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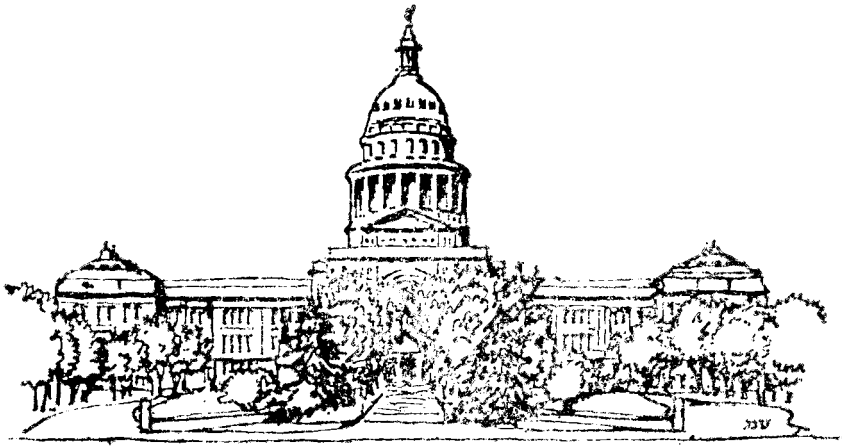

THE *Fifty-fifth* TEXAS LEGISLATURE

A Review of Its Work

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The functions of the Institute are: (1) to conduct research in problems having significance to governmental units and agencies, especially state and local, and to publish studies based upon such research; (2) to serve as an information center for those interested in public problems; (3) to encourage and facilitate faculty and graduate student research in the social sciences; (4) to carry on a training program for both students and public officials; and (5) to furnish consultative services in the solution of public problems.

The Fifty-fifth Texas Legislature

A REVIEW OF ITS WORK

PUBLIC AFFAIRS SERIES NUMBER 31

The Fifty-fifth Texas Legislature

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INSTITUTE OF PUBLIC AFFAIRS

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Foreword

In 1953 and again in 1955 the Institute of Public Affairs published a summary of the work of the Texas Legislature shortly after it adjourned. Both of these publications met with such wide acceptance that it has been thought advisable to continue the practice with respect to the 55th regular session, which adjourned May 23, 1957. This publication has for its purpose the providing of the people of our state with information about the problems and work of their elected representatives.

This brochure is a co-operative undertaking of the entire Institute staff. Every member has read the manuscript and offered suggestions for its improvement. However, the research and writing was done mainly by Messrs. James K. Howard, Clarence E. Schermbeck, John T. Thompson, and Woodworth G. Thrombley. We all wish to express our appreciation to Miss Doris Connerly, Legislative Reference Librarian at the Texas State Library, for her many valuable suggestions and assistance.

STUART A. MACCORKLE
Director

Austin, Texas
August, 1957

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THE FIFTY-FIFTH TEXAS LEGISLATURE
A REVIEW OF ITS WORK

The 55th Legislature in Retrospect

THE FIFTY-FIFTH regular session of the Texas Legislature, after four and one-half months of labor, adjourned on May 23, 1957. The session lasted 136 calendar days, 16 beyond the 120-day constitutional pay limit. During this period, approximately 1,250 bills and resolutions were introduced in the two houses. Of this total, 528 or 42 per cent won legislative approval. Included are 12 proposed constitutional amendments.

Probably the most spectacular, though not necessarily the most important, areas of legislation which received legislative consideration were these: water conservation, lobby reform, legislative ethics, election procedures, college tuition, insurance company regulation, and segregation. Important, but perhaps less noticeable, legislative attention was given to a host of other measures, including teachers' salaries, urban renewal, public welfare benefits, prison and mental health programs, law enforcement, and hospital and other state building construction.

As in all representative institutions, some seemingly desirable measures failed to win approval. The two most publicized rejections of the session affect water conservation and lobby reform. Final adjournment killed last-minute efforts in both houses to revive a proposed constitutional amendment which would have created a $100,000,000 state fund to buy space for stored water behind federal dams. Both the House and Senate passed separate forms of the lobby reform bills during the session, but were unable to agree upon a single compromise measure. These two problems, along with the establishment of a state-

wide law enforcement commission, will be given top priority in a special session of the legislature planned by the Governor later this year.

In spite of the legislature's inability to agree on water and lobby measures, and notwithstanding the charges of corruption and bribery which tended to obscure accomplishments, Texas legislators acted upon a great volume of legislation. Public school teachers were given an annual across-the-board pay raise of $399. Cities were given the authority to deal with the federal government on urban renewal and slum clearance. Twelve constitutional amendments were proposed, including creation of a $200 million loan fund for political subdivisions of the state for water development. A code of ethics setting standards of conduct for state officials and employees was enacted into law.

In the welfare field, Texas voters were asked to pass on a constitutional amendment which would raise the state welfare expenditure ceiling from $42 to $47 million. Nearly $4 million was appropriated for a new program for the totally disabled. Present statutes relating to mental health and the mentally retarded were overhauled. The legislature appropriated $1.8 million for the construction of a 60-bed hospital for training and research in mental illness. More than $2.2 million was dedicated for an additional school for the mentally retarded. State hospitals and special schools received a $16.5 million budget increase. The legislature abandoned the idea of "government by philanthropy" by creating a commission to combat alcoholism and allocating nearly $235,000 to finance the program. A council on migrant workers was established. Legislators voted $3.2 million for new prison buildings, and authorized establishment of an adult probation and parole system.

What may in the long run be the most important piece of legislation to come out of the 55th Legislature is the proposed constitutional amendment calling for annual legislative sessions and annual salaries of $7,500 for legislators. For years students of government have been saying, "Give the legislators salaries commensurate with their responsibilities and adequate time, and they will return the investment many times over." Texas voters will express themselves on this observation in November, 1958.

No new taxes as such were enacted by the 55th Legislature, although a record spending bill of nearly $2.1 billion was approved for the next two fiscal years. The half-billion-dollar jump in spending without

enactment of new taxes can be explained by the following three developments. First, a part of the increase will be made up from increased fees levied by the legislature—college and university tuition fees were doubled, hunting and fishing licenses were raised by 50 per cent, and the cost of vehicle license plates increased by 10 per cent. In addition, $12 million was diverted from the Permanent School Fund to the Available School Fund. Second, grants-in-aid from the federal government will be substantially greater this biennium than in previous years. Third, as the economy expands, revenues from existing tax sources expand right along with it. Of particular note in this "growth factor" has been the expanded yield in tax collections from increased oil production brought about by the Suez crisis. This tax source is also an area of concern since oil imports, which have been increasing, are a direct threat to high Texas production.

The Governor of Texas, like the President of the United States, can rarely escape responsibility for the policy decisions made while he is in office. In the public mind he is the state's chief legislator as well as its chief executive. It is his program which attracts major attention, and the success or failure of a legislative session is likely to be judged by the extent to which the Governor is successful in having his program enacted into law.

About 90 per cent of the Governor's recommendations to the 55th Legislature were enacted. He obtained the reorganization of the Insurance Commission. He fulfilled his commitment to increase salaries for public school and college teachers. He supported an amendment to create a $200 million water loan fund for political subdivisions of the state. He initiated a number of significant changes in the laws regulating the treatment and support of the indigent, the disabled, the aged, the mentally ill, and the imprisoned. And he received legislative support for a record spending program without the necessity of any new major taxes.

