

**JOURNAL**  
**OF THE**  
**House of Representatives**  
**OF THE**  
**FIRST CALLED SESSION**  
**OF THE**  
**Fifty-fifth Legislature**  
**OF THE**  
**STATE OF TEXAS**  
**BEGUN AND HELD AT**  
**THE CITY OF AUSTIN**  
**OCTOBER 14, 1957**



## HOUSE AT EASE

The Speaker stated that the House would now stand at ease pending the time for the Joint Session to hear the Governor's address.

(While the House stood at ease, temporarily, Mr. Dewey occupied the Chair.)

(Speaker in The Chair.)

## ADDRESS BY THE HONORABLE PRICE DANIEL, GOVERNOR

(The House and Senate in Joint Session.)

In accordance with the provisions of Senate Concurrent Resolution No. 1, providing for a Joint Session of the House and Senate at 11:30 o'clock a. m., today, for the purpose of hearing the message of Honorable Price Daniel, Governor, the Honorable Senators, at 11:30 o'clock a. m., were announced at the Bar of the House and, being duly admitted, occupied seats prepared for them along the aisle.

Lieutenant Governor Ben Ramsey was escorted to a seat on the Speaker's rostrum.

Honorable Price Daniel, Governor, Mrs. Price Daniel and party, escorted by Senators Martin, Herring, Hudson, Colson and Aikin, Committee on the part of the Senate; and Messrs. Winfree, Hughes of Dallas, Huebner, Huffman, Kelley, Kennard, McCoppin, Schwartz of Galveston and Smith of Hays, Committee on the part of the House, were announced at the Bar of the House and, being admitted, were escorted to seats on the Speaker's rostrum.

Lieutenant Governor Ben Ramsey called the Senate to order and announced a quorum of the Senate present.

Honorable Waggoner Carr, Speaker, called the House of Representatives to order and stated that the two Houses were in Joint Session for the purpose of hearing an address by Honorable Price Daniel, Governor.

Speaker Waggoner Carr directed the Clerk to call the roll of the House.

A quorum of the House was announced present.

Speaker Waggoner Carr presented Honorable Price Daniel, Governor of Texas, to the Joint Session.

Governor Daniel then addressed the Joint Session, speaking as follows:

## MESSAGE OF GOVERNOR PRICE DANIEL, SPECIAL SESSION, 55TH LEGISLATURE, OCTOBER 14, 1957

Mr. President, Mr. Speaker, Members of the 55th Legislature:

As you know by now, I am glad to see you again.

It is said that most chief executives breathe a sigh of relief when their legislative bodies adjourn and go home. Few executives ever ask for an early return, as you have noticed.

I do not entertain the usual apprehension of an assembly of the duly elected representatives of the people of this State. It is largely through you that the people of Texas govern themselves. I welcome your return, because it is my sincere belief that important work remains to be done on behalf of the people of Texas—work which should not be delayed until 1959.

Under the authority vested in me by Section 8 of Article IV of the Constitution, I have called you in special session to consider four subjects which I submitted as emergency matters in my first message to the Regular Session on January 17. It is no reflection upon you that these subjects were not disposed of during the Regular Session. There simply was not enough time to finish all of the work then under consideration. On numerous occasions I have complimented the work of this Legislature during the Regular Session, and here again let me say that in my opinion you enacted some of the most important legislation in the history of our State.

When I first suggested this special session, I was counseled by some to avoid it by saying that I had recommended all of these matters at the Regular Session and that the Legislature failed to pass them. I was told, "Don't take the risk of a special session. Your record is clear. Blame it on the Legislature." You would be surprised at the identity and number of those who volunteered this advice.

My reply in each instance was that this would be unfair to members of the Legislature who had worked seriously and tirelessly during the Regular Session and who could not be expected to finish every important item within the time allotted. Besides, the strength and success of our State Government depends upon understanding and cooperation between its executive and legislative branches. We are on the same team, representing the same people. Trying to excuse failures by fixing unwarranted blame on another branch of the same government does harm to the government itself and lowers all participants in the estimation of the people.

