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

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

Mr. Speaker
Adams of Lubbock
Adams of Titus
Harrington
Harding
Adams of Titus
Haynes
Andrews
Hinson
Atwell
Hollowell
Bailey
Huebner
Ballman
Hughes
Baiield, Mrs.
of Grayson
Barlow
Hughes of Dallas
Barnes
Isaacks, Miss
Bartram
James
Bass
Jamison
Berry
Johnson of Dallas
Blaine
Johnson of Bell
Bridges
Johnson of Bexar
Buchanan
Jones of Dallas
Burress
Jones of Travis
Butler
Kennard
Caldwell
Kilpatrick
Cannon
Koliba
Carriker
Korothi
Cole of Harris
Lack
Cole of Hud
Lary
Collins
Lea Valle
Conceal
Leaverton
Cook
Lewis
Cory
Longoria
Cookson
McCoplin
Cowen
McDougal
Crews
McGregor
Carrington
McGregor
Darby
McLanahan
Duff, Miss
Markgraf
Ehrle
Martin
Elkhart
Miller
Fletcher
Mullins
Floyd
Murray
Foreman
Mutchler
Garrison
Nugent
Gibbons
Oliver
Gladden
Osborn
Glass
Parsons
Gunting
Peery
Green
Pender
Greer
Petty
Guffey
Piersall
Hale
Pickin
Price
Preston
Stewart
Quilliam
of Galveston
Rapp
Stewart
Rainilff
Straw
Head
Richardson
Thurman
Roberts of Hill
Thurmond
Roberts of Dawson
Townsend
Rosson
Trevis
Sandahl
Tunnell
Schram
Walker
Shannon
Ward
Shipley
Watson
Stack
Weil
Stider
Weatherly
Smith of Bexar
Whitfield
Smith of Jefferson
Wilson of Trinity
Snelson
Wilson of Potter
Spears
Woods
Utman
Yeast
Springer
Abscent
Richard
Absent—Excused
Chapman
Moore
Cowley
Niemeyer
de la Garza
Roses
Dungan
A quorum of the House was announced present.

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

"Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in his law doth he meditate day and night. And he shall be like a tree planted by the waters, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper." Psalms 1:1-3.

Our Father and our God, in this moment of prayer may we take an inventory of the thoughts and interests of our own hearts and lives. On this day of extreme importance to all our lives and to our State, help us to know what is best for each one, Help us with an outpouring of Thy wisdom and understanding. May the outcome of our labor and vote be Thy will and plan for our State. Calm our emotions and give us tolerance for those who do not agree with our thoughts and actions. Give us strength to be what
we ought to be in Thy sight. In the Name of Jesus we make these requests.—Amen.”

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:
Mr. Rosas for today on motion of Mr. Lewis.
Mr. Dewgan for today on motion of Mr. Lewis.
Mr. Cowles for today on motion of Mr. Stewart of Galveston.
Mr. Chapman for today on motion of Mr. Hinson.
Mr. Niemeyer for today on motion of Mr. Lewis.
Mr. Moore was granted leave of absence for today on account of illness in his family, on motion of Mr. Adams of Titus.

MEMORIAL RESOLUTIONS ADOPTED

H. S. R. No. 692, By Mr. Shipley: In memory of James Henry Callihan.
H. S. R. No. 705, By Mr. Richards and Mr. Walker: In memory of Thomas Norman Hayman.
H. S. R. No. 706, By Mr. Petty: In memory of Syl Greenstreet.
H. S. R. No. 709, By Mr. Koliba: In memory of Mrs. August Happen.
H. S. R. No. 710, By Mr. Koliba: In memory of Emil (Jake) Ahrens.
H. S. R. No. 711, By Mr. Koliba: In memory of Miss Ilsa Naak.
H. S. R. No. 712, By Mr. Koliba: In memory of Mrs. Anton Kuchar.
H. S. R. No. 715, By Mr. Koliba: In memory of Dr. August Albert Lenhart.

HOUSE BILL ON FIRST READING

The following House Bill was today laid before the House, read first time and referred to the appropriate Committee, as follows:
By Mr. Hinson:
H. B. No. 1134, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, located in Wood and Upshur Counties, to be known as the "Wood and Upshur Counties Water District," for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial, and mining uses and processing and transporting the same and for the purpose of providing or acquiring storm sewers; providing for a method of electing a board of Directors to govern said district; providing for the acquisition of additional territory thereto; authorizing the District to do all things to make available for the above-named uses underground water or water from surface sources and water it may obtain by purchase, lease, and operation of contracts with persons, firms, corporations, and public agencies; and other purposes; and for the purpose of providing for the above-named uses underground water or water from surface sources and water it may obtain by purchase, lease, and operation of contracts with persons, firms, corporations, and public agencies; and other purposes; and

MESSAGE FROM THE SENATE

Austin, Texas, May 30, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Bir: I am directed by the Senate to inform the House that the Senate has reconsidered the vote by which S. C. 45 was finally adopted.
May 20, 1961

I am directed by the Senate to inform the House that the Senate has reconsidered the vote by which the Senate concurred in House Amendments to Senate Bill 294 and now refuses to concur in those Amendments to Senate Bill No. 294 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

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

Senators: Willis, Gonzalez, Moore, Patman, Reagan.

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

H. B. No. 345, Authorizing the Commissioners Court in all counties having a population of not less than ninety-five thousand and not more than one hundred fifteen thousand according to the last preceding Federal Census to purchase automobiles to be paid for out of county funds, and to be used by the County Commissioners in the discharge of their official business; and declaring an emergency.

H. C. R. No. 104, Granting approval of the Board of Directors of the Agricultural and Mechanical College of Texas to make necessary improvements for the Texas Forest Service.

S. J. R. No. 13, Proposing amendment to Article III of the Constitution setting up succession to public offices so as to insure the continuity of governmental operations in periods of emergency, providing for the proclamation and publication of this proposed amendment by the Governor.

H. B. No. 1065, Authorizing and directing the Board of Regents of the State Teachers Colleges to convey to the Methodist Student Movement of Texas, Inc., a tract of land owned by the State of Texas for the use and benefit of Southwest Texas State College; and declaring an emergency.

H. C. R. No. 102, Suspending the Joint Rules of the House and Senate in order to permit the House and the Senate to consider at any time H. J. R. No. 36.

S. C. R. No. 69, Granting permission to Texas Gulf Construction Company, Inc., to sue the State of Texas and the State Highway Department of the State of Texas.

S. C. R. No. 64, Granting permission to T. J. Peede, Jr., et al. to bring suit against the State of Texas, the School Land Board and the Commissioner of the General Land Office in any court of competent jurisdiction in Brazoria County.

S. C. R. No. 65, Granting Connecticut General Life Insurance Company permission to sue the State.

S. C. R. No. 69, A resolution of the Sisters of Charity, of the Incarnate Word to sue the State of Texas.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.

CONGRATULATORY RESOLUTIONS ADOPTED

H. S. R. No. 694, By Mr. Schram: Recognizing Students from Cygland School.

H. S. R. No. 695, By Messrs. Foreman, Jones of Travis and Sandahl: Recognizing Students from Metz School.

H. S. R. No. 706, By Mr. Townsend: Congratulating W. C. Alexander.

H. S. R. No. 701, By Mr. Osborn: Expressing Appreciation to Miss Effie Childress and Miss Zeffie Childress.

H. S. R. No. 702, By Mr. Hulme: Congratulating Dr. Stuart A. MacCorkle.

H. S. R. No. 704, By Mr. Schram: Recognizing Students from Round Rock School.

H. S. R. No. 707, By Mr. Collins: Expressing appreciation to Mrs. Terie Brown.


H. S. R. No. 713, By Mr. Pieratt: Congratulating Jay Striegel.

H. S. R. No. 714, By Mr. Pieratt: Congratulating Loyce Gest.
H. S. R. No. 716, By Mr Cory:
Expressing appreciation to Monsignor Frederick O. Beck.

BILL SIGNED BY THE SPEAKER

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


TO EXPRESS APPRECIATION AND THANKS TO THE MIDLAND JUNIOR CHAMBER OF COMMERCE

Mr. Snelson offered the following resolution:

H. S. R. No. 697

Whereas, Members of the Texas Legislature are now enjoying for the first time in the history of our great State the benefits of an annual salary; and

Whereas, This annual salary is the result of the adoption of a Constitutional Amendment by the people of Texas; and

Whereas, This approval by the voters of Texas was in a large measure due to the active, untiring efforts of the Texas Junior Chamber of Commerce, which adopted as its Number 1 project on April 21, 1956, a program of building maximum public understanding and support for better State Government through annual salaries for Texas Legislators; and

Whereas, The Midland Junior Chamber of Commerce initiated in January, 1956, the annual salaries project by thorough research and study; and

Whereas, The Midland Junior Chamber of Commerce was successful in having the program adopted by each Jaycee Tri-Regional Convention in Texas; and

Whereas, The Midland Jaycees played the leading role in the adoption of the annual salaries program as the Number 1 project of the Texas Junior Chamber of Commerce; and

Whereas, Dr. Douglas Guthrie, Jr., of Waco, as President of the Texas Junior Chamber of Commerce in 1956-59, gave inspired, dedicated and effective leadership for this project during a critical time; now, therefore, be it

Resolved, That the Texas House of Representatives expresses its appreciation and thanks to Dr. Douglas Guthrie, Jr. and the Texas Junior Chamber of Commerce for their role in gaining annual salaries for Members of the Texas Legislature.