On the debit side, four major provisions of the Governor's program failed to pass. They were the water storage conservation amendment, provision for a state law enforcement commission, a lobby reform act, and registration of persons representing others before state agencies. In some form, all four measures are likely to be subjects for the special session of the legislature the Governor has announced for October, 1957.

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Bills and Resolutions Enacted

APPROPRIATIONS

The general appropriation bill (H.B. 133*) enacted by the 55th Legislature exceeds by more than one-half billion dollars the previous record two-year spending program authorized by the 54th Legislature. A part of that increase can be attributed to inflation, and a part to higher levels of governmental service.

Appropriations for the next two fiscal years total $2,092,795,990. Of this amount $1,038,538,856 is appropriated for the fiscal year September 1, 1957, to August 31, 1958, and $1,054,257,134 for the fiscal year ending August 31, 1959. A breakdown, by customary appropriation categories, is shown below.

GENERAL APPROPRIATIONS
(Fiscal Years)

Departments and Agencies	1957–58	1958–59
Judiciary	$ 3,915,715	$ 3,888,322
State Hospitals and Special Schools	46,114,277	40,661,386
Executive and Administrative	891,769,382	910,528,083
Public Junior Colleges	4,720,295	4,777,795
Higher Education	92,019,187	94,401,548
	$1,038,538,856	$1,054,257,134

For those who may not be familiar with the actual appropriations bill, two observations need to be made regarding these figures. First, the 55th Legislature did not appropriate for the expenses of the 56th Legislature, which is scheduled to convene during the period covered by this money bill. This will add about $2 million to the $2.09 billion

* The following abbreviations are employed throughout: H.B. for House Bill, S.B. for Senate Bill, H.J.R. for House Joint Resolution, H.C.R. for House Concurrent Resolution, H.S.R. for House Simple Resolution.

already appropriated for the biennium (S.B. 1 appropriated $2.3 million for the expenses of the 1957 regular session). Second, it should be understood that the total funds appropriated for the next two fiscal years include millions of dollars in anticipated grants-in-aid from the federal government. For example, of the $283.1 million appropriated to the Department of Public Welfare, 66 per cent is in the form of anticipated federal grants. Likewise, 44 per cent of $725.1 million scheduled for the State Highway Department is made up of estimated grant funds from the national government. These two are the largest aid programs, but federal-state co-operation extends also to education, health and hospitals, urban renewal, civil defense, and a host of other areas.

In addition to the general appropriation bill, several minor appropriation measures were enacted by the 55th Legislature. Of wide interest is H.B. 8, which provides for a $399 base increase in the minimum state schedule for public school teachers. The Texas State Teachers Association estimates that this law will provide an additional $63 million in salaries for teachers over the next biennium. H.B. 320 appropriated $5.7 million for refunds of taxes originally collected from natural gas companies under the unconstitutional gas gathering tax, but the bill was returned to the legislature, where it was amended to defer until September 1, 1959 the tax credits to be allowed these companies. The purpose of this change was to make available a part of the funds earmarked for teacher pay raises. H.B. 161, the enabling act to H.J.R. 3, appropriated $148,000 for the biennium to the Texas Water Development Board which the act creates. The latter appropriation is, of course, contingent upon passage of the constitutional amendment setting up the $200 million water development loan fund.

Taxation

As previously stated, no new major taxes were enacted by the 55th Legislature. Several selected upward revisions in the present tax structure were made, but compared to the substantial increase in monies appropriated, they were of a relatively minor nature.

Rate Increases. The largest tax increase enacted by the 55th Legislature came in the closing days of the session by way of an amendment to H.B. 620. The amendment, designed to pay for the state's share of the cost of highway right-of-way, calls for a 10 per cent increase in

the cost of motor vehicle license fees. The added tax is expected to yield approximately $8.7 million, $2.6 million of which is earmarked for county use.

The only other significant tax increases in this legislative session came in H.B. 895 (the universal fishing license bill) and H.B. 907. The former raises the price of fishing licenses from $1.65 to $2.15 a year and expands the coverage; the latter raises the annual price of hunting licenses from $2.15 to $3.15. The two measures will add about $2 million to the funds of the Game and Fish Commission for the next two fiscal years.

Exemptions and Changes. A number of changes and exemptions were made in the tax laws, but most were of a relatively minor character. H.B. 7 exempted complimentary tickets from the tax on amusements and changed the base rate of the admissions tax on amusements held in theaters. County or regional chambers of commerce were exempted from payment of the franchise tax (H.B. 270), as were corporations organized for the purpose of "educating" the public in fish, wildlife, and forest conservation (H.B. 268). In terms of reduced revenues to the state, H.B. 217 was the most important change. Under its provisions, public utilities were granted an alternate method of paying franchise taxes.

School Finance. Only a few tax bills of general applicability were concerned with school finance. The most significant change was H.B. 265, which increased tuition fees in state-supported institutions of higher learning. H.B. 444 authorizes (with voter approval) school districts in counties over 190,000 population to levy an additional ad valorem tax, not to exceed 50 cents per $100 valuation, for the purpose of repairing or constructing school buildings. H.B. 294 amended previous legislation to provide for an alternative method by which school districts may issue bonds and levy taxes. S.B. 230 authorizes the issuance of refunding bonds by school districts. And H.B. 551 does the same for junior college districts.

Tax Study. The seriousness of the state's financial health is reflected by passage of H.B. 371, creating the State Tax Study Commission. The Commission is empowered to study the state's tax structure and report its findings to the 56th Legislature. There is little doubt that the Commission will contract with a private research organization for the study. A last-minute amendment to the bill prohibits the Commission from recommending enactment of specific tax measures.

State Administration

New Agencies. The legislature created several new agencies and markedly changed the status of others. Still others were given new duties or powers.

The State Securities Board and the State Youth Council would rank as new agencies, though both had antecedents. At the urging of Governor Daniel, the legislature reshaped the Board of Insurance Commissioners (S.B. 222). The Texas Commission on Alcoholism was rejuvenated with appropriations (H.B. 329); the State Historical Survey Committee was converted from a temporary to a permanent agency (S.B. 426). An ex officio Council on Migrant Labor was organized (S.B. 229).

The Veterans Land Board was reorganized (S.B. 96) in accordance with the constitutional amendment (Art. III, Sec. 49b) approved by the voters in November, 1956. The major organizational changes were the substitution of two citizen members for the two ex officio members on the Board (the Governor and Attorney General) and the designation of the Commissioner of the General Land Office, the third member, as the administrator of the veterans' land program.

The powers and duties of the State Board of Pharmacy were redefined (H.B. 439). The composition of the Board of Vocational Nurse Examiners was altered somewhat (H.B. 99). The qualifications for the office of Commissioner of Health were defined in H.B. 913. Additional duties were conferred on the Parole Division of the Board of Pardons and Paroles. A further duty placed on the Industrial Commission is to conduct a program for attracting and locating new industries in Texas, without using state funds (S.B. 484).

