The motion prevailed.

The Benediction was offered by the Reverend I. W. Oliver, Chaplain.

In accordance with the motion to recess, the House, at 4:31 o'clock p.m., took recess until 9:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

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

Examination of Comptroller’s and Treasurer’s Accounts: S. B. No. 287.

Game and Fisheries: H. B. No. 626.


CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

In accordance with a previous motion, the House proceeded to the consideration of local and uncontested bills.

H. B. No. 359, ON SECOND READING

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

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

H. B. No. 447, ON SECOND READING

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

"Through Christ our Lord we pray—Amen."

LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Pearcy for today and the remainder of the week, on motion of Mr. Ward.

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

Mr. Koliba for today, and until further notice, on motion of Mr. Shannon.

Mr. Pendleton was granted leave of absence for today on account of a death in his family, on motion of Mr. Simpson.

CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

In accordance with a previous motion, the House proceeded to the consideration of local and uncontested bills.

H. B. No. 359, ON SECOND READING

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

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

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

H. B. No. 359, A bill to be entitled "An Act amending Title 15, Acts of the 55th Legislature, as amended which is compiled as Article 326k-14 of Vernon’s Texas Civil Statutes, providing that the District Attorney of the 53rd Judicial District shall represent the State in the Criminal District Court and all other District Courts of Travis County, providing for the appointment of a First Assistant District Attorney and other Assistant District Attorneys and secretaries with the consent and approval of the Commissioners’ Court; providing for the minimum and maximum salaries to be paid; containing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.
The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 626, A bill to be entitled

"An Act permitting the taking of nutria in Marion and Morris Counties; amending Section 1 of Chapter 91, Acts of the 52nd Legislature, Regular Session, 1951, which prohibits the taking of nutria in certain waters in Harrison and Marion Counties, so as to remove Marion County from the scope of that Act; repealing Chapter 72, Acts of the 56th Legislature, Regular Session, 1959, which prohibits the taking of nutria in Morris County; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. 447 by deleting the words and figures $18,000 and substituting in lieu thereof the words and figures $16,500 wherever they appear in the printed bill.

The amendment was adopted without objection.

House Bill No. 447 was then passed to engrossment.

HOUSE BILL NO. 606 ON SECOND READING

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

H. B. No. 606, A bill to be entitled

"An Act fixing a year-round open season on pheasants and chukars in Lee County; repealing all laws in conflict; and declaring an emergency."

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

HOUSE BILL NO. 614 ON SECOND READING

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

H. B. No. 614, A bill to be entitled

"An Act closing the season in Duval County for five (5) years on deer, javelina, bobwhites and bluegrouse; providing penalties for violations; and declaring an emergency."

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

RECORD OF VOTE

Mr. Bridges requested to be recorded as voting Nay on the passage of H. B. No. 614 to engrossment.

RECORD OF VOTE

Mr. Walker requested to be recorded as voting Nay on the passage of H. B. No. 614 to engrossment.

HOUSE BILL NO. 626 ON SECOND READING

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

H. B. No. 626, A bill to be entitled

"An Act fixing a year-round open season on pheasants and chukars in Lee County; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill 626 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 1 of Ch. 72, Acts of the 56th Legislature, R. S., 1959 is amended to read as follows:

"Section 1. It shall be lawful to take or kill corpus (nutria) at any time in Morris or Marion Counties.

"Sec. 2. Ch. 91, Acts of the 52nd Leg., R. S. 1951 is repealed.

"Sec. 3. The need to eliminate nutria in Marion County creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and 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.

House Bill No. 626 was then passed to engrossment.

HOUSE BILL NO. 682 ON SECOND READING

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

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."

The amendment was adopted without objection.

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

House Bill No. 682 was then passed to engrossment.

HOUSE BILL NO. 685 ON SECOND READING

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

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 chemical, 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 23, and conferring on the District the rights, powers, and privileges conferred by general law on Water Control and Improvement Districts where not in conflict, and declaring an emergency."

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

HOUSE BILL NO. 688 ON SECOND READING

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

H. B. No. 688, 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."
Amend H. B. No. 488 by striking out all below the enacting clause and substituting in lieu thereof:

Section 1. In consideration of the benefits accruing to the State from the maintenance of a first-class University in that area, the Board for Texas State Hospitals and Special Schools, acting by its Executive Director, is hereby authorized and directed to execute and deliver to Midwestern University in Wichita Falls, Texas, a proper instrument conveying thereto all rights and title to the following described tracts of land none of which is within two hundred (200) yards of any permanent building of said Hospital, the form of such conveyance to be approved by the Attorney General:

Field notes for Plots No. 1 and 3 of the Wichita Falls State Hospital, Wichita County, Texas, described in 1 tract as follows:

Being 98.85 acres of land, more or less, out of the John A. Scott Survey No. 6, Abstract No. 201; and the John A. Scott Survey No. 7, Abstract No. 295, Wichita County, Texas, and more particularly described as follows:

Beginning at a point in a westerly line of the John A. Bingham tract, said point bearing N 89° 45' E a distance of 231.0 feet, more or less, to the northwest corner of the SW¼ of the John A. Scott Survey No. 7:

Thence N 07°02' W with said westerly line of the Bingham tract a distance of 292.4 feet, more or less, to a corner;

Thence N 49°19' E along a southwesterly line of said Bingham tract a distance of 579.1 feet, more or less, to a corner;

Thence N 01°55' E a distance of 556.7 feet, more or less, to a corner;

Thence N 39°47' E 660.2 feet, more or less, to the southwest corner of a 20.12 acre tract conveyed to State of Texas by Kemp and Kell and described by deed, Vol. 95, page 195, Deed Records of Wichita County, Texas;

Thence N 09°34½' W 1,324 feet, more or less, to the northwest corner of said 20.12 acre tract;

Thence N 89°31' E 658.5 feet, more or less, to the northeast corner of said 20.12 acre tract;

Thence S 09°37' E 1,322.5 feet, more or less, to the southeast corner of said 20.12 acre tract;

Thence N 89°52' E 655.7 feet, more or less, to a point being the northeast corner of the SW¼ of the John A. Scott Survey No. 7, said point being the northeast corner of that tract of land conveyed to State of Texas by Kemp and Kell and described by deed, Vol. 95, page 195, Deed Records of Wichita County, Texas;

Thence S 09°07' W 399.6 feet, more or less, to a corner;

Thence N 37°13½' W a distance of 2,966.5 feet, more or less, to a corner in the northeast line of the F.W. and D. Railroad right-of-way;

Thence along the northeast line of said right-of-way the following three courses:

1. In a northwesterly direction along a curve to the right, said curve having a radius of 2,764.8 feet and a central angle of 2°00' a distance of 96.5 feet;

2. N 48°14' E a distance of 59.0 feet;

3. In a northwesterly direction along a curve to the right, said curve having a radius of 2,714.8 feet and a central angle of 4°35', a distance of 217.2 feet to a point in the westerly line of a county road called Lake Park Drive;

Thence in a northeasterly direction along said westerly line of Lake Park Drive with a curve to the left, said curve having a radius of 2,714.8 feet and a central angle of 90°24', a distance of 524.0 feet;

Thence N 39°43' W and continuing with said westerly line of Lake Park Drive, a distance of 192.7 feet to the beginning of a curve to the right;

Thence along said curve to the right; and with said westerly line of Lake Park Drive, said curve having a radius of 556.7 feet and a central angle of 74°10', a distance of 1,106.8 feet to the end of said curve;

The bill was read second time.

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

Committee Amendment No. 1
Thence S 55°32' E a distance of 60.0 feet to a corner in the easterly line of Lake Park Drive;

Thence in a southwesterly direction with said easterly line of Lake Park Drive along a curve to the left, said curve having a radius of 795.5 feet, and a central angle of 3°30', a distance of 48.6 feet to the most westerly corner of said Block 1, said point being the southeast corner of said Highway Department tract;

Thence with the following described nine (9) courses along southwesterly lines of the said John A. Bingham tract:

1. N 67°19' E, 235.2 feet, more or less;
2. S 66°31' E, 382.1 feet, more or less;
3. N 72°34' E, 199.2 feet, more or less;
4. N 31°08' E, 461.0 feet, more or less;
5. S 81°41' E, 295.8 feet, more or less;
6. N 39°11' E, 357.5 feet, more or less;
7. N 69°56' E, 585 feet, more or less;
8. N 40°19' E, 106 feet, more or less;
9. N 67°2' W, 116.5 feet, more or less, to the place of beginning.

