The above record vote was requested by Mr. Brown of Galveston, Mr. Harris of Galveston and Mr. Whlttleld.

Mr. Grover moved to reconsider the vote by which H. B. No. 500 was passed to engrossment and to table the motion to reconsider. The motion to table prevailed.

RECESS

Mr. Mann moved that the House recess until 9:00 o'clock a.m. tomorrow.

The motion prevailed.

The Benediction was offered by the Governor return House Bill No. 628 to the House for correction.

Heavenly Father, we thank Thee for this day and all the blessings that have been ours. Accept and bless such decisions and actions that have been honorable and forgive us for all that has been done unwisely.

Be with each of us, as we go from this place and grant us a night of rest that we might face tomorrow with our bodies strong and a mind open for wisdom.

These things we ask in the name of Christ. Amen.

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

Our Heavenly Father, Thy word has taught us not to be offensive in word or deed. We are conscious of the faults we find in others and we are often conscious of the faults we find within ourselves. Let us also recognize that we each have tender feelings; and that oftentimes we wear these feelings on our sleeves.

May the word that describes our actions this day be 'Thoughtfulness.'

Thoughtfulness in our speech,
thoughtfulness in our concern for others.

"Through Christ, our Lord we pray...

—Amen—

CONSIDERATION OF LOCAL AND UNCONTTESTED BILLS

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

HOUSE BILL NO. 385 ON SECOND READING

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

H. B. No. 385, A bill to be entitled "An Act amending Section 19, Chapter 179, Acts of the 57th Legislature, Regular Session, 1961, to provide for the rendition, equalization, assessment and collection of taxes, either on a benefit or ad valorem basis, an election for the issuance of bonds and the levy of taxes in payment therefor; to provide for notices of election, and a public hearing for the determination of the method of assessment of taxes, whether on a benefit or ad valorem basis, and notice thereof; and that all taxes, charges and assessments imposed shall be a lien against the land to which established; and declaring an emergency."

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

HOUSE BILL NO. 482 ON SECOND READING

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

H. B. No. 482, A bill to be entitled "An Act amending Section 1 of Chapter 125, Acts of the 52nd Legislature, Regular Session, 1951, as amended, relating to the regulatory authority of the Game and Fish Commission in certain counties, so as to add Hunt County to the counties so regulated and to remove Red River County therefrom; and declaring an emergency."

The amendment was adopted without objection.

Mr. Cole offered the following amendment to the bill:

Amendment No. 2

Amend House Bill No. 482 by striking the words "Red River" from quoted Section 1 thereof.

The amendment was adopted without objection.

Mr. Cole offered the following amendment to the bill:

Amendment No. 3

Amend Section 1 of House Bill 482 by adding the word "Archer" immediately before the word "Baylor."

The amendment was adopted without objection.

House Bill No. 482 was then passed to engrossment.

HOUSE BILL NO. 636 ON SECOND READING

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

H. B. No. 636, A bill to be entitled "An Act amending Section 1 of Chapter 122, Acts of the 52nd Legislature, Regular Session, 1951, as amended, so as to remove Red River County from the scope of the general regulatory authority of the Texas Game and Fish Commission; establishing open and closed seasons, setting bag and possession limits, prescribing means of taking and other...
The bill was read second time.

Mr. Edwards offered the following amendment to the bill:

Amend House Bill No. 626 by striking all of Section 1 and re-numbering every other section of the bill accordingly.

The amendment was adopted without objection.

House Bill No. 626 was then passed to engrossment.

HOUSE BILL NO. 627 ON SECOND READING

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

H. B. No. 627, A bill to be entitled "An Act amending Acts 1969, 56th Legislature, Page 56, Chapter 31, to provide additional compensation for the Judge of the Court of Domestic Relations of Nueces County to be paid out of the General Funds of Nueces County; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

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

HOUSE BILL NO. 649 ON SECOND READING

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

H. B. No. 649, a bill to be entitled "An Act to authorize the establishment of a hospital district co-extensive with the boundaries of Brooks County upon election by the qualified property taxpaying voters of said County; providing that this Act shall repeal all laws in conflict herewith, and declaring an emergency."

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

HOUSE BILL NO. 927 ON SECOND READING

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

H. B. No. 927, A bill to be entitled "An Act relating to the establishment of a hospital district under the provisions of Section 89, Article XVI, Constitution of Texas, to be known as 'River Plantation Municipal Util­ity District of Montgomery County, Texas,' prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions as to its taxes and its tax assessor and collector; containing provisions relating to addition of land; providing that its bonds are legal and authorized investments; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Section 2 of House Bill No. 927 by inserting a new sentence between the third and fourth sentences, reading as follows:

"Provided, however, that before issuing any construction bonds said District shall submit plans and specifications therefor to the Texas Water Commission (successor to State Board of Water Engineers) for approval in the manner required by Acts of the 57th Legislature, Regular Session, Chapter 336, 1961, codi­fied in Vernon's Annotated Civil Statutes of Texas as Article 7880-139, and said District's project and improvements during the course of construction shall be subject to inspection in the manner provided by said Article 7880-139."

The amendment was adopted without objection.

House Bill No. 927 was then passed to engrossment.

HOUSE BILL NO. 932 ON SECOND READING

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

H. B. No. 932, A bill to be entitled "An Act creating a conservation and recreation district under the provisions of Section 89, Article XVI, Constitution of Texas, to be known as 'River Plantation Municipal Util­ity District of Red River County, Texas,' prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions as to its taxes and its tax assessor and collector; containing provisions relating to addition of land; providing that its bonds are legal and authorized investments; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Section 2 of House Bill No. 932 by inserting a new sentence between the third and fourth sentences, reading as follows:

"Provided, however, that before issuing any construction bonds said District shall submit plans and specifications therefor to the Texas Water Commission (successor to State Board of Water Engineers) for approval in the manner required by Acts of the 57th Legislature, Regular Session, Chapter 336, 1961, codi­fied in Vernon's Annotated Civil Statutes of Texas as Article 7880-139, and said District's project and improvements during the course of construction shall be subject to inspection in the manner provided by said Article 7880-139."

The amendment was adopted without objection.

House Bill No. 932 was then passed to engrossment.

HOUSE BILL NO. 937 ON SECOND READING

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

H. B. No. 937, A bill to be entitled "An Act creating a conservation and recreation district under the prov­isions of Section 89, Article XVI, Constitution of Texas, to be known as 'River Plantation Municipal Util­ity District of Red River County, Texas,' prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions as to its taxes and its tax assessor and collector; containing provisions relating to addition of land; providing that its bonds are legal and authorized investments; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Section 2 of House Bill No. 937 by inserting a new sentence between the third and fourth sentences, reading as follows:

"Provided, however, that before issuing any construction bonds said District shall submit plans and specifications therefor to the Texas Water Commission (successor to State Board of Water Engineers) for approval in the manner required by Acts of the 57th Legislature, Regular Session, Chapter 336, 1961, codi­fied in Vernon's Annotated Civil Statutes of Texas as Article 7880-139, and said District's project and improvements during the course of construction shall be subject to inspection in the manner provided by said Article 7880-139."

The amendment was adopted without objection.

House Bill No. 937 was then passed to engrossment.
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ment of a hospital district coterminous with the Sweeny Independent School District and another coterminous with the West Columbia-Brazoria Independent School District, and the Damon Independent School District, except that land which formerly comprised the Brazoria School District prior to February 28, 1959, and being described herein by metes and bounds; providing that subsequent to the organization of each hospital district the qualified electorate of each district may elect to consolidate the district; providing funding, administration, and procedure; repealing all laws in conflict therewith; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 992 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. In accordance with the provisions of Article IX, Section 2, Constitution of the State of Texas, this Act shall be operative so as to authorize the creation, establishment, maintenance and operation of a hospital district within the State of Texas, to be known as the 'West Columbia-Brazoria and Damon Hospital District.' The district shall have the rights, powers and duties as are herein prescribed. The boundaries of the district shall be coterminous with the Damon Independent School District and the West Columbia-Brazoria Independent School District except the following described property which formerly comprised the 'old Brazoria School District' prior to February 28, 1959, to wit:

'Beginning on the Brazos River, at the mouth of Buffalo Camp Bayou; Thence up Buffalo Camp Bayou to a point due East of the Southeast corner of the J. P. Coles Survey; Thence West to said Southeast corner of said J. P. Coles Survey, and continuing West along the South line of said Survey to where said line intersects Middle Bayou; Thence up Middle Bayou to its intersection with the North line of the Asa Mitchell 1/2 League; Thence West along said North line of said Mitchell 1/2 League to the center of the bed of the Brazos River; Thence downstream along the center of the bed of the Brazos River with its meanders to a point in the center of said river from which line drawn due South will reach a point on the North line of the James Cummings Survey, one mile west from the northeast corner of said Cummings Survey; Thence due South to such point on the North line of said Cummings Survey; Thence west along the North line of said Cummings Survey to the East bank of the San Bernard River; Thence due East of the Southeast corner of the Jno. Cummings Survey; Thence West to the center of the bed of the San Bernard River; Thence downstream along the center of the bed of the San Bernard River with its meanders to a point 1600 feet in a Southeasterly direction from the Churchill bridge over the San Bernard River; Thence in a Northeasterly direction to the Northwest corner of the Palmer tract of land located near (the Clemens State Farm Sugar Refinery); Thence North to a point on the North boundary line of the John McNeel League; Thence East along said line to the Northeast corner of said McNeel League; Thence north along the East line of the Wm. Cummings Survey to its Northeast corner; Thence due North across the S. F. Austin 7-1/3 Leagues to the center of the bed of the Brazos River; Thence downstream along the center of the bed of the Brazos River with its meanders to a point opposite the mouth of Buffalo Camp Bayou; Thence East to the East Bank of the Brazos River and also the center of the mouth of Buffalo Camp Bayou, the place of beginning.'

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

The order calling the election shall specify the time and place or places of holding same, the form of ballot and the presiding judge for each voting place. At such election there shall be submitted to the qualified property taxpaying electors the proposition of whether or not West Columbia-Brazoria and Damon Hospital District shall be created with authority to levy annual taxes at a rate not to exceed seventy-five cents (75¢) on the One Hundred Dollars ($100) valuation of all taxable property within such district for the purpose of meeting the requirements of the district’s bonds and its maintenance and operating expenses, and a majority of the qualified property taxpaying electors of the district voting in said election in favor of the proposition shall be sufficient for its adoption. The ballots shall have printed thereon the following:

‘For the creation of a hospital district; providing for the levy of a tax not to exceed seventy-five cents (75¢) on the One Hundred Dollars ($100) valuation, and using Brazoria County, Texas, values and the Brazoria County, Texas, tax roll; and

‘Against the creation of a hospital district; providing for the levy of a tax not to exceed seventy-five cents (75¢) on the One Hundred Dollars ($100) valuation, and using Brazoria County, Texas, values and the Brazoria County, Texas, tax roll; and

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

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

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

The board of directors shall organize by electing one of their number as president and one of their number as secretary. Any three (3) members of the board of directors
shall constitute a quorum and a con-currence of three (3) shall be suffi-cient in all matters pertaining to the business of the district. All vacancies in the office of director shall be filled for the unexpired term by apportionment of the remainder of the board of directors. In the event the num-ber of directors shall be reduced to less than three (3) for any reason, the remaining directors shall im-mEDIATELY call a special election to fill said vacancies, and upon failure to do so a district court may, upon application of any voter or taxpayer of the district, issue a mandate re-quiring that such election be ordered by the remaining directors.