State Departments. The procedure for appeals from orders of the Board of Barber Examiners (H.B. 33) and from orders of the State Board of Veterinary Medical Examiners (S.B. 329) was outlined.

The Comptroller was given the power, under certain safeguards, to issue state warrants in payment of claims for $50 or less without an affidavit (H.B. 890). The State Board of Control was designated as the agency to dispose of state-owned surplus and salvage property (S.B. 190). State agencies, in making purchase contracts, were directed to give preference to Texas citizens and corporations over out-of-state suppliers (S.B. 150). The legislature put up a bar against further buildings being placed on the present Capitol grounds (S.B. 437).

Confusion arising over the Thanksgiving holiday led to the passage of an enumeration of legal state holidays (S.B. 89). Executive and administrative agencies were empowered to charge for their publications (S.B. 116). State departments were permitted to substitute certified mail for registered mail in sending out important correspondence (H.B. 151).

The Land Commissioner was authorized to make a wider distribution of the volumes of the land abstracts which he publishes (H.B. 761). The School Land Board was directed to charge an appraisal fee (H.B. 758).

Money from the Motor Vehicle Inspection Fund was designated to finance the erection and equipping of a State Archives and Library Building that will also house the General Land Office (H.B. 62). The way was cleared for the Board of Insurance Commissioners and the Texas Employment Commission each to construct a building for their offices (S.B. 222).

State Officers and Employers. Salary raises for state employees were fairly general throughout the appropriation bill (H.B. 133), even though there were no blanket, across-the-board raises granted them. The per diem expense allowancce for travel within the state on official business was set at $8 a day, an increase of $1 over the present allowance.

Members of the legislature were specifically excluded from the term "state employees," for the purposes of social security (S.B. 138). Excluded also were most employees in positions subject to the Teachers Retirement System. State employees who dropped membership in the Employees Retirement System were given the privilege of redepositing withdrawn funds and reinstating their former service credit in the system (H.B. 449).

Regulation of Business

A comprehensive and tightened-up commercial feed control act was adopted (S.B. 18). The sale of pen-raised game birds was authorized, on condition that the breeder obtain a commercial game breeder's license and meet other requirements (S.B. 51). The meat inspection law was amended to include poultry and domestic rabbits within its provisions (S.B. 149).

Legislation was enacted regulating the handling and sale of chicken eggs in the state (S.B. 32). The Texas seed law was amended as regards the handling and labeling of seeds (H.B. 80).

The marketing of brake fluids for the hydraulic system of motor vehicles was placed under regulation (S.B. 145). The manufacture and sale of fireworks were subjected to regulations in S.B. 143. State regulation was also imposed on bail bond companies (H.B. 811).

The labeling and sale of hazardous substances was put under regulation in H.B. 194, and H.B. 539 made it unlawful to sell a poison containing a thallium compound in sufficient quantity to be dangerous to a human being.

Penalties were provided for an employer's giving a check for wages or salaries for personal services without his having sufficient funds in the bank to cover it (H.B. 91). A landlord was required to give a minimum of three days' notice to tenants to vacate for non-payment of rent (H.B. 295).

Restrictions concerning the practice of dental hygiene and dentistry were amended by S.B. 425. The practice of ophthalmic dispensing was regulated, especially as concerns advertising that might be misleading (S.B. 104).

Manufacturers of beer were permitted to continue operating in case the precinct in which the brewery is located votes dry (S.B. 225).

The Livestock Sanitary Commission was given a lump-sum appropriation, rather than a line-item one, in the appropriation bill (H.B. 133), a change which will give the Commission more discretion in allocating its funds.

Insurance and Securities

As was true of the previous legislative session, insurance was the subject of a considerable body of legislation enacted by the 55th Legislature. Probably the chief item of legislation was S.B. 222, which reorganized the Board of Insurance Commissioners. The reorganization sought to meet the criticism that the Commission in the past had not acted as a single unit but that instead each of the three members had exercised supervision over a particular division of the insurance business. This reorganization move was one of the major legislative proposals of Governor Daniel. Under the new statute, the Commission was directed to choose an executive officer for the agency to handle

administrative matters. The House and Senate compromised their disagreement over whether the Board should be part-time or full-time by making it full-time for the first year and permitting it to convert then to part-time functioning. The effect of the measure was to allow the Governor to appoint all three members of the Board.

Life, Health, and Accident Insurance. The procedure for organizing a life, health, or accident insurance company and obtaining a state charter was revised (S.B. 203). Another enactment (S.B. 438) requires the Insurance Commission to pass on the forms of policies, endorsements, and riders issued by life, accident, health, and hospitalization companies.

A 12 per cent penalty was placed on insurance companies for failure to pay losses under life, health, and accident policies promptly (S.B. 155). Unfair trade practices in the insurance business were defined and prohibited in S.B. 191.

S.B. 444 subjected insurance company officers to the perjury laws if they file false financial statements with the Board of Insurance Commissioners.

H.B. 482 reduced to 10 the minimum number of employees required for the issuance of a group life insurance policy.

Securities. The regulation of insurance securities was moved out of the Board of Insurance Commissioners, and the regulation of other securities was shifted from the Secretary of State's office. Responsibility for both was placed in a new State Securities Board, which is charged with selecting a full-time, salaried securities commissioner (S.B. 294).

The Insurance Code was amended to fix the minimum par value of insurance stock at $1 per share, the maximum par value at $100 (S.B. 112).

Banking and Credit

The general prohibition against branch banking was clarified so as to declare explicitly that a bank may have a central building and, if certain specifications are complied with, a connecting "office facility" within the same block or within contiguous or adjoining city blocs (H.B. 287). A similar measure authorized banks to own or lease land in the vicinity of the bank as an automobile parking area for the use of their customers and employees (H.B. 561).

The use of such words as "bank," "trust," or "savings bank" was

denied to corporations or firms not specifically permitted by charter to conduct such business and to use such terms (S.B. 343). Surety and guaranty companies were forbidden to act as trustees (S.B. 165). The legal holidays for banks and trust companies were redefined so as to eliminate the possibility of a "double Thanksgiving" observance (S.B. 89).

A requirement was placed on credit unions that they set aside in a guaranty fund each fiscal year a specified percentage of their income (after expenses) for that year (H.B. 89).

COUNTIES

In every legislative session a good deal of time is taken up with measures which deal specifically with counties or county employees. Most of this legislation is important, but it is largely of a local or special nature and applies only to one or a few counties, or to their officials and employees. An illustration is S.B. 417, creating Galveston County Road District Number One. This summation will omit such legislation and include only those measures which have an apparent state-wide impact.

Highway Construction. The key piece of county legislation enacted by the 55th Legislature was H.B. 620 (which applies to cities as well). Under the provisions of H.B. 620 the state is authorized to pay up to 50 per cent of the cost of right-of-way for state and U.S. designated highways, not including the interstate system or farm-to-market roads. The bill gives the state the right to pass on the reasonableness of payments agreed to between counties and property owners, and grants to the state the right to be a party to condemnation proceedings. The measure becomes effective in August of 1957.

Constitutional Amendments. The 55th Legislature proposed four constitutional amendments affecting counties and county officials and employees. All four are to be voted on at the general election in November, 1958.