I have chosen the course of cooperative action which will enable us to demonstrate an effective and responsible State Government. That is far more important in this day and time than any individual selfish or political interest which could possibly exist. All of you know of my devotion to States' Rights and local self-government. Most of you know also of my conviction that the best way to protect the rights of our State and its people is for us to properly exercise the responsibilities which accompany those rights. Above all, we must justify and maintain full and complete confidence of the people in the honesty and integrity of their State Government and its processes. It was for this reason that the first items submitted in my message to the last Regular Session concerned public confidence and better enforcement of our laws. I said then and repeat now that nothing else that we attempt or accomplish will be very successful unless the people whom we represent are convinced of the honesty and integrity of our public officers and employees, and unless we do everything within our power to expose the few wrongdoers and prevent a repetition of their actions.

Accordingly, I resubmit to you my recommendation for the enactment of a law providing for registration and regulation of those who represent others before the Legislature. Most of those who engage in these activities, and the persons whom they represent, are registered already in the minds of those before whom they appear. They have nothing to hide. They constitute a legitimate profession and have no reason to fear this proposed legislation. On the other hand, there have been some under-cover and unprincipled operators who have attempted to buy their way into the halls of government and who have succeeded only in creating scandals and enabling demagogues to cast reflections upon legitimate lobbyists and the entire State Government.

In the Federal Government and in 29 States where similar conditions have existed, legislation has been enacted to expose and prevent such corrupt practices. Our failure to do so in Texas would only prolong the demagogic attacks and the unfavorable publicity, both State and National, which has damaged the good name of Texas and has shaken the confidence of our people. That is why I consider this a matter which requires attention before the next Regular Session convenes.

I do not stand alone in my belief as to the importance of this legislation. In fact, it was recommended by both the House and Senate investigating committees of the 54th Legislature, both of which called upon the Legislative Council to draft a bill for strict lobby controls. Our Lieutenant Governor and Speaker of the House, and most of the members of this Legislature, advocated this reform during the last elections.

The Legislative Council prepared a bill and submitted to you a very detailed study of the question, including a comparison of the laws of the Federal Government and the other States. I recommend that the Council bill serve as the basis for your consideration, together with the staff's recent suggestion that the bill should be limited to "direct communications" for the purpose of promoting or opposing legislation, in order to remove any question concerning the constitutional aspects of the bill. I recommend that there be added to the

Council draft a retention of the present prohibition against seeking to influence the vote of a member other than by an appeal to reason.

I again submit and recommend the enactment of a law requiring the registration of those who represent others before State commissions and agencies. The Legislative Council also has presented a bill and a study report on this subject.

I recommend the creation of a State Law Enforcement Commission to study ways and means to improve law enforcement and crime prevention, including a study of the Penal Code and our antiquated Code of Criminal Procedure. My present recommendation is that this Commission be appointed by the Governor, the Lieutenant Governor, and the Speaker of the House, and that it be constituted only as a study commission to make recommendations to the next Regular Session of the Legislature.

You will note that in this recommendation I have recognized that a majority of the Legislature believes that the additional purpose of the Commission originally recommended last session—investigation of allegations of misconduct on the part of State officials and employees—should be conducted by grand juries rather than by a commission of this nature. Although believing strongly in the benefit that would have come from my original recommendation, I respect the judgment of the majority of the legislative branch on this subject. In fact, I have urged that Travis County grand juries handle and complete these investigations at the earliest possible time. I hope that the modification in my present recommendation will eliminate the past controversy concerning the proposed Law Enforcement Commission, because an important task needs to be performed in attempting to bring our criminal laws and procedures up to date.

The latest nation-wide crime reports from the Federal Bureau of Investigation, which were delivered to me only two days ago, show that the increase in major crimes in this State for the first six months of this year is again greater than the national average. During the first six months of 1957 major crimes increased in Texas 9.5% over the first six months of 1956. The nation-wide increase was 7.2%. The Texas record shows an increase in virtually all of

the major crimes—murder, manslaughter, robbery, aggravated assault, larceny-theft, auto theft, and burglary. The rate on murder and non-negligent manslaughter was 5.1 cases per 100,000 population compared with 4.8 cases for the same period in 1956.