Plots 3, 4 and 5 described in one tract as follows:

Being 233.23 acres of land, more or less, out of Block 1 Kemp and Newby Sub. of Cherokee County School Lands, and being more particularly described as follows:

Beginning at the northeast corner of Block 1 of the John A. Scott Survey No. 7, said point being the northeast corner of that tract of land conveyed to the State of Texas by Kemp and Kell and described by deed recorded in Vol. 95, page 196 Deed Records of Wichita County, Texas;

Thence N 00°04½' E, 1,239.0 feet, more or less, with the west line of said Block 1, Kemp and Newby Sub. of Cherokee County School Lands, to the northwest corner of said Block 1;

Thence S 39°56' E, 2,525.3 feet, more or less, with the north line of said Block 1, to the northwest corner of that certain 31.6 acre tract conveyed to the Texas State Hospital and Special School Board for Texas State Hospitals and Special Schools, July 21, 1968.

Field notes for Plot 6 of the lands of the Wichita Falls State Hospital, Wichita County, Texas.

Being 33.32 acres of land out of the D. L. and C. Co. Survey, Abstract 813, Wichita County, Texas, and the Harvey Co. Survey, Abstract 67, Archer County, Texas, and more particularly described as follows:

Beginning at the northeast corner of the D. L. and C. Co. Survey, described in Vol. 37, page 402, Deed Records of Wichita County, Texas;

Thence N 00°15' E, 2,351.2 feet, more or less, with the east lines of said D. L. and C. Co. Survey and the said Harvey Co. Survey to a point for corner;

Thence N 89°32' W, 1,586.0 feet, more or less, to a point in the northeast line of the W. F. and D. Railroad right-of-way;

Thence N 25°14' W with said northeast line a distance of 196.2 feet, more or less, to a corner;

Thence east a distance of 224.0 feet, more or less, to a corner;

Thence N 25°14' W, 552.0 feet, more or less, to a corner;

Thence N 63°46' W, 296.9 feet, more or less, to a corner in the northeast line of the W. F. and D. Railroad right-of-way;

Thence N 16°14' W with said right-of-way line a distance of 338.6 feet, more or less, to a corner;
Sec. 2. The Board for Texas State Hospitals and Special Schools is also authorized to transfer to Midwestern University any land which it shall in the future find to be unnecessary for the operation of the Wichita Falls State Hospital. Any land to be disposed of shall first be offered to Midwestern University before being offered for sale.

Sec. 3. The fact that the above described lands, formerly used for grazing, are of no further use to the Wichita Falls State Hospital, either now or in the foreseeable future, and the fact that Midwestern University is rapidly expanding, and has great need for said lands, create an emergency and an imperative necessity that the Constitutional rule requiring bills to be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Doke offered the following amendment to Committee Amendment No. 1: Amend Committee Amendment to H. B. 688 by adding a new section 3 and changing all in accordance with it, the section to read as follows:

3. Midwestern University shall have the right to lease any of the above lands in accordance with its needs.

The amendment to Committee Amendment No. 1 was adopted without objection.

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

House Bill No. 688 was then passed to engrossment.

HOUSE BILL NO. 727 ON SECOND READING

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

H. B. No. 777, A bill to be entitled "An Act amending Section 9 of Chapter 520, of Acts of the 51st Legislature, 1949, (Section 9 of Article 1970-110A Vernon's Revised Civil Statutes of Texas), to provide for the execution of a bond in the sum of $100,000.00 by probate Judge of Harris County, Texas, 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 727 by adding the following sentence at the end of Section 1:

The total maximum additional compensation allowed under this act shall be Three Thousand Dollars ($3,000.00).

The amendment was adopted without objection.

House Bill No. 727 was then passed to engrossment.

HOUSE BILL NO. 777 ON SECOND READING

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

H. B. No. 777, A bill to be entitled "An Act amending Section 9 of Chapter 520, of Acts of the 51st Legislature, 1949, (Section 9 of Article 1970-110A Vernon's Revised Civil Statutes of Texas), to provide for the execution of a bond in the sum of $100,000.00 by probate Judge of Harris County, Texas, and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill 777 by inserting after the enacting clause and before the word and number "Sec­

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

H. B. No. 727, A bill to be entitled "An Act authorizing the commission-
The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 778, A bill to be entitled "An Act amending Section 84, of Chapter 520, of Acts of the 51st Legislature, 1949, (Section 11, of Article 1970-110a, Vernon's Revised Civil Statutes of Texas), to provide for the probate Judge to act as presiding Judge for the County Judge acting in probate matters in the event of absence, disqualification or incapacity."

The bill was read second time.

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

Committee Amendment No. 1
Amend House Bill 778 by inserting after the enacting clause and before the word and number "Section 11" the following:

"Section 11. Section 11 of Chapter 520, Acts of the 51st Legislature, Regular Session, 1949, (compiled as Section 11 of Article 1970-110a, Vernon's Texas Civil Statutes) is amended to read as follows:"

The amendment was adopted without objection.

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

Committee Amendment No. 2
Amend House Bill 778 by inserting before the first sentence of the second paragraph thereof the word and number "Section 2."

The amendment was adopted without objection.

House Bill No. 778 was then passed to engrossment.

HOUSE BILL NO. 810 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 810, A bill to be entitled "An Act creating an additional Court of Domestic Relations for Harris County, Texas; fixing its jurisdiction; conforming the jurisdiction of other Courts thereto, fixing its terms; providing the manner of selection, tenure and compensation of the Judge and other officers of said Court; providing the manner of and grounds for the removal of the Judge of said Court; providing for the membership of the Juvenile Board of Harris County; providing for appeals to higher Courts; providing for the services of certain County and District Officers to said Court; containing a savings clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment Number 1
Amend H. B. 810 by adding the following words to the first sentence of Section 1 thereof, as follows:

"and shall be placed in operation upon the approval of the Commissioners' Court of Harris County, Texas."

The amendment was adopted without objection.

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

Committee Amendment Number 2
Amend H. B. 810, Section 7 thereof, by filling in the date "1964."

The amendment was adopted without objection.

House Bill No. 810 was then passed to engrossment.
HOUSE BILL NO. 953 ON SECOND READING

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

H. B. No. 953, A Bill to be entitled "An Act creating 'Dalby Springs Conservation District' under and in accordance with the provisions of Article XVI, Section 59, of the Constitution, comprising certain territory lying wholly in Bowie County, Texas, for the purpose of providing a source of water supply and the distribution thereof for municipal, domestic and industrial use, processing and transporting it, and in connection therewith to construct, establish and maintain storm and sanitary sewers; prescribing the rights, powers, duties, and authority of the District; providing that in the event that the District, in the exercise of the power of eminent domain or power of relocation, raising, rerouting or changing the grade, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, rerouting, changing of grade or alteration of conservation shall be accomplished at the sole expense of the District; providing for the government thereof; providing for elections; defining the power of the District, for taxes and collection of revenues, and authorizing the approval of bonds by the Attorney General; and declaring an emergency."

The bill was read second time.

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

Amend House Bill No. 953 by striking out all following the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby created within the State of Texas, in addition to the districts into which the state has therefore been divided, a conservation and reclamation district to be known as the 'Dalby Springs Conservation District' (hereinafter called 'District'), consisting of that part of the State of Texas in Bowie County described as follows:

All that certain tract or parcel of land situated about 6 miles N. 30° W. from DeKalb, Texas and out of the T. & F. Ry. Co. Survey Numbers 73, and 67, the A. J. Conn Survey, Abs. No. 535, and the H. C. Proctor Survey, and described as follows:

Beginning at the most Northerly, Southwest corner of the A. J. Conn Survey, in the North Boundary line of the H. C. Proctor Survey;

Thence West with the North Boundary line of the Proctor Survey 408 varas to the Northwest corner of same;

Thence South 912 varas to the Southwest corner of the said Proctor Survey, a stake at an old fence corner;

Thence East with the South Boundary line of the said Proctor Survey 408 varas to the West boundary line of said survey;

Thence South 912 varas to the Southwest corner of the said Proctor Survey, a stake at an old fence corner;

Thence East with the South boundary line of the said Proctor Survey 408 varas to the West boundary line of said survey;

Thence South with the West boundary line of Highway No. 26, N. 24° E. 3173 varas to the Southeast corner of a 338.47 acre tract herefore deeded to J. C. Beckham, by deed recorded in Vol. 333, pages 318-320 of the Bowie County Deed Records, a stake at the intersection of the North Boundary line of Highway No. 26 with the North boundary line of a road twenty rods (20) Westerly;

Thence with the said road, N. 45° W. 544.8 varas; N. 38° W. 136.8 varas; N. 69° W. 630 varas; N. 85° 20' W.; 846.7 varas; South 87° West, 499.8 varas; and N. 66° W. 376.3 varas to the West boundary line of Survey No. 72;

Thence South with the West boundary line 2020.3 varas to the Southwest corner of Survey No. 73, in the North boundary line of the George B. Elliott Survey;

Thence with the North boundary line of the Elliott Survey E. 79° E. 1620.4 varas to the Northwest corner of the A. J. Conn Survey;

Thence South with the West boundary line of the said Elliott Survey 400 varas to the point of beginning and containing 396 acres of land, more or less."