The resolution was referred to the Committee on Rules.

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Whereas, Members of the Texas Legislature are now enjoying for the first time in the history of our great State the benefits of an annual salary; and

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Whereas, Dr. Douglas Guthrie, Jr., of Waco, as President of the Texas Junior Chamber of Commerce in 1956-59, gave inspired, dedicated and effective leadership for this project during a critical time; now, therefore, be it

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The resolution was referred to the Committee on Rules.
its role in gaining annual salaries for Texas Legislators.

The resolution was referred to the Committee on Rules.

TO EXPRESS THANKS AND APPRECIATION TO F. E. HIGH-TOWER AND THE TEXAS JUNIOR CHAMBER OF COMMERCE

Mr. Snelson offered the following resolution:

H. S. R. No. 698

Whereas, Members of the Texas Legislature are now enjoying for the first time in the history of our great State the benefits of an annual salary; and

Whereas, This annual salary is the result of the adoption of a Constitutional Amendment by the people of Texas; and

Whereas, This approval by the voters of Texas was in a large measure due to the active, untiring efforts of the Texas Junior Chamber of Commerce, which adopted as its Number 1 project on April 21, 1956, a program of building maximum public understanding and support for better State Government through annual salaries for Texas Legislators; and

Whereas, W. S. Montgomery of Midland, as State-wide Chairman of the project for the Texas Junior Chamber of Commerce, gave inspired, dedicated and effective leadership for this project during a critical time; now, therefore, be it

Resolved, That the Texas House of Representatives expresses its appreciation and thanks to F. E. Hightower and the Texas Junior Chamber of Commerce for their role in gaining annual salaries for Members of the Texas Legislature.

The resolution was referred to the Committee on Rules.

TO EXPRESS APPRECIATION AND THANKS TO W. S. MONTGOMERY AND THE TEXAS JUNIOR CHAMBER OF COMMERCE

Mr. Snelson offered the following resolution:

H. S. R. No. 699

Whereas, Members of the Texas Legislature are now enjoying for the first time in the history of our great State the benefits of an annual salary; and

Whereas, This annual salary is the result of the adoption of a Constitutional Amendment by the people of Texas; and

Whereas, This approval by the voters of Texas was in a large measure due to the active, untiring efforts of the Texas Junior Chamber of Commerce, which adopted as its Number 1 project on April 21, 1956, a program of building maximum public understanding and support for better State Government through annual salaries for Texas Legislators; and

Whereas, W. S. Montgomery of Midland, as State-wide Chairman of the project for the Texas Junior Chamber of Commerce, gave inspired, dedicated and effective leadership for this project during a critical time; now, therefore, be it

Resolved, That the Texas House of Representatives expresses its appreciation and thanks to W. S. Montgomery and the Texas Junior Chamber of Commerce for their role in gaining annual salaries for Members of the Texas Legislature.

The resolution was referred to the Committee on Rules.

TO REQUEST CERTAIN STUDY RELATIVE TO STANDING HOUSE COMMITTEES

Mr. Dungan offered the following resolution:

H. S. R. No. 703

Whereas, The number of standing House committees is too large, and

Whereas, Five (5) committees are too many for any single member to do justice as a member of, and

Whereas, Many members are on two (2) or even three (3) committees, which meet at the same time, thus working a hardship on the members and the committees as well, and

Whereas, It is very difficult for a member to do a good job under these conditions, now therefore be it

Resolved, That the Speaker of the House of Representatives do appoint an interim committee to study the possibility of reducing the number of House committees in order to more equitably distribute the time
and efforts of the House members, and also instruct the committee to make their recommendations at the first meeting of the House members of the 56th Legislature, with the idea of having such recommendations adopted.

Signers:
DUNGAN, NIERMEYER, HAYNES, JOHNSON, SNEAD, COLE, HUNT, WILSON of Trinity, ROBERTS of Hill, WARD.

The resolution was referred to the Committee on Rules.

TO REQUEST CERTAIN STUDY RELATIVE TO TEACHER CERTIFICATION IN TEXAS

Mr. Snelson offered the following resolution:

H. S. R. No. 717

Whereas, This House has just passed and sent to the Senate a bill to provide a pay raise for teachers in the State’s public schools; and

Whereas, This is the latest in a series of pay increases provided by the Legislature and financed from State funds since the adoption of the State Minimum Foundation School Program in 1949; and

Whereas, The citizens of the State of Texas have a right to know whether the quality of instruction in the public schools and the qualifications and preparation of teachers have been increased as minimum salaries have been increased; and

Whereas, With the professional advice and assistance of a Board of Examiners for Teacher Education which he appoints, it is the duty of the State Commissioner of Education to recommend to the State Board of Education for its consideration and adoption such rules and regulations as are necessary to administer the Texas laws concerning issuance of teachers’ certificates and the standards and procedures for the approval of colleges and universities offering programs of teacher education; and

Whereas, Texas exist sharp differences of opinion on the proportion of education methodology or “how to teach” courses in relation to the number of courses in the major subject field which should be required for teacher education, and bills on this subject have been considered by the 53rd and 54th Legislatures; now therefore be it

Resolved, By the House of Representatives of the 57th Legislature, That the Texas Legislative Council be requested to make a complete study of teacher certification in Texas, including a review of the certification procedures, certification requirements and how they are determined, certification methods, and a comparison of Texas requirements and procedures in teacher certification with those of other states; and be it further

Resolved, That the Speaker of the House be authorized to appoint a five-member Special Interim Committee on Education to serve as a consulting group to the Texas Legislative Council in the conduct of this study; and be it further

Resolved, That the Texas Education Agency, the Commission on Higher Education, the State-supported colleges and universities offering teacher training programs, and other State agencies and institutions concerned with teacher training and certification be directed to provide such assistance and cooperation as may be necessary in the completion of this study; and be it further

Resolved, That the Council be requested to report its findings, together with such recommendations as it deems desirable, to the Regular Session of the 58th Legislature.

The resolution was referred to the Committee on Rules.

TO REQUEST CERTAIN STUDY RELATIVE TO THE PAYMENT OF CERTAIN INSURANCE CLAIMS

Mr. Thurman offered the following resolution:

H. C. R. No. 119

Whereas, There are a large number of insurance companies that are doing business in Texas and are engaged in writing health, accident and hospitalization insurance and such insurance companies now total into the hundreds; and
May 20, 1961

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Whereas, There have been many complaints about the health, accident and hospitalization insurance companies failing to pay their claims when presented; and

Whereas, Health, accident and hospitalization insurance companies are regulated by the State Board of Insurance and there is presently no regulatory agency to see that the insurance companies pay their legitimate claims; and

Whereas, Texas being one of the states that would like to look after its people and protect them from the unscrupulous actions of insurance companies refusing to pay their claims; now therefore be it

Resolved, By the House of Representatives, the Senate concurring, that the Texas Legislative Council be requested to study the payment of claims of health, accident and hospitalization insurance and the method by which claims are determined to be paid, and where it would be desirable to have some type of regulation to be made permanent, regulating companies in Texas and to administer the payment of such claims; and be it further

Resolved, That the Council be requested to report its findings, together with such recommendations as it may deem desirable, to the 58th Legislature.

The resolution was referred to the Committee on Rules.

REQUEST OF SENATE GRANTED

On motion of Mr. Kennard the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 100.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 100

Mr. Watson submitted the following Conference Committee Report on Senate Bill No. 100:

Austin, Texas, May 16, 1961

Hon. Ben Ramsey, President of the Senate.

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

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 100, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

FRANK OWEN.
BRUCE REAGAN.
ABRAHAM KAZEN.
ROBERT BAKER.
GALLOWAY CALHOUN, JR.
On the part of the Senate.

M. WATSON.
CORY.
COOK.
SANDHAL.
CHAPMAN.
On the part of the House.

By:

Owen
B. B. No. 100, A bill to be entitled "An Act to amend certain Sections of Chapter 315, page 517, being Senate Bill No. 176, Acts of 1945, 49th Legislature, as amended by Chapter 369, page 621, being Senate Bill No. 275, Acts of 1951, 52nd Legislature, known as the Public Accountancy Act of 1945, and codified as Article 41a, Vernon’s Annotated Civil Statutes of 1925, as amended which Act and Sections thereof herein amended relate to the regulation and licensing of persons to practice public accountancy in this state; repealing all laws in conflict therewith, and declaring an emergency.

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

Section 1. Amend Section 2 of Senate Bill 176, Chapter 315, page 517, Acts of 1945, 49th Legislature, by striking out all of said Section 2, and substituting in lieu thereof the following:

"Section 2. (a) The term 'Board' when used in this Act means the 'Texas State Board of Public Accountancy.'

"(b) The term 'person' when used in this Act shall, unless the context indicates otherwise, mean individuals, partnerships and corporations.

"(c) The term 'state' when used herein includes any state, territory or insular possession of the United States, or the District of Columbia."
Sec. 2. Amend Section 3 of Senate Bill 176, Chapter 315, page 617, Acts of 1945, 49th Legislature, by striking out all of said Section 3 and substituting in lieu thereof the following:

"Section 3. (a) Nothing contained in this Act shall be construed as applying to restrict any official act of any County Auditor, or other officer of the state, county, municipality, quasi-municipality, or other political subdivision thereof, or any officer of a Federal department or agency, or of their assistants, deputies or employees while working in their official capacities.