S.J.R. 3 would authorize creation of hospital districts with taxing powers. Population brackets limit this proposed amendment to Potter, Wichita, and Jefferson counties. S.J.R. 6 would authorize retirement benefits for appointive and elective officials and employees of counties. H.J.R. 20 would provide that vacancies in the office of county judge or justice of the peace be filled by the commissioners court only until

the next general election. H.J.R. 31 would require that county officials resign from office prior to announcing and running for "another office," if more than one year of their term remains.

Employees and Officials. Under the provisions of S.B. 394, county tax assessor-collectors may attend one expense-paid professional conference each year. S.B. 276 extends workmen's compensation to county employees. S.B. 285 makes members of commissioners courts in counties of 35,000 or over road commissioners. H.B. 362 provides for two-year terms of office for park commissioners. For those counties unable to obtain the services of a licensed engineer, H.B. 577 amends the Optional County Road Law of 1947 to allow the hiring of a county road administrator. S.B. 151 also amends the Optional County Road Law by requiring the purchase of road equipment, materials and supplies in conformity with estimates and specifications prepared by the county road engineer. This bill also increased the maximum allowable salary of the county road engineer from $7,200 to $12,000 per year.

Other New Laws. Under the terms of H.B. 454, a county which contains an incorporated city may join with that city in creating a joint city-county health unit. S.B. 229 makes it lawful for 30 per cent of the voters of a county to require a special audit of county books. H.B. 289 authorizes commissioners courts to regulate the construction of roads and streets in subdivisions outside city limits. H.B. 762 permits commissioners courts to issue bonds for purchasing, construction, or reconstructing "branch" buildings, in addition to the existing courthouse or jail. Under H.B. 582, counties acting for themselves and the state may tax the intangible personal property of insurance companies in the county where the home office of the company is situated, and tangible personal property in the county where the property is located. This bill reverses a Supreme Court decision which held that the tangible personal property of domestic insurance companies was taxable only in the "home-office" county. S.B. 53 relieved county judges of a former duty in that the issuance of driver permits to minors was transferred to the Department of Public Safety. Prior to this legislation, the Department of Public Safety was required to issue driver's licenses to minors when a permit had been issued by the county judge. This change is likely to curtail the number of driver's licenses issued to minors under 18 years of age. H.B. 448 requires county commissioners to provide "suitable jails."

Under the terms of S.B. 450, the commissioners court in counties having a population of less than 75,000 was empowered to establish hospital districts.

MUNICIPALITIES

Bills and resolutions which in some way affect municipalities are so numerous in every legislative session that a separate publication would be needed to summarize them all. During the 55th Legislature, for example, the staff of the League of Texas Municipalities reported to their membership on 246 bills and resolutions. What follows here is an attempt to summarize only those bills and resolutions which are believed to have statewide import.

Urban Renewal. Among the most important of the municipal bills enacted by the legislature was H.B. 70, the so-called Urban Renewal Law. Urban renewal is the comprehensive name given to the process of preventing the spread of urban blight in good areas, rehabilitating areas that can be economically restored, and clearing and redeveloping areas that are beyond salvage. Under the provisions of H.B. 70, Texas cities may now contract with the federal government for assistance in developing active urban renewal programs. One of the stipulations of the bill is that cities may not adopt urban renewal programs until such action has been approved by the voters of that particular city.

Closely allied to urban renewal is H.B. 434. Under this new law the State Department of Health is authorized to arrange for planning assistance for cities of 25,000 population or less, at the city's request, and to accept grants for the city under provosions of the Federal Housing Act of 1954.

Highways. Two bills relating to highways are of major interest to municipalities. H.B. 620 authorizes the State Highway Department to share, with the municipalities, on a 50–50 basis the cost of right-of-way for U.S. and state highways, not including the interstate system which does not financially involve local units of government. Local units must still sustain the full cost of right-of-way purchase for farm-to-market roads.

Actually, the state's share of this program will come from the 10 per cent increase in the cost of vehicle license plates. The increase will yield about $8.7 million, $2.6 million of which goes to the counties. An interesting feature of the law allows the state to reimburse a city

or county for right-of-way on the basis of 50 per cent of the value of the property (as determined by state appraisal), or on 50 per cent of the "net cost" of the property, whichever is less. This qualification will eliminate the possibility of local units putting up donated right-of-way as their share under the 50–50 provision. If the cost to the local unit is zero, then the state's share of such cost will also be zero.

The second major piece of highway legislation affecting cities is H.B. 179, which gives the State Highway Department authority to construct controlled access highways in cities as well as in rural areas. The bill requires public hearings in selecting the site of a controlled access road, but gives the state full control of the road after it is built. The most controversial feature of H.B. 179 directs the Highway Department to pay the costs of moving all utility facilities when required for highway purposes. This provision applies to both public and private utilities, but is applicable only to the 3,100 miles of the interstate system (on which the federal government pays 90 per cent). Financially, H.B. 179 is certain to be of immense help to major Texas cities, since the interstate system connects all such cities in the state. It is likewise a financial aid to those private utilities which may have to move their facilities from existing highways in order to make room for road expansion.

Employees. Many city officials have long opposed state legislation which is directed at changing the hours, compensation, or benefits received by city employees. They feel, rightly or wrongly, that decisions made in Austin with regard to municipal employees are analogous to decisions made in Washington with regard to state employees. In spite of vigorous city opposition, at least 10 bills of this nature were introduced in the 55th Legislature, and several passed.

S.B. 50 increased from $2 to $3 per month the longevity pay of firemen and policemen in cities over 10,000 population, when approved by the city council or a majority of the qualified voters. The Governor vetoed this measure at the request of its sponsors because there was doubt as to applicability of the present $2 rate should a city not approve the $3 schedule. S.B. 109 amends the law relating to pensions of policemen, firemen, and fire alarm operators in cities of 350,000 to 430,000 population (San Antonio), and makes retirement mandatory at age 65 after 30 years' service and 30 years' pension fund contribution.

Terms of Office. H.J.R. 48 would amend the Constitution to pro-

vide that a home rule city may provide by charter provision and a city operating under the general laws may provide by majority vote for a four-year term of office for its officials. The amendment will be voted on in November, 1958.

Health. H.B. 454 removes population limits and allows any incorporated city to co-operate with its county in the establishment of a city-county health unit. H.B. 691 enables cities to create hospital authorities without taxing powers but with authority to issue revenue bonds.

Other Bills. The legislature approved H.B. 386 to allow cities to issue revenue bonds for the purchase of city transportation systems. The operation of city fire equipment outside city limits has long been of concern to city officials. S.B. 372 may alleviate some of this concern by permitting creation, after voter approval, of rural fire prevention districts with authority to levy taxes.

Courts and Court Procedure

The legislature considered but failed to provide for state-wide judicial redistricting. In lieu of such redistricting it created nine additional district courts and three new county courts and reorganized certain judicial districts in an attempt to relieve court dockets. Several new juvenile courts and courts of domestic relations were established. The state statute regarding assignment of judges to other courts in the same administrative district was amended. Criminal proceedings were modified and salaries of certain justices, judges and court commissioners increased. County court and district court fees were increased (S.B. 237, H.B. 244), and for the first time an adult probation and parole system was established in the state (S.B. 154). The 1st Court of Civil Appeals was moved from Galveston to Houston (H.B. 14).

