THIRTY-THIRD DAY
(Tuesday, March 6, 1963)

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

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

Mr. Speaker
Adams
Alaniz
Allen
Arledge
Atwell
Ball
Banfield
Barnes
Bass
Beach
Berry
Birkner
Blaine
Bridges
Brooks
Brown
Brown of Galveston
Brown of Galveston
Brown of Taylor
Butler
Cain
Caldwell
Canales
Carpeniter
Carricker
Cavaness
Chapman
Cherry
Clayton
Cole
Collins
Cook
Cory
Cotten
Coughran
Cown
Crawford
Crawford
Crow
Davis
de la Garza
Deere
Dick
Dugan
Dungan
Dicks
Dickard
Dickerson
Duffy
Fahrbold
Finnie
Fletcher
Floyd

Parker
Parr
Parrish
Parrish
Peeler
Pennety
Perry
Perry
Pettit
Pike
Pirtle
Quinn
Quinn
Rapp
Richards
Richardson
Ritter
Roberts
Rodriguez
Rose
Satterwhite
Schutte
Segrest
Shannon
Shipley

Shutt
Simpson
Slack
Slifer
Smith of Brazos
Smith of Bexar
Smith of Jefferson
Smith
Stiles
Thompson
Thurmond
Townsend
Truex
Walker
Ward
Weldon
Wells
Whaley
Wheelock
Whitfield
Wheeler
Wilson

Absent—Excused

Houston
Woods

A quorum of the House was announced present

The Invocation was offered by the Reverend I. W. Oliver, Chaplain, as
follows:

"Our Heavenly Father, as Thy disciples of old came asking 'Lord, teach
us to pray,' so do we come in simple faith, asking that Thou shall teach
us to pray, for we know not how to give utterance to our innermost feel-
ings and emotions.

"Teach us to pray, O Lord, in order that we might find a release
from the pressures of every hour, as we commune with Thee.

"May we find in Thee the wisdom so essential, to fill our needs, in
making each decision that will alter the lives of the people of our great
State. And, may the good that we accomplish be because we have shar-
ed these precious, prayerful moments with Thee.

"In Thy Holy Name we pray. Amen."

LEAVES OF ABSENCE GRANTED

Mr. Birkner was granted leave of absence temporarily for today on ac-
count of illness, on motion of Mr. Wieting.

Mr. Houston was granted leave of absence for today on account of
March 5, 1963

ADDRESS BY THE HONORABLE JOHN ALLEN

On motion of Mr. Slider, and by unanimous consent of the House, the following remarks by Mr. Allen, addressed to the House on today on personal privilege, were ordered printed in the Journal:

Mr. Speaker, Ladies and Gentlemen of the House, I rise on personal privilege because of the great concern that I and the majority of Texas people have in the accelerated programs being advocated by the National Congress of the P.T.A. I have a ballot which is being sent to all Texas P.T.A. Unit Presidents and their Legislative Chairmen which asks that their unit vote be taken and the ballot returned to the State office no later than April 15. A constituent of mine, who attended one of the called meetings, stated that at the state and the district board of managers meetings, it was decided that no newspaper publicity was to be given. When objection was raised to this secrecy, it was stated that the newspapers would only confuse people and raise issues where there were none. She stated further that they were told that they should not have been given the opportunity to vote; that the State and National Offices should have done it for them. A district board member and nominee for district vice-president took the floor and told us that we should accept the decisions and wishes of our leaders, thus respecting their position, experience, and superior knowledge. Ladies and Gentlemen, I do not trust the intellectuals of Washington and neither will you when I tell you of some of the items in this ballot which the members of the P.T.A. units in Texas are being asked to vote on.

1. Support of Federal Aid to Education which is worded so that you vote for Federal Aid to Education even if you vote no.

2. Complete support of the UN which is controlled by members of Communist countries in a majority vote. This majority being anti-Christ and against everything we believe in and hold dear as Americans.

The ballot asks for total support of UNICEF, UNESCO, and many other items which have nothing to do with the local P.T.A. The P.T.A. is supposed to be non-partisan and non-political and is formed for the purpose of helping children in Texas public schools. My purpose for bringing this to your attention this morning is to urge that all local presidents of P.T.A. units take action to prevent secrecy and that this whole ballot be thoroughly explained to the total membership of each unit and that they have an opportunity to vote yes or no in the true American way. I also think that the State P.T.A. should sever its relations with the National Congress of the Parent and Teacher Association. No meeting of the P.T.A. should ever be held in secret. The people of Texas do not believe in any of these socialistic measures any any meeting that has to be held in secret isn’t worth holding. We do not believe in an interlocking of world organization which would include support of the World Court or any measures which take the rights away from the American people. I hope the people of Texas who are members of the P.T.A. will vote no on this ballot. Thank you.

ADDRESS BY THE HONORABLE CHARLES WILSON

On motion of Mr. Brown of Galveston, and by unanimous consent of the House, the following remarks by Mr. Wilson, addressed to the House on today on personal privilege, were ordered printed in the Journal:
Personal Privilege Speech
By Representative Charles Wilson
March 5, 1963

Mr. Speaker and Fellow Members:

On February 27th, I discovered that Frank Driskill, who had been lobbying for Congressman John Dowdy since the session began, was not registered as a lobbyist according to law. I sent him word that if he did not register I would report him. He proceeded to register improperly, attacked me for raising a ruckus, and left town for Washington.

It is incumbent upon this House that we preserve our honor. We are proud of the way our Speaker preserves order in the House, but it is our job to preserve its integrity. Mr. Driskill has violated this integrity by his refusal to abide by our registration laws. I will now present you with a set of facts and you may judge whether or not the laws under which we operate have been properly observed.

The following facts are necessary for this judgment:

1. Mr. Driskill has been on the federal payroll of Congressman John Dowdy since early Fall of 1962, at a salary of over $11,000 a year.
2. Mr. Driskill lives at 6105 Rickey Street in Austin. This is not in Mr. Dowdy's district.
3. Mr. Driskill has done constant lobbying since the 58th Session of the Legislature began. His principal interest has been to remove Angelina County from Congressman Dowdy's district. He has been present at most of the re-districting committee hearings, and has contacted many members concerning Congressman Dowdy's views.
4. The day after he learned of my interest in his activities, he registered (as representing himself, rather than Dowdy) and left town.

I submit that this entire scheme is a misuse of taxpayer's funds, and that the law has been violated by Mr. Driskill's failure to register properly and on time.

It is possible that Mr. Dowdy or Mr. Driskill will have a satisfactory explanation, but I doubt it. I believe their only comment will be "no comment," because I do not believe any comment can justify such action.

If, however, Mr. Dowdy would like to explain his action to the House, I will author a resolution that he be allowed to speak. If this does not suit him, and he had rather send his paid Washington lobbyist down to talk for him, I will introduce a resolution that he be allowed to speak also. At any rate, the House deserves an explanation.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution was today laid before the House, read first time and referred to the appropriate Committee, as follows:

By Parsley, Rosson, Adams, Brown of Taylor and Meyer:

H. J. R. No. 61, A Joint Resolution "Proposing an amendment to Section 28 of Article XVI of the Constitution of the State of Texas to provide for the garnishment of current wages in certain cases where a final judgment or decree has determined the existence of liability."

Referred to the Committee on Constitutional Amendments.

HOUSE BILLS ON FIRST READING

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

By Cory:

H. B. No. 679, A bill to be entitled "An Act amending Section 3 of Chapter 42, Acts Second Called Session, Forty-first Legislature, as heretofore amended by the addition of a new Subsection thereto, providing that it shall be lawful (as to length) to operate over the highways and roads a combination of vehicles designed and used exclusively for the transportation of automobiles, trucks, and buses where the length of such combinations does not exceed sixty (60) feet and no trailer or semitrailer in such combination exceeds the length of forty (40) feet, provided that it shall be unlawful to operate over the highways and roads combinations or trailers in excess thereof; provided that nothing herein shall alter, amend, or repeal any laws authorizing or providing for special permits for length in excess..."
of those provided in this Act; provided that the limitation herein shall not apply to combinations of vehicles when disabled and being towed by another vehicle to the nearest intake place for repair; and declaring an emergency."

Referred to the Committee on Motor Traffic.

By Hendryx and Cook:
H. B. No. 680, A bill to be entitled "An Act authorizing independent school districts to borrow money for current maintenance expenses; providing for the method of evidencing such loans by the issuance of negotiable notes; prescribing the conditions under which such notes may be issued; enacting other provisions related to the subject; providing that this Act is cumulative of Article 2827 V.A.R.S. of Texas; and declaring an emergency."

Referred to the Committee on School Districts.

By Chapman:
H. B. No. 681, A bill to be entitled "An Act amending Section 28 of the Texas Probate Code to provide that in appeals from the county court to the district court in proceedings where letters have been previously granted to one whose right thereto is being contested and for whom a successor or substitute is sought, the qualified and acting appointee to whom letters were previously granted shall continue to act as such until termination of the contest, including any and all appeals; and declaring an emergency."

Referred to the Committee on Judiciary.

By Parsley, Adams and Quilliam:
H. B. No. 682, A bill to be entitled "An Act relating to requiring the Commissioners Court of Lubbock County to supplement the salaries of the District Judges of the 72nd, 99th, and 140th Judicial Districts of Texas; making other provisions relating thereto; providing a severability clause; and declaring an emergency."

Referred to the Committee on Counties.

By Carriker:
H. B. No. 683, A bill to be entitled "An Act adding a new article to the Insurance Code, to be known as Article 3.45A, to prohibit any health or accident insurance company from representing or advertising any policy as non-cancelable if the company retains the right to increase the premiums; providing a penalty for violations and providing for liability to the beneficiary in a sum equal to three times the total amount of premiums paid; and declaring an emergency."

Referred to the Committee on Insurance.

By Arledge, Shannon, Clayton, Traeger, Simpson, Harris of Galveston and Brooks:
H. B. No. 684, A bill to be entitled "An Act regulating the operation, purchase, and acquisition of aircraft by state agencies, departments and institutions and the use thereof, and providing for sale or disposal of all state owned executive-type aircraft by all agencies, departments and institutions, with the exception of the Texas Department of Public Safety; defining 'executive-type aircraft' as aircraft with horsepower in excess of 260; exempting the Texas National Guard and the Texas State Guard from the provisions of this act; prescribing records to be kept on use and operation of state-owned aircraft and for annual audit thereof, prescribing procedure for purchase and acquisition and operation and maintenance of aircraft by state agencies, departments and institutions; and declaring an emergency."