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

Sec. 5. The management and con-trol of each hospital district created pursuant to the provisions of this Act is hereby vested in the board of directors of the district who shall serve without compensation but may be reimbursed for actual expenses incurred in the performance of their duties upon the approval of such expenses by the entire board of directors.

Sec. 6. Upon the creation of each hospital district, the board of direct-ors shall have the power and au-thority to levy on all property subject to hospital district taxation for the ben-efit of the district at the same time taxes are levied for county purposes, using the county values and the county tax roll, a tax of not to ex-ceed seventy-five cents (75¢) on the One Hundred Dollars ($100) valuation of all taxable property within the hospital district, for the pur-pose of: (1) paying the interest on and creating a sinking fund for bonds which may be issued by the hospital district for hospital pur-poses as herein provided; (2) pro-viding for the operation and main-tenance of the hospital district and hospital system; and (3) for the purpose of making further improve-ments and additions to the hospital system, and for the acquisition of necessary sites therefor, by purchase, lease or condemnation.

Not later than October 1 of each year, the board of directors shall levy the tax on all taxable property within the district which is subject to taxation and shall immediately certify such tax rate to the tax assessor and collector of the county in which the district is located. The tax so levied shall be collected on all property subject to hospital district taxation by the assessor and collector of taxes for the county on the county tax values, and in the same man-ner and under the same conditions as county taxes. The assessor and collector of taxes shall charge and de-duct from payments to the hospital district the fees for assessing and collecting the tax at the rate of not exceeding one per cent (1%) of the amounts collected as may be deter-mined by the board of directors but in no event in excess of Five Thou-sand Dollars ($5,000) for any one fiscal year. Such fees shall be de-posited in the county's general fund, and shall be reported as fees of office of the tax assessor and collector.

Interest and penalties on taxes paid to the hospital district shall be the same as for county taxes. The residue of tax collections, after deduction of discounts and fees for assessing and collecting, shall be deposited in the district depository; and such funds shall be withdrawn only as provided herein. All other income of the hospital district shall be deposit-ed in like manner with the district depository.

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

Sec. 6. The board of directors shall have the power and authority to issue and sell as the obligations of such hospital district, and in the same and upon the faith and credit of such hospital district, bonds for
the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipment for hospital purposes, and for any or all of such purposes; provided, that a sufficient tax shall be levied to create an interest and sinking fund to pay the interest and principal as same matures providing said tax together with any other taxes levied for said district shall not exceed seventy-five cents (75¢) per $100 of taxable valuation in any one year. Such bonds shall be executed in the name of the hospital district and on its behalf by the president of the board of directors, and countersigned by the secretary of the board, and shall be subject to the same requirements in the matter of approval thereof by the Attorney General of the State of Texas and the registration thereof by the Comptroller of Public Accounts of the State of Texas as are by law provided for bonds of counties of this state. Upon the approval of such bonds by the Attorney General of Texas and registration by the Comptroller the same shall be incontestable for any cause. No bonds shall be issued by such hospital district (except refunding bonds) until authorized by a majority vote of the legally qualified property taxpayers electing in such hospital district, voting at an election held for such purpose. Such election may be called by the board of directors on its own motion, and the order calling said election shall specify the date of the election, the place or places where the election shall be held, the presiding officers thereof, the purpose for which the bonds are to be issued, the amount thereof, maximum interest rate (not to exceed six per cent (6%) per annum) and the maximum maturity date of such bonds (not to exceed forty (40) years from their date of issuance). Notice of election shall be given by publishing a substantial copy of the order calling the election in a newspaper of general circulation in such county once a week for two (2) consecutive weeks prior to the date of election, the date of the first publication being at least fourteen (14) full days prior to the date set for the election. The cost of such election shall be paid by the hospital district.

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

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

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

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

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

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

The board of directors shall each
year cause a budget to be prepared
showing the proposed expenditures
and disbursements and the estimated
receipts and collections for the fol-
lowing fiscal year and shall hold a
public hearing on the proposed budg-
et after publication of a notice of
hearing in a newspaper of general
circulation in the county at least
once not less than ten (10) days
prior to the date set for the hearing.

Any person who is a taxpayer of
the district shall have the right to
appear at the time and place design-
ated in the notice and be heard
with reference to any item shown in
the proposed budget. The proposed
budget shall also show the amount
of taxes required to be levied and
collected during such fiscal year and
upon final approval of the budget,
the board of directors shall levy such
tax as may be required and certify
the tax rate for such year to the
county tax assessor and collector as
provided in Section 5 hereof. and
it shall be the duty of the said tax
assessor and collector to assess and
collect such tax.

Sec. 9. A hospital district organ-
ized in pursuance of this Act shall
have the right and power of eminent
domain for the purpose of acquiring
by condemnation any and all prop-
erty of any kind or character, real,
personal or mixed, or any interest
therein, including outright ownership
of such property in fee simple abso-
lute, within the boundaries of the
said district, necessary or convenient
to the exercise of the rights, pow-
ner, privileges and functions confer-
red upon it by this Act, in the man-
er provided by General Law with
respect to condemnation; provided
that the said District shall not be
required to make deposits in the reg-
istry of the trial court of the sum
required by paragraph No. 2 in Arti-
cle 3268, Vernon’s Annotated Civil
Statutes, 1925, or to make the bond
required therein. In condemnation
proceedings being prosecuted by the
said district, the district shall not
be required to pay in advance or to
give bond or other security for costs
in the trial court, nor to give any
bond otherwise required for the is-
suance of a temporary restraining
order or a temporary injunction re-
liing to a condemnation proceeding,
or to give bond for costs or for
supersedes or on any appeal or writ
of error proceeding to any Court of
Civil Appeals, or to the Supreme
Court.

Sec. 10. Within thirty (30) days
after appointment and qualification
of the board of directors of a hos-
pital district, the said directors shall
by resolution designate a bank or
banks within the county in which
the district is located as the dis-

tree’s depository or treasurer and
all funds of the district shall be
secured in the manner now provided
for the security of county funds. The
depository shall serve for a period
of two (2) years until a successor
has been named.

Sec. 11. The hospital district es-

tablished or maintained under provi-
sions of this Act shall be subject
to inspection by any duly authorized
representative of the State Board of
Health or any State Board of Charit-
ies (or Public Welfare) that may
therafter be created, and resident
officers shall admit such representa-
tives into all hospital district facili-
ties and give them access on demand
to all records, reports, books, papers
and accounts pertaining to the hos-
pital district.

Sec. 12. Except as herein provid-
ed, Brazoria County, or any city or
town within the hospital district,
shall not levy any tax against any
property within the hospital district
for hospital purposes; and such hos-
pital district shall assume full re-
sponsibility for the furnishing of
medical and hospital care for the
needy and indigent persons residing
in said hospital district from the
taxes collected for the hospital
district.

Sec. 13. Whenever a patient re-
siding in the hospital district has
been admitted to the facilities of
the hospital district, the directors
shall cause inquiry to be made as to
his circumstances, and of the relatives
of such patient legally liable for
his support. If they find that such
patient or said relatives are liable to
pay for his care and treatment in
whole or in part, an order shall be
made directing such patient, or said
relatives, to pay to the treasurer of
the hospital district for the support
of such patient a specified sum per
week, in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The district shall have power and authority to collect such sum from the estate of the patient, or his relatives legally liable for his support, in the manner provided for the collection of expenses of the last illness of a deceased person. If the agent designated by the district to handle such affairs finds that such patient or said relatives are not able to pay, either in whole or in part, for his care and treatment in such hospital, the same shall become a charge upon the hospital district. Should there be a dispute as to the ability to pay, or doubt in the mind of the person, designated as aforesaid, the district's directors shall hear and determine same, after calling witnesses, and shall make such order as may be proper, from which appeal shall lie to the district court by either party to the dispute.

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

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

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

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

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

Sec. 19. The fact that the hospital district authorized to be created and established under the provisions of this Act is for the promotion of the public welfare of the inhabitants of this state and the procedure for the creation thereof should be established at an early date create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and 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. 992 was then passed to engrossment.

HOUSE BILL NO. 1008 ON SECOND READING

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

H. B. No. 1008, A bill to be entitled “An Act creating Lake Dallas Municipal Utility Authority, a conservation district, under Article 16, Section 59 of the Constitution, comprising the territory contained in the City of Lake Dallas, as of April 30, 1963, for the purpose of providing a source of water supply for municipal, domestic and industrial use and treating, transporting, distributing, and storing the same and for the purpose of constructing and operating a complete sanitary sewer system; providing for a board of directors for the Government of said authority; providing the means of annexing additional territory to the authority when annexed by the city; authorizing the authority and the City of Lake Dallas to enter into a contract under which city employees will perform certain or all administrative duties or authority; authorizing the issuance of bonds and providing for the payment and security thereof; making provision for the levying and assessment of taxes and constituting the City of Lake Dallas tax rolls the tax rolls of the authority; conferring the power of eminent domain; prescribing other powers and duties of the authority; enacting other provisions related to the subject; providing a severability clause; and declaring an emergency.”

The bill was read second time.

Mr. Jamison offered the following amendment to the bill:

Floor Amendment No. 1 to H. B. 1008

Amend Sec. 7 of H. B. 1008 by striking out the words “Board of Water Engineers” in said section and inserting in lieu thereof the following:

“Texas Water Commission (successor to State Board of Water Engineers).”

The amendment was adopted without objection.

Mr. Jamison offered the following amendment to the bill:

Floor Amendment No. 2 to H. B. 1008

Amend Sec. 11 of H. B. 1008 by adding at the end of said section a sub-section to be designated (j) and to read as follows:

“(j) Any provision in this Act to the contrary notwithstanding before issuing any construction bonds said Authority shall submit plans and specifications therefor to the Texas Water Commission (successor to State Board of Water Engineers) for approval in the manner required by Article 7880-139, Vernon’s Annotated Civil Statutes of Texas, as amended, and said Authority’s project and improvements during the course of construction shall be subject to inspection in the manner provided by said Article 7880-139.”

The amendment was adopted without objection.

House Bill No. 1008 was then passed to engrossment.

HOUSE BILL NO. 1010 ON SECOND READING

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

H. B. No. 1010, A bill to be entitled “An Act prohibiting the use of certain methods for taking fish in certain lakes in Wood County; providing a penalty for violation; and declaring an emergency.”