"(b) Nothing contained in this Act shall prohibit any person not a certified public accountant or public accountant from serving as an employee of a certified public accountant or public accountant or partnership composed of certified public accountants and/or public accountants holding a permit to practice issued by the Texas State Board of Public Accountancy; provided, however, that such employee shall not issue any accounting or financial statements over his name.

"(c) Nothing contained in this Act shall prohibit a certified public accountant or a registered public accountant in another state, or any accountant who holds a certificate, degree or license in a foreign country, constituting a recognized qualification for the practice of public accounting in such country, from temporarily practicing in this state on professional businessincident to his regular practice outside this state; provided, that such temporary practice is conducted in conformity with the laws of Texas and the regulations and rules of professional conduct promulgated by the Board."

Sec. 3. Amend Section 4 of the Public Accountancy Act of 1946, Acts of the 49th Legislature, Chapter 315, page 617, as amended by Acts of the 52nd Regular Session, Chapter 369, page 631, and as amended by the 56th Regular Session of the Legislature, Chapter 469, page 1862, House Bill No. 597, by adding thereto a new Section to be known as Section 4 (a) and to read as follows:

"Section 4. (a) A Board member, who has served as a member for six (6) consecutive years, shall not be eligible for reappointment until a lapse of two (2) years shall have occurred between the end of the term of his last prior appointment and the beginning of the new term of a new appointment."

Sec. 4. Amend Section 8 of Senate Bill No. 176, Chapter 315, page 617, Acts of 1945, 49th Legislature, as amended by Senate Bill No. 976, Chapter 369, page 631, Acts of 1951, 52nd Legislature, by striking out all of Section 8 and substituting in lieu thereof the following:

"Section 8. (a) No person shall assume or use the title or designation 'certified public accountant' or the abbreviation 'C.P.A.' or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that such person is a certified public accountant, unless such person has received a certificate as a certified public accountant under Section 10 of the Public Accountancy Act of 1946, and the regula-
tions and rules of professional conduct promulgated by the Board, who has registered under the provisions of Section 14 of the Public Accountancy Act of 1946, and who holds a live permit issued under Section 9 of this Act which is not revoked or suspended (hereinafter referred to as a 'live permit'), and all of such person's offices in this state for the practice of public accounting are maintained and required under Section 10 of this Act; provided, however, that an accountant or designation of another state or foreign country who has registered under the provisions of Section 14 of the Public Accountancy Act of 1946, and who holds a live permit issued under Section 9 of this Act, may use the title under which he is generally known in his state or country, followed by the name of the state or country from which he received his certificate, license or degree.

"(b) No partnership shall assume or use the title or designation 'certified public accountant' or the abbreviation 'C.P.A.' or any other title, designation, words, letters, abbreviation, sign, card or device tending to indicate that such partnership is composed of certified public accountants unless such partnership is registered as a partnership of certified public accountants under Section 17 of the Public Accountancy Act of 1946, holds a live permit issued un-
No person shall assume or use the title or designation ‘public accountant’ or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that such person is a public accountant, unless such person is registered as a public accountant under Section 11 or Section 13 of the Public Accountancy Act of 1945, holds a live permit issued under Section 9 of this Act and all of whose offices in this state for the practice of public accounting are maintained and registered as required under Section 10 hereof, or unless such person has received a certificate as a certified public accountant under Section 12 or Section 13 of this or prior Acts, holds a live permit issued under Section 9 of this Act and all of whose offices in this state for the practice of public accounting are maintained and registered as required under Section 10 hereof, or unless such person is a licensed accountant, enrolled accountant, ‘licensed public accountant,’ ‘chartered accountant,’ or ‘certified public accountant’ or any other title or designation likely to be confused with ‘certified public accountant’ or ‘public accountant,’ or any of the abbreviations ‘CPA,’ ‘PA,’ ‘EA,’ ‘RA,’ or ‘LA,’ or similar abbreviations likely to be confused with said combinations of said terms; and provided further, that a foreign accountant registered under Section 14 of the Public Accountancy Act of 1945, who holds a live permit under Section 9 of this Act and all of whose offices in this state for the practice of public accounting are maintained and registered as required under Section 10 hereof, may use the title under which he is generally known in his state or country, followed by the name of the state or country from which he received his certificate, license or degree.

No corporation shall assume or use the title or designation ‘certified public accountant,’ or ‘public accountant,’ nor shall any corporation assume or use the title or designation ‘certified accountant,’ ‘chartered accountant,’ ‘enrolled accountant,’ ‘licensed accountant,’ ‘registered accountant,’ or any other title or designation likely to be confused with ‘certified public accountant’ or ‘public accountant,’ or any of the abbreviations ‘CPA,’ ‘PA,’ ‘EA,’ ‘RA,’ or ‘LA,’ or similar abbreviations likely to be confused with said combinations of said terms.

If a corporation was registered under Section 16 of the Public Accountancy Act of 1945, prior to November 1, 1945, and holds a live permit under Section 9 hereof, it may use the same designations applicable to certified public accountants or public accountants hereinabove set out.

No person shall sign or affix his name or any trade or assumed name used by him in his profession or business, with any wording indicating that he is an accountant or auditor, or with any wording indicating that he has expert knowledge in accounting or auditing, to any opinion on, report on, or certificate to any opinion or financial statement, unless he has complied with the applicable provisions of this Act; provided, however, that the provisions of this statute shall not prohibit any officer, employee, partner, or principal of any organi-
of each year, but shall, annually, be secretary-treasurer of the Board.

Annual permit fee not to exceed Five Dollars ($5.00). All permits shall expire on the 31st day of December of each year, and to mail notice thereon each year by that date.

"(b) No person shall assume or use the title or designation ‘certified public accountant’ or ‘public accountant’ in conjunction with names indicating or implying that there is a partnership or in conjunction with the designation ‘and Company,’ or ‘and Co.,’ or a similar designation if, in any such case, there is in fact no bona fide partnership registered under Sections 17 or 19 of the Public Accountancy Act of 1946; provided that a partnership lawfully using such title or designation in conjunction with such names or designation on the effective date of this Act, may continue to do so if it otherwise complies with the provisions of this Act."

Sec. 5. Amend Section 9 of Senate Bill No. 176, Chapter 316, page 517, Acts of 1946, 49th Legislature, by striking out all of said Section and substituting in lieu thereof the following: "Section 9. Permits shall be issued by the Board to the following upon the payment of fees hereinafter specified:

"(a) Holders of the certificate of ‘Certified Public Accountant’ issued under this or any prior Act.

"(b) Such persons as are registered with the Board under the provisions of Section 10 of this Act.

"(c) Such persons as are registered with the Board under the provisions of Section 11 of the Public Accountancy Act of 1946."

There shall be paid to the secretary-treasurer of the Board by all persons referred to in Subsections (a), (b) and (c) hereof an annual permit fee not to exceed Ten Dollars ($10.00). All permits shall expire on the 31st day of December of each year, but shall, annually, be renewed for a period of one (1) year, upon the payment of a fee of not more than Ten Dollars ($10.00), the Board being hereby given the authority and duty to determine the amount of such renewal fee for each coming year on or before December 1 of each year, and to mail notice thereof each year by that date.

"Failure of any permit holder to pay the annual permit renewal fee on or before January 31 of each year shall automatically cancel his permit. Any permit holder whose permit shall have been canceled because of failure to pay the annual permit renewal fee may secure reinstatement of his permit at any time within that calendar year upon payment of the delinquent fee together with a penalty of Five Dollars ($5.00). After expiration of the calendar year for which the permit fee was not paid, no permit shall be reinstated except upon application and examination satisfactory to the Board. The Board shall have no authority to waive the collection of any fee or penalty."

Sec. 6. Amend Section 10 of Senate Bill No. 176, Chapter 316, page 517, Acts of 1946, 49th Legislature, by striking out all of said Section and substituting in lieu thereof the following: "Section 10. The following persons shall be registered with the Board for the practice of public accountancy in this state:

"(a) Individuals and public accountants qualified or who may qualify under Section 11 of the Public Accountancy Act of 1946.

"(b) Partnerships qualified under Sections 17 or 19 of the Public Accountancy Act of 1946, as amended. The name or designation under which any partnership may be registered shall contain the personal name or names of one or more individuals presently or previously members thereof, and shall not contain any descriptive words indicating character or grade of service offered.

"(c) Corporations qualified under Section 31 of the Public Accountancy Act of 1946. Provided, however, that no corporation may hereafter be created for the purpose of engaging in the practice of public accountancy within this state after the effective
date of this Act. No corporate charters or corporate permits shall be renewed one year after the effective date of this Act.

"(d) Each office established or maintained in this state for the practice of public accounting in this state by a certified public accountant, or partnership of certified public accountants, or by a public accountant, or a partnership of public accountants, or by one registered under Section 14 shall be registered under this Act with the Board, but no fee shall be charged for such registration. Each such office shall be under the direct supervision of a resident manager who may be either a principal or a staff employee holding a permit issued by the Board which is in full force and effect; provided that the title or designation 'certified public accountant' or the abbreviation 'C.P.A.' shall not be used in connection with such office unless such resident manager is the holder of a certificate as a certified public accountant and a permit issued by the Board, both of which are in full force and effect. Such resident manager may serve in such capacity only in one office at the same time. The Board shall by regulation prescribe the procedure to be followed in effecting such registrations.

"All applicants for registration shall furnish satisfactory evidence that the applicant is entitled to registration. The Board shall have power to examine such application and may refuse registration to any applicant who is unable to meet the standards imposed by this Act."