Referred to the Committee on State Affairs.

By Brown of Taylor, Glenn and Arledge:
H. B. No. 685, A bill to be entitled "An Act amending Section 23 of Chapter 66, Acts of the Regular Session of the Fifty-fourth Legislature, being the Act creating West Central Texas Municipal Water District, by providing that the regulatory powers conferred by that Section may be exercised to protect the District's reservoir from the inflow of salt and other chemicals, and that the District's regulatory powers may also be exercised as to any stream contributing water to the reservoir of the District, and providing that the District shall have the power to employ..."
and constitute its own peace officers who shall have the same power to make arrests as is conferred upon any other duly constituted peace officer by said Section 2, and conferring on the District the rights, power and privileges conferred by general law on Water Control and Improvement Districts where not in conflict, and declaring an emergency.

Referred to the Committee on Criminal Jurisdiction.

By Johnson of Dallas:
H. B. No. 686, A bill to be entitled "An Act to amend Paragraph 3 of Section C of Part I of Article 3.39 Insurance Code of Texas, as amended by the Acts of the 57th Texas Legislature, 1962, Third Called, Section C, of Article 542m, Title 86, Chapter 1, to provide that renewal bonds issued to refund any of its outstanding bonds or interest coupons by the issuance of refunding bonds payable from any lawful source; providing for the manner in which said refunding bonds may be issued and delivered, and for certain restrictions in connection therewith; providing for the exchange of said refunding bonds for the obligations being refunded, or for the sale of said refunding bonds for cash to provide the money required to pay, retire, or redeem, prior to maturity, the obligations being refunded; providing in connection with the sale of refunding bonds for the deposit of money, or direct obligations of the United States of America, with the State Treasurer of the State of Texas in an amount sufficient to provide for the payment, retirement, or redemption of the obligations being refunded, and requiring the State Treasurer to use said deposits and the proceeds therefrom for such payment, retirement, or redemption; providing that all such deposits, and the proceeds therefrom, shall be kept and held separate and apart in escrow, and in trust, charged with a first lien in favor of the holders of the obligations to be paid therefrom, and protecting said deposits, and the proceeds therefrom, by the State Treasurer's official bonds; providing for making appropriate arrangements with the place or places of payment, for the payment, retirement, or redemption of the obligations being refunded, providing that such deposits being refunded shall not be discharged, and shall not be regarded as being outstanding, when the required deposits have been made hereunder; providing that this Act shall be cumulative of all other laws on the subject, but shall prevail and control in the case of conflict with any other law; prescribing a severability provision; and declaring an emergency."

Referred to the Committee on Insurance.

By Doke and Stewart:
H. B. No. 687, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools, acting by the Executive Director thereof, to execute and deliver to Midwestern University of Wichita Falls, Texas, a State-owned University, all rights and title to certain tracts of land located in Wichita County, Texas, and declaring an emergency."

Referred to the Committee on State Affairs.

By Cory:
H. B. No. 689, A bill to be entitled "An Act defining the term "lessee", as meaning any and every kind and type of political or governmental instrumentality or entity in or of the State of Texas; authorizing any lessee to refund any of its outstanding bonds or interest coupons by the issuance of refunding bonds payable from any lawful source; providing for the manner in which said refunding bonds may be issued and delivered, and for certain restrictions in connection therewith; providing for the exchange of said refunding bonds for the obligations being refunded, or for the sale of said refunding bonds for cash to provide the money required to pay, retire, or redeem, prior to maturity, the obligations being refunded; providing in connection with the sale of refunding bonds for the deposit of money, or direct obligations of the United States of America, with the State Treasurer of the State of Texas in an amount sufficient to provide for the payment, retirement, or redemption of the obligations being refunded, and requiring the State Treasurer to use said deposits and the proceeds therefrom for such payment, retirement, or redemption; providing that all such deposits, and the proceeds therefrom, shall be kept and held separate and apart in escrow, and in trust, charged with a first lien in favor of the holders of the obligations to be paid therefrom, and protecting said deposits, and the proceeds therefrom, by the State Treasurer's official bonds; providing for making appropriate arrangements with the place or places of payment, for the payment, retirement, or redemption of the obligations being refunded, providing that such deposits being refunded shall not be discharged, and shall not be regarded as being outstanding, when the required deposits have been made hereunder; providing that this Act shall be cumulative of all other laws on the subject, but shall prevail and control in the case of conflict with any other law; prescribing a severability provision; and declaring an emergency."

Referred to the Committee on State Affairs.

By Chapman:
H. B. No. 690, A bill to be entitled
March 5, 1963  HOUSE JOURNAL  479

"An Act amending Section 1 and Section 2 of Chapter 169, Acts of the Forty-ninth Legislature, 1945, relating to the general jurisdiction of eminent domain from the County Court of Titus County; transferring the general jurisdiction of eminent domain to the district court having jurisdiction in Titus County; and declaring an emergency."

Referred to the Committee on Judiciary.

By Cain:
H. B. No. 691, A bill to be entitled "An Act amending Section 2 of Chapter 93, Acts of the 49th Legislature, First Called Session, 1927, as last amended and compiled as Section 2 of Article 93a Vernon's Annotated Penal Code of the State of Texas, excepting refuse, garbage, rubbish or junk processed and treated in accordance with rules and standards promulgated by the State Department of Health from those provisions making it unlawful to dump, deposit, or leave refuse, garbage, rubbish or junk within three hundred (300) yards of any public highway; requiring said Department to promulgate such rules and standards; providing for severability; and declaring an emergency."

Referred to the Committee on Public Health.

By Haynes of Orange:
H. B. No. 692, A bill to be entitled "An Act creating a permanent judicial district to be known as the 174th Judicial District of Texas, composed of Orange County, providing for the terms of court and the appointment and election of the judge and officers of said court, containing provisions to facilitate the incorporation of this new judicial district in the county covered; repealing all laws in conflict; providing for severability; and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Edwards:
H. B. No. 693, A bill to be entitled "An Act to provide that certain domestic corporations initially charted or authorized to do business in Texas based on the stated capital, surplus and undivided profits of the corporation; amending Article 12.01, Chapter 12, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended by adding a new Subsection (b); and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Smith of Bexar:
H. B. No. 694, A bill to be entitled "An Act to fix and make certain the amount of compensation to be paid District Judges from the county funds by counties having a population of not less than six hundred thousand (600,000) nor more than eight hundred thousand (800,000), according to the last preceding Federal Census, and having eight (8) or more District Courts; providing the time and method of payment; authorizing the amendment of the county budget; providing this Act is cumulative of existing laws; repealing all laws in conflict to the extent of the conflict only; and declaring an emergency."

Referred to the Committee on Counties.

By Wilson:
H. B. No. 695, A bill to be entitled "An Act amending the Texas Election Code by adding a new section designated as Article 164a, providing that a candidate in any federal, state, and county election who is declared to be the loser of such election by two per cent (2%) or less of the official returns, shall have a right upon his written request, filed in the district court within two (2) days after the canvass of the votes, to an automatic recount of the official returns as to the office involved, providing certain procedures therefore; repealing all laws in conflict; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Canales:
H. B. No. 696, A bill to be entitled "An Act amending Chapter 398, Acts of the 51st Legislature, Regular Session, 1949, to provide that the Jim Wells—Duval Counties Conservation and Reclamation District shall be hereafter known as Duval County Conservation and Reclamation Dis-
H.B. No. 697, A bill to be entitled “An Act authorizing district judges to draw a warrant on the appropriate county fund, in certain instances, to cover the cost of bringing meals into the jury room so that juries may be kept together for deliberation; limiting such expenditures to One Dollar ($1) per juror per meal; and declaring an emergency.”

Referred to the Committee on Judicial Affairs.

H.B. No. 698, A bill to be entitled “An Act prohibiting forced disclosure of the source of information obtained by representatives of newspapers, press association, or radio or television stations; repealing conflicting laws; and declaring an emergency.”

Referred to the Committee on Criminal Jurisprudence.

H.B. No. 699, A bill to be entitled “An Act providing for the creation of a Central License Department; providing for the appointment and duties of a Director; prescribing the powers and duties of the Department; prescribing the powers and duties of the Examining Board; providing for the creation of a Central License Department Fund and for the deposit of Examining Board fund balances and subsequent receipts from fees in said Fund; providing for the transfer of property from the Examining Boards to the Central License Department; defining terms; providing a savings clause; and declaring an emergency.”

Referred to the Committee on State Affairs.

H.B. No. 700, A bill to be entitled “An Act amending Subsection (d) of Section 17 of Chapter 178, Acts of the Forty-ninth Legislature, 1945, to make it unlawful for any owner or operator of a tourist court or hotel, inn or rooming house who provides a gas stove for the heating thereof, or any person who rents or leases to another person any living accommodation and provide a gas stove for the heating thereof, to fail to provide proper ventilation for any such gas stove; providing a term in the county jail for violation of any of the provisions of Chapter 178, Acts of the Forty-ninth Legislature, 1945; and declaring an emergency.”

Referred to the Committee on Criminal Jurisprudence.

H.B. No. 701, A bill to be entitled “An Act providing for the rendition and assessment of any undeveloped mineral estate situated in this state for ad valorem tax purposes; providing for the valuation of such mineral estates at not less than Twenty-five Cents (25¢) per acre; providing for a tax lien on all mineral estates assessed herein; and declaring an emergency.”

Referred to the Committee on Oil, Gas and Mining.

H.B. No. 702, A bill to be entitled “An Act prohibiting the forced disclosure of the source of information obtained by representatives of newspapers, press association, or radio or television stations; repealing conflicting laws; and declaring an emergency.”

