or may be established by agreement, law or otherwise except in cases where any act of the Congress of the United States is construed to prevail over the provisions of this Act.

(b) The Commissioner, in carrying out his duties and functions under this Act, is empowered to employ such investigative, administrative and enforcement personnel as are necessary to effectuate the policy and purpose of this Act and to delegate to such assistants or employees desig-
nated by him the power, duties and functions granted herein, and to exercise such other authority vested in him by existing law in effectuating the policy and purpose of this Act.

(c) Upon the effective date of this Act, the Commissioner shall announce and publish by filing with the Texas Employment Commission and the State Highway Commission for distribution to the respective local offices of each, and shall furnish upon request to any affected public and private employer and awarding public body and other interested persons or associations, his findings of the prevailing scale of wages for every wage area as a result of investigation and determination already made by him under authority of existing law. The prevailing scale of wages so established shall be complied with in all respects in accordance with the provisions of this Act; provided that the provisions of this Act shall not apply to any contract heretofore executed or arrangement heretofore entered into by an awarding public body, but shall apply to any renewal or extension of any such contract or arrangement and any new contract or arrangement entered into after the effective date of this Act.

(d) Immediately upon this Act becoming effective, the Commissioner shall determine by investigation, research and study, including hearings if he deems them reasonably necessary, the prevailing scale of wages for each wage area determined by him on the basis of the factors enumerated in Section 2(b) of this Act. In making his determination of prevailing scale of wages he shall consider the applicable scale of all wages established by collective bargaining agreements in the wage area, the applicable determination made by the Secretary of the Department of Labor of the United States under federal laws (provided, however, these determinations by the Secretary shall not be controlling) and current wages being paid in mining, industrial and commercial enterprises for similar work; but he shall not consider wages paid in agricultural or public work or public road work in employment unless such public work or public road work is being performed pursuant to a contract executed or arrangement entered into by an awarding public body.

(e) After making the determinations required by subsection (d) of this Section, the Commissioner shall announce and publish by filing with the Texas Employment Commission and the State Highway Commission for distribution to the respective local offices of each, and shall furnish upon request to all affected public offices and private employers and awarding public bodies and other interested persons or associations, the applicable prevailing scale of wages in each wage area. Such action by the Commissioner shall constitute notice to all persons and parties involved in or interested in the prevailing scale of wages for the wage area involved and they shall comply therewith in accordance with the provisions of this Act on and after January 1, 1962.

(f) Thereafter, the Commissioner shall continue his investigations, research and study and, from time to time, shall review and, if he deems it necessary, shall redetermine the prevailing scale of wages in each wage area and the scope of each wage area. The prevailing scale determined by him for the wage area determined by him shall be announced and published in a manner heretofore prescribed and the same shall be furnished, upon request, to all affected public and private employers and awarding public bodies and other interested persons and associations. Such action by the Commissioner shall constitute notice to all persons and parties involved in or interested in the prevailing scale of wages for the wage area involved and they shall comply therewith in accordance with the provisions of this Act.

(g) Whenever it is charged and/or whenever in carrying out his investigatory powers under this Act and existing law, the Commissioner finds that any public or private employer or awarding public body has or is violating any provisions of this Act, he shall be empowered and it shall be his duty: first, informally to obtain compliance with this Act and restitution
of all wages due and owing; second, to institute a civil suit to obtain compliance and restitution of all wages due and owing and injunctive relief to prevent further violations; and, third, to institute appropriate civil forfeiture proceedings hereinafter provided; provided, however, that nothing in this subsection shall deprive any worker of his right of action under Section 3(b) of this Act unless he has executed a written release based upon consideration in compromise and settlement of his claim.

Section 5. Review of Commissioner's Determinations.

(a) Any public employer, awarding public body, or any worker, or labor organization representing workers, may, at any time but subject to provisions of subsection (b) of this Section, and any prospective private employer who in good faith intends to respond to a call for bids on public work or public road work may, within ten (10) days after commencement of the advertising of call for bids, file with the Commissioner a verified petition to review the determinations made by the Commissioner on the grounds that they have not been determined in accordance with this Act, setting forth the facts upon which the petition for review is based, and serving copies of the petition for review upon all known interested parties including the awarding public body which has called for bids, if any.

(b) Whenever a petition for review is filed with him, the Commissioner, or any agent designated by him for such purpose, shall upon notice to the petitioner, the awarding public body, if any, and such other person as he deems proper, conduct a public hearing in the wage area within which the dispute arises. Any public employer, awarding public body, any worker or labor organization representing workers designated to have an interest in the determination and desiring to intervene in such proceedings shall make a timely motion for intervention, stating the grounds upon which an interest is claimed, and the Commissioner or agent conducting the hearing, as the case may be, may permit such intervention in person or by counsel or other representative to such extent and upon such terms as he may deem proper, and such intervenor shall thereafter become a party to the proceeding. Within twenty (20) days after the petition is filed, the Commissioner or his designated agent shall make a review determination of the matters raised by the petition and during the hearing by the parties and transmit it in writing to the affected parties. If the review determination involves a particular public work or public road work project, no other or further petition for review with respect to that project shall be entertained by the Commissioner. If the review determination involves either the prevailing scale of wages in a wage area or the extent of the wage area, no other or further petitions for review with respect to either shall be entertained by the Commissioner within six (6) months from the date of his next preceding determination or review determination and then only upon a showing of probable change of conditions justifying a review.

(c) If the dispute concerns an outstanding call for bids, the awarding public body shall extend the closing date for submission of bids or the starting of work until five (5) days after the determination by the Commissioner which determination shall be final and conclusive.

(d) If the dispute does not concern an outstanding call for bids, the party aggrieved by the Commissioner's determination after the petition and hearing above provided, may, within ten (10) days after the date of such determination, file a petition for review in a court of competent jurisdiction. No temporary restraining order or temporary injunction shall ever be issued upon such petition for review, but the court shall afford an immediate hearing, after answer by the Commissioner and other parties supporting his determination; the findings of the Commissioner with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive.

Section 6. Duties of Employers.

(a) No public or private employer shall require any worker to labor more than the maximum hours of work except as provided in Section 3(a) of this Act.
(b) No public or private employer shall require any worker to labor or pay any worker for labor at less than the prevailing scale of wages for the classification of work that more closely resembles the nature and character of the undone work. All disputes arising under this subsection shall be determined in accordance with the provisions of Section 5 of this Act.

(d) Every public and private employer shall keep or cause to be kept an accurate record of the name, occupation, and actual wages paid to every worker and shall make such record available to all reasonable times and places for inspection by the awarding public body and the Commissioner, his officers and agents. Every employer shall post or make available at a place easily accessible at all reasonable times to all interested persons a schedule of the prevailing wage scale set forth in the call for bids, the contract itself, or in appropriate public road work and in every appropriation of funds for such public work and shall cause a stipulation to be placed in every contract for public work or public road work.

(e) Every awarding public body shall cause a stipulation to be placed in every contract covering public work or public road work whereby every public or private employer party to such a contract shall forfeit to the awarding public body, to be transferred to the Commissioner, the sum of ten dollars ($10.00) for each public employer or by any subcontractor under him.
SECTION 8. Civil Penalties.

(a) Any public or private employer or any subcontractor under him who violates the provisions of this Act as to payment of the prevailing scale of wages, legal holiday and overtime wages, shall forfeit as a penalty to the awarding public body the sum of ten dollars ($10) for each worker who is paid in violation of this Act for each calendar day, or portion thereof, during which such unlawful payment is made. The forfeiture so collected shall be paid to the Commissioner to be used to cover the expenses of the enforcement of this Act.

(b) Except as provided in Section 3, subsection (b) of this Act, all actions to enforce the provisions of this Act shall be brought by the Commissioner by and through the Attorney General of the State of Texas or any County or District Attorney, in the county in which the violation occurred.


If any clause, sentence, paragraph or part of this Act or the application thereof to any person or circumstances, shall be for any reason adjudged invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, and the application thereof, but shall be confined to the portion of the Act directly involved in the controversy in which the judgment shall have been rendered and to the person or circumstances involved, it being the intention of the legislature to pass the valid parts of this Act even though some one or more words, clauses, sentences, or paragraphs or portions shall be held invalid.

SECTION 10. Conflicting Laws Are Repealed.

All laws and parts of laws in conflict herewith, and particularly Articles 5119, 5164, and 5165, Revised Civil Statutes of Texas, and Articles 1559, 1591 and 1594, Penal Code of Texas and amendments thereto, are hereby expressly repealed.

SECTION 11. Emergency.

The fact that the public policy of the State of Texas to protect the health, welfare and safety of working men and women performing labor on public work and public road work and to prevent unfair competition between public employers and private employers, undertaking public work and public road work, is presently impaired and denied because of defects, omissions and conflicts in existing statutes relating to such policy, and the administration and enforcement of such policy, creates an emergency and an imperative public necessity that the Constitutional Rule requiring all 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 enforced from and after its passage, and it is so enacted.

The amendment was lost.

A record vote was requested on the passage of H. B. No. 44 to engrossment.

H. B. No. 44 then failed to pass to engrossment by the following vote:

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The amendment was lost.

A record vote was requested on the passage of H. B. No. 44 to engrossment.

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INTRODUCTION OF BARBARA ANNE WRAY

Speaker Turman presented the Honorable Virginia Duff, who introduced the House Miss Barbara Anne Wray of Waxahachie, Texas, "Miss Bluebonnet of Texas."

Miss Wray addressed the House.

COMMITTEE MEETING

Mr. Preston asked unanimous consent of the House that the Committee on Municipal and Private Corporations be permitted to meet at this time.

There was no objection offered.

HOUSE BILL NO. 132 ON SECOND READING

Mr. Lewis moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 132.

The motion prevailed.

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 132, A bill to be entitled "An Act relating to the financial responsibility of persons with respect to specified injury and damage which may result from the operation of certain motor vehicles in this State; providing for administration, enforcement and penalties; amending Chapter 498, Acts of the 52nd Legislature, Regular Session, 1951, as amended, by adding Section 4a which says that after January 1, 1962 no person must file or maintain proof of financial responsibility pursuant to the Texas Motor Vehicle Safety Responsibility Act; providing for severability; setting an effective date; and declaring an emergency."

The motion prevailed.

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 132. A bill to be entitled "An Act relating to the financial responsibility of persons with respect to specified injury and damage which may result from the operation of certain motor vehicles in this State; providing for administration, enforcement and penalties; amending Chapter 498, Acts of the 52nd Legislature, Regular Session, 1951, as amended, by adding Section 4a which says that after January 1, 1962 no person must file or maintain proof of financial responsibility pursuant to the Texas Motor Vehicle Safety Responsibility Act; providing for severability; setting an effective date; and declaring an emergency."

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 132.

The motion prevailed.

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 132.
Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"10. 'Proof of financial Responsibility.' Proof of ability to respond in damages for bodily injury to or death of two (2) persons in any one (1) accident, and in the amount of Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one (1) accident.'

Sec. 2. Subsection (b) of Section 2 of Article II of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"(b) Any order or act of the Department, under the provisions of this Act, may be subject to review within ten (10) days after notice thereof to read hereafter as follows:

"(b) Any order or act of the Department, under the provisions of this Act, may be subject to review within ten (10) days after notice thereof to appeal to the County Court of Law at the instance of any party in interest and in the county wherein the person aggrieved by such order or act resides, or if there be no County Court of Law therein, then in the County Court of said county, or if there be no County Court having jurisdiction, then such jurisdiction shall be in the District Court of said county, and such court is hereby vested with jurisdiction, and such appeal shall be by trial de novo. The court may, in disposing of the issue before it, modify, affirm, or reverse the order or decision of the Department in whole or in part. An appeal shall not act as a stay of any order or act of the Department, and the court shall have no authority to order any such stay pending final determination by the court.'