Sec. 7. Amend Section 12 of Senate Bill No. 176, Chapter 315, page 517, Acts of 1945, 49th Legislature, by striking out all of said Section 12 and substituting in lieu thereof the following:

"Section 12. The certificate of a 'Certified Public Accountant' shall be granted by the Board to any person:

"(a) Who is a citizen of the United States or has duly declared his intention of becoming such citizen; and

"(b) Who is a resident of the State of Texas, or has a place of business therein, or, as an employee, is regularly employed therein, and provided that any person who shall have qualified to take the examination for the certificate in this state, and who, while so qualified shall have received credit for all or any part thereof, shall remain qualified under this subsection until he receives his certificate; and

"(c) Who has attained the age of twenty-one (21) years; and

"(d) Who is of good moral character; and

"(e) Who meets the requirements of education and experience as hereinafter provided:

"(1) During the three (3) year period immediately following the effective date of this Act the educational requirement shall be: (a) satisfactory completion of two (2) years of study at one (1) or more colleges or universities, recognized by the Board; or (b) graduation from a junior college, recognized by the Board, or such education as the Board determines to be substantially the equivalent thereof, and the experience requirements shall be four (4) years of accounting experience, satisfactory to the Board as a certified public accountant in any state, or as a public accountant registered or entitled to register under Sections 11 or 13 hereof, or in public practice under the guidance and control of a certified public accountant or public accountant, or in an activity comparable thereto, or in any combination of such types of experience, in work of a non-routine accounting nature, which continually requires independent thought and judgment on important accounting matters; or such education and experience requirements may be those set out in (2), (3), or (4) below:

"(2) During the second three (3) year period following the effective date of this Act, the educational requirement shall be either (a) that specified in (1) above and, in addition, satisfactory completion of what the Board determines to be substantially the equivalent of an accounting major, including related courses in other areas of business administration; and the experience requirement shall be three (3) years of the experience described in (1) above; or (b) graduation from an accredited high school, plus two
(2) years of study of accounting or related subjects in one (1) or more colleges or universities, recognized by the Board, plus six (6) years of experience under the supervision of a certified public accountant in work described in (1) above, in which event such certified public accountant or certified public accountants, if the applicant has been employed by more than one (1), shall certify to the Board that the applicant has, during such six (6) year period, had the experience described in (1) above.

"(3) After the expiration of six (6) years from the effective date of this Act, the educational requirement shall be either (a) a baccalaureate degree conferred by a college or university recognized by the Board, with a major in accounting, or with a nonaccounting major, supplemented by what the Board determines to be substantially the equivalent of an accounting major, including related courses in other areas of business administration; and the experience requirement shall be two (2) years of the experience described in (1) above; or (b) graduation from an accredited high school, plus two (2) years of study of accounting or related subjects in one (1) or more colleges or universities, recognized by the Board, plus six (6) years of experience under the supervision of a certified public accountant in work described in (1) above, in which event such certified public accountant or certified public accountants, if the applicant has been employed by more than one (1), shall certify to the Board that the applicant has, during such six (6) year period, had the experience described in (1) above.

"(4) At any time after the effective date of this Act the experience requirement shall be only one (1) year of the experience described in (1) above for any candidate holding a Masters Degree with a major in accounting or business administration from a college or university recognized by the Board, or holding a professional degree in accounting designated other than a Masters Degree but judged by the Board to be equivalent to that degree and to be at an appropriate professional level, if he has satisfactorily completed such number of semester hours in accounting, business administration and economics, and such related subjects as the Board shall determine to be appropriate, and

"(5) who shall have passed a written examination in theory of accounts, in accounting practice, in auditing, in commercial law as affecting public accountants, and such other related subjects as the Board shall determine to be appropriate. A grade of at least seventy-five per cent (75%) on each subject shall be required as a passing grade.

"Any candidate who meets the educational requirements under subsections (1), (2), (3), or (4) of (a) above, and who is duly enrolled as an attorney in the Supreme Court of Texas and has complied with the provisions of the State Bar Act and is a member of the State Bar in good standing, shall be given credit for commercial law without taking the written examination on commercial law.

"The Board may by written regulations provide for granting credit to a candidate for his satisfactory completion of a written examination at one sitting in any two (2) or more of the subjects specified in (f) above given by the licensing authority in any other state; provided, that when he took such examination in such other state he was not a resident of Texas and nor, as an employee, was he regularly employed in Texas. Such regulations shall include such requirements as the Board determines to be appropriate in order that any examination approved as a basis for any such credit, in the judgment of the Board, be at least as thorough as that included in the most recent examination given by the Board at the time of the granting of such credit.

"None of the educational requirements specified in (1), (2), or (3) of (a) above shall apply to a candidate who is registered as a public accountant under Section 11 of the Public Accountancy Act of 1946, as amended.

"A candidate who has met the educational requirements but has not met the experience requirements provided for herein, shall be eligible to take the examination in all subjects except accounting practice without waiting until he meets the experience requirements, or a candidate
who has met the educational requirements as specified in (3) (a) of (e) above shall be eligible to take the entire examination without waiting until he meets the experience requirements, provided that in either case he also meets the requirements of (a), (b), and (d) above of this Section.

"A candidate for the certificate of certified public accountant who has successfully completed the examination under (f) above, shall have no status as a certified public accountant, unless and until he has met all of the requirements, has the requisite experience, and has received notice of his certificate as a certified public accountant.

"The holder of a certificate hereinafter issued under the provisions of Chapter 122 of the Acts of the 44th Legislature, or under subsequent Acts, shall not be required to secure a new certificate as a certified public accountant under this Act.

"The applicable educational and experience requirements under Subsections (1), (2) or (3) of (e) of this Section shall be those in effect on the date of his application for the examination or re-examination by which the candidate successfully completes his examination under (f) above. With reference to any candidate, has passed at least one (1) subject under any prior Act, the applicable educational and experience requirements shall be those in effect immediately prior to the effective date of this Act.

"Any person who, at the effective date of this Act, has entered a program to meet the education and experience requirements of the Public Accountancy Act of 1946 as in force immediately prior to the effective date of the amendments by this Act, shall file with the Board within 180 days after the effective date of this Act, a written declaration thereof, and submit such proof thereof as the Board may require. After the filing of such declaration and proof, under rules and regulations prescribed by the Board, said person shall be allowed the time reasonably required to complete his program to meet the education and experience requirements in force immediately prior to the effective date of this Act, but not more than four (4) years after the effective date of this Act, and on completion of such requirements, if otherwise qualified to take the examination, be entitled to make his application and take the examination under such education and experience requirements.

"Every person who has met the requirements of (a), (b), (c), (d), (e), and (f) of this Section and is ready to receive his certificate as a 'Certified Public Accountant,' shall, before receiving such certificate, take an oath that he will support the Constitution of the United States and of this state, and the laws thereof, and will comply with the rules of professional conduct promulgated under the Public Accountancy Act of 1945 as amended. This oath shall be administered by a member of the Board or by such other person as may be authorized by law to administer oaths.

"Sec. 8. Amend Section 13 of Senate Bill No. 176, Chapter 315, Acts of 1946, 45th Legislature, by striking out all of said Section 13 and substituting in lieu thereof the following:

"Section 13. (a) The Board may in its discretion waive the examination of, and may issue a certificate as 'Certified Public Accountant,' to any person possessing the other qualifications mentioned in Section 12 of this Act who is the holder of a certificate as Certified Public Accountant issued under the laws of any state or territory (or the equivalent thereof issued in any foreign country), provided the requirements for such certificate in the state or territory, (or foreign country) which has granted it to the applicant were, in the opinion of the Board, at least equivalent to those required in this state at the time the applicant's original certificate was issued. The Board shall charge for the issuance of such a certificate as a 'Certified Public Accountant,' under this Section a fee of not more than Fifty Dollars ($50.00).

"(b) Any person holding a permit under the laws of any state or territory to practice public accountancy, if such state or territory, in the opinion of the Board, has standards equal to those required by this state, shall be granted a permit by the
Board if such state or territory admits public accountants of this state to practice in such state or territory, provided, however, no such permit shall be granted by the Board unless such person had made application for a permit to practice public accountancy to the licensing board of his own state not later than November 1, 1947. For such permits as are authorized by this Section the Board shall charge the same annual permit fees and reinstatement fees as are charged all other persons to whom annual permits are issued by the Board.”

Sec. 9. Amend Section 15 of Senate Bill No. 176, Chapter 515, page 517, Acts of 1945, 49th Legislature, as amended by Chapter 369, page 61, Acts of 1951, 52nd Legislature, by striking out all of said Section 15 and substituting in lieu thereof the following:

“Section 15. All examinations provided for under the Public Accountancy Act of 1945, as amended, shall be conducted by the Board. The examination for the certificate of ‘Certified Public Accountant’ shall take place as often as the Board deems necessary, but not less frequently than once each year. The time and place of holding examinations shall be duly advertised for not less than three (3) days in three (3) daily newspapers published in each of three (3) principal cities in Texas, beginning not less than thirty (30) days prior to the date of each examination.

A candidate, who fails, shall have the right to apply for an additional examination, subject to the satisfaction of the Board that he continues to meet requirements of (a), (b), and (d) of Section 15 of this Act, and the following additional requirements: (1) if a candidate fails to score a grade of fifty per cent (50%) on any subject in an examination, the Board shall refuse to admit him to write that subject in the next succeeding examination; and (2) if a candidate has made application to write the examination at a session and he fails to submit a paper on any subject for which he is eligible at that session, the Board shall score a grade of less than fifty per cent (50%) for the candidate in that subject.