Referred to the Committee on Criminal Jurisprudence.
Parker, Harding, Parmer, Haring, Kothmann, Stewart, Klager, Lattimore, Cowden, Rodriguez, Rapp, Boysen, Cherry, Heatly, de la Garza, Pipkin, Murray, Coughran, Wheeler, Shutt, Shannon, Peel, Traeger and Edwards:

H. B. No. 702, A bill to be entitled "An Act making an appropriation to the Texas Animal Health Commission to be used for the purpose of conducting a screw-worm eradication program during the biennium ending August 31st, 1965; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mutscher and Heatly:

H. B. No. 703, A bill to be entitled "An Act authorizing counties, cities and hospital districts to contract with the Board for Texas State Hospitals and Special Schools in aid of community mental health services programs; and declaring an emergency."

Referred to the Committee on State Hospitals and Special Schools.

By Pearcy:

H. B. No. 704, A bill to be entitled "An Act amending Section 1, Subsections a and b of Section 2, Section 7 and Section 8 of the Adult Probation and Parole Law of 1957, to include the suspension of the imposition or execution of judgments within the provisions of this Act; and to extend the scope of this Act to include misdemeanor crimes and offenses; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Knapp:

H. B. No. 705, A bill to be entitled "An Act amending Section 4 of House Bill No. 199, Acts of the 46th Legislature, Regular Session, 1959, page 246 (compiled as Section 4 of Article 527 of Vernon's Penal Code of Texas), which prescribes the penalties for giving checks, drafts or orders without sufficient funds, to lower from Fifty Dollars ($50) to Twenty Dollars ($20) the amount of a bad check for which increased punishment, including imprisonment in the penitentiary, is provided; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Canales:

H. B. No. 706, A bill to be entitled "An Act amending Chapter 427, Acts of the 54th Legislature, 1955, which relates to the salaries of certain county, city and district officials, by adding a new Section 1(b) to fix the maximum and minimum salaries of the elected county officials in certain counties; providing a severability clause; and declaring an emergency."

Referred to the Committee on Counties.

INVITING GOVERNOR JOHN CONNALLY TO ADDRESS A JOINT SESSION

Mr. Heatly offered the following resolution:

H. C. R. No. 35

Be It Resolved by the House of Representatives of the Fifty-eighth Legislature of the State of Texas, the Senate concurring, That the Honorable John Connally, Governor of Texas, be and is hereby invited to address a Joint Session of the House and Senate to be held in the Hall of the House of Representatives at 12:00 noon, Thursday, March 7, 1963.

The resolution was referred to the Committee on Rules.

COMMITTEE MEETING

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

There was no objection offered.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Richards offered the following resolution:

H. C. R. No. 33

Whereas, Lon Ed Sowell of New Waverly, Texas, while an employee of the Texas Department of Corrections at Eastern State Farm, Weldon, Houston County, lived in a house owned and furnished by the state; and

Whereas, He alleges that on January 17, 1962, he suffered severe...
burns in an explosion in the bathroom of the house, caused by an accumulation of escaping natural gas from the state-owned water system due to negligence in the utilization of a mechanical device designed to remove gas used to lift well water piped into state-owned houses in the area.

Whereas, He alleges that as a result of burns suffered in the accident, he has disfiguring scars and a permanent disability involving impaired use of his right arm; and

Whereas, Lon Ed Sowell is desirous of determining the liability, if any, of the State of Texas and the Texas Department of Corrections for his injuries and disability, and for that purpose desires to file suit in the court having jurisdiction over the claim to have such liability and the amount of damages therefor, if any, judicially determined; now therefore be it

Resolved, By the House of Representatives of the State of Texas, the Senate concurring, That Lon Ed Sowell be authorized to file a suit against the State of Texas and the Texas Department of Corrections for the amount of his claim to determine liability; and be it further

Resolved, That the sole purpose of this resolution is to grant permission to Lon Ed Sowell to bring suit against the State of Texas. No admission of liability or of any fact is made by the passage of this resolution, but on the contrary, it is specifically provided that the facts upon which Lon Ed Sowell seeks to recover must be proved in court as in other cases.

The resolution was referred to the Committee on State Affairs.

TO MEMORIALIZE CONGRESS
RELATIVE TO THE LUMBER INDUSTRY OF THE UNITED STATES

Mr. Collins offered the following resolution:

H. C. R. No. 34

Whereas, There is a bountiful supply of native timber for the production of lumber and related items in the United States; and

Whereas, Increased cutting of timber from over-mature forests is needed to prevent excessive loss from decay, disease and other causes; and

Whereas, United States lumber manufacturing firms pay the highest wages and provide working conditions equal to or better than similar firms in other countries; and

Whereas, Lumber manufacturers in the United States are losing a large percentage of their home market to firms located in foreign countries, particularly Canada, due to such factors as a depreciated currency, cooperative government regulations, low stumpage rates, noncompetitive bidding, less costly and less restrictive forest practices, lower wage rates, and favorable charter rates on coastal and intercoastal shipping; and

Whereas, United States lumber manufacturing firms are also handicapped in sales to Canada by greater production costs and higher tariff rates; and

Whereas, Lumber imports from Canada have increased at such an alarming rate that in 1948, Canadian lumber constituted about one-sixth of all lumber used in the United States in that year; and

Whereas, The decrease in sales by the lumber manufacturing industry of the United States has been accompanied by an increase in unemployment in that industry, and wage loss to workers, as well as lowered lumber production and has resulted in economic depression and a reduction in tax assessments and collections at all levels of government; and

Whereas, The Legislature of the State of Texas desires to give attention to and request action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means, including the requirement that imported lumber be marked to show the country of origin, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, reduction of employment, loss of taxes and de-
March 5, 1963 HOUSE JOURNAL 483

terioration of communities; and be it further
Resolved, That copies of this Resolution be sent to the President and Vice-President of the United States, to the Speaker of the House of Representatives of the Congress, and to each Senator and Representative from the State of Texas in the Congress of the United States.


The resolution was referred to the Committee on State Affairs.

TO NAME CAROLYN YVONNE, PAUL DAVID, JOANN ELAINE AND LAURA DIANE GLENN AS MAS'COTS OF THE HOUSE

Mr. Brown of Taylor offered the following resolution:

H. R. R. No. 224

Whereas, We find Carolyn Yvonne Glenn, age eight, Paul David Glenn, age six, Joann Elaine Glenn, age eighteen months, to be proper candidates for Mascots of the House of Representatives; and

Whereas, They are the charming children of our esteemed fellow member, the Honorable Allen Glenn and his lovely wife, Esme Yvonne Glenn, of Abilene, Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That Carolyn Yvonne Glenn, Paul David Glenn, Joann Elaine Glenn, and Laura Diane Glenn be, and they are hereby, named Mascots of the House of Representatives of the Fifty-eighth Legislature, Regular Session; and, be it further

Resolved, That Carolyn Yvonne Glenn, Paul David Glenn, Joann Elaine Glenn, and Laura Diane Glenn have their pictures made and placed on the Picture Panel of the House of Representatives, Austin, Texas; and, be it further

Resolved, That a copy of this Resolution be sent to these children, and that the House go on record as extending to them its best wishes for their happiness and success during their entire lives.

The resolution was referred to the Committee on Rules.

TO NAME NANCY MARGARET, MARGERY ELIZABETH AND JULIE LOUISE BROWN AS MAS'COTS OF THE HOUSE

Mr. Glenn offered the following resolution:

H. R. No. 225

Whereas, We find Nancy Margaret Brown, age twelve, Margery Elizabeth Brown, age nine, and Julie Louise Brown, age eight, to be proper candidates for Mascots of the House of Representatives; and

Whereas, They are the charming children of our esteemed fellow member, the Honorable Raleigh Brown, and his lovely wife, Margaret Brown, of Abilene, Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That Nancy Margaret Brown, Margery Elizabeth Brown, and Julie Louise Brown be, and they are hereby, named Mascots of the House of Representatives of the Fifty-eighth Legislature, Regular Session; and, be it further

Resolved, That Nancy Margaret Brown, Margery Elizabeth Brown, and Julie Louise Brown have their pictures made and placed on the Picture Panel of the House of Representatives, Austin, Texas; and, be it further

Resolved, That a copy of this Resolution be sent to these children, and that the House go on record as extending to them its best wishes for their happiness and success during their entire lives.

The resolution was referred to the Committee on Rules.

CONGRATULATORY RESOLUTIONS ADCPTED

H. S. R. No. 223, By Stollenwerck and Morgan: To extend best wishes to Charles E. Neison and his newspaper, the "Richardson-Park Cities Digest."

H. S. R. No. 226, By Hendryx: To congratulate James Emory Casner.

INVITING GOVERNOR JOHN CONNALLY TO ADDRESS A JOINT SESSION

The Speaker laid before the House, for consideration at this time,
H. C. R. No. 35, Inviting Governor John Connally to address a Joint Session.

The resolution, having heretofore been referred to the Committee on Rules, was reported favorably by the Committee.

The resolution was adopted without objection.

HOUSE JOINT RESOLUTION NO. 44 ON SECOND READING

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

H. J. R. No. 44, A Joint Resolution "Proposing an amendment to Section 1 of Article VIII of the Constitution of the State of Texas to provide that retail sales and use taxes imposed by the Legislature shall never exceed the rate of two per cent (2%) on receipts from the sale at retail of tangible personal property within this state."

The resolution was read second time.

Mr. Allen moved that further consideration of House Joint Resolution No. H- be postponed until 11:00 o'clock a.m. next Tuesday, March 12.

The motion prevailed, and it was so ordered.

HOUSE BILL NO. 48 ON THIRD READING

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

H. B. No. 48, 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 non-resident operating privileges, and certain penalties; providing for severability; and declaring an emergency."

The bill was read third time.

Mr. Fairchild offered the following amendment to the bill:

Amend H. B. 48 as engrossed by inserting the word "person" on line 34 of Section 5 after the words say one.

The amendment was adopted without objection.

A record vote was requested on the passage of H. B. No. 48.