Sec. 3. Section 4 of Article II of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

'Sec. 4. The operator of every motor vehicle which is in any manner involved in an accident within this State, in which any person is killed or injured or to which damage in the property of any one (1) person, including himself, to an apparent extent of at least Fifty Dollars ($50) is sustained, shall within ten (10) days after such accident report the matter in writing to the Department. Such report, the form of which shall be prescribed by the Department, shall contain information to enable the Department to determine whether the requirements for the deposit of security under Section 5 are inapplicable by reason of the existence of insurance or other exceptions specified in this Act. Any written report of accident in accordance with Article 6761-d, Section 44, Texas Revised Civil Statutes, if actually made to the Department, shall be sufficient provided it also contains the information required herein. The Department may rely upon the accuracy of the information unless and until it has reason to believe that the information is erroneous. If such operator is physically incapable of making such report, the owner of the motor vehicle involved in such accident shall, within ten (10) days after learning of the accident, make such report. The operator or the owner shall furnish such damage or relevant information as the Department shall require.'

Sec. 4. Section 5 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

'Sec. 5. (a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death, or damage to the property of any one (1) person of at least Fifty Dollars ($50), the Department does not have the evidence satisfactory to it that the person who would otherwise be required to file security under Subsection (b) of this section has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the Department shall determine the amount of security which shall be sufficient in its judgment, and in no event less than...
May 15, 1961

HOUSE JOURNAL 2041

Five Hundred Dollars ($500) to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each operator or owner.

(b) The Department shall, within sixty (60) days after the receipt of such report of a motor vehicle accident, suspend the license and all registrations of each operator and owner of a motor vehicle in any manner involved in such accident, and if such operator or owner is a nonresident the privilege of operating a motor vehicle within this State, and the privilege of the use within this State of any motor vehicle owned by him, unless such operator, owner or operator and owner shall deposit security in the sum so determined by the Department in no event less than Five Hundred Dollars ($500), and unless such operator and owner shall give proof of financial responsibility; provided notice of such suspension shall be sent by the Department to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security and the necessity for proof of financial responsibility. Where erroneous information is given the Department with respect to the matters set forth in Subdivisions 1, 2 and 3 of Subsection (c) of this section, it shall take appropriate action as herebefore provided, within (60) days after receipt by it of correct information with respect to said matters.

(c) This section shall not apply under the conditions stated in Section 6 nor:

1. To such operator or owner if such owner had in effect at the time of such accident a motor vehicle liability policy with respect to the motor vehicle involved in such accident;

2. To such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident a motor vehicle liability policy or bond with respect to his operation of motor vehicles not owned by him;

3. To such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the Department, covered by any other form of liability insurance policy or bond; nor

4. To any person qualifying as a self-insurer under Section 34 of this Act, or to any person operating a motor vehicle for such self-insurer.

No such policy or bond shall be effective under this section nor Section 7 unless issued by an insurance company or surety company authorized to write motor vehicle liability insurance in this State, except that if such motor vehicle was not registered in this State, or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy, or the most recent renewal thereof, such policy or bond shall not be effective under this section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the Department to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident; providing, however, every such policy or bond is subject if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than Ten Thousand Dollars ($10,000) because of bodily injury to or death of one (1) person in any one (1) accident and, subject to said limit for one (1) person, to a limit of not less than Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one (1) accident.

Sec. 5. Section 6 Article III of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows:

'Sec. 6. The requirements as to security and suspension in Section 5 shall not apply:

1. To the operator or the owner of a motor vehicle involved in an
accident wherein no injury or damage was caused to the person or property of any one other than such operator or owner;
2. To the operator or the owner of a motor vehicle legally parked at the time of the accident;
3. To the owner of a motor vehicle if at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such motor vehicle without such permission; or
4. If, prior to the date that the Department would otherwise suspend license and registration of nonresident's operating privilege under Section 5, there shall be filed with the Department evidence satisfactory to it that the person, who would otherwise have to file security and proof, has released from liability or has executed a duly acknowledged written agreement not to be liable or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments, with respect to all claims for injuries or damages resulting from the accident;

Sec. 6. Section 7 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

Sec. 7. The license and registration and nonresident's operating privilege suspended as provided in Section 5 shall remain so suspended and shall not be renewed nor shall any such license or registration be issued to such person until:
1. Such person shall deposit and file or there shall be deposited and filed on his behalf the security and proof required under Section 5 and under this section; or
2. Two (2) years shall have elapsed following the date when such accident and evidence satisfactory to the Department has been filed with it that during such period no action or proceeding has been instituted, provided such person files proof of financial responsibility;
3. Evidence satisfactory to the Department has been filed with it of a release from liability, or a final adjudication of non-liability, or a daily acknowledged written agreement, in accordance with Subdivision 4 of Section 6; provided, however, in the event there shall be any default in the payment of any installment under any daily acknowledged written agreement, then, upon notice of such default, the Department shall forthwith suspend the license and registration of nonresident's operating privilege of such person defaulting which shall not be restored unless and until

(1) Such person deposits and thereafter maintains security as required under Section 5 in such amount as the Department may determine and files proof of financial responsibility;
or

(2) Two (2) years shall have elapsed following the date when such security was required and during such period no action upon such security agreement has been instituted in a court in this State, provided such person gives proof of financial responsibility.'

Sec. 7. Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new section to be known as Sec­tion 7A, which shall read as follows:

"Reinstatement—Fees

Sec. 7A. Whenever a license or registration, or nonresident's operating privilege is suspended as provided in Section 5, or the issuance of a new license or registration, or nonresident's operating privilege is suspended in accordance with any filing of proof of financial responsibility, the Department shall impose a fee of Twenty-Five Dollars ($25) in addition to any other fee which may be required by law. Only one (1) such fee shall be paid by any one (1) person regardless of the number of licenses and registrations to be reinstated or issued to such person in connection with such payment."
The fees paid pursuant to this section shall be used by the Department to administer the provisions of this Article.

Sec. 9. Section 9 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 9. Security deposited in compliance with the requirements of this Article shall be placed by the Department in the custody of the State Treasurer and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question in an action at law, begun not later than two (2) years after the date of deposit of any security under Subdivision 3 of Section 7, or to the payment in settlement, agreed to by the depositor, of a claim or claims arising out of such accident. Such deposit or any balance thereof shall be returned to the depositor or his personal representative when evidence satisfactory to the Department has been filed with it that there has been a release from liability, or a final adjudication of non-liability, or a duly acknowledged agreement in accordance with Subdivision 3 of Section 7, or whenever, after the expiration of two (2) years from the date of the accident, or within two (2) years after the date of deposit of any security under Subdivision 3 of Section 7, the Department shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid."

Sec. 11. Section 11 of Article III of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

"Sec. 11. Neither the report required by Section 4, the statement, whether filed or not, required by
Section 17A. The action taken by the Department pursuant to this Article, the findings, if any, of the Department upon which such action is based, nor the security or proof of financial responsibility filed as provided in this Article shall be referred to in any way, nor be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages.”

Sec. 12. Subsection (c) of Section 12 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

“(c) The clerk of the court, or the judge of a court which has no clerk, in which any conviction for violation of a motor vehicle law is rendered, or in which a person charged with violation of a motor vehicle law has forfeited bail, shall forward immediately to the Department a certified copy of the judgment, order or record of other action of the court. If any person has pleaded guilty to any offense the conviction for which the Department is required to suspend or revoke the license of such person, the clerk or judge shall forward immediately a certified copy showing that such plea has been taken. This copy shall be prima facie evidence of the conviction, plea or other action stated. Where a person is convicted of any traffic violation coming within the provisions of Section 17A or has forfeited bail on such a charge, the clerk or judge, as the case may be, shall forward to the Department a report thereof which shall include information as to whether or not there was in effect at the time of the violation a motor vehicle liability policy or bond with respect to the operation of the motor vehicle involved. The Department shall prepare a memorandum showing the duty of the clerk or court under this subsection including a list of those offenses the conviction for which the Department is required to suspend or revoke the license of any person and a copy of such memorandum shall be mailed by the Department on or before January 1, 1962, to every court having original jurisdiction of any offense which involves a report to the Department under this subsection.”

Sec. 13. Subsection (a) of Section 13 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

“(a) Upon the receipt of a certified copy of a judgment, the Department shall forthwith suspend the license and all registrations and any nonresident’s operating privilege of any person against whom such judgment was rendered except as hereinafter otherwise provided in this section and in Section 18 of this Act.”

Sec. 14. Section 15 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

“Sec. 15. Judgments herein referred to shall, for the purpose of this Act only, be deemed satisfied:

1. When Ten Thousand Dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of any one (1) accident;

2. When, subject to such limit of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one (1) person, the sum of Twenty Thousand Dollars ($20,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident;

3. When Five Thousand Dollars ($5,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident;

Provided, however, payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.”

Sec. 16. Section 17 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

1. When Ten Thousand Dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of any one (1) accident;

2. When, subject to such limit of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one (1) person, the sum of Twenty Thousand Dollars ($20,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident;

3. When Five Thousand Dollars ($5,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident;

Provided, however, payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.”

Sec. 17. Section 18 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

1. When Ten Thousand Dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of any one (1) accident;

2. When, subject to such limit of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one (1) person, the sum of Twenty Thousand Dollars ($20,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident;

3. When Five Thousand Dollars ($5,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident;

Provided, however, payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.”

Sec. 18. Section 19 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

1. When Ten Thousand Dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of any one (1) accident;

2. When, subject to such limit of Ten Thousand Dollars ($10,000) because of bodily injury to or death of one (1) person, the sum of Twenty Thousand Dollars ($20,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident;

3. When Five Thousand Dollars ($5,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident;

Provided, however, payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.”
Sec. 17. (a) Whenever the Department, under any law of this State, suspends or revokes the license of any person upon receiving record of a conviction or a forfeiture of bail, the Department shall also suspend the registrations for all motor vehicles registered in the name of such person, and whenever the Department shall receive record of a plea of guilty to any offense the conviction for which the Department is required to suspend or revoke the license of any person, the Department shall immediately suspend the registrations for all motor vehicles registered in the name of such person, except that the Department shall not suspend any such registrations, unless otherwise required by law, if such person has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by such person.

(b) Whenever the Department under any law of this State, suspends or revokes the license of any person upon receiving record of a conviction or suspends the registrations of any person upon receiving record of a plea of guilty, such person was not the owner of the motor vehicle used at the time of the violation resulting in the conviction or the plea of guilty, the Department shall also suspend the license and all registrations in the name of the owner of the motor vehicle so used, if such vehicle was operated with such owner's permission or consent at the time of the violation unless such owner has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by any such person.

c) Licenses and registrations suspended or revoked under this section or under Section 17A shall remain suspended or revoked and shall not at any time thereafter be renewed nor shall any person be issued to such person, nor shall any motor vehicle be thereafter registered in the name of such person until permitted under the Motor Vehicle Laws of this State and not then unless and until he shall give and thereafter maintain proof of financial responsibility.

(d) If a person is not licensed, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for (or pleads guilty to any such offense) any offense requiring the suspension or revocation of license, or for operating a motor vehicle upon the highways without being licensed to do so, as for operating an unregistered motor vehicle upon the highways, no license shall thereafter be issued to such person and no motor vehicle shall continue to be registered or thereafter be registered in the name of such person until he shall give and thereafter maintain proof of financial responsibility.

(e) Whenever the Department suspends or revokes a nonresident's operating privilege by reason of a conviction, forfeiture of bail or a plea of guilty, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility.