Except for the foregoing requirements, a candidate, who has taken the examination under this Act or any prior Act, shall have the right to any number of re-examinations. The additional requirements specified in (1) and (2) of this paragraph shall not apply to a candidate who is registered as a public accountant under Section 11 of the Public Accountancy Act of 1945, as amended.

“Any candidate who, at the time of filing his application to take the examination, or re-examination, provided for herein, had, prior to the effective date of this Act, passed one (1) or more subjects under any prior Act, or who shall, after the effective date of this Act, pass in a single examination two (2) or more subjects, or who is registered as a public accountant under Section 11 of the Public Accountancy Act of 1945, as amended, and who shall pass one (1) or more subjects after the effective date of this Act, shall have the right, subject to the approval of his application for re-examination under the provisions of the preceding paragraph, to be re-examined in the remaining subjects only, at subsequent examinations held by the Board, may receive credit for one (1) or more subjects in any subsequent examination, and when he shall have received credit for all subjects, he shall then be considered to have passed the examination.

“The Board shall charge for the first examination of a candidate for certification as a ‘Certified Public Accountant’ a fee of not more than Fifty Dollars ($50.00), which shall be payable by the applicant at the time of making the initial application. For each subsequent examination, or re-examination, the fee shall not exceed for each subject for which he is eligible: Twenty Dollars ($20.00) for accounting practice, and Ten Dollars ($10.00) for each of theory of accounts, auditing and commercial law, which shall be payable by the applicant at the time of making the application for the subsequent examination or re-examination. Where the applicant fails to be present for the examination and shows to the Board satisfactory reason for such failure, the Board may, in its discretion, refund
any fee so paid, and relieve the candidate of the penalty in the second paragraph of this Section relating to the grade of less than fifty per cent (50%).

"All fees provided for herein shall be paid to the secretary-treasurer of the Board.

"It is further provided, that any applicant who has failed any such examination or examinations shall have a right to demand a copy, certified by the Board, of the questions and the answers thereto made by him upon any such examination, with the grade clearly shown, together with a copy of solutions to such questions; and the Board shall forthwith comply with such demand by delivering by registered mail to such applicant a true copy of the questions and his answers thereto, together with a copy of solutions to such questions, and the Board may charge such applicant a reasonable fee therefor; and such application by the candidate shall be made within six (6) months after the grades are mailed to said candidate, and not thereafter."

Sec. 10. Amend Section 16 of Senate Bill No. 176, Chapter 315, page 517, Acts of 1945, 49th Legislature, by striking out all of said Section 16 and substituting in lieu thereof the following:

"Section 16. Any person who has received from the Board a certificate of Certified Public Accountant and holds a valid permit to practice, shall be styled and known as a certified public accountant and may also use the abbreviation "C.P.A.""

Sec. 11. Amend Section 18 of Senate Bill No. 176, Chapter 315, page 517, Acts of 1945, 49th Legislature, by striking out all of said section 18 and substituting in lieu thereof the following:

"Section 18. Any individual qualified under this Act to register with the Board for the practice of public accounting and who has so registered, and who holds a valid permit for the practice of public accounting, may be styled and known as a 'public accountant'."

Sec. 12. Section 20 of Senate Bill No. 176, Chapter 315, page 517, Acts of 1945, 49th Legislature, is hereby repealed.
"(9) Failure to become a citizen of the United States within six (6) years by any person not a citizen of the United States when he or she received a certificate as certified public accountant, or registered as a public accountant under this or any prior Acts, said six (6) year period to begin on the effective date of this Act or the date of granting a certificate or an initial permit, whichever date occurs last.

"(10) Failure of a certificate holder or registrant to obtain an annual permit under Section 9 of the Public Accountancy Act of 1946, as herein amended, within either (a) three (3) years from the expiration date of the permit to practice last obtained or renewed by said certificate holder or registrant, or (b) three (3) years from the date upon which the certificate holder or registrant was granted his certificate or registration, if no permit was ever issued to him, unless such failure shall be excused by the Board pursuant to the provisions of said Section 9.

"(11) Conduct dishonorable to the public accounting profession.

"(b) After notice and hearing as provided in Section 23 of the Public Accountancy Act of 1946, as herein amended, the Board shall revoke the registration and permit to practice of a partnership, if at any time it does not have all the qualifications prescribed by the Section of this Act under which it qualified for registration.

"(c) Any hearing the accused may appear in person and by counsel, produce evidence and witnesses on his own behalf, cross-examine witnesses, and examine such evidence as may be produced against him. The accused shall be entitled, on application to the Board, to the issuance of subpoenas to compel the attendance of witnesses on his behalf.

"(d) The Board, or any member thereof, may issue subpoenas to compel the attendance of witnesses and the production of documents, and may administer oaths, take testimony, hear proofs and receive exhibits in evidence in connection with or upon hearing under this Act. In case of disobedience to a subpoena the Board may invoke the aid of any court of this State in requiring the attendance and testimony of witnesses and the production of documentary evidence.

"(e) If, after having been served with the notice of hearing as provided for herein, the accused fails to appear at said hearing the Board may proceed to hear evidence against him and may enter such order as shall be justified by the evidence and a copy of such order shall be mailed by registered mail to the last known address of the accused.

Sec. 14. Amend Section 23 of Senate Bill No. 176, Chapter 315, page 517, Acts of 1945, 41st Legislature, by striking out all of said Section 23 and substituting in lieu thereof the following:

"Section 23. (a) The Board may initiate proceedings under this Act either on its own motion or on the complaint of any person.

"(b) A written notice stating the nature of the charge or charges against the accused and the time and place of the hearing before the Board on such charges shall be served on the accused, not less than twenty (20) days prior to the date of said hearing, either personally or by mailing a copy thereof by registered mail to the address of the accused last known to the Board.

"(c) At any hearing the accused may appear in person and by counsel, produce evidence and witnesses on his own behalf, cross-examine witnesses, and examine such evidence as may be produced against him. The accused shall be entitled, on application to the Board, to the issuance of subpoenas to compel the attendance of witnesses on his behalf.
The Board is hereby authorized to grant continuances upon written request and, upon a showing of good cause for failure to appear at such hearing, set out in writing, signed by the accused and filed with the Board, the Board may reopen said proceedings and permit the accused to submit evidence in his behalf, provided further, that said written request to reopen is filed with the Board within twenty (20) days after a copy of said order has been mailed to the accused.

"(e) At all hearings the Attorney General of this state, or one of his assistants, or such other legal counsel as may be employed, shall appear and represent the Board.

"(b) The decision of the Board shall be by majority vote thereof.

"(f) Any person, firm or corporation adversely affected by any order, rule or decision of the Board may file a petition in the District Court of the county of his residence in Texas, or by a nonresident of Texas in the District Court of Travis County, Texas, setting forth the particulars and upon such petition, rule or order, against the Texas Board of Public Accountancy as defendant, such petition to be filed within thirty (30) days after the date a copy of such order is sent by registered mail to such person, firm or corporation. Service of citation may be had by leaving a copy thereof at the office of the Board in Austin, Travis County, Texas. The case shall be tried as other civil cases. The cause shall be tried and determined upon a trial de novo at the same extent as now provided for in the case of an appeal from the Justice Court to the county court. Either party to said action may appeal to the appellate court having jurisdiction of said cause. The Board shall not be required to give any appeal bond in any case arising hereunder. Neither the Texas State Board of Public Accountancy nor any member thereof shall be liable to any person, firm or corporation charged or investigated by the Board, for any damages incident to such investigation, or any complaint, charge, prosecution, proceeding or trial.

"(j) Upon application in writing and after hearing pursuant to notice, the Board may issue a new certificate to a certified public accountant whose certificate shall have been revoked, or may permit the reregistration of anyone whose registration has been revoked, or may rescind or modify the suspension of anyone to practice public accounting which has been revoked or suspended.

Sec. 15. Amend Section 24 of Senate Bill No. 179, Chapter 175, Acts of 1945, 49th Legislature, by striking out all of said Section 24 and substituting in its stead the following:

"Section 24. (a) Whenever in the judgment of the Board any person who is not the holder of a valid and existing permit to practice public accountancy in this state has engaged in any act or practice which constitutes the practice of public accountancy within this state, the Board may apply to the District Court of the county in which such person resides or has an office, for an injunction enjoining such person from engaging in the practice of public accountancy, and in such cases the Board shall not be required to give bond as a condition precedent to the issuance of such injunctive relief.

"(b) Any person who violates any provision of the Public Accountancy Act of 1945, as amended, or of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than Fifty Dollars ($50.00) and not more than Five Hundred Dollars ($500.00) or by imprisonment in county jail for not less than ten (10) days and not more than one (1) year or by both such fine and imprisonment, and each violation shall constitute a separate offense. Any complaints filed under the provisions of this section shall be filed in the county where the offense occurred.
of the Legislature to enact such Act 
without respect to such Section or 
part so held to be invalid.

Sec. 17. Article 2050, Section 59, 
Revised Civil Statutes of Texas, is 
hereby expressly repealed as well as 
all laws or parts of laws in conflict 
with this Act are hereby expressly 
repealed.