No error or discrepancy in the foregoing field notes shall adversely affect the validity of the District.
April 17, 1963

granted herein, it being found and determined that all of the territory and taxable property contained within such boundaries will be benefited by the works and improvements of the District.

Sec. 2. The District shall have and exercise and is hereby vested with all the rights, powers, privileges and duties conferred and imposed by the general laws of this state now in force or hereafter enacted, applicable to water control and improvement districts created under authority of Section 59, Article XVI, of the Constitution, and all amendments thereto, except as otherwise herein expressly provided; provided, however, that the District shall have no power of condemnation of property or of eminent domain outside of the geographical boundaries of Bowie County.

In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocating, raising, rerouting or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipelines, all such necessary relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the District.

Sec. 3. The powers herein conferred upon the District shall be exercised exclusively by a Board of five Directors. The first Board of Directors shall be composed of the following resident electors in Bowie County: J. C. Dewoody, W. E. Lee, Seaby Love, Julian Cranfill, and Calos Tidwell. Such Directors shall subscribe to the constitutional oath of office and each shall give bond in the amount of Three Thousand Dollars ($3,000) conditioned upon the faithful performance of the duties required of him under this Act. The premium of such bond shall be paid by the District. A majority of the Board of Directors shall constitute a quorum. The Board of Directors shall have exclusive charge of all the business and affairs of the District and shall make all regulations and enter into all contracts on behalf of the District. They shall purchase all necessary machinery, materials, tools and supplies required in the construction, repair or maintenance of the improvements of the District. A Director may be employed as General Manager and at such compensation as may be fixed by the four other Directors, and when so employed he shall continue to perform the duties of a Director. All elections in the District shall be ordered by the Board of Directors, and such order shall name a presiding judge of election and fix the place or places within the District at which such election shall be held. Except as otherwise provided herein, the election shall be held in accordance with the provisions of the general election laws. Returns of such elections shall be made to the Secretary of the Board of Directors, and the results thereof shall be promptly declared by the Board by an order duly entered in the minutes.

Sec. 4. The first Board of Directors shall hold office until the second Tuesday in January next after the District is formed, at which time five Directors shall be elected. The Directors receiving the highest vote shall serve for two years, and the other two Directors shall serve one year. At the annual election thereafter, two Directors or three Directors as the case may be, shall be elected. Any qualified elector who is a bona fide resident of Texas shall be qualified to serve as a Director. All vacancies shall be filled by appointment by remaining members of the Board of Directors for the unexpired term. In the event the number of Directors shall be reduced to less than three, the County Judge of Bowie County may appoint qualified electors for the unexpired term and until the successors are elected and qualify.

Sec. 5. The District shall have the power and authority conferred upon water control and improvement districts, including the control, storing, preservation and distribution
of storm and flood waters, the waters of rivers and streams, for reclamation and irrigation of arid, semi-arid, and other lands needing irrigation, the reclamation, drainage, conservation and development of its forests, and all natural resources; and including particularly the following:

(a) The control of surface waters in the District by planning, laying out, constructing, owning, maintaining; acquiring and operating a catch basin or basins, or other appropriate devices and water lines to carry off and dispose of excesses of water or to make use of such water.

(b) Acquiring a supply of fresh water suitable for domestic and industrial uses by negotiation or purchase, or by connection with the supply system of any other municipality or body politic or corporate, or by any other practicable means, and the planning, laying out, construction, ownership, maintenance and operation of a system of water lines throughout the District for the purpose of supplying domestic and industrial users thereof in the District.

(c) The planning, laying out, construction, ownership, maintenance, acquisition and operation of a sanitary system and improvements and extension thereof for the collection, distribution, processing, disposal and control of all domestic, industrial and communal waters, waters, fluids, solids or compositions, and ultimate disposal through its own sanitary sewer system or by connection with a sanitary system of any other municipality or by any other practicable and lawful means.

(d) Upon appropriate resolution by the Board of Directors in the District, the District may purchase other water systems, water and sewer systems, or sewer systems and may finance the purchase of such system or systems by the issuance of revenue bonds, tax and revenue bonds, or tax bonds, in the manner and to the extent provided in this Act and in the event of such purchase, the rates to be charged for the distribution of water, the collection of sewage and other authorizations therefor shall be determined by the Board of Directors as elsewhere provided and such rates shall not be subject to regulation by any other municipal corporation of the State of Texas.

Sec. 6. When authorized by a majority of the qualified voters residing in the District at an election duly held for the purpose, the Board of Directors may levy a tax for the maintenance of the water and sewer system and the improvements hereinafter authorized, and the Board of Directors shall have the power to fix rates to be paid by the users of the services to be provided, and to provide for the uniform and economical expenditure of the funds received therefrom, including the pledge of revenues for the payment of bonds of the District. The Board of Directors may from time to time revise the rates of compensation for water sold and services rendered by the District in an amount sufficient to pay the expenses of operating and maintaining the facilities of the District and to provide for the payment of any excess into the interest and sinking fund for the payment of any outstanding bonds.

Sec. 7. The District is authorized to acquire water appropriation permits directly from the Board of Water Engineers of the State of Texas; or from the owners of such permits, as well as from any other available source, including the purchase of water or a water supply from any person, firm, corporation or public agency. Any permit which may be transferred to the district under the terms hereof must first be approved by the Board of Water Engineers. This requirement shall not apply to the purchase or transfer of water systems as distinguished from permits.

Sec. 8. (a) For the purpose of carrying out any power or authority conferred by this Act, the District is empowered to issue its negotiable bonds to be payable from such revenues of the District as are pledged by resolution of the Board of Directors or by a trust indenture authorized by said Board.

(b) Such bonds shall be authorized by resolution of the Board of Directors and shall be issued in the name of the District, signed by the President or Vice-President, attested by the Secretary, and have the
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The seal of the District impressed thereon. They shall mature serially or otherwise in not to exceed forty (40) years and they may be sold at a price and under terms determined by the Board of Directors to be the most advantageous reasonably obtainable, but in no event at less than ninety per cent (90%) of par value, provided that the interest tables currently in use by insurance companies and investment houses do not exceed seven per cent (7%) per annum, and within the discretion of the Board, may be made callable prior to maturity at such times and prices as may be prescribed in the resolution authorizing the bonds, and may be made registrable as to principal or as to both principal and interest.

(c) Bonds may be issued in more than one series and from time to time as required for carrying out the purposes of this Act.

(d) The bonds may be secured by a pledge of all part of the net revenues of the District, or by the net revenues of any one or more contracts therefore or thereafter made or other revenues specified by resolution of the Board of Directors. Any such pledge may reserve the right, under conditions therein specified, to issue additional bonds which will be on a parity with or subordinate to bonds then being issued. The term 'net revenues' as used in this section shall mean the gross revenues of the District after deduction of the amount necessary to pay the cost of maintaining and operating the District and its properties.

(e) For the purposes stated in Sec. 8 (a) hereof, the District is also empowered to issue bonds payable from ad valorem taxes to be levied in the manner and to the extent authorized by Chapter D-A, Title 128, R. S. 1925, or to issue bonds secured both by and payable wholly or partially from ad valorem taxes. Where bonds are issued payable wholly or partially from such taxes, it shall be the duty of the Board of Directors to levy a tax sufficient to pay the bonds and the interest thereon as such bonds and interest become due, but the rate of the tax for any year may be fixed after giving consideration to the money received from the pledged which may be available for payment of principal and interest to the extent and in the manner permitted by the resolution authorizing the issuance of the bonds.

(f) Where bonds payable wholly from revenues are issued, it shall be the duty of the Board of Directors to fix, and from time to time to revise, the rates of compensation for water sold and services rendered by the District which will be sufficient to pay the expense of operating and maintaining the facilities of the District and to pay the bonds as they mature and the interest as it accrues and to maintain the reserve and other funds as provided in the resolution authorizing the bonds.