Sec. 18. Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended by adding thereto a new section to be known as Section 17A which shall read as follows:

"Sec 17A. Other Convictions— Statement Required— Financial Responsibility. (a) Within sixty (60) days after the receipt by the Department of a record of a conviction in any court in this State of any moving traffic violation of the State of Texas or any political subdivision thereof, other than a conviction to which Section 17 applies, the Department shall, unless the record shows that the person so convicted was at the time of the offense in compliance with subdivision (1) of this subsection (a) or that the owner of the motor vehicle used was at the time of the offense in compliance with subdivision (2) of this subsection (a), send a notice to such person requiring him to file within ten (10) days a statement in writing showing:

1. That he had in effect at the time of the violation a motor vehicle liability policy or bond ap
pleasable to the motor vehicle then used, or in its operation, or that he was in the judgment of the Department, then covered by any other form of liability policy or bond or had qualified as a self-insurer under Section 34, or

2. That the owner of the motor vehicle used at this time of the violation had in effect at the time of the violation a motor vehicle liability policy or bond applicable to the motor vehicle then used, or that such owner was in the judgment of the Department, then covered by any other form of liability policy or bond, or had qualified as a self-insurer under Section 34, and that the motor vehicle was then being operated with the owner's permission or consent, or

3. That he had in effect at the time the statement is executed a motor vehicle liability policy or bond or has qualified as a self-insurer under Section 34.

(b) Upon a second or subsequent conviction within twelve (12) months of an offense to which subsection (a) of this section applies, where the person convicted was not, at the time of such second or subsequent violation, in compliance with subdivisions (1) or (2) of subsection (a) of this section, such person shall, in lieu of filing the statement required under subsection (a) of this section, file proof of financial responsibility.

(c) In the event that any such person does not, within ten (10) days after notice, file the statement required under subsection (a), or proof of financial responsibility if subject to subsection (b), the Department shall suspend the license and all registrations of such person, and he nonresident operating privilege, if he is a nonresident, until he files the statement required under subsection (a) or, if subject to subsection (b), until he files proof of financial responsibility.

(d) The Department may rely upon the accuracy of information as to insurance contained in conviction records, or in written statements required by this section unless and until it has reason to believe that such information is erroneous.

Sec. 17. Subsections (a) and (b) of Section 21 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act are amended to read hereafter as follows:

1. Shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby to be granted; and

2. Shall pay on behalf of the insured named therein and any other person, as insured, using any such motor vehicle or motor vehicles with the express or implied permission of each named insured, all sums which the insured shall become legally obligated to pay as damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada because of any one (1) accident and, subject to said limit for one (1) person, Twenty Thousand Dollars ($20,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and Five Thousand Dollars ($5,000) because of injury to or destruction of property of others in any one (1) accident.

Sec. 18. Section 25 of Article IV of the Texas Motor Vehicle Safety-Responsibility Act is amended to read hereafter as follows:

'Sec. 25. (a) Proof of financial responsibility may be evidenced by the certificate of the State Treasurer that the person named therein has
May 15, 1961    HOUSE JOURNAL  2047

deposited with him Twenty-five Thousand Dollars ($25,000) in cash, or securities such as may legally be purchased by savings banks or for trust funds of a market value of Twenty-five Thousand Dollars ($25,000). The State Treasurer shall not accept any such deposit and issue such certificate therefor and the Department shall not accept such certificate unless accompanied by evidence that there are no unsatisfied judgments of any person against the depositor in the county where the depositor resides.

(b) Such deposit shall be held by the State Treasurer to satisfy, in accordance with the provisions of this Act, any execution on a judgment issued against such person making the deposit, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after such deposit was made. Money or securities so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages as aforesaid.

Sec. 19. Section 25 of Article IV of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows:

"Sec. 25. Whenever any proof of financial responsibility filed under the provisions of this Act no longer fulfills the purposes for which required, the Department shall for the purpose of this Act, require other proof as required by this Act and shall suspend the license and all registrations or any nonresident's operating privilege pending the filing of such other proof."

Sec. 26. Section 29 of Article IV of the Texas Motor Vehicle Safety Responsibility Act is amended to read hereafter as follows:

"Sec. 29. The Department shall approve consent to the immediate cancellation of any bond or certificate of insurance, or the Department shall direct and the State Treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this Act as proof of financial responsibility, or the Department shall waive the requirement of filing proof, in any of the following events:

1. At any time after five (5) years from the date such proof was required when, during the five-year period preceding the request, the Department has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration or nonresident's operating privilege of the person by or for whom such proof was furnished; or

2. In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle; or

3. In the event the person who has given proof surrenders his license and registration to the Department:

Provided, however, that the Department shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages upon a liability covered by such proof is then pending or any judgment upon any such liability is unsatisfied, or in the event the person who has filed such bond or deposited such money or securities has, within two (2) years immediately preceding such request, been involved as an operator or owner in any motor vehicle accident resulting in injury or death to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that he has been released from all of his liability, or has been finally adjudicated not to be liable, for such injury or damage, shall be sufficient evidence thereof to the contrary in the records of the Department.

Whenever any person whose proof has been cancelled or returned under Subdivision 3 of this section applies for a license or registration within a period of five (5) years from the date proof was originally required, any such application shall be refused unless the applicant shall re-establish such proof for the remainder of such five-year period.
sec. 21. section 21 of article v
of the texas motor vehicle safety-
responsibility act is amended to read as follows:

"sec. 31. any person whose license
or registration shall have been sus-
pended as herein provided, or whose
policy of insurance or bond, when
required under this act, shall have
been cancelled or terminated, or who
shall neglect to furnish other proof
upon request of the department shall
immediately return his license and
registration to the department. if
any person shall fail to return to
the department the license or regis-
tration as provided herein, the
department shall forthwith direct
any peace officer to secure possession
thereof and to return the same to
the department, and the department
shall send a certified copy of the
act or order of the department re-
quiring the return of the license or
registration to the sheriff of the
county of the persons last known
address. the sheriff or his deputy
shall immediately upon receipt of
the certified copy secure possession
of the license or registration and
return the same to the department.
the director of the department of
public safety or a person designated
by him shall file a complaint in any
court of competent jurisdiction
under subsection (d) of section 31
against any person who he has rea-
son to believe has willfully failed to
return his license or registration as re-
quired herein."

sec. 20. subsection (b) of section
32 of article v of the texas motor
vehicle safety-responsibility act is
amended to read as follows:

"(b) any person who gives in-
formation required in a report or
otherwise as provided for in section
4, knowing or having reason to be-
lieve that such information is false;
or who shall forge or, without au-
thority, sign any evidence of proof
of financial responsibility, or who
files a return for filing any such
evidence of proof knowing or having
reason to believe that it is forged or
signed without authority, or who
intentionally gives to any court false
information as to the existence of
insurance at the time of a traffic
violation coming under section 17a,
or who intentionally gives false in-
formation in a statement required
by section 17a, shall be fined not
more than one thousand dollars
($1,000) or imprisoned for not more
than one (1) year, or both."

sec. 22. section 32 of article v
of the texas motor vehicle safety-
responsibility act is amended by
adding thereto a new subsection to
be known as (f) which shall read as
follows:

"(f) any person who is required
to maintain proof of financial re-
sponsibility under the act and who,
during the period financial re-
sponsibility is required to be main-
tained, drives any motor vehicle owned
by him upon any highway or knowingly
permits any motor vehicle owned by
him to be operated by another upon
any highway, except as permitted
under this act, when proof of finan-
cial responsibility is not in force,
shall be fined not more than five
hundred dollars ($500) or imprison-
ed not exceeding six (6) months, or
both."

sec. 24. section 32 of article v of
the texas motor vehicle safety-res-
ponsibility act is amended by add-
ing thereto a new subsection to be
known as (g) which shall read as
follows:

"(g) any case now or hereafter
pending on the docket of any court
involving prosecution under any
provision of this act shall be given
precedence on the docket of such
court and prosecution shall proceed
with all due diligence."

sec. 25. if any provision of this
act or the application thereof to any
person or circumstances is held in-
valid, such invalidity shall not af-
fect other provisions or applications
of the act which can be given effect
without the invalid provision or ap-
lication, and to this end the provi-
sions of this act are declared to be
severable.

sec. 26. the fact that many in-
nocent victims of traffic accidents
are unable to obtain adequate com-
ensation for injuries and damages
due to the financial inability of the
responsible party to respond in
damages 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.

2048 HOUSE JOURNAL
May 15, 1961

HOUSE JOURNAL 2049

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."

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

Amend Committee Amendment No. 1 to House Bill No. 132 by striking out the phrase "Ten Thousand Dollars ($10,000);" as it appears in Section 1, line 29, Section 14, line 48 and Section 17, line 52, and substituting in lieu thereof: "Five Thousand Dollars ($5,000);" and by striking out the phrase "Twenty Thousand Dollars ($20,000);" as it appears in Section 1, line 32, Section 14, line 53, and Section 17, line 54, and substituting in lieu thereof: "Ten Thousand Dollars ($10,000)."

Mr. Fairchild moved to table the amendment by Mr. Miller.

A record vote was requested on the motion to table.

The motion to table the amendment by Mr. Miller to Committee Amendment No. 1 was lost by the following vote:

Yeas—64

Adams of Lubbock Hughes of Dallas
Allen Johnson of Dallas
Atwell Johnson of Bell
Bailey Jones of Dallas
Barlow Keaster
Berry La Valle
Blaine Lewis
Bridges McGregor
Butler of McLennan
Carroll McGregor
Carriker of El Paso
Chapman Mcllhany
Cook Markgraf
Cowen Martin
Cowles Moore
Eckhardt Malley
Eckhardt Malleen
Fahle Nissely
Fahle Peeler
Gibbons Price
Gibbs Price
Gladden Ratcliff
Glass Read
Hall Richards
Harrington Ross
Haynes Rosson
Huchalski Schram
of Grayson Shamburger

Nays—72

Adams of Titus Koliba
Allen Lary
Andrews Latimer
Barnes Leaverton
Bass Longoria
Boysen McCoppin
Burgess Murray
Cannon Matescher
Carlos of Harris
Carlos of Hunt
Collins Oliver
Connell Osborn
Cory Pearson
Cotter Petty
Crana Preston
Crews Quilliam
Curington Rapp
Dewey Richardson
Duff, Miss Roberts of Hill
Stiles Roberts of Dawson
Floyd Sandahl
Foreman Skipley
Garrisson Smith of Bexar
Glasing Springer
Green Stewart
Grover of Wichita
Harding Strave
Harrington Thurmond
Hinton Townsend
Hollowell Trevino
Tuckner Tannell
Isacks, Miss Ward
James Wheatley
Jorris Woods
Johnson of Bexar Yezak
Jones of Travis

Absent

Guffey Stack
Healy Spears
Jamison Spillman
Pipkin

Absent—Excused

Ballman Duncan
Buchanan Kilpatrick
de la Garza Pierce

A record vote was requested on the amendment by Mr. Miller.

The amendment by Mr. Miller to Committee Amendment No. 1 was adopted by the following vote:
S. B. No. 468 to the Committee on State Affairs.

S. B. No. 467 to the Committee on Conservation and Reclamation.

S. B. No. 465 to the Committee on Judiciary.

Mr. Floyd in the Chair

S. B. No. 464 to the Committee on Education.

S. B. No. 463 to the Committee on Conservation and Reclamation.

S. B. No. 462 to the Committee on Game and Fisheries.

S. B. No. 460 to the Committee on Game and Fisheries.

S. B. No. 454 to the Committee on Conservation and Reclamation.

S. B. No. 449 to the Committee on Criminal Jurisprudence.
May 15 1961  HOUSE JOURNAL  2051

S. B. No. 445 to the Committee on State Affairs.
S. B. No. 444 to the Committee on Conservation and Reclamation.
S. B. No. 435 to the Committee on Municipal and Private Corporations.
S. B. No. 424 to the Committee on Conservation and Reclamation.
S. B. No. 390 to the Committee on State Affairs.
S. B. No. 348 to the Committee on Education.
S. B. No. 343 to the Committee on Appropriations.
S. B. No. 309 to the Committee on Criminal Jurisprudence.
S. B. No. 286 to the Committee on Judiciary.
S. B. No. 277 to the Committee on State Affairs.
S. B. No. 235 to the Committee on Counties.
S. B. No. 231 to the Committee on Revenue and Taxation.
S. B. No. 206 to the Committee on Public Health.
S. B. No. 179 to the Committee on Judiciary.
S. B. No. 146 to the Committee on Judiciary.
S. B. No. 127 to the Committee on State Affairs.
S. B. No. 109 to the Committee on State Affairs.
S. B. No. 81 to the Committee on State Affairs.
S. B. No. 19 to the Committee on Appropriations.
S. B. No. 61 to the Committee on Education.
S. B. No. 3 to the Committee on State Affairs.