District Courts. Additional district courts were created or temporarily-created courts made permanent in the following districts:

120th District Court of El Paso County
122nd District Court of Galveston
3 additional district courts in Bexar County
141st and 154th District Courts in Dallas County
120th and 121st District Courts in Harris County

A Criminal Judicial District of Travis County and a Criminal District Court of Travis County were created (H.B. 81). Original jurisdiction

in matters of eminent domain was transferred from Gonzales County Court to the Special 25th Judicial District Court of Gonzales County (S.B. 299).

A measure was passed which required appointment of official shorthand reporters in each district and county court at law in counties over 613,000 population (H.B. 607).

County Courts. Three new county courts at law were established, one each in the counties of Harris, Bexar, and Lubbock (H.B. 501, 503, 878). And a temporary county court at law was established in Hunt County (H.B. 667).

Domestic Relations Courts. Domestic relations courts were created in Smith and Dallas counties (H.B. 140, 940). These courts were given jurisdiction in all cases involving adoptions and in dependent or neglected children proceedings. All authority that had been placed in the district or county courts under the juvenile and child welfare laws of the state was transferred to these courts, as well as jurisdiction over divorces and marriage annulment cases, including the adjustment of property rights involved.

Divorce. The residence requirements in divorce actions were relaxed to permit non-resident military personnel stationed in Texas for 12 months and in the county where the suit is filed for six months to be deemed inhabitants and residents of the state (H.B. 102).

Minors. The peddling of narcotics to minors was made subject, in second offense cases, to the death penalty or to imprisonment for not less than 10 years (H.B. 31).

Property owners were authorized by H.B. 45 to recover up to $300 damages from the parents of minors under 18 for malicious and wilful acts done by the minors. The law relating to gifts of money and securities to minors was made uniform (H.B. 375).

Juvenile Boards and Courts. A continuing trend toward the creation of county juvenile boards throughout the state was in evidence during the session with the establishment of at least nine new county boards. Two new juvenile courts, one each in Hamilton and Dallas counties, were also created.

Juries. State statutes relating to the selection of jurors by the jury wheel system and the selection of special venire by the jury wheel system were amended so as to make their provisions applicable to additional counties (S.B. 49). The article of the Code of Criminal Procedure pertaining to the summoning of jurors was amended to

permit service of the writ to be delivered either verbally or by first class, certified, or registered mail (H.B. 245). School teachers by H.B. 498 were added to the persons exempt from jury service.

Criminal Proceedings. The provisions relating to bail bond were amended so that the bond or recognizance shall be valid and binding upon the defendant and his sureties thereon, for any and all subsequent proceedings held relative to the charge (H.B. 71). Court-appointed counsel of indigent accused was given 10 days instead of one for trial preparation (H.B. 822). The Code of Criminal Procedure was amended so as to credit the time spent in jail between arrest and sentence or pending appeal in misdemeanor cases (S.B. 156).

The offense of bribery and taking a bribe was redefined by S.B. 166.

H.B. 906 clarified the law with respect to persons who offer a plea of insanity as a defense in a prosecution for a criminal offense.

Motion Picture Distribution. The venue of suits over contracts relating to the distribution and licensing of motion pictures was fixed by H.B. 524.

Attorneys. The act relating to licensing of persons to practice law in this state was amended so as to stiffen the requirements surrounding the exemption of veterans from the bar examination (H.B. 188).

Salaries. An act increasing the salaries of the justices of the Supreme Court and the judges and commissioners of the Court of Criminal Appeals to $20,000, the justices of Civil Appeals to $16,000, and the judges of the district courts and the criminal district courts of the state to $12,0000 (S.B. 75) was adopted.

Women's Rights. The provisions of the law which made it necessary for a husband to join in conveyances of his wife's separate real estate were changed so as to give equal rights to women to convey their separate property (S.B. 24). The bill repealing the requirement of separate acknowledgment by husband and wife of legal instruments failed of passage (S.B. 25).

ELECTIONS

The method of electing, when a vacancy occurs, a United States Senator or a congressman-at-large from Texas was prescribed (H.B. 4): a run-off between the two high men will be required if no one candidate secures a majority in the special election.

To be qualified to vote in a bond election or similar election, a per-

son must have rendered his property at the stated time for such rendition (H.B. 143). Physically handicapped voters were granted the right to choose the person to assist them in voting (H.B. 52).

Newsmen, including representatives of wire services and of radio and television stations, were declared to be entitled to attend precinct, county, and state conventions so as to report the proceedings (S.B. 94).

The previous practice of permitting ballots to be marked by alternate methods was eliminated in favor of the scratch method as the only approved one (H.B. 519).In applying for a poll tax receipt by mail, a citizen is no longer required to furnish information about himself under oath (H.B. 442).

Congressional Redistricting. Texas congressional districts were rearranged for the first time since 1933 under the provisions of H.B. 229. A new 22nd District was created in Harris County for the additional U.S. Congressman gained by the state after the 1950 census. This action will eliminate the present post of congressman-at-large and will give Houston and Harris County a second congressional district. Fort Worth and Tarrant County, formerly in a district with four other counties, proved to be among the chief beneficiaries of the bill by being awarded a district of their own. The act was not directed toward the complete equalization of populations of the districts.

WATER

The importance of water to the State of Texas is best illustrated by this statistic: about 14 per cent of the 528 bills and resolutions enacted by the 55th Legislature had something to do with water. Much of this legislation, to be sure, was of a purely local nature, i.e., it created, amended, or in some other way affected the rights and authority of local water jurisdictions. But water conservation and control is largely a state and national problem and was so recognized by the legislature. It may not be too much to say that the big news of this session, both in what the legislature did and did not do, can be told in terms of water.

The major "water accomplishment" of the 55th Legislature was passage of H.J.R. 3, the $200 million constitutional amendment designed to aid political subdivisions of the state in constructing water conservation and supply projects. The proposed amendment will be submitted to the voters on November 5, 1957. If the amendment is approved, the state is authorized to issue $100 million in state bonds

outright (bearing interest not to exceed four per cent), and another $100 million in bonds upon the vote of two-thirds of the members of the two houses of the legislature.

All funds derived from this bond sale are to be administered by the Texas Water Development Board—an agency created by H.B. 161, which is the enabling act for H.J.R. 3. The Board is to consist of six members appointed by the Governor, one each from the fields of engineering, business, law, and farming or ranching, and two from private or public finance. Each member of the Board must be from a different section of the state.

Loans from the Water Development Board to local subdivisions may consist of the purchase of local bonds or other securities issued to finance a water project. No loan, however, may exceed one-third of the total cost of the project, nor be in excess of $5,000,000.

Another water bill of note is H.B. 161, which allows the Board of Water Engineers to cancel all or part of certified filings and permits to appropriate public waters of the state which have not been put to beneficial use for a period of ten years. No city, municipal water district, town or village, however, may have its filing cancelled if water under such filing has been put to municipal use at any time during the 10-year period prior to cancellation proceedings.