H. B. No. 48 was then passed by the following vote:

Yeas-100

March 5, 1963  HOUSE JOURNAL  485

Nays—47
Alaniz  Kilpatrick
Allen  Knapp
Bass of Bowie  Kolba
Beckham  Lauer
Cherry of Hidalgo  McDonald
Cotten  Markgraf
Cran  Matracher
Edwards  Niemeyer
Esquivel  Parker
Fletcher  Pendleton
Green  Rapp
Grover  Richardson
Guffey  Roberts
Haines of Brazos  Rodriguez
Harding  Schiller
Harveys of Orange  Slack
Hinson  Smith of Jefferson
Hollowell  Townsend
Isaacks  Ward
Johnson of Bexar  Weldon
Jones  Wilson

Absent—Excused
Houston  Woods

(The above record vote was requested by Mr. Markgraf, Mr. Hollowell and Mr. Richardson.)

Mr. Fairchild moved to reconsider the vote by which H. B. No. 48 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE
I voted No on H. B. 48 because it increases the average insurance cost by TWENTY-TWO per cent.

James Cotten.

HOUSE BILL NO. 107 ON SECOND READING

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

H. B. No. 107, A bill to be entitled "An Act amending Article 680b of the Code of Criminal Procedure of Texas, 1925, to provide for alternate jurors in felony cases and for procedure in felony cases when a juror becomes unable or disqualified to continue; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
Amend Section 1 of House Bill No. 107 to read as follows:

"Section 1. The Code of Criminal Procedure of Texas, 1925, is amended by adding thereto a new article to be numbered Article 680a, to read as follows:

'Art. 680a Alternate jurors and disability of jurors in felony cases. In felony cases the court may direct that one (1) or two (2) jurors in addition to the regular jury be called and impaneled to sit as alternate jurors. Alternate jurors in the order in which they are called shall replace jurors who, prior to the time the jury retires to consider its verdict, become unable or disqualified to continue. Alternate jurors shall be drawn in the same manner, shall have the same qualifications, shall be subject to the same examination and challenges, shall be entitled to one (1) peremptory challenge in ad-
The motion to table the motion to reconsider. No.

HOUSE BILL NO. 207 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 207, A bill to be entitled "An Act amending Acts 1923, 38th Legislature, 2nd Called Session, Chapter 41, page 101, codified as Article 1440, Vernon's Annotated Civil Statutes, and also codified as Article 1014, Vernon's Annotated Penal Code."

The bill was read second time.

Mr. Johnson of Dallas offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend H. B. 207 by deleting the following words in Section 2 thereof:

"... And to provide for the stopping and inspecting of all shipments of livestock or livestock products transported into or through the State of Texas, providing penalties for violations; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 207 by striking out all below the enacting clause and substitute in lieu thereof the following:

"Section 1. Agents of the Texas Animal Health Commission shall have the right to stop and inspect all shipments of livestock or livestock products being transported into or through the State of Texas at any point or place en route in order to determine that said shipment is in compliance with all laws, rules, and regulations administered by the Texas Animal Health Commission affecting such shipments, and to seize any such shipment, whenever they are sufficient to cause that said shipment was not originated from a quarantined area or herd, and does not represent a threat to the livestock industry through insect infestation or through any infectious, non-infectious, or contagious disease. Livestock products as used in this section shall mean livestock products capable of carrying diseases and insects, including litter, straw or hay used for bedding that may endanger the livestock industry and includes hides, bones, hoofs, horns, viscera and parts of animal bodies.

Sec. 2. If any shipment of livestock or products thereof is being transported contrary to prescribed laws, rules, or regulations, it may be detained until compliance is obtained. This may include unloading said shipment from transporting vehicles at the nearest available unloading facility. Provided however that no railroad train shall be inspected except at terminal points.

Sec. 3. Any person who refuses to permit inspection of any livestock being transported, or refuses to stop any truck, trailer, wagon or automobile suspected of carrying livestock or livestock products when requested or signaled to do so by an agent of the Texas Animal Health Commission or violates any provision of this Act shall be fined not less than Twenty-five Dollars ($25) nor more than One Hundred Dollars ($100).

Sec. 4. The Texas Animal Health Commission, or its agents are hereby authorized to post signs on public..."
highways and to use signaling devices such as red lights when necessary in conjunction with signs in order effectively to signal and stop livestock vehicles for inspection.

Sec. 5. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted without objection.

Mr. Markgraf offered the following amendment to the bill:

Amend Committee Amendment to H. B. 267 by inserting the words "public health or" on line 24 between the words "to the" and "livestock industry."

The amendment was adopted without objection.

H. B. No. 267 was then passed to engrossment.

HOUSE BILL NO. 262 ON SECOND READING

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

H. B. No. 262, A bill to be entitled "An Act creating the County Civil Court at Law of Bexar County, Texas; providing for the organization thereof and practice therein; fixing the jurisdiction thereof and enacting the jurisdiction of the County Court of Bexar County; providing for the filing of civil actions, proceedings and matters in said court, including but not limited to matters in Eminent Domain and Mental Health Matters; that all such cases shall have preference and priority over all other civil matters; providing that such court shall have no jurisdiction over any criminal action, proceeding or matter, as now vested in county courts or in county courts at law, other original or appellate; fixing the terms of said court; providing for the election of a judge of said court and prescribing his qualifications and salary or compensation to be paid to such judge and the manner of payment; providing for the appointment of a judge of said court by the County Judge of Bexar County upon the effective date of this Act and confirmation of such appointment by a majority of the county commissioners; providing for the filling of vacancies therein in like manner; providing for absence, disqualification or incapacity of such judge that county judge or judge of any county court at law of Bexar County may sit and act, in own courtroom or in courtroom of such court; providing for election or appointment of a special judge in case of absence, disqualification, incapacity or other reason of judge of said court under General Laws of Texas; providing for exchange of benches of judges of said court and county judge of Bexar County; providing for appeals and writs of error; providing for court reporter to serve said court and prescribing qualifications and salary; judge of said court may also act for county judge upon certification by latter in any probate matter or proceeding and to perform all other ministerial duties for county judge, and give preference and priority to all such matters; county clerk to be clerk of said court and may appoint deputy for same, to require bond and such deputy must be acceptable to judge of said court; sheriff may appoint deputy for said court, same to be acceptable to judge of said court; sheriff may appoint deputy for said court, same to be acceptable to judge of said court; preserving duties, judge to fix salary and fund out of which salary payable; providing seal for said court; repealing all laws and parts of laws in conflict; providing a saving clause; and declaring an emergency."

The bill was read second time.

Mr. McDonald of Hidalgo offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend House Bill No. 262 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby created a Court to be held in and for Bexar County, Texas, which shall be known
as the 'County Civil Court at Law of Bexar County, Texas,' and it shall be a Court of record.

Sec. 2. The County Civil Court at Law of Bexar County, Texas, shall have and exercise concurrent jurisdiction, powers and duties in all civil actions, proceedings and matters, original and appellate, over which by the Constitution and General Laws of this State, the County Court of Bexar County, Texas, and the County Courts at Law Nos. 1, 2 and 3, of Bexar County would have jurisdiction except as provided in Section 3 of this Act.

Sec. 3. The County Court of Bexar County, Texas, shall retain, as here­tofore, the general jurisdiction of a probate court; it shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis and common drunkards; grant letters testamentary and of administration; settle accounts of executors, administrators and guardians, transact all business appertaining to deceased persons, and to hear and determine all matters affecting juveniles of tender age as now provided by law and to hear and determine all matters affecting minors, idiots, lunatics, persons non compos mentis, and common drunkards, including the settlement, partition and distribution of estates of deceased persons, and shall have jurisdiction to hear and determine all matters relating to or arising out of the granting or revoking of their licenses, and all matters appertaining thereto, and to appropriate therefor. The County Judge of Bexar County shall be the Judge of the County Court of Bexar County, and shall be the presiding officer of the Commissioners Court; all ex officio duties of the County Judge shall be exercised by the said Judge of the County Court of Bexar County, except as far as the same shall, by this Act, or otherwise by law, have been committed to the Judge of the County Civil Court at Law of Bexar County, Texas. The County Court of Bexar County, Texas, and the Judge thereof shall have and retain the same jurisdiction, powers, duties, fees and perquisites of office and such powers, duties, fees and perquisites as are conferred on said County Court of Bexar County, Texas, or the Judge thereof, at and before the passage and taking effect of this Act, and this Act shall in no wise affect the said County Court or the Judge thereof except as provided herein.

Sec. 4. From and after the passage and taking effect of this Act, all actions, cases, matters or proceedings of Eminent Domain arising under Title 52, Articles 1144 to 1171, inclusive, of the Revised Civil Statutes of Texas, as amended or under the provisions of R. S. No. 37, Chapter 423, pages 1128 to 1149, inclusive, Acts, 1955 Regular Session, now codified as Act 6474 of Vernon's Annotated Civil Statutes of Texas, or otherwise, as well as all proceedings instituted under the provisions of the Acts 1957, 54th Legislature, Regular Session, Chapter 245, page 149, et. seq., now codified as Article 1541-1, et seq., Title 93, of the Revised Civil Statutes of Texas, as amended, and known and cited as the Texas Mental Health Code, and all amendments thereto, shall be filed and docketed in the County Civil Court at Law of Bexar County, Texas, in the same manner and under the same circumstances and conditions as now obtain for the filing of such actions, proceedings and matters of a civil nature or character in the County Court of Bexar County, Texas, or with the County Judge, and all such actions, cases, matters or proceedings shall be docketed in the order in which filed in said Court, or in such other manner as may be determined by the Judge of the County Civil Court at Law of Bexar County, Texas, or under the order and direction of the County Judge of Bexar County, Texas. From and after the passage and taking effect of this Act all other civil actions, matters and proceedings over which the County Civil Court at Law of Bexar County, Texas, is granted jurisdiction by this Act may be filed in said County Civil Court at Law of Bexar County, Texas, in the manner and under the same circumstances and conditions as now obtain for the filing of civil actions, matters and proceedings in the County Court at Law No. 1, the County Court at Law No. 2, and the County Court at Law No. 3, of Bexar County, Texas, and all such actions, matters and proceedings shall be docketed in the order in which filed, or in such manner as may be determined by a majority of the Judges of the said County Courts at Law, the Judges of the said
March 5, 1963  HOUSE JOURNAL  489

County Civil Court of Bexar County, Texas, and the County Judge of Bexar County, Texas, shall have the qualifications herein prescribed and who shall serve until January 1st following the next General Election and until his successor shall have been elected and qualified. Any vacancy in the office of the Judges of the several County Courts at Law of Bexar County, Texas, shall be filled by appointment made by the Commissioners Court of Bexar County, and the Judge so appointed shall serve until January 1st following the next General Election and until his successor shall have been elected and qualified.