Sec. 18. The importance of this 
legislation is in order to clarify some 
of the existing laws pertaining to the 
practice of public accounting in the 
State of Texas and because the prac-
tice of public accounting is affected 
with a public interest, create an em-
ergency, and an imperative public 
necessity that the Constitutional Rule 
requiring bills to be read on three 
several days in each House be sus-

sioned, and said Rule is hereby sus-

sended, and that this Act shall 
take effect and be in force from and 
after its passage, and it is so en-
acted.

Mr. Watson moved that the House 
adopt the Conference Committee Re-
port on Senate Bill No. 100.

The motion prevailed.

Mr. Watson moved to reconsider 
the vote by which the Conference 
Committee Report on Senate Bill No. 100 was adopted and to table the 
motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 334 WITH 
SENATE AMENDMENTS

Mr. Ballman moved that the House 
concur with Senate Amendments for consideration at this time.

H. B. No. 334, A bill to be entitled 
"An Act providing additional revenue 
for the support of the state govern-
ment; amending Article 9.35 of Title 
122A, Revised Civil Statutes of Tex-
as, as enacted by the Fifty-sixth 
Legislature, Third Called Session, 
1959, Chapter 1, Section 1, relating 
to the definition of 'phonograph', amending Section (i) of Article 20.01 of Title 122A, Revised 
Civil Statutes of Texas, as enacted by 
the Fifty-sixth Legislature, Third 
Called Session, 1959, Chapter 1, 
Section 1, relating to air condition-
ers; providing a severability 
clause; repealing laws in conflict; 
declaring an emergency; and pro-
viding for an effective date.

Mr. Ballman moved that the House 
do not concur in Senate Amendments, 
and that a Conference Committee be 
requested to adjust the differences 
between the two Houses on H. B. 
No. 334.

Mr. Quillian moved, as a substi-

tute motion for the motion by Mr. 
Ballman, that the House concur 
in the Senate Amendments to House 
Bill No. 334.

Mr. Kennard moved to table the 
substitute motion that the House 
concur in the Senate Amendments to 
H. B. No. 334.

A record vote was requested on 
the motion to table.

The motion to table the substitute 
motion that the House concur in 
the Senate Amendments to H. B. 
No. 334 prevailed by the following 
vote:

Yeas—79

Allen
Bynum
Barlow
Bass
Berry
Boykin
Bridges
Buchanan
Caldwell
Cannon
Carriker
Cole of Harris
Cole of Hunt
Collins
Cotten
Cowen
Dewey
Duff, Miss
Eckhardt
Mr. Ballman moved that the House 
concur in Senate Amendments to 
House Bill No. 334.
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Koliba  Roberts of Hill
Koroth  Rose
Lab  Schram
Lary  Smith of Bexar
La Valle  Smith of Jefferson
Leaverton  Spears
Longoria  Springer
McCoppin  Stewert
McGregor  of Galveston
of El Paso  of Wichita
McHany  Stewart
Markgraf  Stoves
Mullen  Townsend
Murray  Trevino
Perry  Ward
Petty  Watson
Pfleger  Wells
Preston  Wheatley
Price  Whitehead
Rapp  Woods
Richards  Yezak
Richardson

Nays—55
Adams of Lubbock  Johnson of Dallas
Adams of Titus  Johnson of Bell
Allen  Jones of Dallas
Atwell  Latimer
Banfield, Mrs. Lewis  Barrera
Bartram  Martin
Bell  Mutschler
Burgess  Nusant
Burns  Oliver
Connell  Osborn
Cook  Parsons
Cory  Pipkin
Crain  Quillian
Craw  Ratliff
Curtington  Read
Ehris  Roberts of Dawson
Fairchild  Sanford
Floyd  Shively
Foreman  Slack
Gibbons  Slider
Gibson  Stinson
Glusing  Spillman
Grover  Thorndale
Harding  Tunnell
Hasty  Walker
Hughes of Dallas  Wilson of Potter
James

Present—Not Voting
Andrews  McGregor
Blaine  of McLennan
Fletcher  Shannon
Jarvis  Thurman
Ballman  Absent

Absent—Excused
Chapman  Moore
Cowles  Niemeyer
de la Garza  Ross
Dungan

Mr. McGregor of McLennan (present), who would vote "nay" with Mr. Niemeyer (absent) who would vote "yes."

Mr. McGregor of McLennan (present), who would vote "nay" with Mr. Cowles (absent) who would vote "yes."

Mr. Blaine (present), who would vote "nay" with Mr. Ross (absent) who would vote "yes."

Mr. Shannon (present), who would vote "yes" with Mr. Dungan (absent) who would vote "nay."

Mr. Jarvis (present), who would vote "nay" with Mr. Chapmank (absent) who would vote "yes."

Mr. Thurman (present), who would vote "nay" with Mr. Moore (absent) who would vote "yes."

REASON FOR VOTE
I voted for motion to table the substitute motion to the motion by Ballman to appoint a conference committee on H. B. 334 for several reasons, one of which is, that the agricultural section dealing with exemptions fails to exempt seed and fertilizer for crops that are not used for human consumption and a good example is seed and fertilizer for cotton which exemption was in the bill when it passed the House on final passage.

YEZAK

The motion by Mr. Ballman that the House do not concur in the Senate Amendments to H. B. No. 334, and that a Conference Committee be requested to adjust the differences between the two Houses on H. B. No. 334, prevailed by the following vote:

Year—83
Adams of Titus  Bridges
Akalis  Buchanan
Allevy  Caldwell
Ballman  Cannon
Barlow  Cariker
Bass  Cole of Harris
Berry  Cole of Hunt
Boyson  Collins

Absent—Excused
Blaine  of McLennan
Fletcher  Shannon
Jarvis  Thurman
Ballman  Absent
Mr. Thurman (present), who would vote "nay" with Mr. Moore (absent) who would vote "yea.",

Mr. McGregor of McLennan (present), who would vote "Nay" with Mr. Cowles (absent) who would vote "Yea."

Mr. Blaine (present), who would vote "Nay" with Mr. Rosas (absent)

Mr. Shannon (present), who would vote "Yea" with Mr. Dungan (absent) who would vote "Nay."

Mr. Jarvis (present), who would vote "Nay" with Mr. Chapman (absent) who would vote "Yea."

REASONS FOR VOTE

Today I voted for Senate Amendment to House Bill No. 334 for the following reasons:

I do not consider part of this total tax bill to be a general sales tax in that food, feed, fertilizers and many other items are exempted from taxation; therefore, this is really a broad base selective sales tax. How can a tax be a general sales tax when any item is exempted?

Moreover, this total tax bill hits business very hard in that there is an increase in the franchise tax on corporations and the natural gas tax is increased. Also beer when taken with a meal is taxed, one of our annual tax "whipping" boys.

No one can say this tax bill is unfair to either the "little" man or the "big" man or to corporations—it taxes them all as any fair tax bill should.

PAUL FLOYD.
Our vote to send H. B. No. 334 to conference was not a vote against the sales tax, as we voted for and are in favor of a general sales tax, which is the fairest and least objectionable broad base tax before the legislature. The Governor has made public that he will veto H. B. No. 334 as it now stands. We are in favor of sending this bill to a conference committee in order to try to work out the differences. If this could be done, it would save a general sales tax and would save the cost of numerous special sessions. We feel that it is our responsibility to attempt to see that a tax program will become law and not a vetoed dead issue.

TERRY TOWNSEND,
OLEN PETTY.

The following are the Prime reasons why I voted not to concur on the Senate committee amendments to House Bill 334:
1. Estimates indicate that the amended House Bill 334 will be from $15 million to $35 million short of providing enough revenue to do the job that we as Representatives were sent to Austin to do.
2. Therefore, the school program, medical aid to the needy aged, the under paid state employees or some other needed program shall suffer from the lack of funds.
3. There are also many inequities contained in the Senate amendments to House Bill 334.
4. With the desire that the Bill be sent to conference committee so that more revenue be written into the measure and the inequities be somewhat corrected.

CLYDE HAYNES, JR.

I voted for motion by Ballman to appoint a conference committee on H. B. No. 334 for several reasons one of which is, that the agricultural section dealing with exemptions fails to exempt seed and fertilizer for crops that are not used for human consumption and a good example is seed and fertilizer for cotton which exemption was in the bill (H. B. No. 727) when it passed the House on final passage.

YEZAK.

The Speaker announced the appointment of the following Conference Committee on the part of the House on H. B. 334:
Messrs. Ballman, Chairman; Hinson, Kerchove, Murray and Wilson of Trinity.

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 975, A Bill to be entitled "An Act relating to liability of property annexed to the Blaine Municipal Water Supply District for bonds Issued by the District prior to the annexation of the property, amending Section 5(j) of Chapter 368, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

The bill was read second time.

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

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

Section 1. Section 2 of Chapter 368, Acts of the 55th Legislature, Regular Session, 1957, is amended to read:
"Section 2. Said District shall contain all the territories contained in the boundaries of the City of Mexia, Limestone County, as the boundaries of the said City of Mexia are set forth in ordinances passed prior to the effective date of this Act and all ordinances pertaining to the extension of the city limits of the City of Mexia that are passed in the future."

Section 2. Section 3 (b) of Chapter 365, Acts of the 56th Legislature, Regular Session, 1957, is amended to read:

"Section 3 (b). Five directors shall be appointed from each city in the District."

Section 3. Section 6 (j) of Chapter 368, Acts of the 65th Legislature, Regular Session, 1967, is amended to read:

"Section 6 (j). After territory is added to the District, the property so added is liable for its proportionate part of all bonds issued by the District then outstanding, provided, however, that the District will furnish water to the property owners assuming the bond indebtedness."