EDUCATION

Teachers' Salaries. The minimum state salary schedule for teachers, under the Foundation School Program, was increased by $399 a year to $3,204 for a beginning teacher who holds a bachelor's degree, $3,429 a year for a beginning teacher with a master's degree (H.B. 8). This legislation was sponsored by the Texas State Teachers Association. The salary increase was financed in part by an annual transfer (to end in 1960) of 1 per cent of the Permanent School Fund to the Available School Fund (H.B. 103).

Integration. Local option elections may be held in any public school district to determine whether to continue or abolish a dual school system in that school district (H.B. 65). Another measure empowers school districts to consider aptitude test scores and "cultural background" in assigning pupils to particular schools (H.B. 231).

School Districts. Independent school districts, common school districts, and rural high school districts are required to follow stand-

ardized budgeting, accounting, and reporting procedures (S.B. 174 and 175). Every school district and junior college district is required to prepare and submit to a local newspaper an annual financial statement (S.B. 131). School districts are required to have annual audits by CPA's or public accountants and to file the audit report with the Texas Education Agency or face the loss of state financial assistance (H.B. 199).

The legislature gave authorization for the proceeds from the sale of school bonds to be invested, until needed, in interest-bearing time deposits in state and national banks, as well as being invested in United States bonds and notes (S.B. 441).

The terms of office of school trustees of independent school districts in certain populous counties were set by statute (S.B. 182). School districts within certain heavily populated counties were empowered to levy an ad valorem tax of not more than 50 cents per $100 valuation to pay for constructing, repairing, or equipping public school buildings (H.B. 444). Removal of the 10 per cent limitation in the formula for financing pupil transportation was accomplished by S.B. 102.

Junior Colleges. Junior college districts were authorized to charge "building-use fees" of students and others for the use of classroom buildings and to pledge the revenue so obtained to the payment of interest and principal of bonds or notes for building construction (S.B. 52).

State Colleges and Universities. The tuition fees at all state-supported colleges and universities were increased, so that the typical full-time student who is a resident of Texas will be charged $50 per semester rather than the previous $25 a semester (H.B. 265). A part of the funds so collected are reserved for tuition scholarships. The name of Texas State College for Women was changed to Texas Woman's University (S.B. 232); and the name of East Texas State Teachers College became East Texas State College (H.B. 858).

Health, Welfare, and Correction

The 55th Legislature materially eased the burdens of Texas citizens dependent upon the state for financial and medical assistance. Several of the welfare measures will require voter ratification, but most are already law.

Public Assistance. A proposed constitutional amendment (H.J.R. 36) would allow direct or vendor payments for medical care for the aged. Those already on the old age assistance rolls (about 226,000) would be eligible under this medical care amendment. Funds would be provided on a federal-state matching basis. A second constitutional amendment (H.J.R. 2) would increase the state welfare ceiling for assistance to the needy aged, the blind, and dependent children from $42 to $47 millions. This amendment would authorize, but not require, the state to raise its portion of the monthly payment from $20 to $25. Under the terms of a constitutional amendment passed last November, individuals who are between the ages of 18 and 65 and are permanently and totally disabled will, effective September 1, 1957, be eligible for a maximum monthly grant of $58. Finally, an amendment to be voted on in November 1958, would give monthly pensions to Texas Rangers who left the service prior to 1935.

Mental Health. A complete new mental health code was enacted by means of H.B. 6. H.B. 653 provided for the establishment of a new school for the mentally retarded, and redefined the nature of a mentally retarded child in order to broaden education benefits now available. H.B. 169 provided for a 60-bed research hospital and out-patient clinic as a sort of pilot project for the study of mental illness.

New Agencies. The legislature created a Texas Commission on Alcoholism and granted it $235,000 for the biennium. It also established a Texas Council on Migrant Labor with a $10,000 appropriation for its initial operations.

Crime and Correction. For the first time in Texas history the state will have a paid system of adult probation and parole (S.B. 154). A further evidence of the new "philosophy of correction" was reflected by changing the name of the prison system to the Department of Corrections (S.B. 42). And S.B. 303 created a new Texas Youth Council to supervise juvenile correction.

Traffic Safety and Motor Vehicles

Traffic Safety. A Traffic Safety Council for co-ordinating the state's safety program was created and placed in the Governor's office (S.B. 471). The state was given more specific authority to prescribe speed zones (H.B. 18), and an appropriation was made to enable the De-

partment of Public Safety to add 204 new highway patrolmen to its force. More stringent requirements governing issuance of driver's licenses to 14- and 15-year-olds were adopted, and authority to issue such permits was shifted from the county judge to the Department of Public Safety.

Registration. Motor vehicle registration fees were increased 10 per cent to help finance the provisions requiring the state to pay not less than half of the right-of-way cost on non-interstate highways exclusive of farm-to-market roads (H.B. 620). State statutes pertaining to registration were amended to provide for issuance of temporary registration permits for any out-of-state truck or truck-tractor which is being temporarily operated within the state for transporting farm products (H.B. 332).

Load Limit. The maximum load limit on commercial motor vehicles was increased for certain oil field service trucks from 48,000 pounds to 58,000 pounds (S.B. 268).

In other actions, the driving of a motor vehicle by a minor while under the influence of intoxicants or without a valid driver's license was made a misdemeanor (S.B. 45).

Highways

Approximately $725,000,000, including federal funds, was allotted for highways for the biennium. Two key bills for further developing the highway system established the controlled access principle for the state in cities as well as rural areas (H.B. 179), and provided for the state to split right-of-way cost with cities and counties on non-interstate roads (H.B. 620).

Labor

Most of the bills having to do with labor failed to pass. The principal new legislation in this field was a revamping of workmen's compensation laws (H.B. 433). The act puts the maximum weekly benefit for an injured worker at $35 instead of $25; no limit was fixed on the amount of medical and hospital benefits which a worker may be allowed. At the same time, fees for attorneys in compensation cases were decreased.

The requirement that employees be paid at two-week intervals was extended so as to take in other groups of workers (H.B. 517).

THE LEGISLATURE

Code of Ethics. The legislature enacted a code of ethics setting forth 11 standards of conduct for legislators, other state officers, and state employees, to aid in avoiding a conflict between personal and public interests (H.B. 3). S.B. 116 redefined the offense of bribery.

Legislators gave their approval to a proposed constitutional amendment calling for annual sessions of the legislature; every other year the session would be a 60-day "budget session" (H.J.R. 1). The same amendment would give legislators annual salaries of $7,500, and expenses of office rather than the present $25 per day for the first 120 days of the regular session. Members of the legislature were specifically excluded from the term "state employees," as regards social security coverage (S.B. 138). A bill not enacted would have required all lobbyists to register (H.B. 10). It stalled in a Senate-House conference committee during the final days of the session.

Proposed Constitutional Amendments

Twelve amendments, out of a total of some 68 proposals, were approved by the legislature for submission to the voters. Part of these will be voted on at an election held in November, 1957; the others will be voted on a year later, in November, 1958.

For the November, 1957 Election

H.J.R. 2—would increase the maximum monthly payment to the needy aged, needy blind, and needy children.

H.J.R. 3—would provide for the issuance and sale of bonds by the state to create a Texas Water Development Fund.