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

HOUSE BILL NO. 1013 ON SECOND READING

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

H. B. No. 1013, A bill to be entitled “An Act providing for the creation of West Coke County Hospital District with boundaries coextensive with the boundaries of Commissioners’ Precincts 1 and 3 of Coke County, pursuant to authority granted by Section 9 of Article IX of the Texas Constitution; providing for elections on the questions of the creation of such District and the levy of a tax not to exceed Twenty-five Cents ($0.25) for its maintenance support, the indebtedness assumed, and the payment of bonds issued by it, providing the transfer of hospital facilities and assumption of indebtedness and assets; providing the District with power to issue bonds, and...
methods of authorizing same, for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes, and for any and all such purposes, and for the refunding of such bonds; providing that bonds issued by the District shall be lawful investments and security for certain funds; providing a governing body for such District; its powers and duties and the tenure of its members; withdrawing authority for the sale of bonds or levy of taxes for hospital purposes within the District by Coke County or any other municipality of political subdivision therein; enacting other provisions incident and germane to the subject and purposes of this Act; providing a severance clause and declaring an emergency."

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

**HOUSE BILL NO. 1026 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 1026, A bill to be entitled "An Act amending Section 9 of Chapter 276, Acts of the 56th Legislature, Regular Session, 1959 to require approval of all orders, rules and regulations of the Game and Fish Commission by the Commissioners Court of Liberty County in each precinct; and to provide for a waiting period upon disapproval by such commissioners court before a public hearing may be held on a similar proposal unless there is a material change in circumstances; and declaring an emergency."

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

**HOUSE BILL NO. 971 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 971, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59 of Article XVI, Constitution of Texas, to be known as 'Orange County Drainage District of Orange County, Texas,' providing for its governing body; prescribing the rights, powers, privileges, duties, functions, and authority of such District and its governing body; authorizing the issuance of bonds and the levy, assessment, and collection of taxes in payment thereof, and containing provisions relating thereto; authorizing the levy, assessment, and collection of taxes for the maintenance, operation, upkeep and improvement of the District and its facilities, properties, and improvements, and containing provisions relating thereto; abolishing Orange..."
County Conservation and Reclamation District and transferring its properties to the District hereby created and validating the acquisition of such properties; containing other provisions relating to the subject; providing a severability clause; repealing laws or parts of laws in conflict and declaring an emergency."

The bill was read second time.

Mr. Haynes of Orange offered the following amendment to the bill:

Amendment No. 1 to H. B. 971

Amend House Bill No. 971 by striking out lines 39, 40, 41, and 42 on page 5, and lines 40, 41, 42, and 48 on page 6 of the printed bill, and substituting in lieu thereof the following:

"Thence South along the east line of said West survey to a point in said line which is the southern northwest corner of the Jno. S. Norris survey, A-254;

Thence east along the southern north line of said Norris survey and continuing east along a projection of said southern north line to a point in the east line of said Norris survey;"

The amendment was adopted without objection.

Mr. Haynes of Orange offered the following amendment to the bill:

Amendment No. 2 to H. B. 971

Amend paragraph (a) of Section 8 of House Bill No. 971 to read as follows:

"(a) To acquire within the District easements, rights-of-way, and any other character of property needed to carry on the work of the District, by way of gift, devise, purchase, leasehold or condemnation. The right of eminent domain is hereby expressly conferred on said District, and the procedure with reference to condemnation, the assessment and estimating of damages, payment, appeal, the entering upon the property pending appeal, and all other procedures prescribed in Title 53 of the Revised Civil Statutes of Texas, 1925, as herefores or as may hereafter be amended, shall apply to said District. It is expressly provided, however, that the power of eminent domain conferred hereinafter shall not extend to any property or interest therein lying outside the boundaries of the District."

The amendment was adopted without objection.

House Bill No. 971 was then passed to engrossment.

COMMITTEE MEETING

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

There was no objection offered.

SENATE BILL NO. 278 ON SECOND READING

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

S. B. No. 278, A bill to be entitled "An Act relating to the establishment of a hospital district coextensive with the Sweeny Independent School District, and another coextensive with the West Columbia-Brazoria Independent School District, and another coextensive with the Damon Independent School District, except that land which formerly comprised the Brazoria School District prior to February 28, 1959, and being described herein by metes and bounds; providing that subsequent to the organization of each hospital district the qualified electorate of each district may elect to consolidate the district; providing funding; administration; and procedure; repealing all laws in conflict therewith; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Senate Bill No. 278 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. In accordance with the provisions of Article IX, Section 9, Constitution of the State of Texas, this Act shall be operative so as to authorize the creation, establishment, maintenance and operation of a hospital district within the State of Texas, to be known as the Sweeny
Hospital District with boundaries con-
secutive with the boundaries of the
Sweeny Independent School District.
Sec. 2. The hospital district herein
intended to be created, shall provide for the establishment of a
hospital system to furnish medical and
hospital care to persons residing in
said hospital district by the pur-
chase, construction, acquisition, re-
pair, or renovation of buildings and
improvements; and the equipping of
same and the administration thereof
for hospital purposes. Such district
shall assume full responsibility for
providing medical and hospital care
for its needy inhabitants. Such hospi-
tal district shall not be created nor
shall such tax therein be authorized
unless and until such creation and
such taxes are approved by a major-
ity of the qualified property taxpay-
ing electors of the district voting in
an election called for such purpose.
Such election may be initiated by
election judges, who shall be O. K.
Hitchcock, Earl Wells, Bobby W.
Brown, George Sparkman and Roy
Walby upon their own motion or
upon a petition of one hundred
(100) resident qualified property
owners within the boundaries of the
proposed hospital district, to be held not less than
thirty (30) days nor more than sixty
(60) days from the time said elec-
tion is ordered by the election judges.

The order calling the election
shall specify the time and place of
places of holding same, the form of
ballots and the presiding judge for
each voting place. At such election
there shall be submitted to the quali-
fied property-taxpaying electors the
proposition of whether or not Sweeny Hospital District shall be created
with authority to levy annual taxes
at a rate not to exceed seventy-five
(75¢) on the One Hundred
Dollars ($100) valuation, and using
Brazoria County, Texas, values and
the Brazoria County, Texas, tax roll.

AGAInst the creation of a hospital
district: providing for the levy of a tax
not to exceed seventy-five cents
(75¢) on the One Hundred
Dollars ($100) valuation, and using
Brazoria County, Texas, values and
Brazoria County, Texas, tax roll.

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

The failure of any such election
shall not operate to prohibit the call-
ing and holding of subsequent elec-
tions for the same purpose.

Sec. 3. Within ten (10) days after
such election is held the election
judges shall convene and canvas
the returns of the election, and if a
majority of the qualified property
taxpaying electors voting at said
election voted in favor of the pro-
position, they shall so find and de-
close the hospital district establish-
ed and created and O. K. Hitchcock,
Earl Wells, Bobby W. Brown, George
Sparkman and Roy Walby shall be
the directors of the district to serve
until the first Saturday in April fol-
lowing the creation and establish-
ment of the district at which time
five (5) directors shall be elected.
The three (3) directors receiving the
highest vote at such first election
shall serve for two (2) years, the
other two (2) directors shall serve
for one year. Thereafter, all direc-
tors shall serve for a period of two
(2) years and until their successor
has been duly elected and appointed
and qualified. No person shall be
appointed or elected as a member of
the board of directors of said hospi-
tal district unless he is a resident
thereof and owns land subject to
taxation therein and unless at the
time of such election or appoint-
ment he shall be more than twenty-

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one (21) years of age. Each member of the board of directors shall qualify by executing the constitutional oath of office and shall execute a good and sufficient bond for One Thousand Dollars ($1,000) payable to said district conditioned upon the faithful performance of his duties, and such oaths and bonds shall be deposited with the depository bank of the district for safekeeping.

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

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

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

Sec. 5. Upon the creation of such hospital district, the board of directors shall have the power and authority and it shall be their duty to levy on all property subject to hospital district taxation for the benefit of the district at the same time taxes are levied for county purposes, using the county values and the county tax roll, a tax of not to exceed seventy-five cents (75c) on the One Hundred Dollar ($100) valuation of all taxable property within the hospital district, for the purpose of: (1) paying the interest on and creating a sinking fund for bonds which may be issued by the hospital district for hospital purposes as herein provided; (2) providing for the operation and maintenance of the hospital district and hospital system; and (3) for the purpose of making further improvements and additions to the hospital system, and for the acquisition of necessary sites therefor, by purchase, lease or condemnation.

Not later than October 1 of each year, the board of directors shall levy the tax on all taxable property within the district which is subject to taxation and shall immediately certify such tax rate to the tax assessor and collector of the county in which the district is located. The tax so levied shall be collected on all property subject to hospital district taxation by the assessor and collector of taxes for the county on the county tax values, and in the same manner and under the same conditions as county taxes. The assessor and collector of taxes shall charge and deduct from payments to the hospital district the fees for assessing and collecting the tax at the rate of not exceeding one percent (1%) of the amounts collected as may be determined by the board of directors but in no event in excess of Five Thousand Dollars ($5,000) for any one (1) fiscal year. Such fees shall be deposited in the county's general fund, and shall be reported as fees of office of the tax assessor and collector. Interest and penalties on taxes paid to the hospital district shall be the same as for county taxes. The residue of tax collections,
after deduction of discounts and fees for assessing and collecting, shall be deposited in the district depository and such funds shall be withdrawn only as provided herein. All other funds for the hospital district shall be deposited in like manner with the district depository.

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

Sec. 6. The board of directors shall have the power and authority to issue and sell as the obligations of such hospital district, and in the name and upon the faith and credit of such hospital district, bonds for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping the same for hospital purposes and for any or all of such purposes, provided, that a sufficient tax shall be levied to create an interest and sinking fund to pay the interest and principal as same matures providing said tax (together with any other taxes levied for said district) shall not exceed seventy-five cents (75c) in any one year. Such bonds shall be executed in the name of the hospital district and on its behalf by the president of the board of directors, and countersigned by the secretary of the board of directors, and shall be subject to the same requirements in the matter of approval thereof by the Attorney General of the State of Texas and the registration thereof by the Comptroller of Public Accounts of the State of Texas as are by law provided for such approval and registration of bonds of counties of this state. Upon the approval of such bonds by the Attorney General of Texas and registration by the Comptroller the same shall be incontestable for any cause. No bonds shall be issued by such hospital district (except refunding bonds) until authorized by a majority vote of the legally qualified property taxpaying electors, residing in such hospital district, voting at an election called and held for such purpose. Such election may be called by the board of directors on its own motion, and the order calling said election shall specify the date of the election, the place or places where the election shall be held, the presiding officer thereof, the purpose for which the bonds are to be issued, the amount thereof, maximum interest rate (not to exceed six percent (6%) per annum) and the maximum maturity date of such bonds (not to exceed forty (40) years from their date of issuance). Notice of election shall be given by publishing a substantial copy of the order calling the election in a newspaper of general circulation in such county once a week for two (2) consecutive weeks prior to the date of election, the date of the first publication being at least fourteen (14) days prior to the date set for the election. The cost of such election shall be paid by the hospital district.