HOUSE BILLS ON FIRST READING

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

By Mr. Cory:
H. B. No. 1119. A bill to be entitled "An Act selling certain State owned submerged lands to the City of Port Lavaca, providing for a mineral reservation with right of ingress and egress, for a reversion; and declaring an emergency."
Referred to the Committee on State Affairs.

By Mr. Cole of Hunt:
H. B. No. 1129. A bill to be entitled "An Act ratifying, confirming and validating the creation, establishment and boundaries of Panpin County Water Control and Improvement District No. 3 (Lower Bois d'Arc Water District); the organization, confirmation election and election of directors for the District and all proceedings relating thereto; granting said District the powers enumerated by Article XVI, Section 59 of the Constitution of Texas and declaring an emergency."
Referred to the Committee on Conservation and Reclamation.

By Mr. Caldwell:
H. B. No. 1121. A bill to be entitled "An Act providing the mode of election of certain school trustees in all counties containing a population of not less than seventy-five thousand (75,000) and not more than eighty-thousand (80,000) according to the last preceding Federal Census; and declaring an emergency."
Referred to the Committee on Education.

By Mr. Buchanan:
H. B. No. 1123. A bill to be entitled "An Act providing for the creation of countywide hospital districts under the provisions of Article IX Section 9 of the Constitution of Texas; providing for an election in the county in question to create a countywide hospital district; providing for the levy of a tax for the district for the purpose of maintaining and operating the district, paying indebtedness assumed by such district and bonds issued by the district; providing for the issuance of bonds by the district for the purpose of the purchase, construction, acquisition,
repair or renovation of buildings and improvements and equipping same for hospital purposes and for any and all such purposes and for refunding bonds and prescribing limitations on such power; providing bonds issued or assumed by a district may have been issued by a county, town or city that jointly operates a hospital or hospital system; or by a city or town within such district that operates a hospital or hospital system; providing for the assumption of any bonds outstanding that may have been issued by a county, town or city within such district for hospital purposes; providing for the selection of a governing body of such hospital district, their tenure of office and powers and duties in carrying out the provisions of the Act; prescribing a procedure for the adoption of a budget, the selection of a depository and the power of eminent domain which power is conferred upon the district; prescribing a fiscal year; withdrawing authority for the levy of taxes and the sale of bonds for hospital purposes by a county, city or town located within the district established; enacting other provisions incidental and related to the subject; providing a severance clause and declaring an emergency.

Referred to the Committee on State Affairs.

By Mr. Butler:

H. B. No. 1127, A bill to be entitled "An Act abolishing the Board of County and District Road Indebtedness; transferring its powers, duties, responsibilities and functions to the State Treasurer; providing for the transfer of personal property and appurtenances from said Board to the State Treasurer; declaring legislative intent as to the purpose of this Act; providing an effective date; and declaring an emergency.

Referred to the Committee on Examination of Comptroller's and Treasurer's Accounts.

By Messrs. Jones of Dallas, Butler, Black, Ratcliff, Crews, Gibbons, Townsend, Wilson of Trinity and Koroth:

H. B. No. 1124, A bill to be entitled "An Act to amend Article 3116 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 237, Acts of the Fiftieth Legislature, Regular Session, 1957; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Burgess:


Referred to the Committee on Game and Fisheries.

By Mr. de la Garza:

H. B. No. 1126, A bill to be entitled "An Act to exclude certain described lands from Hidalgo County Water Improvement District No. 3; finding notice of intent to apply for passage of such Act to have been duly given; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Stewart of Wichita:

H. B. No. 1127, A bill to be entitled "An Act amending Article 6066, Revised Civil Statutes of Texas, 1925, as amended, so as to authorize transfer of monies collected pursuant to the provisions of Article 6066, Revised Civil Statutes of Texas, 1925, as amended, for the purpose of paying for the administration of the conservation laws of this State relating to the production of gas, which includes condensates and distillates, making other provisions therefor, and declaring an emergency."

Referred to the Committee on Oil, Gas and Mining.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read, severally the following enrolled bills and resolutions:
May 15, 1961

S. B. No. 119, "An Act to make uniform the law of partnership; defining partnership; defining relations of partners to persons dealing with the partnership; defining relation of partners to one another; defining property rights in partnerships (including those of spouses of partners); providing for dissolution and winding up; defining the rules for distribution of partnership property; providing for interpretation and construction of the Act; providing for cases not provided for herein; providing a severability clause; repealing Acts in conflict herewith; and declaring an emergency."

S. B. No. 247, "An Act to fix and make certain the amount of compensation to be paid from county funds by counties having a population of five hundred thousand ($500,000) or more, according to the last preceding federal census and having five (5) or more Civil District Courts and two (2) or more Criminal District Courts, as compensation to District, Criminal District, Domestic Relations and Juvenile Judges in such counties; providing the time and method of payment, authorizing amendment of the budget; providing for the compensation of substitute judges; and declaring an emergency."

S. B. No. 252, "An Act providing that an "Eligible District" as defined herein may be subject to the limitations provided by the provisions of Chapter 25 of the General Laws of 1917, 48th Legislature, Regular Session, 1925, as amended, in the assessment, equalization, and collection of taxes and performance of certain duties by officials of the district as therein prescribed providing for the appointment of a tax assessor and board of equalization upon the adoption of such resolution; prescribing the qualifications of such officers; prescribing a procedure for the abolition of such eligible districts and that upon dissolution all of the properties and assets of such district shall pass to the city abolishing the same; requiring such city to assume and become liable for the payment of bonds and other indebtedness of such district; authorizing the refunding of outstanding bonds of such districts by, and in the name of the city which has assumed payment thereof; ratifying, approving and validating proceedings and actions heretofore taken in the creation and organization of such districts provided the validity thereof is not the subject of litigation upon the effective date of this Act; enacting other provisions related to the subject; containing a severability clause; and declaring an emergency."

S. B. No. 257, "An Act amending Section 2a of Article 7657b, Vernon's Revised Civil Statutes of Texas, 1925, as amended, Acts of 1939, 46th Legislature, page 642, Section 2, providing for procedure in the filing of suit for taxes paid under protest; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 268, "An Act amending Section 112(b) of Article 6701d of the Revised Civil Statutes of Texas, relating to mounting height of reflectors on motor vehicles; and declaring an emergency."

S. B. No. 269, "An Act concerning the use of facsimile signatures and seals upon public securities and instruments of payment; repealing H. B. No. 725, Acts 1955, 54th Leg., Chapter 293; and declaring an emergency."

S. B. No. 271, "An Act to amend Chapter 41, Article 214, Acts of the 52nd Legislature, Regular Session, 1951, known as the Insurance Code of Texas, as amended, to extend the time within which insurance companies must hold an annual meeting of the election of directors; and declaring an emergency.

S. B. No. 283, "An Act to amend Senate Bill No. 97, Chapter 55, Acts of the Fifty-fourth Legislature, Regular Session, 1955, as amended by House Bill No. 119, Chapter 31, Acts of the Fifty-fifth Legislature, Regular Session, 1957, so as to provide and make more certain that oil, gas, and mineral leases executed by personal representatives may provide for their extension beyond their primary terms by shut-in gas wells, and validating such provisions in leases hereafter executed by personal representatives pursuant to the provisions of the Texas Probate Code and still in force; to provide that oil, gas, and mineral leases executed by personal representatives
pursuant to the Texas Probate Code may be amended so as to provide for their being continued in effect by shut-in gas wells, if the presence of such shut-in gas well is a ground for continuation of the lease by the terms of said lease, such amendments to be executed by the personal representatives with the approval of the Court and upon such terms and conditions as may be prescribed therein etc., and declaring an emergency.

S. B. No. 292, "An Act authorizing certain cities to enter into contracts with districts established under Article XVI, Section 69 of the Constitution under which the district will supply to such city sewage transportation, treatment and disposal services which contracts may also provide for use by the district of sewage transportation, treatment and disposal facilities owned by such city; providing the revenues to be received by a district under such contract shall be used by the district for payment of principal of and interest on bonds issued by the district and for payment of expenses of the district and other purposes as provided in such contract; etc., containing a severability clause; enacting other provisions relating to the subject, and declaring an emergency."

S. B. No. 294, "An Act relating to Tarrant County Water Control and Improvement District No. 1; authorizing the district to purchase, construct, improve and repair works and facilities necessary for transportation, treatment and disposal of sewage and industrial waste and effluent, and to issue bonds for such purposes, and to make contracts with cities and others under which the district will transport, treat and dispose of sewage from such cities, and contracts for the use of city owned sewage transportation, treatment and disposal facilities; providing for the security and payment of the bonds, and providing that Chapter 268, Acts of the Fifty-fifth Legislature shall be applicable to bonds issued under this Act; etc., and declaring an emergency."

S. B. No. 294, "An Act authorizing and directing the execution and delivery of a right-of-way easement to certain lands in Lubbock County, Texas, by the Board of Directors of Texas Technological College acting by its chairman, to the City of Lubbock, a municipal corporation of Lubbock County, Texas, for the construction, reconstruction, operation, maintenance and repair of underground and surface electric line and emergency fire alarm signal units in, under and across the campus of Texas Technological College; and declaring an emergency."

S. B. No. 304, "An Act relating to investment of proceeds from the sale of bonds, and assessment, equalization and collection of taxes in the West Central Texas Municipal District, amending subsection (g) of Section 15 of Chapter 46, Acts of the 54th Legislature, Regular Session, 1965, and adding a new Section, Section 23, thereto; and declaring an emergency."

S. B. No. 314, "An Act providing for the utilization of the electronic data processing center provided for in Senate Bill No. 494, Acts of the Fifty-sixth Legislature, Regular Session, Chapter 274, Page 704 (codified in Vernon's as Article 4944b, Vernon's Civil Statutes), by agencies of the State; providing the powers and duties of the Comptroller of Public Accounts, and other agencies relating thereto; and declaring an emergency."

S. B. No. 317, "An Act to authorize certain counties to borrow money, and to authorize and direct them to issue time warrants, or other obligations of such counties as evidence of such sums and to levy and pledge taxes in payment thereof; empowering the county commissioners with authority to approve the issuance of time warrants or obligations; providing for signature on such warrants or obligations by the county judge and county clerk; establishing the validity of such warrants and obligations; providing that if any part of this Act shall be unconstitutional or invalid for any reason, the remainder shall, nevertheless, be in full force and effect; and declaring an emergency."

G. B. No. 325, "An Act amending Section 4, Article 4614, Revised Civil Statutes of Texas, 1923, as last amended by Section 1, Chapter 467, Acts of the 54th Legislature, 1957, relating to the filing by a married
women of a statement of election as to the management of her separate property in counties in which she owns real estate; and providing that the husband be not required to join or consent to such statement; and declaring an emergency.

S. B. No. 333, "An Act to amend Article 3913 of the Insurance Code; to provide authority for and limitations upon reinsurance by 'domestic insurance companies; and declaring an emergency.'"