H.J.R. 37—would establish a retirement, disability and death compensation fund for officers and employees of the state.

For the November, 1958 Election

H.J.R. 1—would provide for annual sessions of the legislature and annual compensation of $7,500 for legislators.

S.J.R. 3—would authorize the creation of a hospital district for Amarillo and Potter County, and countywide hospital districts for Wichita and Jefferson counties.

S.J.R. 4—would authorize the legislature to appropriate money for advertising the advantages and economic resources of Texas.

S.J.R. 6—would authorize a retirement, disability and death compensation fund for the appointive and elective officers and the employees of counties and precincts.

H.J.R. 17—would provide pensions to retired Texas Rangers who are ineligible to participate in the Employees Retirement System.

H.J.R. 30—would require that vacancies in the office of county judge and justice of the peace be filled by commissioners court only until the next general election.

H.J.R. 31—would provide that county officials who have four-year terms must resign their office prior to announcing for a different office, when more than one year of their terms remains unserved.

H.J.R. 36—would amend the Old Age Assistance Act to provide direct or vendor payments for medical care on behalf of such recipients.

H.J.R. 48—would provide for four-year terms of office for certain elective and appointive municipal officers.

Bills Vetoed

The Governor used his veto power rather sparingly on bills transmitted to him by the 55th Legislature. During the session he vetoed S.B. 214, which would have reduced all license fees on manufacturers of beer to a uniform $500 per brewery, on the ground that the bill set a poor precedent with respect to graduated fees and taxes. He also returned S.B. 389 without his approval. This bill would have made a

partial exception for persons engaged in an occupation or trade requiring the use of a motor vehicle to the present mandatory suspension of drivers' licenses in drunken-driving cases. It was disapproved as being too broad in its application and not restricted to hardship cases.

After adjournment, the Governor vetoed the items in the appropriation bill (H.B. 133) calling for payment of the principal of state bonds, doing so in order that the salary raise for public school teachers could be certified by the Comptroller. He added that he expected to submit to the next session of the legislature a plan for refunding or repaying these bonds.

Governor Daniel also vetoed an appropriation item of $220,000 for the Veterans Land Board, noting that it was in conflict with the provisions of H.B. 527. It was on similar grounds that he vetoed a more consequential piece of legislation, a codification of the state's juvenile laws (H.B. 695): he had received an Attorney General's opinion that the bill would conflict with a law passed earlier in the session, S.B. 303, which establishes a new Texas Youth Council. He described the legislation as a worthwhile effort, saying that he fully supported the idea of codifying the juvenile laws.

With the concurrence of representatives of policemen and firemen, the Governor vetoed S.B. 50, designed to increase the longevity pay of firemen and policemen; he explained that amendments attached to the bill might jeopardize minimum wage and longevity benefits enjoyed under the present law. Again, with the approval of the group most directly concerned—officials of the State Department of Health—Governor Daniel vetoed the Texas food, drug, and cosmetic bill (S.B. 238), asserting that its language was confusing and ambiguous.

Interim Studies

As in previous bienniums, the legislature gave directions for, or requested, a number of specific studies to be made in the interim between sessions, at the same time designating the agency or committee

to conduct the study. As a rule, it asked for a report to be submitted to the next regular session of the legislature (1959), though in a few instances the legistative resolution named the regular session of 1961 as the time for reporting. The agency or committee frequently was asked not only to submit a report embodying the results of its study but also to include recommendations for a possible course of action. Often the state agency that was designated to carry on the study was either empowered or directed to select an advisory committee to work with it. Several of the study requests were assigned to the Texas Legislative Council.

Legislative Council

A study of each section of the Texas Constitution—its history, the interpretations of it, its role in shaping Texas government, the presence or absence of its counter part in the constitutions of other states (H.C.R. 13).

A study "concerning all physically handicapped persons, both children and adults" (H.C.R. 52).

A comprehensive study of the state parks system, giving special attention to present facilities and to possible improvements of them or abandonment of them (H.C.R. 77).

A study of the administration, disposition, and control of submerged areas of land (H.S.R. 441).

A study of the traffic accident problems in street and highway transportation in Texas (S.C.R. 10).

A study of the needs and problems of the physically handicapped and mentally retarded youth in the state (S.C.R. 39).

Other Committees

Citizens Committee on the Public Schools. A committee of 24 members—six to be appointed by the Lieutenant Governor, six by the Speaker of the House, six by the Governor, and six by the State Board of Education—was constituted to "coordinate and complete" a comprehensive study of the needs of the public school system as related to curriculum, teacher supply, classroom facilities, and other related areas, including adequate financing of the public school program (H.C.R. 105).

A State Tax Study Commission. A state tax study commission was created to conduct a comprehensive study of the entire state and local tax structure (H.B. 371). The commission was authorized to request aid in service in making the study, so long as it secured such asistance without cost to the state.

Texas Employment Commission. The Texas Employment Commission was asked to draw up an orderly classification plan for positions held by state employees (S.C.R. 23).

Harris County Home Rule Commission. This commission, created by the previous session of the legislature, was authorized to continue its study of the possibilities of a functional consolidation of governmental units in the Harris County metropolitan area (S.C.R. 16).

Texas Research League. The Texas Research League was requested to "examine in detail the policies, methods and functions" of the State Comptroller, State Treasurer, and other state fiscal offices (H.C.R. 73).

Industrial and Occupational Safety Commission. A study commisison was instructed to make a thorough study of occupational injuries in the state and the state's safety program in this area (S.C.R. 100). The commission is to be made up of nine members, three appointed by the Governor, three by the Lieutenant Governor, and three by the Speaker of the House.

Utilization of Space in the Capitol. A committee composed of the Lieutenant Governor and four members of the Senate was formed to devise a plan for the maximum efficient utilization of the space in the capitol (S.R. 602).

The State's Aged Citizens. A committee was called into being to make a study of the state's program of old-age assistance (S.C.R. 60).

The House Committee System. The House of Representatives in H.S.R. 299 formed a committee with instructions to study the House committee system with a view to reducing the number of committees and making the legislative process more efficient.

Investigating Committees. The House general investigating committee and the Senate general investigating committee were both continued (H.S.R. 400 and S.R. 347).

House Rules. A committee of Representatives was formed to redraft the House rules (H.S.R. 489).

Latin American Relations. A committee was asked to study ways of furthering good relations with Mexico and other Latin American nations (H.S.R. 519).

Premium Rates. The Insurance Commisison was requested to study premium rates on fiduciary bonds (S.R. 200).

Water Pollution. The Board of Water Engineers was directed to study pollution of tributaries of the Red River and methods of preventing it (H.B. 864).

Bills and Resolutions Not Enacted

The primary function of the legislature is to "translate social pressures into public policies." But it is a phenomenon of politics that some

legislation which "everybody is for" nevertheless still fails to be enacted into law. One would be hard put to find even a handful of legislators who did not favor lobby registration, or water conservation, or law enforcement, or small loan regulation. Yet bills which purported to legislate in these vital areas failed to get through the legislature. The crux of this paradoxical situation lies, of course, in the details of specific legislation.

The following sections contain a brief description of bills introduced into the 55th Texas Legislature which apparently had widespread legislative support but which, nonetheless, failed to pass.