Where bonds payable partially from revenues are issued, it shall be the duty of the Board of Directors to fix and from time to time to revise, the rate of compensation for water sold and services rendered by the District which will be sufficient to assure compliance with the resolution authorizing the bonds.

(g) From the proceeds from the sale of the bonds, the District may set aside an amount for the payment of interest expected to accrue during construction and a reserve interest and sinking fund, and such provisions may be made in the resolution authorizing the bonds. Proceeds from the sale of the bonds may also be used for the payment of all expenses necessarily incurred in accomplishing the purposes for which this District is created.

(h) In the event of a default or a threatened default in the payment of principal or interest on bonds payable wholly or partially from revenues, any court of competent jurisdiction may, upon petition of the holders of twenty-five per cent (25%) of the outstanding bonds of the issue thus in default or threatened with default, appoint a receiver with authority to collect and receive all income of the District except taxes, employ and discharge agents and employees of the District, take charge of funds on hand (except funds received from taxes unless commingled) and manage the proprietary affairs of the District without consent of or hindrance by the
Directors, such receiver may also be authorized to sell or make contracts for the sale of water or renew such contracts with the approval of the court appointing him. The court may vest the receiver with such other powers and duties as the court may find necessary for the protection of the holders of the bond.

Sec. 9. The district is authorized to lease refunding bonds for the purpose of refunding any outstanding bonds authorized by this Act and interest thereon. Such refunding bonds may be issued to refund more than one series of outstanding bonds and combine the pledges for the outstanding bonds for the security of the refunding bonds, and may be secured by other or additional revenues. The provisions of this law with reference to the issuance of other bonds and their approval by the Attorney General and the remedies of the holders shall be applicable to refunding bonds. Refunding bonds shall be registered by the Comptroller upon surrender and cancellation of the bonds to be refunded, but in lieu thereof, the resolution authorizing their issuance may provide that they shall be sold and the proceeds thereof deposited in the bank where the original bonds are payable, in which case the refunding bonds may be issued in an amount sufficient to pay the interest on the original bonds to their option date or maturity date, and the Comptroller may register them without concurrent surrender and cancellation of the original bonds.

Sec. 10. Any bonds, (including refunding bonds) authorized by this law, not payable wholly from ad valorem taxes, may be additionally secured by a deed of trust lien upon physical properties of the district and all franchises, easements, water rights and appurtenant permits, leases and contracts and all rights appurtenant to such properties, vesting in the trustee, power to sell the properties for payment of the indebtedness, power to operate the property, and all other powers and authorities for the further security of the bonds. Such deed of trust may contain any provisions prescribed by the board of directors for the security of the bonds and the preservation of the trust estate, and may make provision for amendment or modification thereof and the issuance of bonds to replace lost or mutilated bonds. Any purchaser under a sale under such deed of trust shall be the owner of the water and sewer system and the other properties and facilities so purchased and shall have the right to maintain and operate the same.

Sec. 11. (a) No bonds payable wholly or partially from ad valorem taxes (except refunding bonds) shall be issued unless authorized by a majority vote at an election at which only the qualified voters who reside in the district or who own taxable property therein and who have duly rendered the same for taxation. Bonds not payable wholly or partially from ad valorem taxes may be issued without an election.

(b) Such election may be called by the Board of Directors without a petition. The resolution calling the election shall specify the time and place of holding the same, the purpose for which the bonds are to be issued, the maximum amount thereof, the maximum maturity thereof, the form of the ballot, and the presiding judge for each voting place. Notice of the election shall be given by posting a substantial copy thereof in each of three public places within the district for at least twenty (20) days prior to the election.

(c) The returns of the election shall be made to and canvassed by the Board of Directors of the district.

(d) The general laws relating to elections shall be applicable to elections held under this section of this law except as otherwise provided in this law.

Sec. 12. After any bonds are authorized by the district, such bonds and the record relating to their issuance shall be submitted to the Attorney General for his examination as to the validity thereof. Where such bonds recite that they are secured by a pledge of the proceeds of a contract therefore made between the district and the city or other governmental agency or district, a copy of such contract and the proceedings of the city or other governmental agency or dis-
district authorizing such contract shall also be submitted to the Attorney General. The Attorney General shall not be authorized or required to make any other or further examination or investigation. If such instruments have been authorized and if such contracts have been made in accordance with the Constitution and this law, he shall approve the bonds and such contracts, and the bonds then shall be registered by the Comptroller of Public Accounts. Thereafter, the bonds, and the contracts, if any, shall be valid and binding and shall be incontestable for any cause.

Sec. 13. (a) The Board of Directors shall designate one or more banks to serve as depository for the funds of the District. All funds of the District shall be deposited in such depository bank or banks except that funds pledged to pay bonds may be deposited with the trustee bank named in the trust indenture, and except that funds shall be remitted to the bank of payment of principal of and interest on bonds. To the extent that funds in the depository banks and the trustee bank are not insured by the FDIC they shall be secured in the manner provided by law for the security of county funds.

(b) Before designating a depository bank or banks, the Board of Directors shall issue a notice stating the time and place when and where the Board will meet for such purpose and inviting the banks to submit applications to be designated depositories. The term of service for depositories shall be prescribed by the Board. Such notice shall be published one time in a newspaper published in the District and specified by the Board at least ten (10) days before the date set for receiving applications.

(c) At the time mentioned in the notice, the Board shall consider the applications and the management and condition of the banks filing the same and shall designate as depositories the bank or banks which offer the most favorable terms and conditions for the handling of the funds of the District and which the Board finds have proper management and are in condition to warrant handling of District funds. Membership on the Board of Directors of an officer or director of a bank shall not disqualify such bank from being designated as depository.

(d) If no application is received by the time stated in the notice, or if no application is accepted, the Board shall designate some bank or banks, within or without Bowie County, upon such terms and conditions as it may find advantageous to the District.

Sec. 14. All bonds of the District shall be and are hereby declared to be legal and authorized investments for banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees, guardians, the State Permanent School Fund and the Teachers' Retirement Fund, and for the sinking funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas. Such bonds shall be eligible to secure the deposit of any and all public funds of the State of Texas, and any and all public 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 said deposits to the extent of their value, when accompanied by all unmatured coupons appurtenant thereto.

Sec. 15. The accomplishment of the purposes stated in this Act being for the benefit of the people of this state and for the improvement of their properties and industries, the District in carrying out the purposes of this Act will be performing an essential public function under the Constitution and shall not be required to pay any tax or assessment on the project or any part thereof, and the bonds issued hereunder and their transfer and income therefrom, including the profits on the sale thereof, shall at all times be free from taxation within this state.

Sec. 16. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitu-
tion, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 17. The fact that the District hereby established does not have adequate sources of water and that a water and sewer system is urgently needed, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended; and this Act shall take effect from and after its passage, and it is so enacted.

The amendment was adopted without objection.

House Bill No. 953 was then passed to engrossment.

RECORD OF VOTE

Mr. Crain requested to be recorded as voting Nay on H. B. No. 953 on passage to engrossment.

HOUSE BILL NO. 1003 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 1003, A bill to be entitled "An Act creating a conservation and reclamation district to be known as Clear Lake City Water Authority; describing the area of the Authority; finding that all of the land and other property within the Authority will be benefited; finding that the boundaries of said Authority form a closure; setting forth the rights, privileges, powers, authority and functions of the Authority; providing that it shall not be necessary to call a confirmation election, a hearing on the exclusion of lands, or a hearing on the plan of taxation; providing further rights, powers and authority; providing for the use of public roadways, streets, alleys or public easements; providing for contracts with municipal corporations and others relating to the development of lands; providing for a Board of Directors; making provision in the event of re-location, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, or similar facilities; providing that the bonds of the Authority are legal and authorized investments of certain entities; providing for a depository bank; providing for the keeping of a complete system of account; finding that the Authority will be performing an essential public function; finding that the enactment hereof is in fulfillment of a duty conferred by the Constitution of the State of Texas; providing a severability clause; and declaring an emergency."

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

HOUSE BILL NO. 254 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 254, A bill to be entitled "An Act making it unlawful for a fisherman engaged commercially in a joint adventure or other undertaking whereby he receives a percentage of the proceeds of sale of fish, or a share of the catch, or who is employed on a salary or other basis, to sell, or to offer for sale, except in the regular course of business, or without the consent of his employer, fish, shrimp, oysters or other seafood; and making it unlawful for any person to purchase from any such fisherman any such fish, shrimp, oysters or other seafood; providing penalties and venue and a saving clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Committee Substitute for H. B. 254.