S. B. No. 336, "An Act applying to Home Rule Cities having a population in excess of ten thousand (10,000) persons according to the 1960 Federal Census which have adopted or attempted to adopt new Home Rule Charters; validating all proceedings had and actions taken in connection with the adoption of such new Charters; providing that the validation provisions of this Act shall not apply to pending litigation questioning the matters hereby validated if such litigation is ultimately determined against the validity of same; and declaring an emergency.

S. B. No. 339, "An Act validating Matagorda County Water Control and Improvement District No. 6, and declaring it to be a validly existing and operating conservation and reclamation district under Section 99, Article XVI, of the Texas Constitution; determining the boundaries of such District; validating governmental proceedings and acts; finding and determining that the land and other property within said District area, and will be benefited by the District and its improvements and facilities to be constructed and acquired; declaring that the District is essential to the accomplishment of the purposes of Section 99, Article XVI, of the Texas Constitution; and declaring the District to be a governmental agency, a body politic, and a municipal corporation; providing that the ad valorem basis or plan of taxation shall be used by the District and that it shall not be necessary to hold a hearing on the adoption of a plan of taxation; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.'"

S. B. No. 344, "An Act amending Article 3913 of the Revised Civil Statutes of Texas, 1925, relating to fees charged for services by State departments; repealing Article 3919 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency.

S. B. No. 345, "An Act amending Article 9.03 of the Texas Non-Profit Corporation Act relating to fees charged by the Secretary of State; and declaring an emergency.'"

S. B. No. 346, "An Act amending Article 10.01 of the Texas Non-Profit Corporation Act relating to fees charged by the Secretary of State; and declaring an emergency.'"

S. B. No. 367, "An Act amending Article 3918 of the Revised Civil Statutes of Texas, 1925, as amended, relating to fees charged for services rendered by the General Land Office; and declaring an emergency.'"

S. B. No. 378, "An Act creating a juvenile board in Victoria County; prescribing the membership and powers of the board and for the compensation of its members; authorizing the county commissioners to appoint a chief probation officer and such other personnel as may be necessary to the proper functioning of the probation department; providing for compensation of probation department personnel and county clerk for serving as clerk of juvenile court; providing that the commissioners court shall provide necessary funds for salaries and expenses necessary to the proper operation of the department; providing for severability; repealing conflicting laws; and declaring an emergency.'"

S. B. No. 399, "An Act creating a Juvenile Board for Travis County and designating the members thereof; providing additional compensation for County and District Judges serving thereon; providing the manner of payment thereof, providing for the appointment and qualifications of the Chief Probation Officer and assistant probation officers and other assistants; providing for their salaries; the payment of their claims for expenses; providing for the removal of such Chief Probation Officer and assistant probation officers and other assistants; prescribing the duties of the Chief Probation Officer in the collection and disbursement of moneys paid for the support of dependents, wives and
children: providing for the institutional care of juveniles; etc. and declaring an emergency."

S. B. No. 424, "An Act amending Article 4381, Revised Civil Statutes of Texas, 1925, so as to provide registration by endorsement of applicants who are registered professional nurses of other states; providing a fee; and declaring an emergency."

S. B. No. 429, "An Act amending Article 4476 of the Revised Civil Statutes of Texas, 1925, as amended, to allow the commissioners court of a county to compensate the board of managers of county hospitals by furnishing hospitalization insurance; and declaring an emergency."

S. B. No. 424, "An Act authorizing Midwestern University at Wichita Falls, Texas, and its Board of Regents to issue revenue bonds and notes pursuant to Chapter 368, Acts 1952, 54th Legislature, Regular Session, as amended (Vernon's Article 2909c, as amended) and also authorizing the collection and pledge of revenues and use fees to the payment of bonds and notes at said institution; providing certain limitations; and declaring an emergency."

S. B. No. 442, "An Act giving to the Game and Fish Commission regulatory authority over the taking and killing of antlerless deer in Saba County; providing for investigations by the Commission relating to increase or reduction of supply, depletion and waste of deer resources in Saba County, and defining 'depletion' and 'waste'; providing that the owner, or his agent, of land upon which antlerless deer are to be hunted shall agree before a permit for such hunting can be issued; etc., and declaring an emergency."

S. C. R. No. 54, Suspending the Joint Rules to consider S. B. No. 117.

RECESS

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

The motion prevailed.

In accordance with the motion to recess the House at 1:10 o'clock p.m., took recess until 2:30 o'clock p.m. today.

AFTERNOON SESSION

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

LEAVES OF ABSENCE GRANTED

Mr. Stewart of Wichita was granted leave of absence for the remainder of the day, on account of important business, on motion of Mr. Hargestone.

Mr. Kennard was granted leave of absence for the remainder of the day, on account of important business, on motion of Mr. McGregor of El Paso.

HOUSE BILL NO. 132 ON PASSAGE TO ENROLLMENT


The bill was read second time on this morning with Committee Amendment No. 1 pending.

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

Amend Committee Amendment No. 1 to H. B. 132, by adding the following paragraph to Section 17(a) of Article IV, appearing in Section 15 of said H. B. 132:

"This subsection shall not apply to such owner if he had in effect at the time of the violation a motor vehicle liability policy with respect to such motor vehicle; or if there was in effect a motor vehicle liability policy or bond; or if the owner or operator qualified as a self-insurer under section 34."

The amendment was adopted.

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

Amend Committee Amendment No. 1 to H. B. 132 by striking all of
Section 26 of said H. B. 132, and inserting in lieu thereof the following:

"Sec. 26. The fact that many innocent victims of traffic accidents are unable to obtain adequate compensation for injuries and damages due to the financial inability of the responsible party to respond in damages creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this rule be hereby suspended, and that this Act take effect and be in force from and after January 1, 1962, and it is so enacted."

The amendment was adopted.

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

Amend Committee Amendment No. 1 to H. B. 132 by inserting on line 5 after the word "law" on line 18, the following:

"has pleaded guilty"

The amendment was adopted.

Mr. Yeak offered the following substitute amendment for Committee Amendment No. 1:

Amend H. B. No. 132 by striking all below the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter 5, Subchapter A of the Insurance Code of the State of Texas is hereby amended by adding thereto a new article, designated as Article 5.061, which shall read as follows:

"Article 5.061. Certain coverage Requirements for Liability Insurance

(a) No policy or contract of bodily injury liability insurance, or of property damage liability insurance, covering liability arising from the ownership, maintenance or use of any motor vehicle, as defined in the Texas Motor Vehicle Safety-Responsibility Act, shall be issued or delivered in this State to operate as a stay of any order of the Department provided the parties to the original incident which are named by the Department of Public Safety in its suspension order are served either in person or through the Secretary of State or the insurance of out of state parties, or by other lawful process of service. Such hearing shall not determine the common law tort right of the said parties but shall determine the desirability of the execution of the said order of Suspension. Failure of the state or either of the parties to respond shall operate as a stay of execution of the order of the Department of Public Safety unless and until Parties to the order shall reduce their claim to judgment of a Court of Competent Jurisdiction and file same with the Department of Public Safety. Such suit must be filed within two years of the date of the original accident in order to invoke the authority of the Department of Public Safety as prescribed in this Act.

Mr. Miller moved to table the amendment by Mr. Whitfield.

The motion to table prevailed.
"Insured" means the named insured and, while resident of the same household, the spouse of any such named insured, and relatives of either, while in a motor vehicle or otherwise, and any person who uses, with the express or implied permission of the named insured, the motor vehicle to which the policy applies and a guest in such motor vehicle to which the policy applies or the personal representative of any of the above; and the term "uninsured motor vehicle" means a motor vehicle as to which the owner or operator is unable to furnish proof of financial responsibility as provided in Section 18 of the Texas Motor Vehicle Safety Responsibility Act, as amended from time to time.

"(c) An insurer paying a claim under the endorsement or provisions required by paragraph (a) of this article shall be subrogated to the rights of the insured to whom such claim was paid against the person causing such injury, death or damage to the extent that payment was made.

"(d) No such endorsement or provisions shall contain any provision requiring arbitration of any claim arising under any such endorsement or provisions, nor may anything be required of the insured except the establishment of legal liability, nor shall the insured be restricted or prevented in any manner from employing counsel or instituting legal proceedings.

"(e) The provisions of paragraph (a) of this article shall not apply to any policy of insurance to the extent that it covers the liability of an employer under any workmen's compensation law.

Article 6676-1. Fee for registration of uninsured motor vehicle

"(a) Except as provided in paragraphs (b) and (c) of Article 6.061 of the Revised Civil Statutes of Texas, 1925, is hereby amended by adding thereto a new article, designated as Article 6676-1, which shall read as follows:

Article 6676-1. Fee for registration of uninsured motor vehicle

"(a) Except as provided in paragraphs (b) and (c) of this article, every person registering an uninsured motor vehicle, as hereinafter defined, in this state, shall pay at the time of registering the same, in addition to any other fees prescribed by law, a special fee designated as an "Uninsured Motorist's Fee," which shall not be prorated for registration after the beginning of a registration year. The amount of such Uninsured Motorist's Fee shall be fixed and determined by the State Board of Insurance so that the anticipated revenues from such fees will be sufficient to pay the cost of administering the fund as provided in Article 5.062, paragraph (a) of this Code and the full cost, in accordance with Article 5.062, paragraph (b) of this Code, of the endorsement or provisions required by Article 5.061, paragraph (a) of this Code. The Board shall annually redetermine the amount of such fee, so that the anticipated revenues shall be sufficient for said purposes. The County Tax Collector shall require that any person applying for registration of a motor vehicle produce proof of financial responsibility as provided in Section 18 of the Texas Motor Vehicle Safety Responsibility Act, or pay the fee herein prescribed.

"(b) This article shall not apply with respect to any motor vehicle owned by the United States, the State of Texas or any political subdivision of this State or any municipality therein, nor with respect to any motor vehicle which is required by the requirements of Section 11 of Chapter 370, Acts of the 40th Legislature, 1927 (Section 11 of Article 911a, Vernon's Texas Civil Statutes) or Section 13 of Chapter 314, Acts of the 41st Legislature, 1929 (Section 13 of Article 911b, Vernon's Texas Civil Statutes).

"(c) Any person knowingly presenting to the County Tax Collector false evidence of financial responsibility with respect to any motor vehicle as a special fee designated as an "Uninsured Motorist's Fee," who shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than fifty dollars nor more than one thousand dollars or be confined in jail for not less than ten days nor more than six months, or both so fined and imprisoned. The State Highway Department shall revoke, and deny for a period of one year, registration of any motor vehicle owned by any person knowingly presenting false evidence of financial responsibility, and the Department of Public Safety shall suspend, and
not thereafter reissue for a period of
one year, any operator's license, chauf-'
feur's license or other driver's license
of any person offering such false
evidence.

"(d) As used in this article, the
term "uninsured motor vehicle" means
a motor vehicle, as defined in the
Texas Motor Vehicle Safety-Respon-
sibility Act, as to which there is

(1) a policy of liability insurance
meeting the requirements of Section
21 of the Texas Motor Vehicle Safety-
Responsibility Act; (2) a bond as
provided in Section 24 of that Act;
(3) a deposit of money or securities
as provided in Section 25 of that
Act, or (4) a certificate of self-insur-
ance as provided in Section 34 of
that Act.

"(e) Upon the termination of in-
surance by cancellation or failure
to renew, notice of such cancellation
or other termination shall be filed
by the insurer with the State High-
way Department not later than five
days following the effective date of
such cancellation or other termina-
tion.

"(f) The State Highway Depart-
ment shall, upon receipt of the notice
of cancellation or termination pro-
vided for in the preceding paragraph,
forthwith revoke the registration of
the motor vehicle with respect to
which such policy was thereafter
in force, unless the owner thereof
either gives proof of financial re-
sponsibility as provided in Section
18 of the Texas Motor Vehicle
Safety-Responsibility Act, or pays
the fee provided for in paragraph
(a) of this article.