Sec. 9. The Clerk of the said County Civil Court at Law of Bexar County, Texas, shall keep a separate docket for said County Civil Court at Law of Bexar County, Texas, the same as is now or may be provided by law for keeping of dockets for the County Courts at Law of Bexar County, Texas; he shall tax the Official Court Reporter's fee as costs in civil actions in said County Civil Court at Law of Bexar County, Texas, in like manner as said fee is taxed in civil cases in the District Courts of this State. The Judges of the County Courts at Law, the County Judge, the Judges of the County Civil Court at Law of Bexar County, Texas, and each of them may with the consent of the Judge of the court to which transfer is made, transfer civil actions, matters and proceedings from his respective court.
to any one of the other courts by the entry of an order to the effect upon docket of such court, provided both shall have concurrent civil jurisdiction of any such civil actions, matters and proceedings; and the Judge of the court to which any such civil action, matter or proceeding shall have been transferred shall have jurisdiction to hear and determine said matter or matters and render and enter the necessary and proper orders, decrees and judgments therein in the same manner and with the same force and effect as if such case, action, matter or proceeding had been originally filed in said court to which transferred. Provided, however, that no cause, action, matter, case or proceeding shall be transferred without the consent of the Judge of the court to which transferred.

Sec. 10. The Judge of the County Civil Court at Law of Bexar County, Texas, and the County Judge of the County Court at Law of Bexar County, Texas, and the Judges of the County Courts at Law of Bexar County, may, at any time, exchange benches with each other, and may, at any time, sit and act for each other in any civil case, proceeding or matter now, or hereafter pending in any of said County Courts of Bexar County, Texas; and any and all such acts thus performed by the Judge of the County Civil Court at Law of Bexar County, Texas, and/or by the County Judge of Bexar County Court, and/or by either of Judges of County Courts at Law of Bexar County, Texas, shall be valid and binding upon all parties to said cases, proceedings and matters.

Sec. 11. In case of the absence, disqualification or incapacity of the Judge of the County Civil Court at Law of Bexar County, Texas, the County Judge of Bexar County, or any of the Judges of the County Courts at Law of Bexar County, may sit and act as Judge of said Court and may determine, either in his own courtroom or in the courtroom of County Civil Court at Law of Bexar County, Texas, any matters or proceeding there pending, and make any order in such matters and proceedings as the Judge of said County Civil Court at Law of Bexar County, Texas, might enter if personally presiding therein.

Sec. 12. A Special Judge may be appointed or elected for the County Civil Court at Law of Bexar County, Texas, in the same manner as may now or hereafter be provided by the general laws of this State relating to the appointment and election of a Special Judge, or Judges, of the several District and County Courts and County Courts at Law of this State; and every such Special Judge thus appointed or elected for said court shall receive for the services he may actually perform as such Special Judge the same amount of pay which the regular Judge of said court would be entitled to receive for such services; and said amount to be paid to such Special Judge shall be paid out of the General Fund of Bexar County, Texas, by warrants drawn upon the County Treasury of said county upon orders of the Commissioners Court of Bexar County, Texas; but no part of the amount paid to any Special Judge shall be deducted from or paid out of the salary of the regular Judge of said County Civil Court at Law.

Sec. 13. The practice in said County Civil Court at Law of Bexar County, Texas, shall be the same as prescribed by law relating to County Courts and County Courts at Law. Appeals and writs of error may be taken from Judgments and orders of said County Civil Court at Law of Bexar County, Texas, and from judgments and orders of the Judge thereof in civil cases, and in the same manner as now is, or may hereafter be, prescribed by law relating to appeals and writs of error from judgments and orders of the County Courts and County Courts at Law throughout this State, and the respective Judges thereof, in similar cases, and appeals may also be taken from Interlocutory orders of said County Civil Court at Law of Bexar County, Texas, appointing a receiver, and also from orders of said County Civil Court at Law of Bexar County, Texas, overruling a motion to vacate an order appointing a receiver; provided, however, that the procedure and manner in which such appeals from Interlocutory orders are taken shall be governed by the laws relating to appeals from similar orders of the District Courts throughout this State.

Sec. 14. The Judge of the County Civil Court at Law of Bexar County,
Texas, may appoint an official shorthand reporter, who shall be well-skilled in his profession and shall be a sworn officer of the Court, and shall hold his office at the pleasure of the Court and all of the provisions of Chapter 13, Title 41, of the Revised Civil Statutes of Texas, 1875, as amended, and as the same may hereafter be amended and all other provisions of the law relating to official court reporters shall, and the same are hereby made to apply in all its provisions, insofar as they are applicable, to the official shorthand reporter herein authorized to be appointed, and insofar as they are not inconsistent with the provisions of this Act, and such official shorthand reporter shall be entitled to the same compensation paid to official shorthand reporters in the District Courts of Bexar County, Texas, and paid in the same manner that compensation of official shorthand reporters of said District Courts of Bexar County is paid.

Sec. 15. The Judge of the County Civil Court at Law of Bexar County, Texas, upon proper certification of the County Judge of Bexar County, Texas, because of conflicting duties, or absence or inability to act, or upon the failure or refusal of such County Judge to act for any reason or cause, shall also be authorized and empowered to act for and in the place and stead of said County Judge. He may do and perform all such official acts as may be lawfully done and performed by said County Clerk of Bexar County in person; and he shall be the duty of said deputy to attend all sessions of the County Civil Court at Law of Bexar County, Texas, and to perform such services in and for said Court as are usually performed by the County Clerk and his deputies in and for the several County Courts of this State, and said deputy shall also perform any and all other services that may, from time to time, be assigned him by the Judge of said Court. Said deputy shall, in all cases, that may be filed in said County Civil Court at Law of Bexar County, Texas, tax and assess and collect all such fees and costs, and in the same manner as now provided by law for the County Courts of this State, and all such fees and costs, when collected by said County Clerk and his deputies, as well as any and all other sums of money received by them in their official capacity, be paid to such Judge, but the compensation or salary of such Judge shall be and remain the same as now, or as may hereafter be, prescribed by law.

Sec. 16. The County Clerk of Bexar County, Texas, shall be the clerk of the County Civil Court at Law of Bexar County, Texas, in addition to his duties as they are now, or may hereafter be, prescribed by law. The County Clerk of Bexar County, Texas, shall, upon the taking effect of this Act, or as soon thereafter as may be convenient and necessary, appoint a deputy for said County Civil Court at Law of Bexar County, Texas, provided, however, that the person so appointed must be acceptable to the Judge of said Court, and such appointment must be confirmed in writing by the Judge of said Court before the same becomes effective. Said deputy so appointed shall take the oath of office prescribed by the Constitution of Texas, and the County Clerk of Bexar County, Texas, shall have the power and authority to require said deputy to furnish bond in such amount as he may prescribe and such bond shall be conditioned as prescribed by law, said deputy shall act in the name of his principal and he may do and perform all such official acts as may be lawfully done and performed by said County Clerk of Bexar County in person; and it shall be the duty of said deputy to attend all sessions of the County Civil Court at Law of Bexar County, Texas, and to perform such services in and for said Court as are usually performed by the County Clerk and his deputies in and for the several County Courts of this State, and said deputy shall also perform any and all other services that may, from time to time, be assigned him by the Judge of said Court. Said deputy shall, in all cases, that may be filed in said County Civil Court at Law of Bexar County, Texas, tax and assess and collect all such fees and costs, and in the same manner as now provided by law for the County Courts of this State, and all such fees and costs, when collected by said County Clerk and his deputies, as well as any and all other sums of money received by them in their official capacity, be paid to such Judge, but the compensation or salary of such Judge shall be and remain the same as now, or as may hereafter be, prescribed by law.
shall be deposited in such fund, or paid to the proper person or persons entitled to the same and in the manner as may be prescribed by law. Said deputy so appointed shall, from and after his appointment, compensation and qualification, as herein provided, continue as such deputy at the pleasure of the Judge of said County Civil Court at Law of Bexar County, Texas, and should said Judge, for any reason whatsoever, not further desire the services of such deputy, the County Clerk of Bexar County shall, upon request of such Judge, appoint another deputy for such Court, such appointment, however, to be made in the manner as hereinbefore provided, and all vacancies, however created, shall be filled by appointment made in like manner. The salary of the deputy appointed for said Court shall be fixed and determined by the Judge of said Court, but shall not exceed the salary now being paid to, or that may in the future be paid to, the deputies for the County Courts at Law of Bexar County, Texas, said annual salary to be paid to such deputy in equal monthly installments in the manner provided by law out of such fund of Bexar County, Texas, as may be provided for the payment of the salaries of the several deputies of the County Clerk. Provided, however, that before such monthly salary is paid to said deputy the same manner as hereinbefore provided, cause to be filed with the County Clerk of Bexar County, Texas, a written statement, signed by said Judge, certifying that said deputy has performed the services required of him and that he is entitled to receive said salary and such salary of said deputy shall be paid to him only upon certification so filed by said Judge. Provided, however, that nothing contained in this Section of this Act is intended to change or alter the duties and powers that have heretofore been and are now being exercised by the County Clerk of Bexar County, Texas, except as herein specifically and expressly set out.