Strike out all below the enacting clause and add in lieu thereof the following:

Section 1. (a) It shall be unlawful for any person who is engaged commercially in catching or taking fish, shrimp, oysters or other seafood in a joint adventure or other undertaking whereby he receives a percentage of the proceeds of the
sale of the catch, or a share of the catch itself, to sell or offer for sale any of such products, except in the regular course of such joint adventure, with the express or implied consent of his co-adventurer or co-adventurers.

(b) It shall be unlawful for any person who is employed on a salary or any other basis in the commercial catching or taking of fish, shrimp, oysters or other seafood, to sell or offer for sale such products without the express or implied consent of his employer.

(c) It shall be unlawful for any person to purchase any fish, shrimp, oysters or other seafood, knowing it is offered for sale in violation of this Act.

Sec. 2. (a) Any person who violates any provision of this Act shall be, for the first offense, fined not less than One Hundred Dollars ($100) nor more than Two Hundred Dollars ($200); and, for the second and all subsequent offenses, shall be fined not less than Five Hundred Dollars ($500) nor more than Two Thousand Dollars ($2,000), or be sentenced to serve not less than five (5) days nor more than six (6) months in the county jail, or shall be punished by both such fine and imprisonment.

(b) Charges may be filed, prosecutions maintained, cases tried, and proceedings had, for violation of any provision of this Act, in the county wherein the offense occurs.

Sec. 3. Any and all laws or parts of laws of the State of Texas, general and special, in conflict with any of the provisions of this Act are hereby expressly repealed to the extent of such conflict.

Sec. 4. It is hereby declared to be the legislative intent to enact each separate provision of this Act independent of all other provisions, and the fact that any section, clause, sentence, or part of this Act shall be declared unconstitutional shall in no event affect any other section, clause, sentence or part thereof; and it is hereby declared to be the intent of the Legislature to have passed each sentence, section, clause, sentence or part thereof irrespective of the fact that any other section, sentence, clause or part hereof may be declared invalid.

Sec. 5. The fact that the present law does not adequately protect the commercial fishing industry of this state from the unauthorized sale of fish, shrimp, oysters and other seafood, and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity authorizing the suspension of the Constitutional Rule requiring bills to be read on three several days in each house; and said Rule is hereby suspended; and this Act shall be in full force and effect, from and after its passage; and it is so enacted.

The amendment was adopted without objection.

House Bill No. 254 was then passed to engrossment.

HOUSE BILL NO. 243 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 343, A bill to be entitled "An Act to amend Section 2 of House Bill No. 495, Chapter 309, Acts of the 53rd Legislature, Regular Session, 1953, and Sections 1 and 2 of House Bill No. 495, Chapter 187, Acts of the 54th Legislature, Regular Session (Article 2460a, Vernon's Annotated Civil Statutes), by providing that the jurisdiction of the Small Claims Court created by said Act shall be increased to include all actions for the recovery of money only where the amount involved exclusive of costs does not exceed $150.00 except claims for salary or wages, which claims shall not exceed $200.00; and by providing for a filing fee of $3.00 and a fee for service of citation of $2.00; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. 343 by striking out the first sentence in quotation marks of Section 1 (being the first sentence of Section 2 of Art. 2460a, Vernon's
Annotated Texas Statutes) and inserting in lieu thereof the following:

"Sec. 2. The Small Claims Court shall have and exercise concurrent jurisdiction with the Justice of the Peace Court in all actions for the recovery of money by any person, association of persons, corporation, or by any attorney for such parties, or other legal entity only where the amount involved, exclusive of costs, does not exceed the sum of One Hundred Fifty Dollars ($150.00) except that when the claim is for wages or salary earned, or for work or labor performed under any contract of employment, the jurisdictional amount, exclusive of costs, shall not exceed Two Hundred Dollars ($200.00).

The amendment was adopted without objection.

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

Committee Amendment No. 1
Amend House Bill No. 369 by striking the last sentence of Section 1 and substituting in lieu thereof the following:

"Provided, however, that the provisions of this section shall not apply to any such fruit being hauled from the farm or grove by the producer (including any employee of the producer driving a vehicle owned by producer) of such fruit in his own vehicle to market or place of first processing."

Signed: Fondren and Rapp.

The amendment was adopted without objection.

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

Committee Amendment No. 2
Amend House Bill No. 369 by adding the following sentence at the end of Section 2:

"Provided, however, that the provisions of this section shall not apply to any such fruit being hauled from the farm or grove by the producer (including any employee of the producer driving a vehicle owned by producer) of such fruit in his own vehicle to market or place of first processing."

Signed: Fondren and Rapp.

The amendment was adopted without objection.

House Bill No. 343 was then passed to engrossment.

HOUSE BILL NO. 343 ON SECOND READING

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

H. B. No. 343. A bill to be entitled "An Act requiring identification signs on vehicles hauling citrus fruit in bulk and requiring that drivers of such vehicles have papers concerning the citrus fruit being hauled; providing for exemptions from such requirements; providing penalties for violations; repealing conflicting laws; providing for severability; and declaring an emergency."

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

Committee Amendment No. 1
Amend House Bill No. 369 by striking the last sentence of Section 1 and substituting in lieu thereof the following:

"Provided, however, that the provisions of this section shall not apply to any such fruit being hauled from the farm or grove by the producer (including any employee of the producer driving a vehicle owned by producer) of such fruit in his own vehicle to market or place of first processing."

Signed: Fondren and Rapp.

The amendment was adopted without objection.

House Bill No. 369 was then passed to engrossment.

H. B. No. 403, A bill to be entitled "An Act to remove the disabilities of coverture of a married woman in connection with her contracts and her management and control of the separate property; amending Articles 4614, as amended, 4618, 4621, 4624 and 4626, as amended, Revised Civil Statutes of Texas, 1925; repealing Article 4623, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read second time.

A record vote was requested on the passage of H. B. No. 403 to engrossment.

H. B. No. 403 was passed to engrossment by the following vote:
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Yeas—144  

Adams  Hallmark  
Alaniz  Harding  
Allen  Harris  
Arledge  of Galveston  
Atwell  Harris of Dallas  
Bail  Haynes of Orange  
Banfield  Heft  
Barnes  of Houston  
Bass of Bowie  
Bass of Harris  
Beckham  Hinson  
Berry  Hollowell  
Birchenor  Houston  
Blalock  Hughes  
Boynes  Iaacks  
Brooks  Jamison  
Brown  Jarvis  
Brown of Galveston  Johnson of Dallas  
Brown of Taylor  Kilpatrick  
Butler  Kip  
Cain  Knapp  
Cable  Kothmann  
Cannon  Lack  
Carriker  Ligarde  
Chadwick  McClintock  
Chapman  McDonald  
Cherry  of Hidalgo  
Clayton  McDonald of Rusk  
Cole  McLellan  
Collins  McLaughlin  
Cook  McCutcheon  
Cory  Maratee  
Cotton  Mann  
Cowan  Markgraf  
Crews  Miller  
Crittenden  Morgan  
Craw  Moyer  
Crews  Murray  
Davis  Mutschler  
de la Garza  Niemeyer  
Dike  Nugent  
Duggan  Parker  
Dungan  Parmer  
Richard  Parsley  
Edwards  Peeler  
Esquivel  Peto  
Parrish  Pipkin  
Finney  Price  
Pletcher  Quilliam  
Pfess  Rapp  
Pondeno  Richards  
Foreman  Richardson  
Garrision  Ritter  
Gibbens  Roberts  
Gladney  Rodriguez  
Glenn  Rosen  
Green  Satterwhite  
Greene  Schiller  
Guffey  Segret  
Haines of Brazos  Shannon  
Shipley  Traeger  
Shutta  Walker  
Simpson  Ward  
Slack  Weldon  
Siler  Wells  
Smith of Bexar  Whaley  
Smith of Jefferson  Whelch  
Stewart  Whitefield  
Stoltenwerck  Wieting  
Thompson  Wilson  
Thurmond  Woods  
Townsend  

Absent—Excused  

Carpenter  Peary  
Koliba  Pendleton  

(The above record vote was requested by Mr. Price, Mr. Rosson, Mr. Cowden and Mr. Johnson of Dallas.)

HOUSE BILL NO. 404 ON SECOND READING

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

H. B. No. 404. A bill to be entitled "An Act repealing three articles of the Revised Civil Statutes of Texas, 1925, namely Article 1299, which requires joinder of the husband and privy acknowledgment of the wife in any conveyance of the separate lands of the wife; Article 6605, which requires a privy examination in case of an acknowledgment of a married woman; and Article 6608, which specifies the required form of the certificate of acknowledgment of a married woman; also amending Article 1300 so as to eliminate the requirement of a separate acknowledgment of a homestead owned by the husband, and to require consent and joinder of the husband in any conveyance of a homestead owned by the wife; and declaring an emergency."