"(g) On Monday of each week,
each county Tax Collector shall re-
mit to the State Highway Depart-
ment the fees collected by him under
this article during the preceding
week, accompanied by a report of
such collection, the form and con-
tents of such report to be prescribed
by the State Highway Department.
All funds remitted to the State High-
way Department under this article
shall be paid into the State Treasury
and held in a special fund to be
known as the Uninsured Motorists
Fund to be disbursed as provided
by law.

"(h) Whenever in this article
reference is made to any of the con-
ditions, requirements, provisions or
contents of any other statute of this
State, all such references shall mean
such statute as it may be amended
from time to time and shall apply to
the corresponding new statutes con-
taining such conditions, requirements,
provisions or contents and to any
amendments thereof."

Section 3. Chapter 5, Subchapter
A of the Insurance Code of the State
of Texas is hereby amended by add-
ing thereto a new article, designated
as Article 5.062, which shall read as
follows:

"(a) The Uninsured Motorists
Fund provided for in Article 6676-1
of the Revised Civil Statutes shall
be under the supervision and con-
troul of the State Board of Insurance.
The cost of administering the Fund
shall be paid from appropriations
made from the Fund for that pur-
pose, and the remainder of the Fund
shall be paid out, on warrants of the
Comptroller issued on vouchers sign-
ed by such person as the Board shall
designate, for the purpose of re-
ducing the costs of the endorsement
or provisions provided for in Article
2.981 of this Code, in the manner
hereinafter set forth.

"(b) The Board shall annually,
at such time in each year as it may
determine best for the purposes, make
distribution from the Fund among
the several insurance companies
writing motor vehicle bodily injury
and property damage liability in-
surance on motor vehicles registered
in this State in proportion that the
premium income for the basic limits
coverage of each insurance company
(that is, gross premiums less can-
celation and return premiums) for the
coverage required by Article 3.961
of this Code bears to the total of such
premium income for such coverage
written in the State during the pre-
ceding year; provided that before
distributing such Fund among such
companies, the Board annually first
determine the proper rate, arrived
at in a manner prescribed by the
Board, in accordance with the stan-
dards and procedures set forth in
this Subchapter, to be charged by
such companies for such endorse-
ment or provision without regard to
the funds to be so distributed; the
The motion to table the substitute amendment by Mr. Gladden was lost.

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

Amend Committee Amendment No. 1 to H. B. No. 132 by striking out Section 2 in its entirety.

Mr. Nugent moved the previous question on the passage of H. B. No. 132 to engrossment with pending amendments and the amendments on the Speaker's desk, and the motion was lost.

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

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

Amend Committee Amendment No. 1 to H. B. No. 132 by striking out of paragraph 3b the following: "An appeal shall not act as a stay of any order or act of the department and the court shall have no authority to order any such stay pending final determination by the Courts."

Mr. Fairchild moved to table the amendment by Mr. Nugent to Committee Amendment No. 1.

The motion to table the amendment by Mr. Nugent was lost.

The amendment by Mr. Nugent was lost.

Mr. Townsend moved to reconsider the vote by which the amendment by Mr. Nugent was lost.

The motion to reconsider the vote was lost.

COMMITTEE MEETING

Mr. Spears asked unanimous consent of the House that the Committee on Conservation and Reclamation be permitted to meet at this time.

There was no objection offered.
May 15, 1961 HOUSE JOURNAL 2061

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

Amend Committee Amendment No. 1 to H. B. No. 132 by adding in Sec. 2 (b) at line 9, immediately after the first word in line 9 the following word, "suspend," such word coming immediately before the word "modify" and immediately after the word "it."

The amendment was adopted.

Mr. Townsend raised a point of order on further consideration of Committee Amendment No. 1 on the ground that it is not germane to the bill.

The Speaker overruled the point of order, stating his reasons as follows:

"Ladies and gentlemen of the House, Mr. Townsend maintains that because the Committee Amendment amends different portions or sections of the Driver Responsibility Act than the original bill, that is conclusive evidence that the amendment is not germane. Mr. Lewis maintains that, regardless of this fact, the subject matter is essentially the same in the amendment and the original bill except for the deletion of one feature.

"This is a very close question and the House has worked on this question through most of the day and as a consequence the Chair will overrule this very close point of order so as to allow the House to vote directly on the Committee Amendment."

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

A record vote was requested on the passage of H. B. No. 132 to engrossment.

H. B. No. 132 was passed to engrossment by the following vote:

Yea—74

Adams of Lubbock Bridges
Adams of Titus Butler
Andrews Caldwell
Atwell Cannon
BELL Carriker
Berry Chapman
Blaine Cole of Harris
Cowell Oliver
Cook Osborn
Cowles Pecor
Ekhardt Petry
Futch Piggin
Floyd Price
Gladden Quillian
Glass Rapp
Grover Ray
Guflay Read
Hale Richards
Harrington Richardson
Hays Roberts of Dallas
Hughes of Dallas Roberts of Hill
Insko, Miss Rosan
Jamison Rosen
Johnson of Dallas Schram
Johnson of Bexar Shipley
Johnson of Bell Sidler
Jones of Dallas Spilman
Latimer Springer
La Valle Struwe
Lewis Trenzz
McGregor of El Paso Tunell
McIntyre Walker
Martin Watson
McClain Wells
Moore Wheatley
Mullin Whitfield
Murray Wilson of Potter

Nay—61

Alamin Huebner
Allen Hughes of Grayson
Bailey James
Banfield, Mrs. Jarrin
Barlow Jones of Travis
Bartram Koliba
Bass Kortloth
Bays Lazy
Baynes Leaverton
Burgess McCoplin
Collins McGregor
Cory of McLennan
Coffen Markgraf
Cowen Matcher
Crews Niemeyer
Crews Nugent
Curington Persons
Curney Pearcy
Daff, Miss Preston
Ehrle Sandahl
Fletcher Shannon
Foreman Smith of Bexar
Gibbons Shelnutt
Glass Stilson
Green Stewart
Green of Galveston
Havding Thurman
Haring Thurmond
Hasty Townsend
Hinzon Ward
Hollowell Wilson of Trinity
Mr. Longoria (present), who would vote "nay" with Mr. Kennard (absent) who would vote "yea."

Mr. Lewis moved to reconsider the vote by which H. B. No. 132 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE
I voted no on H. B. No. 132 because I feel that insurance rates are too high now. I am not sure what the total effect of H. B. No. 132 will be.

SCOTT BAILEY.

REASON FOR VOTE
I voted present not voting on engrossment of H. B. No. 132 because it was my considered belief that by doing so I would be in violation of Article 3, Section 22 of the Texas Constitution which stipulates that a member who has a personal or private interest in any measure or bill proposed or pending before the Legislature, shall disclose the fact to the House, of which he is member, and shall not vote thereon.

DON GARRISON.

MESSAGE FROM THE SENATE
Austin, Texas, May 15, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

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

S. B. No. 224, Creating a National Seashore Area on part of Padre Island; and declaring an emergency.

S. B. No. 441, Amending Election Code relating to formation of election precincts by providing minimum on number of voters in a precinct; and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

RECALLING S. B. NO. 414 FROM THE GOVERNOR

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

S. C. R. No. 61

Be it resolved by the Senate, the House of Representatives concurring, that Senate Bill 414 be recalled by the Senate from the Governor for further consideration.

The resolution was read and was adopted.

MESSAGE FROM THE SENATE
Austin, Texas, May 15, 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. 61, Recalling Senate Bill No. 414 from the Governor.
WHEREAS S. C. R. 42 has been passed by both the House and the Senate and is now in the office of
the Governor and requires certain corrections to be made therein; now therefore

BE IT RESOLVED by the Senate of Texas, the House of Representatives concurring, that the Governor be
and he is hereby requested to return S. C. R. 42 to the Senate for

The resolution was read and was adopted.

HOUSE BILL NO. 120 ON SECOND READING

Mr. Bridges moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 120.

The motion prevailed.

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

H. B. No. 120, A bill to be entitled "An Act authorizing certain junior college districts to offer classes to candidates for baccalaureate degrees in certain fields during their junior and senior years, and to award degrees in such fields; providing that funds heretofore or hereafter appropriated by the Legislature of this State shall not be used to defray the costs of conducting such classes; requiring an election to authorize the exercise of the powers herein granted; containing a savings clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 120 by striking out Section 1 and substituting in lieu thereof the following:

"Section 1. Any junior college dis-

trict in this State, situated entirely or in part within the boundaries of any city having a population in ex-

cess of one hundred sixty thousand (160,000) according to the last pre-
ceding decennial Federal Census and having less than two (2) colleges or

universities offering baccalaureate degree within the boundaries of any such city, is hereby authorized, sub-
ject to the other provisions of this Act, to offer and conduct classes which may be required or accepted of

candidates for baccalaureate degrees in the fields of liberal arts, business

training, teacher education and music during their junior and senior years,

and to award such degrees to the ex-

tent that the governing body of any such district shall deem advisable

provided nothing in this Act shall be construed to permit or authorize any junior college district in this

State which elects to take advan-
tage of this Act to award degrees in the fields of engineering, law, medi-
cine, agriculture, journalism, archi-

tecture, or pharmacy."

Committee Amendment No. 1 was adopted.

H. B. No. 120 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL

NO. 120 ON THIRD READING

Mr. Bridges moved that the constitutional rule requiring bills to be

read on three several days be sus-

pended and that House Bill No. 120 be placed on its third reading and final passage.

The motion was lost by the fol-

lowing vote: (Not receiving the nec-

essary four-fifths vote).

Yea.—85

Adams of Lubbock Garrison
Adams of Titus Gladden
Alanis Glass
Banefield, Mrs. Green
Barlow Grover
Berry Guifey
Blaine Hall
Bridges Harold
Butler Harting
Caldwell Harrington
Cannon Harrese
Carriker Hinson
Chapman Hollowell
Cole of Harris Huebner
Cole of Hunt Hughes
Collins of Grayson
Cory Jamison
Coven Johnson of Bexar
Curington Johnson of Bell
Dabney Jones of Travis
Davis of Kerris
Floyd
Foreman

Nay.—40

Adams of Tarrant
Adams of Travis
Bridges
Carville
Butler
Caldwell
Cannon
Carriker
Chapman
Cole of Harris
Cole of Hunt
Collins
Cory
Coven
Curington
Dabney
Davis
Floyd
Foreman
Mr. Hale moved to reconsider the vote by which H. B. No. 120 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

CONFERENCE COMMITTEE APPOINTED ON SENATE BILL NO. 108

The Speaker announced the appointment of the following Conference Committees, on the part of the House, on S. B. No. 108:

Messrs. Watson, Chairman; Chap. man, Cook, Cory and Sandahl.

RECORD OF VOTE

Mr. Shannon requested to be recorded as voting "Yea" on the final passage of H. B. No. 1077.

ADJOURNMENT

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

Mr. Preston moved that the House recess until 7:30 o'clock p.m. today.

A record vote was requested on the motion to adjourn until 10:00 o'clock a.m. tomorrow.