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

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

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

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

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

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

The board of directors shall each year cause a budget to be prepared showing the proposed expenditures and disbursements and the estimated receipts and collections for the following fiscal year and shall hold a public hearing on the proposed budget after publication of a notice of hearing in a newspaper of general circulation in the county at least once not less than ten (10) days prior to the date set for the hearing. Any person who is a taxpayer of such hospital district, necessary or convenient to the exercise of the rights, power, privileges and functions conferred upon it by this Act, in the manner provided by General Law with respect to condemnation; provided that the said district shall not be required to make deposits in the registry of the trial court of the sum required by paragraph No. 2 in Article 3268, Vernon's Annotated Civil Statutes, 1925, or to make the bond required therein. In condemnation proceedings being prosecuted by the said district, the district shall not be required to pay in advance or to give bond or other security for costs in the trial court, nor to give any bond otherwise required for the issuance of a temporary restraining order or a temporary injunction relating to a condemnation proceeding, nor to give bond for costs or for supersedeas on any appeal or writ of error proceeding to any Court of Civil Appeals, or to the Supreme Court.

Sec. 10. Within thirty (30) days after appointment and qualification of the board of directors of a hospital district, the said directors shall by resolution designate a bank or banks within the county in which the district is located as the district's depository or treasurer and all funds of the district shall be secured in the manner now provided for the security of county funds. The depository shall serve for a period of two (2) years until a successor has been named.

Sec. 11. The hospital district established or maintained under provisions of this Act shall have the right and power of eminent domain for the purpose of acquiring by condemnation any and all property of any kind or character, real, personal or mixed, or any interest therein, including outright ownership of such property in fee simple absolute, within the boundaries of the said district, necessary or convenient to the exercise of the rights, power, privileges and functions conferred upon it by this Act, in the manner provided by General Law with respect to condemnation; provided that the said district shall not be required to make deposits in the registry of the trial court of the sum required by paragraph No. 2 in Article 3268, Vernon's Annotated Civil Statutes, 1925, or to make the bond required therein. In condemnation proceedings being prosecuted by the said district, the district shall not be required to pay in advance or to give bond or other security for costs in the trial court, nor to give any bond otherwise required for the issuance of a temporary restraining order or a temporary injunction relating to a condemnation proceeding, nor to give bond for costs or for supersedeas on any appeal or writ of error proceeding to any Court of Civil Appeals, or to the Supreme Court.
Sec. 12. Except as herein provided, Brazoria County, or any city or town within the hospital district, shall not levy any tax against any property within the hospital district for hospital purposes, and such hospital district shall assume full responsibility for the furnishing of medical and hospital care for the needy and indigent persons residing in said hospital district from the date that taxes are collected for the hospital district.

Sec. 13. Whenever a patient residing in the hospital district has been admitted to the facilities of the hospital district, the directors shall cause inquiry to be made as to his circumstances, and of the relatives of such patient legally liable for his support. If they find that such patient or said relatives are liable to pay for his care and treatment in whole or in part, an order shall be made directing such patient, or said relatives, to pay to the treasurer of the hospital district for the support of such patient a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The district shall have power and authority to collect such sum from the estate of the patient, or his relatives legally liable for his support, in the manner provided by law for the collection of expenses of the last illness of a deceased person. The district shall have the power by resolution to provide an alternative procedure conformable with such constitutions, and all acts done under this Act shall be and are declared to be legal and sufficient security for deposits to the extent of their face value when accompanied by all unmatured coupons appurtenant thereto.

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

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

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

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

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

Sec. 19. The fact that the hospital district authorized to be created and established under the provisions of this Act is for the promotion of the public welfare of the inhabitants of this state and the procedures for the creation thereof should be established at an early date create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and 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."

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

Amendment No. 1
Amend S. B. 278 by adding thereunto after Section 6 the following:

"Sec. 6a. At the option of the election judges named in Section 2 of this Act, said election judges may order an election for the issuance of bonds to be held on the same day as the election called for in said Section 2. Such election may be called by a separate election order, or as a part of the order calling the election called for in said Section 2. The provisions of Section 6 of this Act shall apply to such election, with the exception that such election shall be ordered by the election judges and the returns of said election shall be canvassed by said election judges. If the bonds are authorized at said election, then they shall be issued by the Board of Directors (assuming, of course, that the proposition called for in Section 2 is favored by a majority vote). With the exception of bonds authorized by this Section 6a, all bond elections shall be ordered and the returns thereof shall be canvassed by the Board of Directors."

The amendment was adopted without objection.

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

Amendment No. 2
Amend the third and fourth paragraphs of Section 2 of Committee Amendment No. 1 of Senate Bill 278 by substituting therefor the following two paragraphs:

"For the creation of the Sweeny Hospital District; providing for the levy of annual taxes not to exceed Seventy-Five Cents (75¢) on the One Hundred Dollar ($100.00) valuation of all taxable property within such District."

"Against the creation of the Sweeny Hospital District; providing for the levy of annual taxes not to exceed Seventy-Five Cents (75¢) on the One Hundred Dollar ($100.00) valuation of all taxable property within such District."

The amendment was adopted without objection.

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

Amendment No. 3
Amend Section 6 of Senate Bill 278 by adding the words "or hereafter issued" in the last paragraph of said section after the word "herefore" and before the word "is issued."

The amendment was adopted without objection.

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

Senate Bill No. 278 was then passed to third reading.

COMMITTEE MEETING
Mr. Cotten asked unanimous consent of the House that the Committee on Constitutional Amendments be permitted to meet at this time.

There was no objection offered.

SENATE BILL NO. 250 ON SECOND READING
The Speaker laid before the House on its second reading and passage to third reading.
S. B. No. 350, A bill to be entitled "An Act creating a County Court at Law No. 2 of Travis County, Texas; defining its jurisdiction; conforming the jurisdiction of the County Court of Travis County and other County Courts at Law of said County, therefor; redefining the jurisdiction of the County Court of Travis County and the Judge thereof; providing for the administration of such courts; fixing the terms of this Court; fixing the salary and qualification of the Judge thereof; providing for the appointment and election of such Judge and providing for his removal; providing a severability clause; and declaring an emergency."

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

SENATE BILL NO. 390 ON SECOND READING

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

S. B. No. 390, A bill to be entitled "An Act amending Sections 1 and 13 of Chapter 29, Acts of the 34th Legislature, Regular Session, 1911, as amended, compiled as Articles 1970-113 and 1970-122, respectively, of Vernon's Texas Civil Statutes, so as to confer upon the judge of the County Court of Jefferson County at Law concurrent jurisdiction with the judge of the county court in juvenile, lunacy and probate matters and to provide that he may perform for the county judge any and all ministerial acts required by the laws of this state and, while acting for the judge of the county court, exercise all powers and duties of the county judge except those connected with the transaction of business of the county as presiding officer of the commissioners court; and to allow the Commissioners Court of Jefferson County to set the salary of the Judge of the County Court of Jefferson County at Law at not more than Sixteen Thousand Five Hundred Dollars ($16,500.00); providing for severability; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

Mr. Kilpatrick offered the following amendment to the bill:

Amend Senate Bill 390 by adding the following at the end of Section 1: "Nothing in this act shall be so construed as to require that the County Judge of Jefferson County shall be an attorney."

The amendment was adopted without objection.

Senate Bill No. 390 was then passed to third reading.

SENATE BILL NO. 433 ON SECOND READING

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

S. B. No. 433, A bill to be entitled "An Act relating to the creation of a County Court at Law for Smith County; 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 S. B. 433 by striking all of Section 1 and substituting the following:

Section 1. There is hereby authorized to be created by the Commissioners Court of Smith County a court to be held in Tyler, Smith County, Texas, which shall be known as the County Court at Law of Smith County.

The amendment was adopted without objection.

Senate Bill No. 433 was then passed to third reading.

SENATE BILL NO. 432 ON SECOND READING

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

S. B. No. 432, A bill to be entitled "An Act providing for the creation of the Mid-Crosby County Hospital District pursuant to authority granted by Section 9, Article IX of the Constitution of the State of Texas; providing for elections on the questions of creating the district and the levy of a tax for its support; providing for financing, management, control and operation of the district; setting forth its purposes, powers and duties; providing a severability clause; ending and declaring proper and sufficient notice as required by Section 9,
Article IX of the Constitution; and declaring an emergency."

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

SENATE BILL NO. 473 ON SECOND READING

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

S. B. No. 473, A bill to be entitled "An Act to amend H. B. No. 377, heretofore enacted by the 58th Legislature at its Regular Session in 1963, to clarify the qualification of voters at the election of directors for the District; to provide for the terms of office of the members of the Board of Directors of said District; validating all proceedings heretofore had under H. B. No. 377; providing for severability; and declaring an emergency."

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

SENATE BILL NO. 440 ON SECOND READING

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

S. B. No. 440, A bill to be entitled "An Act authorizing the commissioners court of Orange County to pay the District Judge of the 128th Judicial District compensation in addition to the compensation paid by the state; and declaring an emergency."

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

HOUSE BILL NO. 391 ON SECOND READING

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

H. B. No. 391, A bill to be entitled "An Act amending Section 51 of Article V of Chapter 421, Acts of the 50th Legislature, Regular Session, 1947, (compiled as Section 51 of Articles 6701d. Vernon's Texas Civil Statutes), relating to reckless driving, and providing penalties; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Section 1 of House Bill No. 391 by striking the last sentence of quoted Section 51.

The amendment was adopted without objection.

Mr. Cotton moved that further consideration of House Bill No. 391 be postponed until 10:00 o'clock a.m. next Tuesday, May 7.

The motion to postpone further consideration of H. B. No. 391 until 10:00 o'clock a.m. next Tuesday, May 7, was lost.

House Bill No. 391 was then passed to engrossment.

REASON FOR VOTE

I voted against the engrossment of H. B. 391, I feel this bill is unconstitutional just as the present law has been so declared by the courts of Texas.

Paul Floyd

RECORD OF VOTE

Mr. Crain requested to be recorded as voting Nay on the passage of H. B. No. 391 to engrossment.

I voted against H. B. 391 because I feel the term "likely to endanger persons or property" is too broad and general and does not properly define a criminal offense as required under our Constitution and decisions thereunder. A criminal offense must give notice as to the act or acts which are unlawful and this bill opens the door to conviction through speculation and opinion evidence.

Dudley R. Mann, Jr.
The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 558 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 558, A bill to be entitled “An Act validating, ratifying, confirming and approving contracts, scrip warrants and time warrants and refunding bonds authorized by counties or cities (including Home-Rule cities) to be exempt, must not be a subof any county In ordering the holding of said salary, nor subject to stock control and renumbering the period at the end thereof to be known as Article XII, 12.03.”

The amendment was adopted without objection.

House Bill No. 558 was then passed to engrossment.

HOUSE BILL NO. 558 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 558, A bill to be entitled “An Act amending Article 12.03 of Chapter 12, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended by Chapter 27, Acts of the 57th Legislature, Regular Session, 1961, validating, ratifying, confirming and approving refunding bonds issued for the purpose of refunding time warrants and all proceedings, governmental acts, orders, ordinances, resolutions and other instruments relating to the issuance of refunding bonds for such purposes of counties, cities, (including Home-Rule cities) and towns, providing that this Act shall not apply to any contract, scrip warrant, time warrant or to any refunding bond proceedings, governmental acts, orders, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of three hundred and fifty thousand (350,000), according to the last preceding federal census, or any contract, scrip warrant, time warrant or any refunding bond proceedings, governmental acts, orders, ordinances, resolutions or other instruments, or bonds, the validity of which is now involved in litigation; providing a savings clause; and declaring an emergency.”