The bill was read second time.

Mr. Fondren offered the following amendment to the bill:

Amend House Bill No. 404 by adding a new sentence at the end of Section 1, reading as follows:

"All other laws and parts of laws to the extent they are in conflict herewith are hereby repealed."

The amendment was adopted without objection.
A record vote was requested on the passage of H. B. No. 404 to engrossment.

H. B. No. 404 was then passed to engrossment by the following vote:

YEAS--143

Absents--Excused--8

Price

Smith of Bexar

Quigley

Smith of Jefferson

Repp

Stewart

Richards

Sillienwerck

Richardson

Thompson

Ritter

Thurmond

Roberts

Townsend

Rodriguez

Traeger

Rosson

Walker

Satterwhite

Ward

Schiller

Weals

Segrest

Whatley

Shannon

Shipley

Shutt

Whitfield

Slater

Wilson

Sluder

Woods

Floyd

Absent

Absent--Excused

Carpenter

Pearcy

Koiba

Pendleton

(The above record vote was requested by Mr. Price, Mr. Rosson, Mr. Cowden and Mr. Johnson of Dallas.)

HOUSE BILL NO. 413 ON SECOND READING

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

H. B. No. 413, A bill to be entitled "An Act amending Chapter 461 of the 54th Legislature, Page 1182 of the Session Laws of 1955, known as Art. 511 Sa of the Revised Civil statutes of Texas; providing that in order to encourage county jail discipline, a distinction may be made in the term of prisoners so as to extend to all such as are orderly, industrious and obedient, comforts and privileges according to their deserts; granting authority to the sheriff to make a deduction in time not to exceed one third (1/3) of the original sentence when no charge of misconduct has been sustained against the prisoners; providing that all laws or parts of laws in conflict with the provisions of this Act are hereby repealed; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.
The Speaker laid before the House on its second reading and passage to engrossment,

H. B. No. 488. A bill to be entitled "An Act amending Section 10 of Chapter 76, Acts of the Forty-third Legislature, 1933, as amended (compiled as Section 10 of Article 7807d, Vernon’s Texas Civil Statutes), relating to Board of Directors of Water Power Control Districts and the terms of such Directors, to provide that Directors shall receive compensation for their services in the sum of Twenty-five Dollars ($25) for each and every day taken in the discharge of their duties; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
Amend House Bill 488 by adding to the beginning of the second paragraph of "Sec. 10., the following:

"From and after the effective date of this Act,"

The amendment was adopted without objection.

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

Committee Amendment No. 2
Amend House Bill 488 by deleting from the second sentence of "Sec. 10, the words: "all such Water Power Control Districts" and substituting therefor the following words: "such Water Power Control District and by deleting from the last sentence of the first paragraph of "Sec. 10, the words: "a Director of a Water Power Control District" and substituting therefor the following words: "a Director of the Water Power Control District"

The amendment was adopted without objection.

Mr. Slack offered the following amendment to the bill:

Amendment No. 1
Amend House Bill No. 488 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 10 of Chapter 76, Acts of the Forty-third Legislature, Regular Session, 1933, as amended by Chapter 19, Acts of the Forty-third Legislature, First Called Session, 1933 (compiled as Section 10 of Article 7807d, Vernon’s Texas Civil Statutes), is amended to read as follows:

"Sec. 10. The Directors so first elected or appointed shall serve as such Directors until the first Tuesday in April, 1934, and until their successors are elected or appointed and qualified. There shall be elected a Board of Directors for all such Water Power Control Districts on the first Tuesday in April, 1934, whose term of office shall be for a term of two (2) years and until their successors are elected and qualified, and such Directors shall be selected on such day each two (2) years thereafter, and shall qualify and assume the duties of their office within thirty (30) days after such date. In the event of vacancy in the office of a Director of a Water Power Control District, a successor shall be elected, provided in such special election notice of holding such election shall be given and published for fifteen (15) days prior to the day of such election. The Directors shall receive as compensation for their services the sum of Twenty-five Dollars ($25) per day for each and every day necessarily taken in the discharge of their duties, plus actual expenses of travel, food, lodging and incidentals in the discharge of such duties. Before a warrant shall be issued for payment of such services, the Directors shall file with the secretary for the district, on the last Saturday in each month or as nearly thereafter as practicable, a statement, verified by affidavit, of the number of days actually taken by them in the service of the district."

Sec. 2. 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 Com-
HOUSE JOURNAL

HOUSE BILL NO. 459 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 459, A bill to be entitled "An Act permitting reliance and discharge based upon certain information pertaining to a recording or record in the payment of licensing or performing fees; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1 to House Bill 459

Amend House Bill No. 459 by striking all below the enacting clause and substituting the following:

Section 1. Any person, corporation or other entity performing, playing, broadcasting or televising any record or recording under circumstances which require the payment of a licensing fee or performing fee shall have the right to rely on the information shown on the label of such recording or record in the payment or accounting for such fees, in the absence of actual written notice to the contrary, as provided in Section 2 hereof, and payment in reliance on such information and in accordance with the licensing or performing agreement applicable to the particular recording or record as shown by such label shall operate as a discharge of the obligation of such person, corporation or other entity in the payment of any and all licensing or performing fees for the performing, playing, broadcasting or televising of such record or recording.

Section 2. No assignment or transfer by any means whatsoever of the rights to a licensing or performing fee for any record or recording shall be binding upon any person, corporation or other entity performing, playing, broadcasting or televising any such record or recording, unless actual written notice, as provided in Section 3 hereof, of such assignment or transfer be given to such person, corporation or other entity, and payment in accordance with the last actual notice received and in accordance with the licensing or performing agreement applicable to the particular recording or record shall operate as a discharge of the obligation of such person, corporation or other entity in the payment of any and all licensing or performing fees for the performing, playing, broadcasting or televising of such record or recording.

Section 3. Notice of the assignment or transfer hereinafore referred to shall be in writing, identify the record or recording, give the same and address of the assignee or transferee and the effective date of such assignment or transfer.

Section 4. The fact that rights to licensing or performance fees in the performing, playing, broadcasting or televising of recordings or records are sometimes transferred without notice to the public generally creating hidden claims for the payment of such fees after such fees are paid in accordance with the ostensible facts, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted without objection.

House Bill No. 459 was then passed to engrossment.

HOUSE BILL NO. 493 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,
H. B. No. 493, A bill to be entitled “An Act making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in Guadalupe and Nacogdoches Counties at any time; to take, kill or trap or attempt to take, kill or trap any fur-bearing animal in said counties or to take or attempt to take any fish or other aquatic life or marine animals from said counties by any means or method; providing the powers, duties and authority of the Game and Fish Commission; requiring the Game and Fish Commission to make investigation with respect to the depletion and waste of the wildlife resources of said counties; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said counties; defining depletion and waste; providing for the issuance of the antlerless deer permit, etc., providing a severability clause; and declaring an emergency.”

The bill was read second time.

Mr. Fairchild offered the following amendment to the bill:

Amendment No. 1
Amend House Bill 493 so as to delete Nacogdoches County therefrom and to delete any reference therein to Nacogdoches County.

The amendment was adopted without objection.

Mr. Fairchild offered the following amendment to the bill:

Amendment No. 2
Amend the caption of House Bill 493 by deleting the word “Nacogdoches” found in the fifth line of said caption.

The amendment was adopted without objection.

Mr. Traeger offered the following amendment to the bill:

Amendment 3
To amend House Bill 493 by adding DeWitt, Gonzales, Midland and Madison Counties, to said bill at the following places: line 4, in the caption, line 1, Section 1.

The amendment was adopted without objection.

House Bill No. 493 was then passed to engrossment.

H. B. No. 499, A bill to be entitled “An Act providing a formula for distribution of textbooks on the subject of Homemaking in certain grades and declaring an emergency.”

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

H. B. No. 504, A bill to be entitled “An Act eliminating the requirement of separate and privy acknowledgment of a married woman to instruments purporting to be executed by her; amending Articles 1300, 5460, 1299, and 6607, Revised Civil Statutes of Texas, 1925; repealing Articles 6605 and 6608, Revised Civil Statutes of Texas, 1935, and all other laws or parts of laws to the extent only that they conflict with the provisions of this Act, and declaring an emergency.”

The bill was read second time.

A record vote was requested on the passage of H. B. No. 504 to engrossment.