Section 4. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

H. B. No. 975 was passed to engrossment.

HOUSE BILL NO. 975 ON THIRD READING

Mr. Cannon moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 975 be placed on its third reading and final passage.

The motion prevailed by the following vote:
The Speaker then laid House Bill No. 375 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—134**

Adams of Lubbock Curington
Adams of Titus Dewey
Allen Duff, Miss
Andrews Ehrle
Atwell Echols
Ballman Fletcher
Barlow Floyd
Barney Foreman
Bartram Gibbens
Beal Glidden
Bell Glass
Berry Giusti
Blake Green
Boyson Grover
Bridges Guffey
Buchanan Hale
Burgess Haring
Caldwell Haynes
Cannon Hinson
Carriker Hollowell
Cole of Harris Huie
Cole of Hunt Hughes
Collins of Grayson
Connell Hughes of Dallas
Cook Imacon, Mrs.
Cory James
Cotten Jaimes
Cowan Jarvis
Crain Johnson of Dallas
Crews Johnson of Bexar

**Nays—6**

Heatly Nugent
Jarvis Schram
Lewis Thurman

**Absent**

Atwell Oliver
Barlow Spilman
Fairchild Wilson of Potter
Lack

**Absent—Excused**

Chapman Moore
dela Garza Ross
Dungan

The Speaker then laid House Bill No. 375 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—134**

Adams of Lubbock Curington
Adams of Titus Dewey
Allen Duff, Miss
Andrews Ehrle
Atwell Echols
Ballman Fletcher
Barlow Floyd
Barney Foreman
Bartram Gibbens
Beal Glidden
Bell Glass
Berry Giusti
Blake Green
Boyson Grover
Bridges Guffey
Buchanan Hale
Burgess Haring
Caldwell Haynes
Cannon Hinson
Carriker Hollowell
Cole of Harris Huie
Cole of Hunt Hughes
Collins of Grayson
Connell Hughes of Dallas
Cook Imacon, Mrs.
Cory James
Cotten Jaimes
Cowan Jarvis
Crain Johnson of Dallas
Crews Johnson of Bexar

**Nays—1**

Heatly

**Absent**

Atwell

**Absent—Excused**

Chapman Moore
dela Garza Ross
Dungan

**BILL SIGNED BY THE SPEAKER**

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

H. B. No. 31, "An Act amending Article 342-205 of the Texas Banking Code of 1943, same being Acts of
the Forty-eighth Legislature, Chapter 97, page 127, 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."
The Speaker then laid Senate Bill No. 14 before the House on third reading and final passage. The bill was read third time and "as passed by the following vote:

Yeas-132

Taylor of Lubbock
Green Adams
Adams of Titus
Allen
Andrews
Atwell
Bailey
Ballman
Banfield, Mrs.
Barlow
Barnes
Bartram
Bass
Bell
Bennett
Berry
Blaine
Bryan
Bridges
Buchanan
Burges
Butler
Coldwell
Cannon
Carriker
Cole of Harris
Cole of Hunt
Collins
Connell
Cook
Cory
Craws
Curfington
Dewey
Duff, Miss
Eckhardt
Elkins
Fairchild
Fletcher
Floyd
Foreman
Garrison
Gibbons
Gladden
Glass
Gluising

Osborn
Smith of Jefferson
Parruss
Selman
Perry
Spear
Peeler
Springer
Pety
Stewart
Pieratt
of Galveston
Pipek
Stewart
Preston
Price
Quilliam
Thurman
Rapp
Thurmond
Ratcliff
Townsend
Read
Trevisio
Richards
Tunell
Richardson
Walker
Roberts of Hill
Ward
Roberts of Dawson
Watson
Romson
Wells
Sandahl
Whitfield
Schram
Shipley
Wilson of Trinity
Black
Wilson of Potter
Slider
Wilson of Bexar

Mr. Smith of Jefferson moved to reconsider the vote by which S. B. No. 14 was passed and to table the motion to reconsider. The motion to table prevailed.

HOUSE BILL NO. 1131 ON SECOND READING

Mr. Green moved that all the necessary rules be suspended for the purpose of taking up and considering at this time House Bill No. 1131. The motion prevailed by the necessary two-thirds vote.

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 1131, A bill to be entitled "An Act applicable to all cities contained in any county which has, in conjunction with an adjoining coun-

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<td>Chapman</td>
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<td>Cowles</td>
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Absone-Murray
Cullen
Cowen
Craws
Koroth
McCoplin
Woods

Dungan

Mr. Smith of Jefferson moved to reconsider the vote by which S. B. No. 14 was passed and to table the motion to reconsider.

The motion to table prevailed.
ty, created a joint Board of Park Commissioners under the provisions of Chapter 137, Acts of the Fifty-sixth Legislature; authorizing any such city to sell and convey land to such joint Board of Park Commissioners or to such counties; providing the method of making such conveyances; enacting other provisions related to the subject; and declaring an emergency."

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

HOUSE BILL NO. 1131

Mr. Green moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 1131 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-129
Adams of Lubbock Fairchild
Adams of Titus Fletcher
Alaimo Floyd
Allen Foreman
Andrews Garrison
Atwell Gibbens
Bailey Gladden
Hallman Glass
Baasfield, Mrs. Glasing
Barlow Green
Harms Grover
Bartram Guffey
Baum Hale
Belt Harding
Berry Haring
Bloxline Harrington
Boyson Haynes
Bridges Hasty
Buchanan Hinson
Burns Hollowell
Baird Huebner
Caldwell Hughes
Camp of Grayson
Carroll Hughes of Dallas
Cole of Hunt Inbanks, Miss
Collins James
Connell Jamison
Cook Johnson of Dallas
Cory Johnson of New Braunfels
Craig Johnson of Bell
Crews Jones of Dallas
Dawley Jones of Travis
Duff, Miss Kennard
Dickhardt Kilpatrick
Ehrle Koliba

Nays--4
Jarvis Read
Nugent Thurman
Absent
Coles of Harris Mutchiner
Cotten Roberts of Dawson
Cowan Wilson of Potter
Curlington Woods
Kortoth
Absent—Excused
Chapman Moore
Cowles Niemeyer de la Garza
Ross Ross
Dungan

The Speaker then laid House Bill No. 1131 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Green moved to reconsider the vote by which H. B. No. 1131 was passed and to table the motion to reconsider.

The motion to table prevailed.
Mr. Harrington asked unanimous consent of the House that the Committee on Game and Fisheries be permitted to meet at this time.

There was no objection offered.

SENATE JOINT RESOLUTION NO. 25 ON SECOND READING

Mr. Price moved that all the necessary rules be suspended for the purpose of taking up and considering at this time Senate Joint Resolution No. 25.

The motion prevailed by the necessary two-thirds vote.

Mr. Price moved that all the necessary rules be suspended for the purpose of taking up and considering at this time Senate Joint Resolution No. 25.

The resolution was read second time.

Mr. Cotten offered the following amendment to the resolution:

Amend S. J. R. No. 25 by adding the following at the end of line 1 of Section 1:

"Provided, however, no such lands shall be sold to corporations."

Mr. Price moved to table the amendment by Mr. Cotten.

The motion to table the amendment by Mr. Cotten prevailed.

Mr. Markgraf moved that further consideration of Senate Joint Resolution No. 25 be postponed until 11:00 o’clock a.m. next Monday, May 22.

The motion prevailed.

Mr. Atwell moved that the House adjourn until 11:00 o’clock a.m. next Tuesday.

Mr. Bell moved that the House adjourn until 11:00 o’clock a.m. next Monday.

Mr. McGregor of El Paso moved that the House adjourn until 9:30 o’clock a.m. next Monday.

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

The motion prevailed by the necessary two-thirds vote.

Mr. James moved that the House recess until 4:30 o’clock p.m. today.

The motion to adjourn until 9:30 o’clock a.m. next Monday was lost.

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

A record vote was requested on the motion to adjourn until 12:00 o’clock a.m. next Monday, and the motion prevailed by the following vote:

Yeas—79

Alanis         Harrington
Bailey         Haynes
Barlow         Hinoe
Bass           Hughes
Beal           DeGrayson
Blaine         Isaacks, Miss
Boysen         James
Bridges        Jamison
Buchanan       Johnson of Bexar
Burgess        Jones of Travis
Butler         Kerith
Calwell        LaValle
Cannon         Leaverton
Carroll        Lewis
Collins        Longoria
Cotten         McCoppis
Curlington     McGregor
Dewey          of El Paso
Duff, Miss     McIlhany
Eckhardt       Markgraf
Fletcher       Miller
Foreman        Mullen
Garrison       Murray
Gibbons        Parsons
Gladden        Peary
Glass           Petty
Glasing         Preston
Green           Price
Guffey          Rupp
Haga            Richards
Haring        Roberts of Hill
The Benediction was offered by the Reverend Clinton Kersey, Chaplain.

In accordance with the motion to adjourn the House at 1:36 p.m., adjourned until 11:00 o'clock a.m. next Monday.

STANDING COMMITTEE REPORTS

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

Constitutional Amendments: S. J. R. No. 6 and S. J. R. No. 25.