Water Conservation

The defeat of S.J.R. 1, the $100 million proposed state bond fund amendment to the Texas Constitution to buy space for stored water behind federal dams, was made certain only in the closing minutes of the 55th Legislature. The measure was drafted by the Texas Water Resources Committee and vigorously supported by Governor Daniel.

The water storage bill met with immediate and spirited opposition, but sufficient votes were mustered to pass it in both houses. Different versions of the bill, however, sent it to a conference committee. The main point of contention, over which real agreement was never reached, was a provision in the House version which stated that "no sale of water shall be made which prevents the river bank owner from withdrawing from the river sufficient water for his agrarian needs; provided, however, that such landowner shall pay for storm and flood waters which he withdraws . . . ." The clear effect of this provision would have been to give riparian landowners top priority for waters released from storage.

It now seems that some plan to enable the state to buy storage space in federal reservoirs is certain to be placed before the special legislative session this fall. One possibility is the creation of a statewide water conservation district with authority to issue bonds and levy taxes. Another is a direct appropriation from the legislature for the program. This would require enactment of new taxes and is, therefore, unlikely to pass. A duplicate of S.J.R. 1 cannot be submitted since the legislature is prohibited from proposing constitutional amendments in special sessions.

Small Loan Regulation

For years various individuals and groups in the state have been agitating for "tough legislation" designed to control the terms and rates of interest charged by small loan companies. Legislature after legislature has considered and rejected such legislation. The 55th Legislature was no exception.

Several so-called anti-usury bills were introduced in this legislative session but all failed to pass. S.B. 54 would have placed lenders of $100 or less under Banking Department regulation. H.B. 22 would have prohibited loan charges, interest and otherwise, of more than 10 per cent. H.B. 13 provided for annual licensing of firms lending $500 or less, limited total charges to 36 per cent, and provided for fine or imprisonment for violators.

Lobby Registration

"Texas will have a strict lobbyist registration act before the next regular session," Governor Price Daniel stated in announcing his intention to call a special session of the legislature. The Governor indicated he favored legislation along federal lines, "broad enough to cover people who raise money and come up here to use it to influence legislation."

The story of the legislature's failure to pass a lobby reform bill is a long and involved one. At one point its unfolding became so bitter that two members of the House rose on a point of personal privilege to attack verbally the Senate in general and one senator in particular. The controversy between the two houses centered on two questions. What is a lobbyist? And in what magnitude should funds expended by lobbyists be reported?

A State Law Enforcement Commission

One of the Governor's key pre-session proposals was creation of a statewide law enforcement commission. The commission was to be composed of one member from each of the 11 supreme judicial districts selected by and from grand jury memberships to investigate alleged misconduct in public life. A $150,000 appropriation was to finance the investigation.

A bill closely allied to the Governor's law enforcement commission plan, and another of his key proposals which failed, was designed to

require registration of persons representing others before state agencies. It appears that both measures will be on the special session agenda this fall.

Other Bills Not Passed

Municipalities. Probably the big disappointment of the session for municipalities was failure of H.J.R. 38. This resolution would have substituted a one-third increase in license plate fees for the present ad valorem tax on vehicles. Cities, counties and school districts would have shared in the proceeds. On the positive side, for cities, was the defeat of legislation limiting annexation powers, and of an attempt to exclude the property of persons over 65 from city taxation.

Hospitals and Special Schools. Three of the six measures sponsored by the State Board for Hospitals and Special Schools failed to pass. One would have allowed the Board to make grants to medical school students with the provision that they agree to practice in state hospitals after graduation. The legislature also turned down a proposal to allow the Board to sell surplus property, with the proceeds to be used in the hospital program.

Segregation. All but two of some 12 so-called segregation bills failed to win legislative approval. Four of the bills introduced were of the "pupil assignment" or "school placement" type now quite popular in Southern states.

Trucks. Trucking interests again failed to get the state's truck weight limit raised. S.B. 56 would have raised the limit from the present 58,420 to 72,000 pounds.

Courts. The legislature rejected H.J.R. 10, which provided for statewide judicial redistricting. The measure would have set up a redistricting board consisting of the Governor, Attorney General, Chief Justice, presiding judge of the Court of Civil Appeals and the Comptroller with powers to redistrict the state if the legislature did not do so by the first regular session following 1960. Likewise S.J.R. 9, which would have increased the number of justices on the Court of Criminal Appeals, was not adopted.

Education. A bill to make driver education courses a part of the Foundation School Program fell short of approval (S.B. 37). Four proposals to expand the state system of higher education were advanced but put aside for more study. They were: (1) to permit the

adding of a third and four year at Del Mar College, (2) to add Midwestern University to the system of state-supported colleges, (3) to establish a medical branch of The University of Texas at San Antonio, and (4) to convert Arlington State College and Tarleton State Colleg into four-year institutions.

Insurance. Several measures which would have permitted flexibility in premium rates on automobile and casualty insurance, as opposed to the uniform rates now in effect, were not enacted.

County Redistricting. H.J.R. 5, proposing a constitutional amendment to require the redistricting of county precincts on the basis of population, failed to secure legislative approval.

PUBLIC AFFAIRS SERIES

OF THE UNIVERSITY OF TEXAS

1. *Address Unknown* (February, 1950), Free.
2. *Municipal Home Rule Charter Elections in Texas* (July, 1950), 60 cents.
3. *Texas Property Taxes—1949* (November, 1950), $2.00.
4. *Bibliography on Texas Government* (January, 1951), $1.50.
5. *Election Procedure for Municipal Officials in Texas* (January, 1951), $1.00.
6. *Municipal Incorporation and Organization in Texas* (April, 1951), 75 cents.
7. *City and County Home Rule in Texas* (August, 1951), $2.00.
8. *A Layman's Guide to the Texas State Administrative Agencies*—1951 Supplement (December, 1951).*
9. *A Handbook for Texas Voters* (March, 1952).*
10. *How Bills Become Laws in Texas* (Revised edition, Second Printing, January, 1954), 50 cents.
11. *Texas State Government: Four Organization Charts* (September, 1952), 75 cents.
12. *State Supervision of Municipal Finance* (May, 1953), $1.00.
13. *Financing State Government in Texas* (May, 1953), $2.00.
14. *Survey of Texas Laws on Fire Prevention and Control* (July, 1953), $1.00.
15. *The Fifty-third Texas Legislature—A Review of Its Work* (August, 1953).*
16. *Texas Presidential Politics in 1952* (October, 1953); Paper, $1.25; Cloth, $2.00.
17. *A Handbook for Texas Voters* (Revised edition, December, 1953), 50 cents.
18. *Forms of City Government* (Third edition, April, 1954).*
19. *A Layman's Guide to the Texas State Agencies* (Revised edition, June, 1954).*
20. *County Unit Road Administration in Texas* (August, 1954), $1.00.
21. *Public Employee Retirement in Texas* (January, 1955), $1.50.
22. *Public Employees and Social Security* (March, 1955), 15 cents.
23. *The Fifty-fourth Texas Legislature—A Review of Its Work* (August, 1955), 75 cents.
24. *A Comparison of Corporation Taxes in Texas and Four Surrounding States* (January, 1956), $1.00.
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