The bill was read second time.

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

Amend House Bill No. 558, Section 1, “Article 12.03,” by deleting the period at the end of said Article and adding the following:

“(such translator system, in order to be exempt, must not be a subsidiary, nor subject to stock control..."
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to the extent of ten per cent (10%) or more of its stock, of any corporation not exempt, and regardless of ownership, shall not be exempt from taxes if such translator system is located within ninety (90) air miles of a commercially operated television station. The Comptroller of Public Accounts may from time to time determine that the system is operating in compliance with its purpose.

The amendment was adopted without objection.

(Mr. Butler in the Chair)
House Bill No. 568 was then passed to engrossment.

RECORD OF VOTE
Mr. Crain requested to be recorded as voting Nay on the passage of H. B. No. 568 to engrossment.

HOUSE BILL NO. 574 ON SECOND READING

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

H. B. No. 574, A bill to be entitled "An Act amending Chapter 207, Acts of the Forty-first Legislature, Regular Session, 1929, as amended by Chapter 216, Acts of the Forty-fourth Legislature, Regular Session, 1935, Chapter 140, Acts of the Forty-ninth Legislature, Regular Session, 1945, and Chapter 222, Acts of the Fifty-third Legislature, Regular Session, 1953, (codified as Article 3899h of Vernon's Texas Civil Statutes) by adding thereto Section 1a, to provide that in all counties having a population in excess of One Million Two Hundred Thousand (1,200,000) inhabitants according to the last preceding Federal Census, in addition to the expenditures now authorized, the Commissioners Court of such Counties may furnish Justices of the Peace courtrooms, offices and office furniture and furnish Constables offices and office furniture; enacting other provisions related to the subject; and declaring an emergency."

The amendment was adopted without objection.

House Bill No. 574 was then passed to engrossment.

HOUSE BILL NO. 587 ON SECOND READING

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

H. B. No. 587, A bill to be entitled "An Act amending Article 1222 of the Penal Code of Texas, 1925, relating to refusal to allow reportedly diseased livestock to be examined by the Texas Animal Health Commissioner, and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
Amend House Bill No. 587 by renumbering Section 2 as Section 3 and inserting a new Section 2 to read as follows:

"Sec. 2. Amend Chapter 52, Acts of the 41st Legislature, First Called Session, 1929, as amended by Chapter 96, Acts of the 57th Legislature, 1961, (compiled as Article 1525b, Vernon's Texas Penal Code), by inserting a new Section 1(a) to read as follows:

'Sec. 1(a). The terms "livestock," "domestic animals," "domestic fowls," and specifically mentioned animals, when used in this Act, shall be construed to include the dead carcasses of such animals or fowls or parts thereof.'"

The amendment was adopted without objection.

House Bill No. 587 was then passed to engrossment.

HOUSE BILL NO. 619 ON SECOND READING

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

H. B. No. 619, A bill to be entitled "An Act amending Article 2654e, Revised Civil Statutes of Texas, 1925, as added by Section 1, Chapter 25, Acts of the 47th Legislature, Regular Session, 1941, to provide for the exemption of certain students from the other nations of the American continents from payment of tuition fees to institutions of collegiate rank; providing certain procedures for granting such exemptions; repealing conflicting laws; and declaring an emergency."
The bill was read second time.

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

Committee Amendment No. 1

"except that no student from Cuba shall be permitted to participate."

The amendment was adopted without objection.

House Bill No. 619 was then passed to engrossment.

RECORD OF VOTE

Mr. Crain requested to be recorded as voting Nay on the passage of H. B. No. 619 to engrossment.

HOUSE BILL NO. 666 ON SECOND READING

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


"Art. 16, 1/4, to equalize the rate of taxation of transfer of shares of stock without designated monetary value; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. No. 666 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Be It Enacted By the Legislature of The State of Texas:

Section 1. That Art. 16, 1/4, Title 12, Taxation-General, Revised Civil Statutes of Texas, as enacted by the Fiftieth Legislature, 3rd C. S. (1959), ch. 1, p. 187, be hereby amended to read as follows:

"Article 16, 1/4. Stock Transfer Tax. There is hereby imposed and levied a tax as hereinafter provided on all sales, agreements to sell; or memoranda of sales; and all deliveries or transfers of shares; or certificates of deposit representing an interest in or representing certificates for rights to stock; or certificates of deposit representing an interest in or representing certificates made payable under this section in any domestic or foreign association, company, or corporation; or certificates of interest in any business conducted by trustees or trustees made after the effective date hereof, whether made upon or shown by the books of the association, company, corporation, or trustee, or by any assignment in blank, or by any delivery of any papers or agreement or memorandum or other evidence of sale or transfer or order for or agreement to buy, whether intermediate or final, and whether investing the
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holder with the beneficial interest the same, but transfers to the lender, or to a nominee or nominees as aforesaid, or retransfers to the borrower or fiduciary, and deliveries or transfers to a broker for sale, or by a broker to a customer for whom and upon whose order he has purchased the same shall be accompanied by a certificate setting forth the facts; nor upon transfers or deliveries made pursuant to an order of the Federal Securities and Exchange Commission which specifies and itemizes the securities ordered by it to be delivered or transferred (provided that this exemption shall not apply to such transfers or deliveries made before the passage of this Act); nor upon record transfers following such transfers or deliveries; nor in respect to shares or certificates of stock or certificates of rights to stock, or certificates of deposit representing the character taxed by this Chapter, in any domestic association, company, or corporation, if the sale, or the order for, or agreement to buy, nor the agreement to sell, nor the memorandum of sale, nor the delivery is made in this State and when no act necessary to affect the sale or transfer is done in this State. The payment of such tax shall be denoted by an adhesive stamp or stamps affixed as follows: In the case of a sale or transfer, where the evidence of the transaction is shown only by the books of the association, company, corporation, or trustee, the stamp shall be placed upon such books, and it shall be the duty of the person making or effectuating the sale or transfer to procure, affix and cancel such stamp. Where the transaction is evidenced by a certificate, or a bill or memorandum of such sale, to which the stamp provided for by this Chapter shall be affixed and canceled; provided, however, that such bill or memorandum may be made in duplicate and the stamp provided for by this Chapter may
be affixed to a duplicate of such bill or memorandum and canceled; and such duplicate of such bill or memorandum may be kept by the party making such sale in his possession, provided that he shall enter upon the original of such bill or memorandum a date and number showing that a bill or memorandum was made in duplicate and that the stamp was affixed to the duplicate thereof retained by the seller. Every such bill or memorandum of sale or agreement to sell shall show the date of the transaction which it evidences, the name of the seller, the stock, or other certificate, to which it relates, and the number of shares thereof. All such bills or memoranda of sale shall bear a number upon the face thereof and no more than one such bill or memorandum of sale made by the seller on any given day shall bear the same number. The aforesaid identification number of the bill or memorandum shall in all cases be entered and referred in a book of account.”

“Section 2. Severability. If any provision of this Act is held invalid for any reason, such invalidity shall not affect the other provisions of this Act which can be given effect without the invalid provision, and the provisions of this Act are declared severable.”

“Section 3. Emergency Clause. The unequal tax treatment of transfers of stock without designated monetary value creates an emergency and a case of imperative public necessity; therefore, the Constitutional Rule requiring bills to be read on three several days in each House is suspended, and this Act shall take effect from and after its passage.”

The amendment was adopted without objection.

House Bill No. 668 was then passed to engrossment.

HOUSE BILL NO. 691 ON SECOND READING

The Chair laid before the House on its second reading and passage to engrossment, H. B. No. 691, A bill to be entitled “An Act amending Article 696a, Vernon’s Annotated Penal Code of the State of Texas; excepting refuse, garbage, rubbish or junk processed and treated in accordance with rules and standards promulgated by the State Department of Health from those provisions making it unlawful to dump, deposit, or leave refuse, garbage, rubbish or junk within three hundred (300) yards of any public highway; requiring said Department to promulgate such rules and standards; providing for severability; and declaring an emergency.”

The bill was read second time.

Mr. Arledge offered the following amendment to the bill:

Amend House Bill 691 by adding the following to Section 2, Subsection A: (Line 27) 

“. or county roads.”

The amendment was adopted without objection.

House Bill No. 691 was then passed to engrossment.

COMMITTEE MEETING

Mr. Boysen asked unanimous consent of the House that the Committee on Public Health be permitted to meet at this time.

There was no objection offered.

HOUSE BILL NO. 722 ON SECOND READING

The Chair laid before the House on its second reading and passage to engrossment, H. B. No. 722, A bill to be entitled “An Act amending Article 913, P. C., 1925, relating to the taking of fish and wildlife for propagation, zoological gardens, or scientific purposes; and declaring an emergency.”

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

HOUSE BILL NO. 723 ON SECOND READING

The Chair laid before the House on its second reading and passage to engrossment, H. B. No. 723, A bill to be entitled “An Act amending Section 1 of Chapter 53, Acts of the 40th Legislature, First Called Session, 1937, as last amended and compiled as Section 408 of Article 53, Vernon’s Annotated Penal Code of the State of Texas.”
ter 281, Acts of the 44th Legislature, Regular Session, 1935, to provide certain school districts and municipalities with the benefit of all liens and remedies for the security and collection of taxes due them as provided in the case of taxes due incorporated cities and towns; and declaring an emergency.”

The bill was read second time.

(Speaker in the Chair)

Mr. Arledge offered the following amendment to the bill:

Amend House Bill 733, Line 23, and add the word “municipal” before the word “corporations.”

The amendment was adopted without objection.

House Bill No. 733 was then passed to engrossment.

HOUSE BILL NO. 735 ON SECOND READING

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

H. B. No. 735, A bill to be entitled “An Act amending Chapter 383, Acts, 56th Legislature, Regular Session, 1959, to permit the Game and Fish Commission to enter into agreements for Specific Excess Indemnity Bonds, Blanket Position Bonds; and declaring an emergency.”

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. 735 by striking the words “Game and Fish” wherever it might appear and substituting therefor “Parks and Wildlife.”

The amendment was adopted without objection.

House Bill No. 735 was then passed to engrossment.

BILLS AND A RESOLUTION SIGNIFIED BY THE SPEAKER

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

S. B. No. 278, “An Act amending and revising Chapter 2, Title 94 of the Revised Civil Statutes of Texas, 1925, as amended, relating to the National Guard and other State Military Forces and amending and revising certain other laws, as amended, relating to the National Guard, National Guard Armory Board and veteran affairs, providing for the Texas Code of Military Justice, authorizing the granting of awards, decorations, and medals, providing procedure for same, and incorporating such laws within Chapter 2, Title 94 of the Revised Civil Statutes of Texas, 1925; providing for severability; and repealing certain enumerated laws and all other laws in conflict; and declaring an emergency.”