H. B. No. 504 was passed to engrossment by the following vote:

Yeas—142

Adams
Alam
Allen
Atwell
Bass of Bowie
Bass of Harris
Birkner
Birn
Boyson
Bridges
<table>
<thead>
<tr>
<th>House Bill No. 524 on Second Reading</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 524, A bill to be entitled &quot;An Act amending the Revised Civil Statutes of Texas, 1929, by adding thereto a new article, to be known as Article 2752a, providing for competitive bidding on all purchases by a public school of a value over One Thousand Dollars ($1,000); providing for notice and publication; and declaring an emergency.&quot; The bill was read second time. Mr. Shipley offered the following committee amendment to the bill: Committee Amendment No. 1 Amend House Bill No. 524 by inserting a new sentence between the first and second sentences of quoted Article 2752a in Section 1, to read as follows: &quot;All contracts proposed to be made by any Texas public school board for the construction, maintenance, repair or renovation of any building or for materials used in said construction, maintenance, repair or renovation, shall be submitted to competitive bidding when said contracts involve One Thousand Dollars ($1,000) or more.&quot; The amendment was adopted without objection. House Bill No. 524 was then passed to engrossment.</td>
</tr>
</tbody>
</table>
H. B. No. 551, A bill to be entitled "An Act relating to re-employment of retired auxiliary school employees; providing that they may be employed on a substitute basis for a period not to exceed eighty (80) days in any one school year; providing a penalty for employment in excess of eighty (80) days; and declaring an emergency."

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

HOUSE BILL NO. 573 ON SECOND READING

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

H. B. No. 573, A bill to be entitled "An Act declaring noxious certain aquatic plants in that portion of Caddo Lake situated in Harrison and Marion Counties; authorizing the Commissioner of the General Land Office to execute exclusive contracts for removal of noxious aquatic plants; prescribing contract requirements; passing title to noxious aquatic plants to contractor when removed pursuant to contract; establishing venue; containing a severability; and declaring an emergency."

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

COMMITTEE MEETING

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

There was no objection offered.

HOUSE BILL NO. 621 ON SECOND READING

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

H. B. No. 621, A bill to be entitled "An Act amending Article 1689 of the Revised Civil Statutes of Texas, 1925, to provide that Commissioners Courts may contract with private libraries in certain cases to furnish county free library services in areas not adequately served by the county free library; and declaring an emergency."

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

HOUSE BILL NO. 686 ON SECOND READING

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

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, to permit life, health and accident insurance companies to invest not more than twenty-five (25) per cent of their capital, surplus and contingency funds in the capital stock of any one affiliated fire and casualty company; providing for severability; and declaring an emergency."

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

HOUSE BILL NO. 697 ON SECOND READING

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

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."

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

HOUSE BILL NO. 717 ON SECOND READING

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

H. B. No. 717, A bill to be entitled "An Act enabling each county to create a County Hospital Authority without taxing power; defining terms used in the Act; prescribing the procedure to be followed in creating such Authorities, the method of appointing directors and election of officers, their powers and duties, restricting the territory of an Authority to boundaries of the County creating it; providing for the issuance of Authority's revenue bonds
H. B. No. 736. A bill to be entitled "An Act to validate independent school districts created under the provisions of Article 1767, Revised Civil Statutes of Texas of 1917, as amended, having less than two hundred (200) scholarships located in counties having two (2) or more artificial lakes constructed by the United States of America, under the direction of the United States Army Corps of Engineers, validating the boundaries of such independent school districts and providing that no changes in boundaries shall be made by order of the County School Board unless previously approved by the Board of Trustees of such independent school districts; excepting certain districts in litigation; and declaring an emergency."

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

HOUSE BILL NO. 734 ON SECOND READING
The Speaker laid before the House on its second reading and passage to engrossment,

H. B. No. 734. A bill to be entitled "An Act amending Chapter 17 of Acts 3rd Called Session, 66th Legislature (codified as Chapter 17 of Title 122A Vernon's Civil Statutes) by adding thereto a new section providing that a warehouse or storage place operated by a common carrier or carrier holding a certificate or permit from the Railroad Commission shall not be considered a store or mercantile establishment under the chain store tax law, provided no sales are made therefrom by the operator except sales of goods, wares and merchandise on which the storage charges are in default, and the sale of damaged or salvaged goods arising solely from the operation of its transportation business; providing that the delivery of, sale and collection for goods, wares and merchandise (not owned by the operator) shipped through or stored with the operator of such warehouse or storage place shall be considered a sale of such by the operator; providing that the warehouses or storage places, sales and distribution described in this article are not required to pay any tax or fees levied by the chain store..."
tax act and shall be and remain unaffected by any other provision of Chapter 17; providing that the provisions of this article shall apply only to warehouses or storage places operated by a common carrier or carrier holding a certificate or permit from the Railroad Commission of Texas; and declaring an emergency."

The amendment was adopted without objection.

The bill was read second time.

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

Amend House Bill No. 737 by striking out all above the enacting clause and inserting in lieu thereof the following:

Committee Amendment No. 1

"A BILL
To Be Entitled

An Act amending Chapter 17 of Acts 3rd Called Session, 56th Legislature (codified as Chapter 17 of Title 122A Vernon's Civil Statutes) by adding thereto a new section providing that a warehouse or storage place operated by a common carrier or carrier holding a certificate or permit from the Railroad Commission shall not be considered a store or mercantile establishment under the chain store tax law, provided no sales are made therefrom by the operator except sales of goods, wares and merchandise on which the storage charges are in default, and the sale of damaged or salvaged goods arising solely from the operation of its transportation business; providing that the delivery of, sale and collection for goods, wares and merchandise (not owned by the operator) shipped through or stored with the operator of such warehouse or storage place shall not be considered a sale of such by the operator; providing that the warehouses or storage places, sales and distribution described in this article are not required to pay any tax or fees levied by the chain store tax act; and shall be and remain unaffected by any other provision of Chapter 17; providing that the provisions of this article shall apply only to warehouses or storage places operated by a common carrier or carrier holding a certificate or permit from the Railroad Commission of Texas; and declaring an emergency."

The amendment was adopted without objection.

House Bill No. 737 was then passed to engrossment.

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

H. B. No. 757, A bill to be entitled "An Act providing that any county not presently required to use the jury wheel system and having a population of thirty-one thousand (31,000) or more, according to the last preceding federal census, may upon a proper determination by the commissioners court adopt the use of the jury wheel for the selection of jurors; providing for the selection of those qualified to serve as jurors; and declaring an emergency."

The bill was read second time.

Mr. Markgraf offered the following amendment to the bill:

Amend House Bill No. 757 by striking the words, "thirty-one thousand (31,000)" in Section 1, line 17 of the printed bill and inserting in lieu thereof the following:

"twenty-nine thousand (29,000)."

The amendment was adopted without objection.

House Bill No. 757 was then passed to engrossment.

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

H. B. No. 774, A bill to be entitled "An Act to make requirements for foreign fire insurance companies doing business in this State the same as for domestic fire insurance companies with respect to deposits by repealing Articles 6.09 and 6.10 of the Texas Insurance Code, as amended, Acts 1951, 53rd Legislature, Chapter 491, page 951 and repealing
The bill was read second time.

Mr. Duggan offered the following amendment to the bill:

Amendment No. 1

Amend H. B. 776 by deleting the words “but not before the first day of June of odd numbered years in the case of appointments for the term beginning on such date, or reappointments hereafter provided for” in Section 1, Article 5949 (a) (line 5 through line 6, page 1 of the printed bill).

Amendment No. 2

Amend H. B. 776 by adding the following to Section 3, to be known as 3(d) (at line 47, page 2 of the printed bill): “The Secretary of State shall reappoint Notaries Public on May 1 of each odd numbered year to become effective June 1 of said year for the next two year term of office. On and after the first day of May of said odd numbered year the Secretary of State shall be authorized to make new appointments of Notaries Public for the new term of office which begins on June 1 of each odd numbered year and such appointments shall become effective on June 1 of said year. The County Clerks of the various counties shall notify such persons reappointed and those persons appointed prior to June 1 of said year for the new term of office to qualify within the first ten (10) days of May of each odd numbered year which qualifying shall become effective as of June 1 and shall not be effective prior thereto.”

The amendment was adopted without objection.

House Bill No. 776 was then passed to engrossment.

RECORD OF VOTE

Mr. Cory requested to be recorded as voting Nay on the passage of H. B. No. 776 to engrossment.