Game and Fisheries: H. B. No. 1046 and H. B. No. 1155.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 15, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 132, A bill to be entitled "An Act amending the Texas Motor Vehicle Safety Responsibility Act relating to the deposit of security following certain accidents, the proof of financial responsibility in certain instances, the suspension of certain licenses, registrations and nondelinquent operating privileges and certain penalties; relating to enforcement and administration; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 158, A bill to be entitled "An Act to amend Chapter 418, page 1257, Acts of the Fifty-fifth Legislature, Regular Session, 1957, compiled as Vernon's Civil Statutes, Article 3721b, by amending Sections 1 and 2, so as to provide for proof of a greater number of official records by the use of photographic or photostatic or microfilm or reproduced copies; and declaring an emergency."

H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 185, A bill to be entitled "An Act making proof by either party to a civil suit of the existence of, or alongside any public thoroughfare of any traffic control device prima facie proof that such device had been lawfully installed by competent authority at the place of its location; and declaring an emergency."

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

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 162, A bill to be entitled "An Act amending Section 4, Section 27, Section 28, and Section 30 of the Texas Mental Health Code, Chapter 243, page 505, Acts of the Fifty-fifth Legislature, Regular Session, 1957 as amended and compiled as Vernon's Revised Civil Statutes of Texas, Articles 5547-4, 5547-27, 5547-28 and 5547-30, respectively; providing severability; and declaring an emergency."

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

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 436, A bill to be entitled "An Act amending Section 1 of Chapter 39, Acts of the Forty-fourth Legislature, 1935, as last amended, codified as Article 4639a, Vernon's Texas Civil Statutes, by providing that jury determination of child custody may not be contravened by judgment of the court upon granting a divorce; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 551, A bill to be entitled "An Act amending Article 279, Revised Civil Statutes of Texas, 1925, so as to exempt the personal property of institutions of public charity from ad valorem taxation; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 639, A bill to be entitled "An Act amending subdivision 7 of Article 7160, Revised Civil Statutes of Texas, 1925, so as to exempt the personal property of institutions of public charity from ad valorem taxation, and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 818, A bill to be entitled "An Act validating certain sales and conveyances or attempted sales and conveyances by counties of county-owned lands; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 576, A bill to be entitled "An Act amending Article 279, Revised Civil Statutes of Texas, 1925, so as to provide that the clerk or judge of the court shall determine the amount of bond upon issuance of attachments against reality and that bond amounts on personally attached attachments shall not exceed double the value of the property attached or the plaintiff's debt, whichever is less; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 553, A bill to be entitled "An Act amending Section 6 of Article 1175, Revised Civil Statutes of Texas 1915, so as to describe the mode of notice to municipalities of claims for damages and providing certain exceptions; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.
H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 571, A bill to be entitled "An Act amending Chapter 4, Title 15 of the Revised Civil Statutes of Texas, 1925, as amended, by adding a new Article after Article 4635a, to be known as Article 4635a-1, Vernon's Texas Civil Statutes, pertaining to the support of children who require custodial care; providing a severance 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 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
game bird or game animal in said County at any time; to take, kill or
trap any fur-bearing animal in said County; to take or attempt to take
any fresh-water fish or other aquatic life in public waters of said
County by any means or method; prescribing the legislative policy
with respect to the wildlife resources in said County; conferring upon the
Game and Fish Commission authority to regulate by proclamation, order,
rule or regulation, the taking of the wildlife resources of said County;
requiring the Game and Fish Commission to make investigations with respect to the depletion and waste of the wildlife resources of said County; authorizing the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said County; defining depletion and waste; providing for the issuance of antlerless deer permits; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission and the effective period thereof; providing for the publication of the regulation; providing for permits to hunt deer; providing for the forfeiture of rights to the use of certain lands; providing for the issuance of an tlerless deer permits; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission; and declaring an emergency.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 988, A bill to be entitled "An Act amending Section 1 of Chap­
ter 42, Acts of the Fifty-sixth Legislature, Second Called Session, 1960,
to provide for the issuance of antlerless deer permits; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission and the effective period thereof; providing for the publication of the regulation; providing for permits to hunt deer; providing for the forfeiture of rights to the use of certain lands; providing for the issuance of antlerless deer permits; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 1006, A bill to be entitled "An Act changing the name of the Commission of Control for the Bat­
chhip Texas, known as the Bat­
chhip Texas Commission, to the Texas Navy Commission; and declar­ing an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 1037, A bill to be entitled "An Act amending Section 6 of Chap­
ter 177, General Laws of the State of Texas, Acts of the Forty-second Legislature, Regular Session, 1931, compiled as Article 46a of Vernon's Revised Civil Statutes of Texas, as last amended by Chapter 249, Acts of the Fifty-second Legis­
ature, 1931, so as to clarify the adoption procedure in the case of the children of parents whose paren­tial rights have been terminated by the Juvenile Court or other court of
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1071. A bill to be entitled "An Act to authorize and empower Tarrant County Water Control and Improvement District Number One to provide for and administer a retirement, disability and death compensation fund for officers and employees of the District; providing for the investment, reinvestment and change of investment of such funds; authorizing the Directors of such District to adopt a plan or plans for effectuating the purpose of this Act, to provide rules and regulations governing all such compensation and from time to time to change any such plan, rule or regulation; and providing that the recipients of benefits of such fund shall not be liable for any other pension retirement fund or direct aid from the State of Texas, unless the fund created hereunder is released to the State as a concurrent exchange; receiving such other aid; providing for such District to include hospitalization, medical benefits and group life insurance to their officers and employees, making this Act cumulative of other laws on the subject; providing that unconstitutionality of any part of the Act shall not invalidate the remainder; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1086, A bill to be entitled "An Act to amend the Harris County Road Law, (Acts 1913, Thirty-third Legislature, Special Laws, Chapter 17, page 94, as amended), by amending Section 51-C of said Harris County Road Law, which said Section 51-C was added by Acts 1947, Fifty-second Legislature, Chapter 206, page 358, amended by Acts 1952, Fifty-fourth Legislature, Chapter 355, page 246, and amended by Acts 1955, Fifty-sixth Legislature, Chapter 48, page 120; providing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1088, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to convey to the adjoining landowner a small segment of The Prairie View Agricultural and Mechanical College of Texas campus, excluding therefrom and reserving all mineral rights thereunder the segment, consisting of 2,462 acres of land, separated from the main campus by a Farm Road, providing for the appraisal of the land and disposition of the proceeds; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1096, A bill to be entitled "An Act amending Section 1 of Chapter 266, Acts of the Fifty-first Legislature, Regular Session, 1959, relating to the open season for squirrels in Upshur and Wood Counties; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961
Hon. James A. Turman, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1097, A bill to be entitled
"An Act amending Section 1 of Chapter 267, Acts of the Fifty-sixth Legislature, Regular Session, 1959, relating to the open season for deer in Upshur and Wood Counties; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1098, A bill to be entitled
"An Act amending Section 4 of Chapter 427, Acts of the Fifty-fourth Legislature, Regular Session, 1955, as last amended, which is codified as Section 4 of Article 3883.1, Vernon's Texas Civil Statutes, so as to provide higher compensation for county officials of certain counties with high assessed values for tax purposes; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1114, A bill to be entitled
"An Act authorizing power and authority to the City of Corpus Christi to lease certain submerged lands described herein which the State of Texas heretofore relinquished its right, title and interest to the City of Corpus Christi, without restriction as to private or public use, to any person, firm, or corporation, public or private, owning lands, land fill or shore area adjacent to the described submerged lands, for any period or term not to exceed fifty (50) years, and upon whatever terms, conditions and consideration as is deemed proper by the governing body of the City; declaring restrictions to be contained in lease instrument; reserving to the public the use of waters embraced in said lease; reserving the use of lands to which this Act applies; repealing any laws or provisions of City Charter in conflict herewith, and making this Act cumulative; providing that this Act shall not be construed to grant or convey to the City of Corpus Christi the title to any oil, gas or other mineral which was not already owned by such City; providing for conflict or unconstitutionality in this Act; 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 18, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1108, A bill to be entitled
"An Act amending Section 1 of Chapter 50, Acts of the Fifty-fifth Legislature, Regular Session, 1957, as amended, granting regulatory authority over wildlife resources in Menard County, Texas, to the Texas Game and Fish Commission; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 1126, A bill to be entitled
"An Act to exclude certain described lands from Hidalgo County Water Improvement District No. 2; finding notice of intent to apply for passage of such Act to have been duly given; and declaring an emergency."
Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.
Austin, Texas, May 18, 1961

Hon. James A. Turman, Speaker of the House of Representatives.
Sir:
Your Committee on Engrossed Bills to whom was referred H. B. No. 1125, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Orange County; authorizing the County to issue certificates of indebtedness for the purpose of construction improvements to the public roads within said County and of acquiring right-of-way for designated State highways, Federal highways, and county roads; providing terms, conditions, and provisions relating to said certificates of indebtedness and to their issuance, requiring the levy of a tax to pay such certificates and the interest thereon; authorizing the refunding of said certificates; enabling other provisions relating to the subject; providing that this Act shall be cumulative of other laws 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 17, 1961

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

Sir:
Your Committee on Engrossed Bills to whom was referred H. C. R. No. 46, "Granting permission to Jack Worley, W. O. Worley and O. C. Dickerson d/b/a D & W Investment Company to use the State of Texas in any court of competent jurisdiction within the County of Lubbock."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.

Austin, Texas, May 18, 1961

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

Sir:
Your Committee on Engrossed Bills to whom was referred H. C. R. No. 101, "Granting permission to the Solar Construction and Engineering Company to use the State of Texas and the State Highway Engineer and the State Highway Commission."

Has carefully compared same and finds it correctly engrossed.

H. G. WELLS, Chairman.