The motion to adjourn prevailed by the following vote:

Yea—82

Adams of Lubbock
Fairchild
Allen of Titus
Floyd
Andrews
Foreman
Atwell
Gibbens
Banfield, Mrs.
Glasing
Bartram
Harding
Bell
Hasty
Blaine
Holloway
Boyse
Hurtger
Burgess
Humes of Dallas
Butler
Coles
Isaacks, Miss
James
Coles of Hunt
Jarvis
Connell
Johnson of Dallas
Cook
Johnson of Bell
Cory
Jones of Dallas
Cooten
Koliba
Cowies
Latimer
Crews
Lewis
Dewey
McCoppln
Duff, Miss
McGregor
Ehrle
of McLennan
May 15, 1961

HOUSE JOURNAL

2065

Martin       Sandahl
Miller       Shipley
Moore        Slack
Murray       Sluder
Nagost       Smith of Jefferson
Oliver       Sacket
Osburn       Spillman
Perry        Thurman
Pipkin       Thurmond
Price         Townsend
Quilliam      Tunnell
Rapp          Walker
Ratcliff      Ward
Read          Wheatley
Richards      Wilson of Potter
Roberts of Dawson Woods
Rosson

Nay—59

Alaniz       La Valle
Balley       Leaverton
Barlow       Longoria
Bass          McGregor
Berry         of El Paso
Bridges       Molinany
Caldwell      Markgraf
Cannon        Mullen
Carriker      Mutscher
Chapman       Niemeyer
Collins       Parsons
Cowen         Peeler
Carrington    Peavy
Eckhardt      Preston
Fletcher      Richardson
Glascom       Roberts of Hill
Glass          Ross
Green          Schram
Guffey        Shannon
Hale          Smith of Bexar
Haring        Spears
Harrington    Springer
Haynes        Stewart
Hinson            of Galveston
Hughes         Strove
Holliday       Trevino
Jamison        Watson
Johnson of Bexar   Walls
Jones of Travis       Whlfield
Koroth         Wilson of Trinity
Lack           Yezak

Absent—Excused

Ballman       Kilpatrick
Buchanan      Pieratt
de la Garza     Stewart
Dungan            of Wichita
Kennard

The Benediction was offered by the Reverend Clinton Kersey, Chap- lain.

In accordance with the motion to adjourn, the House at 5:34 p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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


Municipal and Private Corporations: S. B. No. 420.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 12, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 15, A bill to be entitled "An Act exempting certain church-owned motor vehicles used for church school purposes from certain motor vehicle sales taxes and registration fees, and providing for refunds of certain motor fuel taxes; amending Chapter 6 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, 1925; and Subsection (c) of Section 3 of Chapter 9, Acts of the Forty-first Legislature, Second Called Session, 1929, as last amended; and Subsections (2), (6) and (7) of Article 9.13, Chapter 9, Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, 1925; providing for severability, and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 9, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 28, A bill to be entitled "An Act amending Section (b) and (d) of Section 3 and Subsection 2 Jour.—16
(2)(A) of Subsection (c) of Section 7, of the Texas Unemployment Compensation Act (Chapter 489, Acts of the Forty-fourth Legislature, Regular Session, 1936), as amended, relating respectively to benefit amounts for total unemployment, duration of benefits, and experience rating procedures in determining contributions by employers; amending Section 3 of said Act, as amended, by adding thereto a new Subsection (e) relating to benefit wage credits; and amending Section 16 of said Act, as amended, by adding thereto a new Subsection (f) relating to penalties for making certain false statements or representation or for failing to make certain disclosures.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 12, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 66, A bill to be entitled "An Act amending Article 489, Penal Code of Texas, to provide that it shall be unlawful to sell, or offer for sale, give or barter knuckles made of any metal or any hard substance, or a switch blade knife, spring blade knife or throw blade knife, providing certain exceptions; providing for penalties; providing the Act shall not apply to pending litigation; repealing all laws in conflict and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 12, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 73, A bill to be entitled "An Act relating to pensions for firemen and their dependents; providing for the financing of the benefits provided for herein; providing for contributions to be made by firemen who are members of Firemen's Relief and Retirement Funds, and for contributions by the State of Texas, and by cities and towns in this State which employ or are served by such firemen; amending Sections 1, 2, 3, 4, 6, 6A, 8B, 7, 1A, 1B, 7C, 9, 10, 16A, 11, 12, 12A, 19, 20, 21, 22A, 25B, and 26 of Chapter 125, Acts of the Regular Session of the Forty-fifth Legislature, hereof amended (relating to Firemen's Relief and Retirement Funds); repealing Section 10B of said Chapter 125; declaring this Act to be severable; providing that this Bill shall take effect and be in force from and after September 1, 1961; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 12, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 232, A bill to be entitled "An Act to amend Section 2 of House Bill No. 495, Chapter 309, Acts of the Fifty-third Legislature, Regular Session, 1953 (Article 308, Vernon's Annotated Civil Statutes), by providing that the jurisdiction of the Court created by said Act shall be increased to include all actions for the recovery of money only where the amount involved exclusive of costs does not exceed One Hundred Dollars ($100); except for certain claims for wages or salary earned, or for work or labor performed under contract of employment, not to exceed Two Hundred Dollars ($200); and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 249, A bill to be entitled "An Act amending Section 9 of Article 8306, Revised Civil Statutes, 1935, as amended, the employers liability and workmen's compensation..."
May 15, 1961

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 254, A bill to be entitled “An Act amending Sections 1 and 12 of Chapter 169, Acts of the Fifty-fourth Legislature, Regular Session, 1955, to enable counties having a population of one hundred twenty thousand (120,000) or more to establish the office of Medical Examiner; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 262, A bill to be entitled “An Act amending Article 4001 of the Revised Civil Statutes of Texas of 1925, as amended by Section 1 of Chapter 453, page 972, Acts of the Fiftieth Legislature, Regular Session, 1947, to provide that the term merchandise in the Bulk Sales Law shall be construed as including, but not limited to, meat and other edible foods furnished to restaurants, cafes and cafeterias; providing the Act shall not apply to pending litigation; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 279, A bill to be entitled “An Act to amend Article 4436 of the Revised Civil Statutes of Texas of 1925, as amended by Section 1 of Chapter 453, page 372, Acts of the Fifty-sixth Legislature, Regular Session, 1959, to authorize all incorporated cities, towns, and villages to regulate certain properties within their corporate limits for the purpose of promoting the health, safety, and welfare of the inhabitants of said cities, towns, and villages; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 12, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 332, A bill to be entitled "An Act amending Chapter 311, Acts of the Fifty-first Legislature, Regular Session, 1953; changing the name of the Board of Water Engineers to the Texas Water Commission and prescribing certain duties, powers and functions thereof; providing for the appointment of a Chief Engineer and prescribing his duties, powers and functions; enacting resources of the State; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 361, A bill to be entitled "An Act providing a procedure for service of process on certain non-residents involved in accidents or collisions involving watercraft; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 365, A bill to be entitled "An Act amending Article 5949 of the Revised Civil Statutes of the State of Texas, as amended, extending the jurisdiction of Notaries Public; providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district; permitting such Commissioners Court of each county to increase the salary permitted by this Act when the need of the stenographer requires it and the financial condition of the counties in such district will permit it; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 12, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 373, A bill to be entitled "An Act amending Article 326k-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by district attorneys in judicial districts containing two (2) or more counties; fixing the maximum salary to be paid such stenographers; providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district; permitting such Commissioners Court of each county to increase the salary permitted by this Act when the need of the stenographer requires it and the financial condition of the counties in such district will permit it; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 377, A bill to be entitled "An Act amending Sections 101, 107 and 129 of Chapter 25, Acts of the Thirty-eighth Legislature, Regular Session, 1925, which are codified as Articles 7880-101, 7880-107 and 7880-139, Revised Civil Statutes of Texas, by lowering the discount rate on certain water district bonds; providing maintenance tax elections for certain districts; providing authority of Board of Water Engineers or its designated agent to inspect certain district projects; further amending said Chapter 25, Acts, Thirty-sixth Legislature, Regular Session, by adding a new Section 133a providing the district shall bear the expense of any necessary relocation of certain utilities in the exercise of the power of eminent domain; containing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 379, A bill to be entitled "An Act amending Article 7891-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by district attorneys in judicial districts containing two (2) or more counties; fixing the maximum salary to be paid such stenographers; providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district; permitting such Commissioners Court of each county to increase the salary permitted by this Act when the need of the stenographer requires it and the financial condition of the counties in such district will permit it; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 380, A bill to be entitled "An Act amending Article 7891-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by district attorneys in judicial districts containing two (2) or more counties; fixing the maximum salary to be paid such stenographers; providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district; permitting such Commissioners Court of each county to increase the salary permitted by this Act when the need of the stenographer requires it and the financial condition of the counties in such district will permit it; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 381, A bill to be entitled "An Act amending Sections 101, 107 and 129 of Chapter 25, Acts of the Thirty-eighth Legislature, Regular Session, 1925, which are codified as Articles 7880-101, 7880-107 and 7880-139, Revised Civil Statutes of Texas, by lowering the discount rate on certain water district bonds; providing maintenance tax elections for certain districts; providing authority of Board of Water Engineers or its designated agent to inspect certain district projects; further amending said Chapter 25, Acts, Thirty-sixth Legislature, Regular Session, by adding a new Section 133a providing the district shall bear the expense of any necessary relocation of certain utilities in the exercise of the power of eminent domain; containing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 382, A bill to be entitled "An Act amending Article 7891-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by district attorneys in judicial districts containing two (2) or more counties; fixing the maximum salary to be paid such stenographers; providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district; permitting such Commissioners Court of each county to increase the salary permitted by this Act when the need of the stenographer requires it and the financial condition of the counties in such district will permit it; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 383, A bill to be entitled "An Act amending Article 7891-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by district attorneys in judicial districts containing two (2) or more counties; fixing the maximum salary to be paid such stenographers; providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district; permitting such Commissioners Court of each county to increase the salary permitted by this Act when the need of the stenographer requires it and the financial condition of the counties in such district will permit it; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 384, A bill to be entitled "An Act amending Article 7891-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by district attorneys in judicial districts containing two (2) or more counties; fixing the maximum salary to be paid such stenographers; providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district; permitting such Commissioners Court of each county to increase the salary permitted by this Act when the need of the stenographer requires it and the financial condition of the counties in such district will permit it; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Your Committee on Engrossed Bills to whom was referred

H. B. No. 379, A bill to be entitled “An Act defining and regulating the business of giving bail in criminal and quasi-criminal cases, actions or proceedings; providing for the licensing of persons, firms and corporations who engage in that business in any county; providing certain exemptions from this Act; providing for appeal from the decision of the Administrator of the Securities Division of the Office of the Secretary of State; providing for administration of this Act by the successor to the Administrator of the Securities Division of the Office of the Secretary of State; providing for licensing fees; providing for the revocation and suspension of licenses; providing for deposit of bond by licensees; providing that license shall not be renewed under certain conditions; declaring legislative intent; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 397, A bill to be entitled “An Act amending Section 8, Subsection 1 (b), paragraph (5) of said Section of the Revised Statutes of Texas, 1925 (codified as Article 827a, Section 5, Subsection 1 (b), paragraph (5), Vernon’s Penal Code of Texas), to provide that any motor vehicle engaged in the business of transporting passengers for compensation or hire, or any commercial vehicle which is in authorized use as a ‘Highway Post Office’ vehicle shall observe the same speed limits as those prescribed for vehicles except commercial vehicles, trucks, tractor-trailers, or semitrailers as provided in paragraph (2) of said Section 5, Subsection 1 (b); repealing all laws in conflict; providing for severability; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 423, A bill to be entitled “An Act eliminating the requirement of separate and privy acknowledgement of a married woman to instruments purporting to be executed by her; amending Articles 1309, 8460, 1399, and 6607, Revised Civil Statutes of Texas, 1935; repealing Article 6605 and 6608, Revised Civil Statutes of Texas, 1925, and all other laws or parts of laws to the extent only that they conflict with the provisions of this Act; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 441, A bill to be entitled “An Act amending Article 527 of the Penal Code of Texas, 1925, as last amended; providing criminal penalties for certain acts involving certain obscene articles; defining obscene; providing severability and general repealing clauses; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 442, A bill to be entitled

"An Act amending Title 197A, Taxation-General of the Revised Civil Statutes of Texas, relating to corporations exempt from payment of the franchise tax; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 12, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 469, A bill to be entitled