Sec. 17. The Sheriff of Bexar County, Texas, shall, by and through a deputy to be appointed as hereinbefore provided, attend all sessions of said County Civil Court at Law of Bexar County, Texas, and said Sheriff shall, upon the taking effect of this Act, or as soon thereafter as may be necessary and convenient, appoint one deputy for said Court, provided, however, that the person so appointed must be acceptable to the Judge of said Court and said appointment of said deputy must be approved and confirmed in writing by said Judge before the same becomes effective. The deputy so appointed shall, before assuming his duties, take the oath of office prescribed by law and the Sheriff of Bexar County, Texas, shall be authorized and empowered to require said deputy to furnish bond in such amount as he may determine, the same to be conditioned and payable as may be prescribed by law. Said deputy shall do and perform all such official acts as may be lawfully done and performed by the Sheriff of Bexar County, Texas, in person, and such deputy shall, from and after his appointment, confirmation and qualification as hereinabove provided, continue as such at the pleasure of the Judge of the County Civil Court at Law of Bexar County, Texas, and should said Judge, for any reason whatsoever, no longer desire the services of said deputy, the Sheriff of Bexar County shall, upon request of such Judge, appoint another deputy for said Court, such appointment, however, to be made in the same manner as hereinbefore provided. It shall be the duty of such deputy to attend all sessions of said Court and also to perform and render such services in and for said Court, and for the Judge thereof, as are usually and generally performed and rendered by Sheriffs and their deputies in and about the several District and County Courts of this State, including the serving of any and all process, subpoenas, warrants and writs of any and all kinds, nature or character, in civil matters and proceedings, and it shall be the duty of said deputy to also perform and render any and all other services that may, from time to time, be assigned to him by the Judge of said Court. Said deputy shall have, possess and enjoy the same rights, powers, authority and privileges that the Sheriffs and their deputies throughout this State now, or may hereafter, have, possess and enjoy, and said deputy is authorized to act for the deputy Sheriff of the County.
Court of Bexar County, Texas, and each such deputy shall be authorized and empowered to act for each other, and it shall be the duty of such deputies to act for one another when required to do so by either of the Judges of said Courts, or by the Sheriff, but the deputy thus acting for the other shall not be entitled to receive, nor shall he be paid, any additional compensation. The Sheriff of Bexar County shall, in the event of a vacancy, caused for any reason other than by the death of such deputy, such vacancy to be filled by appointment, however, to be subject to the written approval and confirmation of the Judge of said Court. The salary of the deputy Sheriff appointed for said Court shall be determined and fixed by the Judge of said Court but shall not exceed the salary now being paid to the deputy Sheriffs for the County Courts at Law of Bexar County, Texas, said annual salary shall be paid to such deputy in equal monthly installments out of such funds of Bexar County as is provided by law for the payment of the salaries of the several deputies of the Sheriff of Bexar County, and payment to be made in the manner prescribed by law. Provided, however, that before such monthly salary is paid to said deputy, the Judge of the County Civil Court at Law of Bexar County, Texas, shall cause to be filed with the Sheriff of Bexar County, Texas, or with the proper officer of said County, a written statement, signed by said Judge certifying that said deputy has performed and rendered the services required of him and that he is entitled to receive his salary. And provided, further, that nothing contained in this Section of this Act is intended to change or alter the duties and powers of the Sheriff of Bexar County, Texas, except as hereinafter specifically and expressly provided.

Sec. 18. The County Civil Court at Law of Bexar County, Texas, or the Judge thereof, shall have power to issue writs of injunction, of mandamus and all other writs necessary to the enforcement of the jurisdiction of said Court.

Sec. 19. The seal of the County Civil Court at Law of Bexar County, Texas, shall be the same as that prescribed by law for County Courts except that such seal shall contain the words 'County Civil Court at Law of Bexar County, Texas,' and said seal shall be judicially noticed.

Sec. 20. For the purpose of disposing of the business of said County Civil Court at Law of Bexar County, Texas, there shall be appointed by the Criminal District Attorney of Bexar County, Texas, in addition to the assistants now provided by law, one assistant for the purpose of conducting the duties of his office in said Court. Said assistant shall be paid a salary to be set by the said Criminal District Attorney and approved by the Commissioners Court of Bexar County, Texas, the same to be paid in equal monthly installments by said County upon warrants drawn against the general fund of Bexar County by orders of the Commissioners Court.

Sec. 21. All laws and parts of law in conflict with any of the provisions of this Act are hereby repealed to the extent of such conflict only.

Sec. 22. If any provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are declared to be severable.

Sec. 23. The fact that the business of the County Court of Bexar County, and of the several County Courts at Law of Bexar County, is so extensive and voluminous as to render it impossible for said Courts to dispose of the same with due dispatch, thereby seriously obstructing the efficient administration of the laws in said County in condemnation, mental health and other civil actions, matters and proceedings, and the performance of ministerial duties required by the laws of this State of the County Judge of said County, and the crowded condition of the calendar of both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.”

The amendment was adopted without objection.
The amendment offered by Mr. Haynes of Orange was adopted without objection.

Committee Amendment No. 1, as amended, was then adopted without objection.

H. B. No. 236 was then passed to engrossment.

HOUSE BILL NO. 236 ON SECOND READING

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

H. B. No. 236, A bill to be entitled "An Act amending Section 2 of Chapter 297, Acts of the 52nd Legislature, Regular Session, 1951, as amended, relating to commercial fishing in certain counties to prohibit fishing commercially in the Angelina River of Nacogdoches County; and declaring an emergency."

The bill was read second time.

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

Amendment No. 1:

Amend Section 2 of House Bill 236 so as to read as follows:

"Sec. 2. It shall be unlawful for any person, firm or corporation to sell, offer for sale, or possess for the purpose of sale any fish caught or taken from the public fresh waters of Wood, Cherokee, Rusk, Houston or Smith Counties, or from that portion of the Angelina River that is the boundary line between Cherokee and Nacogdoches Counties, or from the public fresh waters of Sabine County except the Sabine River in Sabine County."

Mr. Haynes of Orange offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to H. B. 236 to read as follows:

"Sec. 2. It shall be unlawful for any person, firm or corporation to sell, offer for sale, or possess for the purpose of sale any fish caught or taken from the public fresh waters of Wood, Cherokee, Rusk, Houston, Smith, Jefferson or Orange Counties, or from that portion of the Angelina River that is the boundary line between Cherokee and Nacogdoches Counties, or from the public fresh waters of Sabine County except the Sabine River in Sabine and Orange Counties."

Signed: Haynes of Orange and Weeldon.
HOUSE BILL NO. 274 ON SECOND READING
The Speaker laid before the House on its second reading and passage to engrossment,
H. B. No. 274, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Bitter-field Water Control and Improvement District, located in El Paso County, Texas; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; defining powers of District; conferring on District the rights, powers, privileges, authority and duties of the General Laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by inference; providing for no election for confirmation and no hearing for exclusions and no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; authorizing District certain rights, powers and authority for and in connection with its systems, facilities and other things necessary to the fulfillment of its purposes whether within or without the boundaries of the District, and related matters, providing for governing body of District, etc., and declaring an emergency."

The bill was read second time.
Mr. Molhany offered the following committee amendment to the bill:
Committee Amendment No. 1
Amend Section 5 of House Bill 274 by inserting the following clause after the words "El Paso County, Texas," in said section:

"provided, however, that the power of condemnation of said district shall be limited to the lands lying within the district boundaries."

Mr. McGregor offered the following substitute amendment for Committee Amendment No. 1:
Substitute for Committee Amendment No. 1
Amend Section 5 of H. B. 274 by redesignating it as Section 5 (a) and adding a new paragraph to be designated as paragraph (b) which reads as follows:

"(b) Notwithstanding any other provision of this Act, the District shall, for the purpose of carrying out any power or authority conferred by this Act, have the sole right to provide the service and acquire the land, underground water rights and easements within the boundaries of the District. It shall also have such power outside the District within the enclosure bounded by a perimeter a distance of one mile outside and surrounding the boundaries of each portion of the District, all within El Paso County, so long as the one mile perimeter is not within five miles of the City Limits of the City of El Paso as they now exist or may be extended in the future. Any development made within such enclosure by the District under its powers herein prior to the development coming within five miles of the City Limits of the City of El Paso as they now exist or may be extended in the future. Any development made within such enclosure by the District under its powers herein prior to the development coming within five miles of the City Limits of the City of El Paso as they now exist or may be extended in the future. The District shall not have the power of eminent domain as provided by Title 52, Revised Civil Statutes, as amended, anywhere beyond such one mile perimeter."

The substitute amendment was adopted without objection.
Committee Amendment No. 1, as substituted, was adopted without objection.
H. B. No. 274 was then passed to engrossment.

HOUSE BILL NO. 286 ON SECOND READING
The Speaker laid before the House on its second reading and passage to engrossment,
H. B. No. 286, A bill to be entitled "An Act fixing the maximum salary for the County Road Engineer in certain counties; repealing all laws in conflict herewith; and declaring an emergency."

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

HOUSE BILL NO. 290 ON SECOND READING
The Speaker laid before the House on its second reading and passage to engrossment,
on its second reading and passage to engrossment,

H. B. No. 290, A bill to be entitled "An Act fixing the salaries to be paid certain officials, appointed officials and employees in certain counties; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Mr. Hinson offered the following amendment to the bill:

Amendment No. 1

Amend House Bill 290 by striking out the provisions in Section 2 and substituting in lieu thereof the following: "All salaries adjusted under provisions of Section one (1) of this Act, shall be paid from funds now provided by law for such elective and appointive officials, and all employees in all counties under provisions of this Act."

The amendment was adopted without objection.

H. B. No. 290 was then passed to engrossment.

HOUSE BILL NO. 295 ON SECOND READING

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

H. B. No. 295, A bill to be entitled "An Act authorizing creation of a county-wide hospital district in Stonewall County, to be known as the Stonewall County Hospital District; providing for an election in Stonewall County to create a county-wide hospital district; providing for the levy of a tax for the district for the purpose of maintaining and operating the district, paying indebtedness assumed by such district and bonds issued by the district; providing for the issuance of bonds by the district for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes and for any and all such purposes and for refunding bonds and prescribing limitations on such power; etc.; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Substitute for House Bill No. 295 by striking out all below the enacting clause and substitute in lieu thereof the following:

Section 1. In accordance with the provisions of Article IX, Section 9, Constitution of the State of Texas, this Act shall be operative so as to authorize the creation, establishment, maintenance and operation of a hospital district within the boundaries of the proposed hospital district, to be known as Stonewall County Hospital District. This district shall have the rights, powers, and duties as are hereinafter prescribed.