S. B. No. 23, “An Act providing for the protection and policing of the Capitol, Governor’s Mansion, State Office Buildings and the grounds thereof, and certain other lands owned by the State in Travis County, by the State Board of Control; prohibiting trespasses thereon and damage thereto; regulating and controlling penalties for violations of this Act; empowering designated watchmen and policemen employed by the state, Highway Patrolmen, Texas Rangers, officers of the Department of Public Safety, the Sheriff and Sheriff’s Deputies of Travis County, and policemen of the City of Austin to enforce the provisions of this Act and the civil and criminal laws of the state in the area; authorizing the Board of Control to promulgate rules and regulations not inconsistent with this Act; allowing the use of traffic tickets or courtesy summons in connection with the enforcement of the traffic laws; authorizing and requiring the use of appropriate vehicle identification insignia, decals, license plate, sticker, or other similar media to be issued to each and every elected member of the Legislature, the Governor, Lieutenant Governor, elected state officials, members of boards and commissions and administrative heads of state agencies in Austin; and further providing for the issuance and required use of identification insignia identical in design to that described above, with the exception that such insignia shall be of a different color or combination of colors, to state en-
Amend House Bill 760, Section 1 thereof, by adding the word "storage," between the words "assembly" and "manufacturing."

The amendment was adopted.

House Bill No. 760 was then passed to engrossment.

RECORD OF VOTE

Mr. Crain requested to be recorded as voting Nay on the passage of H. B. No. 760 to engrossment.

HOUSE BILL NO. 767 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 767, A bill to be entitled "An Act authorizing Boards of Trustees of certain common school districts, upon a majority vote of the qualified property tax-paying voters of the District, to appoint an assessor-collector of taxes and a board of equalization for such District; providing the powers and duties of such assessor-collectors and boards of equalization; providing for severability; and declaring an emergency."

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

HOUSE BILL NO. 860 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 860, A bill to be entitled "An Act amending Section 1 of Chapter 269, Acts of the Fifty-seventh Legislature, 1961, as amended (compiled as Article 6675a-2, Vernon's Texas Civil Statutes), by further defining 'machinery used solely for the purpose of drilling water wells;' providing a severability clause; repealing conflicting laws; and declaring an emergency."

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

HOUSE BILL NO. 861 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,
A bill to be entitled "An Act relating to certain motor vehicles; providing for the issuance of temporary permits and the conditions relating thereto; establishing the registration status of such permits; authorizing the Department to promulgate reasonable rules and regulations; providing a method of issuing such permits; prescribing a fee; providing for disposition of fees; providing for liability insurance under certain conditions; defining an offense and prescribing a penalty; repealing conflicting laws; containing a severability clause, and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill 861 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. To provide for the movement of commercial motor vehicles, trailers, and semitrailers subject to registration by the State of Texas, which are not authorized to travel on the public roads of the State for lack of registration or for lack of reciprocity with the State or Country in which such vehicles are registered, the Texas Highway Department is authorized to issue temporary permits which shall be recognized as legal registration.

Section 2. A temporary permit valid for seventy-two (72) hours shall be issued for the fee of eight dollars ($8.00), and a temporary permit valid for twenty-four (24) hours shall be issued for the fee of two dollars ($2.00).

(a) The 72 hour permit shall be valid for any period of time not to exceed seventy-two (72) hours from the effective date and time as shown on the receipt issued as evidence of such registration, and such permit shall provide only for the movement of each vehicle transporting property between Mexico and counties of this State which have a boundary contiguous with Mexico, provided that each such 24 hour permit shall be valid only within the county of entry and within one other county adjoining said county of entry as specified on said permit; provided, however, that each county involved must be contiguous to Mexico.

Section 3. The Texas Highway Department may, from time to time, promulgate such reasonable rules and regulations as it may deem necessary to carry out the orderly operation of this Act and may prescribe an application for such permits and other forms as it may deem proper.

Section 4. Such temporary registration permits shall be issued by the County Tax Assessors-Collectors or by the Texas Highway Department upon receipt of proper application accompanied by the statutory fees, as prescribed by Section 2 above, in cash, postal money order, or certified check for each such vehicle to be operated or moved upon the public highways. All registration permit fees collected by the Texas Highway Department shall be deposited in the State Treasury to the credit of the State Highway Fund, and such fees collected by the County Tax Assessors-Collectors shall be reported and deposited the same as all other registration fees as provided by Section 10, Chapter 88, Acts of the 41st Legislature, Regular Session, 1957 (Codified in Vernon's Civil Statutes as R.C.S. 6675a-10)."

Section 5. Before the issuance of any such temporary registration permits, the operator of any vehicle entering this State from another Country shall present to the County Tax Assessor-Collector of the Highway Department such evidence as shall indicate that such motor vehicle is protected by such insurance and in such amounts as may be prescribed in Section 5 of the Texas Motor Vehicle Safety Responsibility Act, 1929.
Act (Article 6701b, Vernon's Texas Civil Statutes) as it is now written or as it may hereafter be amended, and such policies must be issued by an insurance company or surety company authorized to write Motor Vehicle Liability Insurance in this State.

Section 6. Any person violating any provision of this Act shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in any sum not exceeding Two Hundred ($2000.00) Dollars; provided, however, nothing in this Act shall exempt the operator of a motor vehicle from complying with all other laws regulating the operation of motor vehicles in this State.

Section 7. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 8. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. The fact that such a permit is needed to expedite the free flow of commerce in this State and further that the existence of such permit will encourage the economic growth of this State create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be suspended, and the same 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. 861 was then passed to engrossment.

HOUSE BILL NO. 909 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 909, A bill to be entitled "An Act to amend Article 7212, Revised Civil Statutes of Texas, 1925, as amended, so as to expressly authorize a county to employ those having special skills and experience to assist the Board of Equalization; providing for the payment of the contractual obligation incurred by the county out of general fund and authorizing the issuance of warrants under limited conditions; providing a severance clause and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 909 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. That Article 7212, Revised Civil Statutes of Texas, 1925, as amended, be amended so as to hereafter read as follows:

"Article 7212. (A). The boards of equalization shall have the power and it is made their official duty to supervise the assessment of their respective counties and it is satisfied that the valuation of such property is not in accordance with the laws of the state to increase or diminish the same and to affix the proper valuation thereto as provided for in the preceding article and when any assessor in this state shall have furnished the said Board with a rendition as provided for in the preceding article it shall be the duty of each court to call before it such persons as in its judgment may know the market value or true value of such property as the case may be by proper process, who shall testify under oath the character, quality, quantity of such property as well as the value thereof. Said court after hearing the evidence shall fix the value of such property in accordance with the evidence so introduced and as provided in the preceding article and their action in such case or cases shall be final; provided, however, the commissioners court of any county may employ an individual, firm or corporation deemed to have special skill and experience to compile taxation data for its use while
sitting as a board of equalization and to provide for the payment of the compensation for such professional services out of the proper fund or funds of the county.

"(B). To pay any contractual obligation to be incurred for professional services under the provisions hereof, the commissioners courts are hereby authorized to issue time warrants payable from the general fund of the county in the manner provided by the Bond and Warrant Law of 1931, provided, however, that warrants so issued shall mature within six (6) years from their respective dates.

"Sec. 2. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

"Sec. 3. The importance of this Act and the crowded condition of the calendar constitute and create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended and this 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. 947 was then passed to engrossment.

HOUSE BILL NO. 984 ON SECOND READING

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

H. B. No. 984, A bill to be entitled "An Act validating county park bond elections heretofore held in any county with a population of more than one million (1,000,000) at the last preceding federal census on the proposition of issuing bonds of the county for the purpose of purchasing and/or improving lands for park purposes; validating all proceedings relating to such elections and all bonds authorized at such elections; providing this Act shall not affect pending or prior litigation; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

HOUSE BILL NO. 995 ON SECOND READING

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

H. B. No. 995, A bill to be entitled "An Act abolishing Junior College Districts which have conveyed all or substantially all of their property to a State supported Senior College or University, and which have no outstanding bonded indebtedness; providing for the continued collection and disposition of delinquent taxes in said Junior College Districts; repealing all laws and parts of law in conflict herewith; providing
The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 998 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 998, A bill to be entitled "An Act amending Section 1 of Chapter 177, Acts of the 39th Legislature, Regular Session, 1925, as amended by Section 1 of Chapter 367, Acts of the 55th Legislature, Regular Session, 1957, compiled as Section 1 of Article 923m, Vernon's Annotated Penal Code, so as to exclude coypu (nutria) from definition as a fur-bearing animal; providing for severability; repealing conflicting laws; and declaring an emergency."

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

**HOUSE BILL NO. 1009 ON SECOND READING**

The Speaker laid before the House on Its second reading and passage to engrossment, H. B. No. 1009, A bill to be entitled "An Act permitting commissioners courts in certain counties to authorize the use of equipment, machinery, and employees of the county to construct, establish and maintain public airstrips; repealing conflicting laws; and declaring an emergency."

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

**HOUSE BILL NO. 1033 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to engrossment, H. B. No. 1033, A bill to be entitled "An Act authorizing the election of school trustees by separate positions in Independent school districts in counties having a population of not less than eight thousand five hundred (8,500) nor more than nine thousand (9,000) according to the last preceding Federal Census; providing that when the Board of Trustees adopts the procedure here in it may not rescind such action; and declaring an emergency."

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

**RECORD OF VOTE**

Mr. Crain requested to be recorded as voting Nay on the passage of H. B. No. 1033 to engrossment.

**SENATE BILL NO. 133 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to third reading, S. B. No. 133, A bill to be entitled "An Act amending House Bill No. 343, Chapter 333, Acts of the 57th Legislature, Regular Session, 1961, authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Abilene State School; to sell and convey same; and declaring an emergency."

The bill was read second time.

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

**COMMITTEE AMENDMENT NO. 1**

Amend Senate Bill No. 133 by...
striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. That House Bill No. 243, Chapter 233, Acts of the 57th Legislature, Regular Session, 1961, be amended so as to read as follows:

Section 1. The Board for Texas State Hospitals and Special Schools is hereby authorized in its discretion to determine land in excess of the needs of the operation of the Abilene State School and thereafter sell and convey for cash any land which it has determined is no longer needed for the proper operation of the Abilene State School.

Sec. 2. After the Board has determined what land, if any, is in excess of the needs of the Abilene State School, it shall notify the State Highway Department and the State Board of Control that the land is to be sold, giving a description of the excess land. If the State Highway Department shall determine that any of said land is necessary for the construction or operation of any existing or proposed state highway, title of such land shall be retained in the state and the control over said land shall be transferred to the State Highway Department under the provisions of Subsection 2 of Section 4 of Chapter 300, Acts of the 57th Legislature, 1961. If the land is not to be used for any state highway purposes, then the State Board of Control shall determine if any of said land can be used for a necessary purpose by any state agency, and if the Board of Control has determined that the land can be so used, it shall notify such agency that the land is available, and if the state agency agrees to accept and use the land for a necessary purpose, then title to such land shall be retained in the state and the control of such land shall be transferred to the state agency.