"An Act relating to the acquisition of highway rights-of-way by commissioners courts and cities, and reimbursement of counties and cities for the State's share of the cost thereof; amending Article 6674a of the Revised Civil Statutes of Texas, 1925, as amended, and amending Section 1 of Chapter 501, Acts of the Fifty-fifth Legislature, Regular Session, 1961, to conform therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 471, A bill to be entitled

"An Act to provide for the registration and protection of trademarks and service marks, to define certain terms, to define marks registrable and marks not registrable, to define the requirements for an application for registration, to instruct the Secretary of State as to handling of applications for registration and issuance of certificates of registration, to define the rights and privileges descendent from a registration of a mark, to constitute a registration of a mark constructive notice of a claim of ownership, to provide for judicial review of actions of the Secretary of State concerning marks and applications therefor, to define the term of registrations of marks and provide for renewal thereof, to provide for notification of necessity of renewal, to provide for the assignment of marks and the recordation of such assignments, to provide for cancelling of registrations of marks under conditions defined, to provide for a civil action for the cancellation of a registration of a mark, to define classifications of goods and services in connection with which marks may be used and registered on a single application, to provide a civil action against persons obtaining registrations by making false or fraudulent statements, to provide for the preservation of some common law rights in marks, to define acts which are wrongful as against the owner of a registered mark, to provide for and define remedies for wrongful acts with respect to marks, to repeal all prior civil and penal statutory law inconsistent with this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 477, A bill to be entitled

"An Act amending Section 18 of the Texas Motor Vehicle Safety-Responsibility Act; exempting certain persons from suspension of driver's licenses, automobile registrations and nonresidents' operating privileges due to nonpayment of judgments; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
May 15, 1961  HOUSE JOURNAL  2071

Sir: Your Committee on Engrossed Bills to whom was referred

H.  B. No. 502, A bill to be entitled "An Act to amend Article 6889d of Vernon's Annotated Civil Statutes, Acts 1951, Fifty-second Legislature, page 56, Chapter 48, so as to compensate constables and deputy constables for transportation or furnish adequate transportation within the State, providing for sworn statements covering such transportation; providing that this Act shall be servable; providing for the repeal of Article 6889c of Vernon's Annotated Civil Statutes, Acts 1951, Fifty-second Legislature, page 474, Chapter 864; providing this Act be cumulative of all other existing laws; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H.  B. No. 676, A bill to be entitled "An Act amending House Bill No. 619, Acts of the Forty-seventh Session, Regular Session, 1941, as amended, and adding a new section, Section 01, thereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H.  B. No. 712, A bill to be entitled "An Act amending Chapter 7, Title 47 of the General and Special Laws of the State of Texas, Fifty-first Legislature, 1947, relating to the operation of vending stands on State property by blind persons so as to enlarge the economic opportunities of the blind, by adding a new section to be known as Section 1 (a) authorizing the State Commission for the Blind to negotiate with heads of departments, boards or commissions and/or divisions of departments, boards or commissions for certain proceeds accruing from vending machines operated for profit by departments, boards or commissions and/or divisions of departments, boards or commissions, to accrue to the blind vending stand operator in said building; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
of the Penal Code of Texas, 1925, as amended, by adding a new Article to be known as Article 751a pertaining to dentists and narcotic drug, providing a permissive clause; repealing all laws in conflict and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 744, A bill to be entitled "An Act creating the State Fiduciary Study Commission, prescribing its membership and terminating said Commission by August 31, 1965, stating the duties of said Commission and providing the methods for obtaining assistance and staff essential to the accomplishment of its duties, declaring that the provisions of this Act are cumulative of pre-existing law, and containing an emergency clause."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 769, A bill to be entitled "An Act amending Article 2.01 of Chapter 2 of the Insurance Code (Acts, Fifty-second Legislature, 1951, as amended by the Acts, Fifty-fourth Legislature, 1955, page 413, Chapter 117, Section 9, and as amended by Acts, Fifty-sixth Legislature, 1959, page 250, Chapter 145, Section 11), to provide that items of minimum capital stock and minimum surplus shall consist only of cash, bonds of this State or of the United States, other evidences of indebtedness guaranteed as to principal and interest by the United States, insurance first mortgages on unencumbered real estate in this State, provided that investment in such note shall not exceed one half (1/2) of the minimum capital stock and minimum surplus of the investing company, and in bonds or other interest-bearing evidences of indebtedness of any counties, cities, or other municipalities of this State; and amending Article 2.10 of Chapter 2 of the Insurance Code (Acts, Fifty-second Legislature, 1951, as amended by Acts, Fifty-fourth Legislature, 1955, page 413, Chapter 117, Section 10, as amended by Acts, Fifty-sixth Legislature, 1959, page 96, Chapter 49, Section 1), to provide definite requirements as to types and qualification of securities for the investment of funds in excess of minimum capital and minimum surplus; repealing conflicting laws and parts of laws to the extent of such conflicts; containing a saving clause; and declaring an emergency."  

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 810, A bill to be entitled "An Act amending Section 1 of Chapter 140, Acts of the Forty-third Legislature, Regular Session, 1941, as amended, to provide that consolidated trust debentures of the Federal Intermediate Credit Bank and by the Bank of Cooperatives are lawful investments for fiduciary and trust funds in this State, and eligible security for public deposits where authorized; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 820, A bill to be entitled "An Act providing necessary authority and responsibility for the Commissioner of Agriculture to prescribe rules, regulations, conduct inspections, establish grades, classify rose plants, cuttings and bushes; provide for a fee for issuance of cer...
May 15, 1961   HOUSE JOURNAL 2073

Certificate of authority: providing for a penalty; providing for a "Stop Sale" Order; a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 840, A bill to be entitled "An Act amending Section 1 of Chapter 300, Acts of the Fifty-third Legislature, Regular Session, 1953, to provide that the maximum salary for stenographers for county judges in counties with a population in excess of twenty thousand and one (20,001) and less than fifty thousand (50,000) shall be Four Thousand Eight Hundred Dollars ($4,800); and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 892, A bill to be entitled "An Act amending Article 1 of the Texas Liquor Control Act by adding a new Section 15 (e) defining private clubs, establishing regulations for their operation; providing for licensing fees to be paid annually; providing for cancellation or suspension of license for violations; providing penalties; exempting Fraternal and Veterans Clubs; providing an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 912, A bill to be entitled "An Act raising the maximum fees that may be retained by justices of the peace in counties of more than forty-six thousand (46,000) and not more than seventy-five thousand (75,000) persons according to the last preceding Federal Census; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 10, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 913, A bill to be entitled "An Act amending Sections 6 and 8 of Chapter 15, Acts of the Fifty-fifth Legislature, Regular Session, 1957, relating to the Regulatory Authority of the Game and Fish Commission of Mason County; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 951, A bill to be entitled "An Act amending Article 1106a of Vernon's Texas Penal Code, defining the word 'person' and providing that every director, officer, agent, employee, or member of any firm, partnership, association, or corporation participating in, aiding, or authorizing any violation of this Act shall be subject to the punishment provided therein; making it unlawful for any person, with exceptions, to open and refill or re-use the container, can, tank, pump, or other distributing device of any manufacturer, processor, or distributor, for the purpose of offering for sale or selling lubricating oils, greases, and similar products therefrom when said container, can, tank, pump, or distributing device bears the trade-mark, symbol, sign, or other distinguishing mark of said manufacturer, processor, or distributor, or of his products; providing that the possession of such refined container, can, tank, pump, or distributing device shall be prima facie evidence of possession thereof for the purpose of sale; making it unlawful to imitate the design, symbol, or trade name of recognized brands of gasolines, motor fuels, lubricating oils, greases, or similar products or to expose for sale or sell gasolines, motor fuels, lubricating or similar products under any trade-mark, trade name, or other distinguishing mark, other than those of the manufacturer, processor, or distributor of such products, or to aid or assist any person in the violation of the Act; prescribing penalties; providing a saving clause; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 998, A bill to be entitled "An Act relating to the licensing of certain Business Brokers and Dealers and Consultants; providing for the definition of certain words and phrases; providing for the administration of this Act; providing for certain exemptions; providing certain procedures, rules, and regulations in the licensing and administration of the Act; providing for penalties for the violation of the provisions of this Act; and declaring an emergency." Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1016, A bill to be entitled "An Act amending Chapter 487, Acts of the Fifty-fifth Legislature, Regular Session, 1957; providing that it shall be unlawful to sell, or offer for sale, use or possess any rat poison, insect poison, or any other preparation which contains thallium sulphate, or any other thallium compound with certain exceptions; declaring violation of this Act to be a
misdemeanor punishable by a fine, and prescribing a penalty for the violation thereof; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir:

Your Committee on Engrossed Bills to whom was referred

H. B. No. 1067, A bill to be entitled "An Act relating to the appointment by the court of interpreters for any person who is deaf or a deaf-mute, in criminal prosecutions and causes in which such person may be committed to a mental institution; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir:

Your Committee on Engrossed Bills to whom was referred

H. B. No. 1077, A bill to be entitled "An Act revising and rearranging certain statutes of this State relating to public education into a consistent whole and under a single code to be known as the Texas Public Education Code; providing a severability clause; providing a saving clause; repealing certain enumerated laws and all other laws in conflict; providing for an effective date; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir:

Your Committee on Engrossed Bills to whom was referred

H. B. No. 1090, An Act to fix and make certain the amount of compensation to be paid from county funds by counties having a population of one million, two hundred thousand (1,200,000) or more, according to the last preceding Federal Census, for the compensation of substitute judges; providing the Commissioners Court of all counties having a population of one million, two hundred thousand (1,200,000) or more, according to the last preceding Federal Census, and having eight (8) or more civil district courts and three (3) or more criminal district courts, shall fix the amount of compensation to be paid the district attorney or criminal district attorney from county funds; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 11, 1961

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

Sir:

Your Committee on Engrossed Bills to whom was referred

H. B. No. 1102, 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 'Hull Fresh Water Supply 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."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 12, 1961

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

Sir:

Your Committee on Engrossed Bills to whom was referred

H. B. No. 105, An Act amending Section 6 of Chapter 103, Acts of the Forty-first Legislature, First Called Session, 1929, codified as Section 26 of Article 26 of Vernon's Texas Civil Statutes, governing elections...
of Navigation and Canal Commissioners in certain Navigation Districts, providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

JAMES V. ADAMS, Chairman.

SENT TO GOVERNOR
May 16, 1961

H. B. No. 106.

SIXTY-FOURTH DAY
(Tuesday, May 16, 1961)

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

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

Mr. Speaker Eckhardt
Adams of Lubbock Ehrle
Adams of Titus
Alaniz
Allen
Andrews
Atwell
Bailey
Barnfield, Mrs.
Barlow
Barnes
Bailes
Bass
Bell
Berry
Blair
Boysean
Bridges
Burgess
Butler
Caldwell
Canion
Cariker
Chapman
Cole of Harris
Cole of Hunt
Collins
Counsel
Cook
Cory
Cotter
Cowan
Craw
Craiu
Carrington
de la Garza
Dewey
Duff, Miss
Dungan

Lack
Larry
Lattimer
La Valle
Leaverton
Lewis
Longoria
McCoppin
McGregor
McGregor
McIntyre
McKee
Markgraf
Martin
Miller
Moore
Mullen
Murray
Muterscher
Niemeier
Nugent
Oliver
Osborn
Parsons
Perry
Pezler
Petty
Pieratt
Pipkins
Preston
Price
Quilliam
Rapp
Rauch
Read

Absent

Bartram
Kensard
Kennard

Absent—Excused

Ballman
Buchanan

A quorum of the House was announced present.

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

"Oh Lord, our God, in the closing days of this Regular Season when pressures and time become an important factor, we pray that Thou would bless these that are gathered here as Representatives chosen by the people of this State. Thou knowest each one; their need, their hopes, their fears. Give them physical and spiritual strength and wisdom greater than their own. By our official actions may our State continue to