Section 2. The hospital district herein authorized to be created, shall provide for the establishment of a hospital system to furnish medical and hospital care to persons residing in said hospital district by the purchase, construction, acquisition, repair or renovation of buildings and improvements, and the equipping of same and the administration thereof for hospital purposes. Such district shall assume full responsibility for providing medical and hospital care to its needy inhabitants. Such hospital district shall not be created nor shall such tax therein be authorized unless and until such creation and such taxes are approved by a majority of the qualified property taxpayers of the district voting in an election called for such purpose. Such election may be initiated by the Commissioners Court of Stonewall County upon its own motion or upon a petition of one hundred (100) resident qualified property taxpayers residing within the boundaries of the proposed hospital district, to be held not less than thirty (30) nor more than sixty (60) days from the date said election is ordered by the Commissioners Court.

The order calling the election shall specify the time and place or places of holding the same, the form of ballot and the presiding Judge for each voting place. At such election there
shall be submitted to the qualified property taxpaying electors the proposition of whether or not Stonewall County Hospital District shall be created with authority to levy annual taxes at a rate not to exceed Seventy-five Cents (75¢) on the valuation of all taxable property within such district for the purpose of meeting the requirements of the district's bonds and its maintenance and operating expenses, and a majority of the qualified property taxpaying electors of the district voting in said election in favor of the proposition shall be sufficient for its adoption. The ballots shall have printed thereon the following:

"FOR the creation of a hospital district; providing for the levy of a tax not to exceed Seventy-five Cents (75¢) on the One Hundred Dollars ($100.00) valuation, and using Stonewall County, Texas, values and the Stonewall County, Texas, tax roll; and

"AGAINST the creation of a hospital district; providing for the levy of a tax not to exceed Seventy-five Cents (75¢) on the One Hundred Dollars ($100.00) valuation, and using Stonewall County, Texas, values and the Stonewall County, Texas, tax roll."

Notice of election shall be given by publishing a substantial copy of the election order in a newspaper of general circulation in Stonewall County Hospital District once a week for two (2) consecutive weeks, the first publication to appear at least fourteen (14) days prior to the date established for the election.

The failure of any such election shall not operate to prohibit the calling and holding of subsequent elections for the same purpose.

Section 3. Within ten (10) days after such election is held the commissioners court in such county shall convene and cause the returns of the election, and if a majority of the qualified property taxpaying electors voting at said election voted in favor of the proposition, the court shall so find and declare the hospital district established and created and appoint five (5) persons as directors of the hospital district to serve until the first Saturday in April following the creation and establishment of the district at which time five (5) directors shall be elected. The three (3) directors receiving the highest vote at such first election shall serve for two (2) years, the other two (2) directors shall serve for one year. Thereafter, all directors shall serve for a period of two (2) years and until their successors have been duly elected or appointed and qualified. No person shall be appointed or elected as a member of the board of directors of said hospital district unless he is a resident thereof and owns land subject to taxation therein and unless at the time of such election or appointment he shall be more than twenty-one (21) years of age. Each member of the board of directors shall qualify by executing the constitutional oath of office and shall execute a good and sufficient bond for One Thousand Dollars ($1,000) payable to said district conditioned upon the faithful performance of his duties, and such oaths and bonds shall be deposited with the depository bank of the district for safekeeping.

The board of directors shall organize by electing one (1) of their number as president and one (1) of their number as secretary. Any three (3) members of the board of directors shall constitute a quorum and a concurrence of three (3) shall be sufficient in all matters pertaining to the business of the district. Any vacancies in the office of director shall be filled for the unexpired term by appointment of the remainder of the board of directors. In the event the number of directors shall be reduced to less than three (3) for any reason, the remaining directors shall immediately call a special election to fill said vacancies, and upon failure to do so a district court may, upon application of any voter or taxpayer of the district, issue a mandate requiring that such election be ordered by the remaining directors.

A regular election of directors shall be held on the first Saturday in April of each year and notice of such election shall be published in a newspaper of general circulation in the county one (1) time at least ten (10) days prior to the date of election. Any person desiring his name to be printed on the ballot as a candidate for director shall file a petition, signed by not less than
four hundred (400) qualified voters asking that such name be printed on the ballot, with the secretary of the board of directors of the district. Such petition shall be filed with the secretary at least twenty-five (25) days prior to the date of election.

Section 4. The management and control of each hospital district created pursuant to the provisions of this Act is hereby vested in the board of directors of the district who shall serve without compensation but may be reimbursed for actual expenses incurred in the performance of their official duties upon the approval of such expenses by the entire board of directors.

Section 5. Upon the creation of such hospital district, the board of directors shall have the power and authority and it shall be their duty to levy on all property subject to hospital district taxation for the benefit of the district at the same time taxes are levied for county purposes, using the county values and the county tax roll, a tax of not to exceed Seventy-five Cents ($0.75) on the One Hundred Dollars ($100.00) valuation of all taxable property within the hospital district, for the purposes of: (1) paying the interest on and creating a sinking fund to pay the principal as same matures for the purpose of securing funds and providing for the operation of the hospital system, and (2) for the purpose of making further improvements and additions to the hospital system, and for the acquisition of necessary sites therefor, by purchase, lease or condemnation.

Not later than October 1 of each year, the board of directors shall levy the tax on all taxable property within the district which is subject to taxation and shall immediately certify such tax rate to the tax assessor and collector of the county in which the district is located. The tax so levied shall be collected on all property subject to hospital district taxation by the assessor and collector of taxes for the county on the county tax roll, and in the same manner and under the same conditions as county taxes. The assessor and collector of taxes shall charge and deduct from payments to the hospital district the fees for assessing and collecting the tax at the rate of not exceeding one (1%) percent of the amounts collected as may be determined by the board of directors but in no event in excess of Five Thousand Dollars ($5,000.00) for any one (1) fiscal year. Such fees shall be deposited in the county's general fund, and shall be reported as fees of office of the tax assessor and collector. Interest and penalties on taxes paid to the hospital district shall be the same as in the case of county taxes. Discounts shall be the same as for county taxes. The residue of tax collections, after deduction of discounts and fees for assessing and collecting, shall be deposited in the district depository; and such funds shall be withdrawn only as provided herein. All other income of the hospital district shall be deposited in like manner with the district depository.

The board of directors shall have the authority to levy the tax aforesaid for the entire year in which the said hospital district is established, for the purpose of securing funds to initiate the operation of the hospital district.

Section 6. The board of directors shall have the power and authority to issue and sell the obligations of such hospital district, and in the name and upon the faith and credit of such hospital district, bonds for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping the same for hospital purposes and for any or all of such purposes; provided, that a sufficient tax shall be levied to create an interest and sinking fund to pay the interest and principal as same matures providing said tax together with any other taxes levied for said district shall not exceed Seventy-five Cents ($0.75) in any one year. Such bonds shall be executed in the name of the hospital district, and on its behalf by the president of the board of directors, and countersigned by the secretary of the board of directors and shall be subject to the same requirements in the matter of approval thereof by the Attorney General of the State of Texas and the registration thereof by the Comptroller of Public Accounts of the State of Texas as are by law.
March 5, 1963  HOUSE JOURNAL 499

provided for such approval and registration of bonds of counties of this state. Upon the approval of such bonds by the Attorney General of Texas and registration by the Comptroller the same shall be incontestable for any cause. No bonds shall be issued by such hospital district except refunding bonds until authorized by a majority vote of the legally qualified property taxpayers residing in such hospital district, voting at an election called and held for such purpose. Such election may be called by the board of directors on its own motion, and the order calling said election shall specify the date of the election, the places or places where the election shall be held, the presiding officers thereof, the purpose for which the bonds are to be issued, the amount thereof, maximum interest rate (not to exceed six (6%) per cent per annum) and the maximum maturity date of such bonds (not to exceed forty (40) years from their date of issuance). Notice of election shall be given by publishing a substantial copy of the order calling the election in a newspaper of general circulation in such county once a week for two (2) consecutive weeks prior to the date of election, the date of the first publication being at least fourteen (14) full days prior to the date set for the election. The cost of such election shall be paid by the hospital district.

The bonds of the district may be made optional for redemption prior to their maturity date at the discretion of the board of directors.

The district may without an election issue the bonds to refund and pay off any validly issued and outstanding bonds heretofore issued by the district, provided any such refund bonds shall bear interest at the same rate or at a lesser rate than the bonds being refunded unless it be shown mathematically that a saving will result in the total amount of interest to be paid.

Section 7. The board of directors of such district shall have the power to prescribe the method and manner of making purchases and expenditures by and for such hospital district and also shall prescribe all accounting and control procedures; the method of purchasing necessary supplies, materials and equipment; and shall have the power to adopt a seal for such district, and may employ a general manager, attorney, bookkeeper, architect, and any other employees deemed necessary for the efficient operation of the hospital district.

All books, records, accounts, notices and minutes and all other matters of the district and the operation of its facilities shall, except as herein provided, be maintained at the office of the district and there be open to public inspection at all reasonable hours.

The board of directors is specifically empowered to adopt rules and regulations governing the operation of such district and its facilities which rules and regulations shall supplement but shall not contravene any of the provisions of this Act. Such rules and regulations may, upon approval of the board of directors, be published in booklet or pamphlet form at the expense of the district and may be made available to any taxpayer upon request.

Section 8. The fiscal year of the hospital district authorized to be established by the provisions hereof shall commence on October 1 of each year and end on the 30th day of September of the following year. The district directors shall cause an annual independent audit to be made of the books and records of the district, such audit to be made covering such fiscal year, and the same shall be filed with the Comptroller of Public Accounts of the State of Texas and at the office of the district not later than December 31st of each year.

The board of directors shall each year cause a budget to be prepared showing the proposed expenditures and disbursements and the estimated receipts and collections for the following fiscal year and shall hold a public hearing on the proposed budget after publication of a notice of hearing in a newspaper of general circulation in the county at least once not less than ten (10) days prior to the date set for the hearing. Any person who is a taxpayer of the district shall have the right to appear at the time and place designated in the notice and be heard with reference to any item shown in the proposed budget. The
Section 11. The hospital district established or maintained under provisions of this Act shall be subject to inspection by any duly authorized representative of the State Board of Health or any State Board of Charities (or Public Welfare) that may hereafter be created, and residents, officers shall admit such representatives into all hospital district facilities and give them access on demand to all records, reports, books, papers and accounts pertaining to the hospital district.

Section 12. Except as herein provided, Stonewall County, or any city or town within the hospital district, shall not levy any tax against any property within the hospital district for hospital purposes; and such hospital district shall assume full responsibility for the furnishing of medical and hospital care for the needy and indigent persons residing in said hospital district from the date that taxes are collected for the hospital district.