Sec. 3. If the excess land, or any part of it, is not to be retained or used by the State Highway Department or any state agency, after a period of 15 months from the date of notification, then the Board for Texas State Hospitals and Special Schools may sell same after advertisement in a newspaper published in Taylor County, Texas, in at least two issues thereof, the first such publication to be made at least thirty (30) days in advance of the sale date describing the land to be sold and calling for sealed bids thereon, the bids to be opened on the sale date by a majority of the Board either at its office in Austin, Texas, or at such other place as the Board may designate in the advertisement. The advertisement may describe in general terms the property to be sold, but shall state that a description by metes and bounds may be obtained from the Board. Each bid shall be accompanied by cashier's or certified check in the amount of ten per cent (10%) of the amount bid which shall be forfeited to the state in the event the bidder is awarded the bid and fails or refuses to complete the purchase of the land under tender of a deed thereto. The Board shall have the right to reject any and all bids but unless the Board elects to reject all bids it shall be required to accept the highest bid submitted. The proceeds from the sale of the land under this Act, less the expense of surveying, advertising and any other expense incidental or necessary to the accomplishment of the purpose of this Act, shall be deposited to the General Revenue Fund of the State of Texas.

Sec. 4. Sale of the above-described property shall be subject to a provision, to be contained in the deed, reserving to the State of Texas a one-half non-participating royalty interest in and to all oil, gas, and other minerals in and under said land.

Sec. 5. The chairman of the Board for Texas State Hospitals and Special Schools or a member of the central office staff, authorized by the appropriate resolution of the Hospital Board, may execute and deliver a proper deed, containing the reservation aforesaid, conveying any land sold under the provisions of this Act to the purchaser thereof, the form of such conveyance to be approved by the Attorney General.'

Sec. 2. The fact that the Abilene State School has agricultural land which is in excess of the needs of said institution, and therefore it would be more advantageous to the people of the State of Texas if the said land could be used for other purposes, creates an emergency and an important 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.

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

Committee Amendment No. 2

Amend Senate Bill No. 133 by striking all above the enacting clause and substituting in lieu thereof the following:

A Bill to be entitled “An Act amending House Bill No. 343, Chapter 333, Acts of the 57th Legislature, Regular Session, 1961, authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Abilene State School and to sell and convey same; providing that the State Highway Department and the State Board of Control be given notice of a pending sale; providing that the land shall be retained by the state if it can be used by the State Highway Department or any state agency for certain purposes; providing the procedure for any sale of excess land; reserving a mineral interest to the state; providing for a deed of conveyance; and declaring an emergency.”

The amendment was adopted without objection.

S. B. No. 133 was then passed to third reading.

SENATE BILL NO. 190 ON SECOND READING

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

S. B. No. 190, A bill to be entitled “An Act authorizing the Adjutant General’s Department to convey whatever right, title or interest the State of Texas may have in certain lands to the City of Mineral Wells; and declaring an emergency.”

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

SENATE BILL NO. 193 ON SECOND READING

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

S. B. No. 193, A bill to be entitled “An Act repealing Section 4a of House Bill No. 11, Chapter 327, Acts of the Fifty-first Legislature, Regular Session, 1949 (codified as Article 2816j-2, Section 4a, Vernon’s Texas Civil Statutes); and declaring an emergency.”

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

SENATE BILL NO. 196 ON SECOND READING

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

S. B. No. 196, A bill to be entitled “An Act to amend Section 2 of House Bill No. 17, Chapter 82, Acts of the 50th Legislature, Regular Session, 1947 (codified as Article 5344c of Vernon’s Texas Civil Statutes), so as to provide for the amendment of existing oil, gas and mineral leases covering certain State lands; providing for severability; and declaring an emergency.”
The bill was read second time.

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

Committee Amendment No. 1
Amend S. B. 196 by striking out all above the enacting clause and substituting in lieu thereof the following:

"An Act to amend Section 2 of House Bill No. 17, Chapter 52, Acts of the 50th Legislature, Regular Session, 1947 (enacted as Article 5344c of Vernon's Texas Civil Statutes) so as to provide for amendment to extend the term of existing oil, gas and mineral leases covering certain State lands; providing for severability; and declaring an emergency."

The amendment was adopted without objection.

S. B. No. 196 was then passed to third reading.

SENATE BILL NO. 236 ON SECOND READING

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

S. B. No. 236, A bill to be entitled "An Act to amend Section 2 of House Bill No. 17, Chapter 82, Acts of the 50th Legislature, Regular Session, 1947 (codified as Article 5344c of Vernon's Texas Civil Statutes) so as to provide for amendment to extend the term of existing oil, gas and mineral leases covering certain State lands; providing for severability; and declaring an emergency."

The amendment was adopted without objection.

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

SENATE BILL NO. 208 ON SECOND READING

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

S. B. No. 208, A bill to be entitled "An Act authorizing the commissioners court of each county to appropriate monies for the purpose of erecting historical markers, monuments, and medallions, and purchasing objects and collections of objects of any kind which are of historical significance to such county; and declaring an emergency."

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

SENATE BILL NO. 298 ON SECOND READING

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

S. B. No. 298, A bill to be entitled "An Act authorizing the county judge to appoint a County Historical Survey Committee; providing for surveys and recommendations by the committee, fixing the tenure of office of its members, authorizing payment of the expenses of such committees; and declaring an emergency."

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

SENATE BILL NO. 223 ON SECOND READING

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

S. B. No. 223, A bill to be entitled "An Act amending the Texas Workmen's Compensation Insurance Laws of this State by amending Section 3 of Article 83.06, Revised Civil Statutes of 1925, as amended; providing a saving clause; and declaring an emergency."

The bill was read second time.

Mr. Gladden moved that S. B. No. 223 be set as a special order for tomorrow, May 1, at 10:00 o'clock a.m.

The motion prevailed without objection.

SENATE BILL NO. 236 ON SECOND READING

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

S. B. No. 236, A bill to be entitled "An Act to amend paragraph A 8 of Part II, of Article 539 Texas Insurance Code, as enacted by the Acts of the 57th Legislature, 1961, page 925, Chapter 410, and declaring an emergency."

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

RECORD OF VOTE

Mr. Crain requested to be recorded as voting Nay on the passage of S. B. No. 236 to third reading.

SENATE BILL NO. 241 ON SECOND READING

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

S. B. No. 241, A bill to be entitled "An Act authorizing the county judge to appoint a County Historical Survey Committee; providing for surveys and recommendations by the committee, fixing the tenure of office of its members, authorizing payment of the expenses of such committees; and declaring an emergency."

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

SENATE BILL NO. 242 ON SECOND READING

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

S. B. No. 242, A bill to be entitled "An Act making it unlawful for any one to willfully excavate in or upon or to disturb, deface, disfigure, damage, destroy or remove any historic or prehistoric ruin, burial ground, archaeological or vertebrate palaeontological site, or site including fossilized footprints, inscriptions
made by human agency, or any other archaeological or paleontological feature, or any historic marker, medallion, monument or other historical feature, situated on lands owned or controlled by the State of Texas, or any agency thereof, without previously complying with the provisions of Chapter 32, Acts of the 42nd Legislature, First Called Session, 1931, and Chapter 1, Page 60, Archaeology Title, Acts of the 46th Legislature, General Laws, 1939 (compiled as Articles 147a and 147b, respectively, of Vernon's Texas Penal Code); providing penalties; providing a severability clause; and declaring an emergency."

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

SENATE BILL NO. 260 ON SECOND READING

The Speaker laid before the House on its second reading and passage to third reading, S. B. No. 260, A bill to be entitled "An Act to repeal Section 12 of Article 3.44 of the Insurance Code of Texas, Acts of 1961, 62nd Legislature, Page 868, Chapter 491, as amended, which Section prescribes certain requirements for family group life Insurance policies; providing for a severability clause; and declaring an emergency."

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

REASON FOR VOTE

Mr. Cowden requests to be shown present—not voting on S. B. 260 due to a possible conflict of interest as set out in letter to Chairman of Insurance Committee and filed in the permanent minutes, at pages 3, 4, 5 of the Insurance Committee.

GEORGE M. COWDEN

SENATE BILL NO. 261 ON SECOND READING

The Speaker laid before the House on its second reading and passage to third reading, S. B. No. 261, A bill to be entitled "An Act amending Article 718, Revised Civil Statutes of Texas, 1925, relating to issuing of bonds by the county to include bonds to establish a nursing home; providing for liberal construction; providing for severability; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
House Committee Substitute For S. B. 261

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

Section 1. Article 718, Revised Civil Statutes of Texas, 1925, is amended to read as follows:

"Art. 718. After having been authorized under Section One of this article, the commissioners court of a county may lawfully issue the bonds of said county for the following purposes:

1. To erect the county courthouse and jail, or either;
2. To purchase suitable sites within the county and construct buildings thereon to provide homes or schools for dependent and delinquent boys and girls or for either;
3. To establish county poorhouses, farms, and homes for the needy or indigent in the county;
4. To purchase and construct bridges for public purposes within the county or across a stream that constitutes a boundary line of the county;
5. To improve and maintain the public roads in the county;
6. To improve and maintain the public roads in the county;
When the commissioners court shall deem it advisable to issue bonds for both the purchase or construction of bridges and improvement and maintenance of the public roads, both questions may be submitted and voted on as one proposition."

Section 2. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act and the application of such provision to other persons or circumstances shall not thereby be rendered invalid or unconstitutional nor be affected there-
Section 3. The fact that there are large numbers of indigent, infirm persons in this state who are in need of care, renders this legislation of such importance to the people of the state that its adoption creates an emergency and an imperative public necessity requiring that the Constitutional Rule that bills be read on three several days in each House be suspended, and this Act shall take effect immediately upon and after its passage, and it is so enacted.

The amendment was adopted without objection.

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

SENATE BILL NO. 284 ON SECOND READING

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

S. B. No. 284, A bill to be entitled "An Act amending House Bill 886, Acts of the 52nd Legislature, Regular Session, 1933, ch. 364, p. 237, codified as Article 5165a, Vernon's Civil Statutes, regulating the hours of State departments so as to repeal the requirement that headquarters offices shall be open on each Saturday from 8 a.m. to 12 noon; and declaring an emergency."

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

SENATE BILL NO. 287 ON SECOND READING

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

S. B. No. 287, A bill to be entitled "An Act to amend Chapter 403, Acts of 1947, 50th Legislature, p. 945, (codified as Article 5441a, Vernon's Texas Civil Statutes Annotated, 1925); providing for duties for departments and institutions of the State regarding records administration; and declaring an emergency."

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

SENATE BILL NO. 329 ON SECOND READING

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

S. B. No. 329, A bill to be entitled "An Act to amend Section 16(B) of Article 5421m, Title 86, Revised Civil Statutes of Texas, as amended by the Acts of the 57th Legislature, p. 945, 50th Legislature, 1962, Third Called Session, page 134, Chapter 45, Section 2, to provide that the total insured debtedness shall not exceed Ten Thousand Dollars ($10,000), providing for severability; and declaring an emergency."