HOUSE BILL NO. 895 ON SECOND READING

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

H. B. No. 895, A bill to be entitled “An Act relating to the salary of the official shorthand reporter of the 29th Judicial District; providing for travel expenses; and declaring an emergency.”

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

Amendment No. 1

Amend H. B. 895 by deleting the following to Section 3, to be known as 3(d) (at line 47, page 2 of the printed bill): “The Secretary of State shall reappoint Notaries Public on May 1 of each odd numbered year to become effective June 1 of said year for the next two year term of office. On and after the first day of May of said odd numbered year the Secretary of State shall be authorized to make new appointments of Notaries Public for the new term of office which begins on June 1 of each odd numbered year and such appointments shall become effective on June 1 of said year. The County Clerks of the various counties shall notify such persons reappointed and those persons appointed prior to June 1 of said year for the new term of office to qualify within the first ten (10) days of May of each odd numbered year which qualifying shall become effective as of June 1 and shall not be effective prior thereto.”

The amendment was adopted without objection.

The Speaker laid before the House on its second reading and passage to engrossment,
H. B. No. 916, A bill to be entitled "An Act to amend Section 3 of Chapter 88, Acts of the 41st Legislature, Second Called Session, 1929, as amended, (compiled as Article 6675a, Vernon's Civil Statutes of Texas) by adding a new subsection (f) to provide that motor vehicles of certain organizations shall be required to register such vehicles but shall not be required to pay registration fees but shall pay a fee of Five Dollars ($5); and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 987 by adding Section 1A:

Section 1A: That Navigation Districts created pursuant to Chapter 5 of the Acts of the 39th Legislature at its Regular Session in 1925 (Vernon's Texas Civil Statutes, Article 8263h as amended) may take advantage of this Act, by passing a simple Resolution and entering the same in the minutes of such Navigation District.

The amendment was adopted without objection.

House Bill No. 987 was then passed to engrossment.

HOUSE BILL NO. 988 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 988, A bill to be entitled "An Act amending Section 71 of Chapter 27, Acts of the 42nd Legislature, Third Called Session, 1932, (compiled as Section 71 of Article 8263e of Vernon's Texas Civil Statutes), so as to authorize navigation districts coming within the purview of the Act to contract for improvements to be paid for in partial payments as the work progresses not to exceed the contract price of the total amount of work done under the contract; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. No. 988 by adding Section 1A:

Section 1A: That Navigation Districts created pursuant to Chapter
Five of the Acts of the 39th Legislature at its Regular Session in 1925 (Vernon's Texas Civil Statutes, Article 8263h as amended) may take advantage of this Act, by passing a simple Resolution and entering the same in the minutes of such Navigation District.

The amendment was adopted without objection.

House Bill No. 988 was then passed to engrossment.

HOUSE BILL NO. 997 ON SECOND READING

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

H. B. No. 997, A bill to be entitled "An Act amending Section 29 of the Texas Trust Act, Chapter 148, Acts of the 48th Legislature (1943), Sec. 29, p. 232, codified as Article 7425b-29, Vernon's Texas Civil Statutes, relating to the allocation of dividends and share rights, providing for severability; and declaring an emergency."

The bill was read second time.

Mr. Mutscher offered the following amendment to the bill:

Amend Section 1. of House Bill 997 by striking out the phrase, "twenty-five per cent (25%)" appearing on Line 33 and substituting in lieu thereof the phrase, "fifty per cent (50%)."

The amendment was adopted without objection.

House Bill No. 997 was then passed to engrossment.

COMMITTEE MEETING

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

There was no objection offered.

SENATE BILL NO. 315 ON SECOND READING

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

S. B. No. 315, A bill to be entitled "An Act relating to the Firemen and Policemen pension fund in cities of over one hundred thousand (100,000) inhabitants, providing for enlarging the membership in the board of trustees, increasing the maximum amount deductible, making participation compulsory within specified age limit, amending Article 6243B of Vernon's Texas Civil Statutes, as amended, amending Section 1 of Chapter 151, Acts of the Forty-third Legislature, First Called Session, 1933, as amended; and declaring an emergency."

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

HOUSE BILL NO. 579 ON SECOND READING

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

H. B. No. 579, A bill to be entitled "An Act amending Chapter 6 of Title 13 of the Penal Code of Texas, 1925, by adding thereto an Article 978e-1; permitting the sale in Texas of black bass imported from without the United States so long as the fish are properly tagged as provided herein; providing a penalty for sale of black bass not properly tagged; repealing Section 4 of Chapter 178, Acts of the 39th Legislature, Regular Session, 1926 (compiled as Article 978a of Vernon's Texas Penal Code), which is identical to Article 978e of the Penal Code of Texas, 1925; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 579 by striking Section 1 and substituting in lieu thereof the following:

"Section 1. Chapter 6 of Title 13 of the Penal Code of Texas, 1925, is amended by adding thereto an Article 978e-1, which shall read as follows:

'Article 978e-1.

(a) The sale in El Paso County, Texas of black bass imported from without the United States which were caught in inland waters of a
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foreign country but not from inter­
national waters of the United States 
and such foreign country, shall be 
lawful, so long as the taking of 
these fish for sale is permitted in 
the country from which they are 
imported. No person shall sell or 
attempt to sell any such black bass 
in El Paso County, Texas, however 
unless the fish bear a properly at­
tached tag as provided herein.

(b) Any licensed custom house 
broker who desires to handle the 
importation of black bass for sale 
in El Paso County, Texas shall 
notify the Texas Game and Fish 
Commission, and the Commission 
shall assign the broker a permu­
tant record number. The Commission 
shall manufacture or cause to be 
manufactured, on request by a 
broker, any desired number of 
metal tags. The cost of manufactur­
ing these tags shall be paid by the 
broker who requests them, and each 
tag shall bear the broker's permu­
tant record number and a separate 
number to identify the tag. One of 
these tags shall be attached to the 
gill, dorsal fin or tail of each black 
bass to be sold in El Paso County, 
Texas. 

(e) Any person who sells or at­
ttempts to sell a black bass in El 
Paso County, Texas which does not 
bear a properly attached tag shall 
be fined not less than Twenty-five 
dollars ($25) nor more than Two 
Hundred Dollars ($200)." NELSON COWLES, 
Chairman. 

The amendment was adopted. 

House Bill No. 579 was then 
passed to engrossment. 

ADJOURNMENT

Mr. Mann moved that the House 
adjourn until 10:06 o'clock a.m. 
today.

The motion prevailed.

In accordance with the motion to 
adjourn, the House, at 10:44 o'clock 
a.m., adjourned until 10:56 o'clock 
a.m. today.

APPENDIX

REPORTS OF THE COMMITTEE ON 
ENGROSSED BILLS

Austin, Texas, April 11, 1963 

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

Sirs: Your Committee on Engrossed 
Bills to whom was referred 

H. B. No. 194, A bill to be entitled 
"An Act amending Chapter 20, Title 
122A, Taxation-General, Revised 
Civil Statutes of Texas, 1925, as 
last amended by Chapter 24, Acts, 
Fifty-seventh Legislature, First 
Called Session, 1961; imposing a 
limited sales, excise and use tax on 
the sale or use of certain tangible 
personal property in this State and 
providing for the administration and 
enforcement of such tax and the 
allocation of revenues therefrom; 
amending Chapter 6 of Title 122A, 
Taxation-General, of the Revised 
Civil Statutes of Texas (Motor Ve­
hicle Retail Sales and Use Tax); 
amending Article 12.31, Title 122A, 
Taxation-General, Revised Civil Stat­
utes of Texas, 1925, as last amend­
ed by Chapter 24, Acts of the Fiftu­
seventh Legislature, First Called 
Session, 1961, so as to impose an 
additional franchise tax for the 
period from May 1, 1964, to and 
including April 30, 1965; provid­
ing a saving clause; providing a 
severability clause; providing for 
an effective date; repealing laws in 
conflict; and declaring an emergen­
cy."

Has carefully compared same and 
finds it correctly engrossed. 

NELSON COWLES, Chairman. 

Austin, Texas, April 16, 1963 

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

Sirs: Your Committee on Engrossed 
Bills to whom was referred 

H. C. R. No. 60, House Concurrent 
Resolution, Authorizing the Enrolling 
and Engrossing Clerk to amend the 
caption of House Bill No. 262 to 
conform to the body of the bill. 

Has carefully compared same and 
finds it correctly engrossed. 

NELSON COWLES, Chairman. 

FIFTY-SIXTH DAY 

(Wednesday, April 17, 1963) 

The House met at 10:55 o'clock 
a.m., pursuant to adjournment, and 
was called to order by the Speaker.