Section 13. Whenever a patient residing in the hospital district has been admitted to the facilities of the hospital district, the directors shall cause inquiry to be made as to his circumstances, and of the relatives of such patient, legally liable for his support. If they find that such patient or said relatives are liable to pay for his care and treatment in whole or in part, an order shall be made directing such patient, or said relatives, to pay to the treasurer of the hospital district for the support of such patient a specified sum per week. In proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The district shall have power and authority to collect such sum from the estate of the patient, or his relatives legally liable for his support, in the manner provided by law for the collection of expenses of the last illnesses of a deceased person. If the agent designated by the district to handle such affairs finds that such patient or said relatives are not able to pay, either in whole or in part, for his care and treatment in such hospital, the same shall become a charge upon the hospital district. Should there be a dispute as to the ability to pay, or doubt in the mind of the person designated as aforesaid, the district's directors shall hear and deter-
March 5, 1963

HOUSE JOURNAL 501

mine same, after calling witnesses, and shall make such order as may be proper, from which appeal shall lie to the district court by either party to the dispute.

Section 14. Said board of directors of the hospital district is authorized on behalf of said hospital district to accept donations, gifts and endowments for the hospital district to be held in trust and administered by the board of directors for such purpose and under such directions, limitations, and provisions as may be prescribed in writing by donor, not inconsistent with proper management and objects of hospital district.

Section 15. All bonds issued by or assumed by the district authorized to be established and created under the provisions of this Act shall be and are declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, guardians, and for the sinking funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas; and such bonds shall be lawful and sufficient security for deposits to the extent of their face value when accompanied by all unmatured coupons appurtenant thereto.

Section 16. The hospital district created under the provisions of this Act shall be and is declared to be a political subdivision of the State of Texas, and as a governmental agency may sue and be sued in any and all courts of this state in the name of such district.

Section 17. Nothing in this Act shall be construed to violate any provision of the Federal or State Constitutions, and all acts done under this Act shall be in such manner as will conform thereto, whether expressly provided or not. Where any procedure hereunder may be held by any court to be violative of either of such constitutions, the district shall have the power by resolution to provide an alternative procedure conformable with such constitutions. If any provision of this Act should be invalid, such fact shall not affect the authorization for the creation of the district or the validity of any other provisions of this Act, and the Legislature hereby declares that it would have created the district and enacted the valid provisions of this Act notwithstanding the invalidity of any other provision or provisions hereof.

Section 18. Proof of publication of the Constitutional Notice required in the enactment hereof under the provisions of Section 9 of Article IX of the Texas Constitution has been made in the manner and form provided by law pertaining to the enactment of local and special laws and is hereby found and declared to be proper and sufficient to satisfy such requirement.

Section 19. The fact that the hospital district authorized to be created and established under the provisions of this Act is for the promotion of the public welfare of the inhabitants of this state and the procedure for the creation thereof should be established at an early date create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted without objection.

H. B. No. 295 was then passed to engrossment.

HOUSE BILL NO. 300 ON SECOND READING

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

H. B. No. 300, A bill to be entitled "An Act providing a penalty for the operation of certain aircraft while intoxicated or under the influence of intoxicating liquor; and declaring an emergency."

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

HOUSE BILL NO. 318 ON SECOND READING

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

H. B. No. 318, A bill to be entitled "An Act fixing a maximum salary for court reporters in judicial dis-
districts composed of two counties, one of which has a population of not less than one hundred and fifty thousand (150,000) and not more than two hundred thousand (200,000) and either of which borders on the Republic of Mexico; providing for apportionment of payment of salaries between counties on the basis of population; and declaring an emergency."

The bill was read second time.

Mr. McDonald of Hidalgo offered the following committee amendment to the bill:

Committee Amendment No. 1
Amend H. B. No. 318 by striking the word "shall" in line five (5) of Section 1 and substituting in lieu thereof the words "is authorized to."

The amendment was adopted without objection.

H. B. No. 318 was then passed to engrossment.

HOUSE BILL NO. 358 ON SECOND READING
The Speaker laid before the House its second reading and passage to engrossment.

H. B. No. 358, A bill to be entitled "An Act amending Acts of 1951, 52nd Legislature, Regular Session, Chapter 491, page 1065, as amended, codified as Article 21.09 of the Insurance Code of Texas, Vernon's Texas Civil Statutes, relating to counter-signing of policies by local recording agents and exceptions therefrom, repealing all laws or parts of laws In conflict; providing for a severability clause; and declaring an emergency."

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

ADJOURNMENT
Mr. Mann moved that the House adjourn until 10:30 o'clock a.m. tomorrow.

The motion prevailed.

The Benediction was offered by Representative Leroy J. Wiesting, as follows:

"Heavenly Father, as we humbly stand with our heads bowed, we are thankful for this day in which we live. As we now adjourn from this place, may we be conscious of your presence with us and may we be found faithful in every act and deed until we again shall meet. "For these things we ask in Christ's name.—Amen." In accordance with the motion to adjourn, the House, at 12:34 o'clock p.m., adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

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

Rules: H. C. R. No. 36.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS
Austin, Texas, March 4, 1968
Hon. Byron M. Tunnell, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 49, 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 nonresident operating privileges, and certain penalties; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.
March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

SIR: Your Committee on Engrossed Bills to whom was referred H. B. No. 95, A bill to be entitled "An Act fixing the salaries to be paid certain officials in certain counties; repealing all laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

NELSON COWLES, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, March 5, 1963

Hon. Byron M. Tunnell, Speaker of the House of Representatives.


Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

SIR: Your Committee on Enrolled Bills to whom was referred H. B. No. 233, An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 18th Judicial District of Texas; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

SIR: Your Committee on Enrolled Bills to whom was referred H. B. No. 235, An Act authorizing the Commissioners Courts of Counties within the 121st Judicial District to pay certain amounts to the District Judge of such District to defray certain necessary expenses; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

Hon. Byron M. Tunnell, Speaker of the House of Representatives.

SIR: Your Committee on Enrolled Bills to whom was referred H. B. No. 10, An Act amending Section 2 of Chapter 333, Acts of the Forty-second Legislature, Regular Session, 1931, as amended by Section 1, Chapter 49, Acts of the Forty-third Legislature, Regular Session, 1933 (compiled as Section 2, Article 1605a, Vernon's Texas Civil Statutes), so as to raise the maximum amount allowed to be spent by the County Commissioners Courts on office buildings or jails from One Hundred and Fifty Thousand Dollars ($150,000) to Two Hundred Thousand Dollars ($200,000) in cities other than the county seat; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.
Hon. Byron M. Tunnell, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred H. C. R. No. 17, requesting the Postmaster General of the United States to issue a suitable commemorative stamp honoring Big Bend National Park.

Has carefully compared same and finds it correctly enrolled.

SHANNON, Chairman.

SENT TO GOVERNOR

March 6, 1963

H. B. No. 7.
H. B. No. 10.
H. B. No. 233.
H. B. No. 235.
H. C. R. No. 17.

THIRTY-FOURTH DAY

(Wednesday, March 6, 1963)

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

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

Mr. Speaker 
Adams 
Allan 
Allen 
Arledge 
Atwell 
Ball 
Barnes 
Bass of Bowie 
Bass of Harris 
Beckham 
Berry 
Birkner 
Blaine 
Boysen 
Bridges 
Brooks 
Brown 
of Galveston 
of Rowlet 
Butler 
Cain

Duggan 
Duskan 
Rickerd 
Edwards 
Rogers 
Parrish 
Finney 
Fletcher 
Floyd 
Pondrea 
Foreman 
Garrison 
Gibbens 
Giddens 
Gusen 
Green 
Grover 
Guffey 
Gulley 
Haines of Brazos 
Hallmark 
Harris of Dallas 
Harrisons of Orange 
Healy 
Hefton 
Hendryx 
Hines 
Hughes 
Iassett 
Jamison 
Jarvis 
Johnson of Dallas 
Johnson of Bexar 
Kilpatrick 
Kilgore 
Knapp 
Kolba 
Kothmann 
Lack 
Lattimore 
Ligarde 
Ligon 
McClintock 
McDonald 
of Hidalgo 
McDonald of Rusk 
McGregor 
McIlhany 
McLaughlin 
McNutt 
Macatee 
Mack

Mann 
Markgraf 
Miller 
Morgan 
Moyer 
Murray 
Muesher 
Nugent 
Farrer 
Fornier 
Fakley 
Ferrey 
Felsler 
Pettit 
Pipkin 
Price 
Quilliam 
Rapp 
Richards 
Richardson 
Ritter 
Roberts 
Rodrigues 
Rosen 
Satterwhite 
Schiller 
Sergent 
Shannon 
Shipley 
Shutt 
Simpson 
Smith 
Slade 
Smith of Bexar 
Smith of Jefferson 
Stewart 
Hollingsworth 
Thompson 
Thurmond 
Townsend 
Trager 
Walker 
Ward 
Weldon 
Wells 
Whaley 
Whisler 
Whitefield 
Wiesting 
Wilson 
Woods

Absent—Excused

Banfield 
Bann 
Bann 
Bann 
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Banfield 
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Bann 
Bann

Manoo 
Markgraf 
Miller 
Morgan 
Moyer 
Murray 
Muesher 
Nugent 
Farrer 
Fornier 
Fakley 
Ferrey 
Felsler 
Pettit 
Pipkin 
Price 
Quilliam 
Rapp 
Richards 
Richardson 
Ritter 
Roberts 
Rodrigues 
Rosen 
Satterwhite 
Schiller 
Sergent 
Shannon 
Shipley 
Shutt 
Simpson 
Smith 
Slade 
Smith of Bexar 
Smith of Jefferson 
Stewart 
Hollingsworth 
Thompson 
Thurmond 
Townsend 
Trager 
Walker 
Ward 
Weldon 
Wells 
Whaley 
Whisler 
Whitefield 
Wiesting 
Wilson 
Woods

Banfield 
Bann 
Bann 
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Bann

Austin, Texas, March 5, 1963

Our Heavenly Father, we pause in silence that we might hear Thy