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

SENATE BILL NO. 338 ON SECOND READING

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

S. B. No. 338, A bill to be entitled "An Act relating to products made by inmates of the Texas Department of Corrections and the sale of such products to state institutions, departments and agencies and to polit-
ical subdivisions; amending Section 9, Chapter 67, Acts of the 41st Legislature, Fifth Called Session, 1930, as amended to authorize vocational training and rehabilitation of prisoners through work in industries at penal units under the Texas Board of Corrections; requiring state agencies to buy prison-made products when specifications of standards and quality are met; authorizing political subdivisions to buy directly from the Department of Corrections; prescribing the method for setting prices of prison-produced products; specifying kinds of additional information to be contained in post-audit reports of manufacturing enterprises within the prison system; authorizing an industrial revolving fund for financing prison Industries, and prescribing the disposition of receipts therefrom; making it unlawful to sell prison-produced products; repealing all laws in the extent of conflict only; and containing an emergency clause.

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

**SENATE BILL NO. 383 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to third reading, S. B. No. 383, A bill to be entitled "An Act amending Section 8, House Bill No. 169, Chapter 427, Acts of the 55th Legislature, Regular Session, 1957, providing for contracts in the conduct of research; and declaring an emergency."

The bill was read second time.

Mr. Foreman offered the following amendment to the bill:

Amendment No. 1

Amend Section 1 of Senate Bill 383 by inserting immediately after the date "1957" appearing on line 29 of the printed bill the following:

"as amended by Chapter 293, Acts of the 71st Legislature, Regular Session, 1961."

The amendment was adopted without objection.

S. B. No. 383 was then passed to third reading.

On motion of Mr. Foreman, and by unanimous consent of the House, the caption of Senate Bill No. 383 was ordered amended to conform with the body of the bill.

**SENATE BILL NO. 416 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to third reading, S. B. No. 416, A bill to be entitled "An Act authorizing the Commissioners' Court of any County to refund outstanding causeway revenue bonds with bonds or proceeds of bonds issued by any said Commissioners' Court and to levy and collect an ad valorem tax to pay the interest on and principal of such refunding bonds; subjecting the aggregate principal amount of such bonds to the limitations provided by Article 8, Section 9 of the Texas Constitution, providing for an election; granting full discretion to such Commissioners' Court in fixing the details of such bonds; providing for continuation of the tax in the event the causeway becomes a part of the State Highway System; providing for refunding of bonds issued pursuant to this Act; limiting the maximum maturity date of such bonds and the interest payable on such bonds; providing such bonds shall be negotiable instruments; providing for the use of monies remaining in funds created by orders or resolutions authorizing the bonds to be refunded; providing bonds authorized hereunder shall be legal and authorized instruments for types of institutions named; providing that such bonds shall be eligible to secure public funds; providing for the approval of the bonds by the Attorney General; providing for severability and declaring an emergency."

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

**SENATE BILL NO. 417 ON SECOND READING**

The Speaker laid before the House on its second reading and passage to third reading,
B. B. No. 417, A bill to be entitled "An Act amending Section 10 of Article 3.01 of the Insurance Code of Texas, Acts of 1951, Fifty-second Legislature, sec. 1. ch. 491, p. 558, as amended by H. B. 491, Acts of 1961, Fifty-seventh Legislature, sec. 1. ch. 410, p. 1036, to redefine the term 'net assets' by including certain equipment and labor-saving machines and devices as part of the 'net assets' of a life insurance company; to delete the minimum cost requirement for inclusion of electronic machines and systems within the term 'net assets' of a life insurance company; providing for severability; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend S. B. 417, by deleting subparagraphs (b), (c), and (d), of Section 1 of said S. B. 417, and substituting therefor the following:

(b) All electronic machines, constituting a data-processing system or systems, and all other office equipment, furniture, machines and labor-saving devices hereafter purchased for and used in connection with the business of an insurance company to the extent that the total actual cash market value of all of such systems, equipment, furniture, machines and devices constitute less than five per cent (5%) of the otherwise admitted assets of such company; and provided further that the total value of all such property of a company must exceed Two Thousand ($2,000) Dollars, to qualify hereunder.

(c) The Commissioner of Insurance may adopt regulations defining electronic machines and systems, office equipment, furniture, machines and labor-saving devices as used in subsection (b), and provide for the maximum period for which each such class of equipment may be amortized.

(d) Companies regulated by the provisions of Chapter 14 of this Insurance Code, same being local mutual aid associations, local mutual burial associations, and state-wide mutual assessment corporations, and companies regulated by the provisions of Chapter 22 of this Insurance Code, same being stipulated premium companies, may include among their admitted assets any asset herein designated as "net assets" except that companies regulated by the provisions of Chapter 14 of this code may only include the same within the assets of the expense fund of any such company.

The amendment was adopted without objection.

S. B. No. 417 was then passed to third reading.

On motion of Mr. Johnson of Dallas, and by unanimous consent of the House, the caption of Senate Bill No. 417 was ordered amended to conform with the body of the bill.

REASON FOR VOTE

Mr. Cowden requests to be shown present-not voting on S. B. 417 due to a possible conflict of interest as set out in letter to Chairman of Insurance Committee and filed in the permanent minutes at pages 4, 5, of the Insurance Committee.

GEORGE M. COWDEN

SENATE BILL NO. 419 ON SECOND READING

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

S. B. No. 419, A bill to be entitled "An Act amending Chapter 3 of the Insurance Code of the State of Texas to add thereto a new Article 3.71, authorizing two or more insurance companies to join together in organizations, to offer, sell and administer hospital and surgical and medical expense insurance plans under a group policy covering residents of Texas 65 years of age and older and their spouses; authorizing such companies to agree to act in concert with respect to premium rates, policy provisions, sales and other matters within the scope of the article; providing certain limitations upon companies regulated by the provisions of Chapter 14 of the Insurance Code; providing for regulation of the forms of applications, certificates, policies and other evidence of such insurance and the filing with and approval by the State Board of Insurance of contracts entered into by such com-
The amendment was adopted without objection.

SENATE BILL NO. 419 WAS THEN PASSED TO THIRD READING

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

S. B. No. 419, A bill to be entitled "An Act amending Title 22A, Taxation-General, Revised Civil Statutes of Texas, 1925, by adding thereto a new article relating to certain exemptions from the inheritance tax applicable to certain nonresidents; defining the applicability of the Act; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend Sec. 1 of S. B. 419 by striking out all of Sec. 2 of Art. 3.71 of said Sec. 1 of S. B. 419, and inserting in lieu thereof the following:

"Section 2. The insurance companies participating in the insurance plans authorized by this Article shall be subject to regulation under the laws of this state, and the forms of the applications certificates, policies and other evidence of such insurance shall be subject to the requirements of Article 3.42 of this Insurance Code. There shall be filed with the State Board of Insurance by or on behalf of such companies a true copy of any contract of association or organization or trust agreement entered into by such companies pursuant to this Article, the schedule of premium rates to be charged for the insurance, and the plan for operating and marketing such insurance. No such contract, schedule or plan shall be effective unless and until approved by the State Board of Insurance, provided, however, that at the expiration of thirty days after the filing of any such contract, schedule or plan, it shall be deemed approved unless prior thereto it has been affirmatively approved or disapproved by written order of the State Board. If after notice and public hearing the said Board shall at any time find that under reasonable assumptions the premium rates charged for such insurance, or the plan for operating and marketing same are excessive, inadequate or contrary to the public interest, or that any activity or practice in connection with such insurance is unfair, unreasonable, or contrary to the public interest, it shall disapprove such premium rates or plan or such activity or practice and shall require the discontinuance thereof within not less than thirty days from the date of its order containing such finding."

The amendment was adopted without objection.

S. B. No. 419 was then passed to third reading.

SENATE BILL NO. 436 ON SECOND READING

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

S. B. No. 436, A bill to be entitled "An Act amending Chapter 14 of Title 12A, Taxation-General, Revised Civil Statutes of Texas, 1925, by adding thereto a new article relating to certain exemptions from the inheritance tax applicable to certain nonresidents; defining the applicability of the Act; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend S. B. No. 436 by striking out Section 1 and substituting in lieu thereof the following:

"Section 1. Amend Chapter 14 of Title 12A, Taxation-General, Revised Civil Statutes of Texas, 1925, by adding thereto a new article to read as follows:


The provisions of this Chapter shall not apply to money on deposit in any bank doing business in Texas or to shares or share accounts in any savings and loan association doing business in Texas owned by nonresidents of Texas who are citizens of a foreign country and who are not engaged in business in Texas, or owned by non-resident citizens of the United States who reside in a foreign country and who are not engaged in business in Texas."

The amendment was adopted without objection.

Senate Bill No. 436 was then passed to third reading.
MESSAGE FROM THE SENATE

Austin, Texas, April 30, 1963

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

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

S. B. No. 37, By Watson: Providing for the reporting of medical treatment of gunshot and other wounds indicating violence; and declaring an emergency.

S. B. No. 74, By Parkhouse: Providing for the construction of water and sewer systems by certain cities; and declaring an emergency.

S. B. No. 421, By Watson: Regulating the sale of checks, drafts, and money orders; and declaring an emergency.

S. B. No. 477, By Parkhouse: Creating a committee to study ways of treating, correcting and rehabilitating sociopathic personalities; and declaring an emergency.

S. C. R. No. 57, By Crump: Granting permission to Mrs. Ruth Wilhelm to sue the State.

S. C. R. No. 61, By Krueger: Requesting the Texas Legislative Council to make a study of the management and preservation of constitutional records of the State of Texas.

S. B. No. 218, By Moore: Increasing the salary of district attorneys in all judicial districts; and declaring an emergency.

S. B. No. 381, By Spears: Relating to powers of attendance officers in independent school districts; and declaring an emergency.

The Senate has appointed the following Conference Committee on S. B. No. 15:

Reagan, Chairman; Cole, Moore, Parkhouse, Spears.

S. C. R. No. 18, By Cole: Requesting the Texas Legislative Council to make a comprehensive study of the problems of the blind.

The Senate has adopted the Conference Committee report on House Bill 33 by 31 yeas and 0 nays.

Respectfully,

CHARLES A. SCHNABEL,
Secretary of the Senate.

ADJOURNMENT

Mr. Mann moved that the House adjourn until 2:00 o'clock p.m., today.

The motion prevailed.

In accordance with the motion to adjourn, the House, at 12:20 o'clock p.m., adjourned until 2:00 o'clock p.m. today.

SIXTY-THIRD DAY

(Tuesday, April 30, 1963)

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

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

Mr. Speaker

Adams

Allen

Alioto

Allen

Arthur

Atwell

Ball

Bandfield

Barnes

Bass of Bowie

Bass of Harris

Beckham

Berry

Birkner

Blake

Boydson

Bridges

Brooks

Brown of Galveston

Brown of Taylor

Butler

Cain

Caldwell

Canales

Carruba

Carver

Carruth

Champion

Cherry

Clayton

Cole

Collins

Cook

Cotten

Cowden

Cowles

Cowan

Crawford

Crane

Crews

Davis
de la Garza

Duggan

Duncan

Bekhardt

Edwards

Esquivel

Fairchild

Finney

Fletcher

Floyd

Fondren

Forman

Garrido

Gibbons

Glades

Glover

Green

Gruver

Guffey

Haines of Brownsville

Hallmark

Harding

Haring

Harris of Galveston

Harris of Dallas

Haynes of Orange

Hiatt

Hefley

Hendryx

Hinson

Hollowell

Houston

Hughes

Isaacks

Jamison

Jarvis

Johnson of Dallas