An investigation by the Houston Junior Chamber of Commerce in cooperation with Harris County officials indicates that the largest city in our State has had 112 murders thus far in 1957—a total exceeded only by New York and Chicago, both of which have far greater populations. They urge a study to write laws tightening the prohibitions against sale and use of deadly weapons. Our prison population has increased over 80% since 1947, which is more than three times as fast as the increase in our general population. The most disturbing statistic of all is the fact that 46% of these major crimes are being committed by boys and girls 17 years of age and under.

Many organizations and law enforcement officials insist that improvements in our laws would help reduce the crime rate in Texas. Since law enforcement is a matter left almost entirely to the States and local units of government, with a few notable exceptions in recent months, I feel that it is our obligation to do everything within our power to see that the State properly discharges its responsibility in this important field of government. I do not want the finger of Federal encroachment pointed at Texas because of inaction on a law enforcement problem which we should face and do our best to correct.

The fourth subject of this call relates to the State's number one economic problem—proper planning, conservation and development of our water resources. At the Regular Session you passed several important measures designed to meet our water needs, including the submission of a Constitutional Amendment to be voted on November 5, which will provide a \$200,000,000 revolving fund to assist cities and local districts in conservation projects. I have appointed a committee of 150 citizens known as the Governor's Water Planning Committee to work for the adoption of this amendment. On November 5 the people will have an opportunity at the polls to approve one of the most progressive steps ever taken by the State to solve this critical problem.

There still remains the necessity for creation of a State-wide water planning agency to cooperate with other State, local and Federal agencies in conducting research and planning for present and future water needs. I recommend the creation of this agency as a Planning Division within the Board of Water Engineers with adequate salaries to attract the finest engineers available for this service. This research and planning agency is the most essential need which we have in the field of water development and flood control. It would not operate or control any local activities of conflict with existing water rights. Its sole function would be to conduct research, assemble all available data, and cooperate with and coordinate the activities of all agencies interested in future planning so that there will be one source in the State for information and leadership on this subject. No such source exists today, and none is authorized by present laws.

This idea of long-range water resources planning is not new. It has been voiced over Texas and the nation for a number of years. Other States in the Union have heeded the cry and have made notable advancements. Twenty-one States have made provision for "overall planning" for water development.

Every committee and organization which has studied the Texas water problem in recent years has recommended the establishment and financing of a state planning agency. Such was the recommendation of your own Texas Water Resources Committee, chairmanned by Senator Dorsey B. Hardeman, in its August 1955 report, and again by the Texas Water Resources Committee under the chairmanship of Senator George Parkhouse in 1956.

In recommending to the Regular Session several matters essential to proper water conservation on January 17, I began the list by submitting to you as an emergency matter the creation of a State-wide research and planning agency. In my budget message I recommended the appropriation of \$1,024,000 for this purpose, the larger portion of which would go for research and topographic mapping.

This legislation is essential to the future growth and prosperity of Texas. Time has caught up with us. We can no longer take water for granted and neglect to plan for future needs. Lack

of long-range planning in the past has contributed to water shortages and the estimated loss of two billion dollars during seven years of drought, followed immediately by more than one hundred million dollars lost in destruction from floods this year.

"Short on water and long on floods" is a symptom of neglect. It means that enough water falls on Texas soil, but it must be retained and put to useful rather than destructive purposes.

This proposed planning agency would study and plan to meet the water needs of the people of our State, not only for the present and the immediate future, but for future generations. The State-wide master plan should consider long-range water needs projected to at least the year 2000. That sounds like a far distant date, but it is only 43 years away. In point of time, it is about as near to us today as the creation of the State Highway Department in 1917—40 years ago. Can you imagine our present plight in transportation if this State had not started 40 years ago in the State-wide planning of highways to meet future needs of our people? It would be as bad as our plight with respect to water today. Can you imagine the plight of our sons and daughters with respect to water in Texas in the year 2000—43 years from now—if we who are citizens of this proud State fail to inaugurate an overall water program for the present, the immediate future, and for long-range future needs?

If such a program is inaugurated at this Special Session of the Legislature, it will be an historic event. You will be writing an important chapter in the history of Texas.

I asked the 150-member Water Planning Committee to assist in the drafting of proposed legislation on this subject. The members of this committee, representing every section of the State and every possible interest in water, met in Austin on September 9 and agreed upon the proposed bill which I have handed to the Speaker and the Lieutenant Governor for your consideration. I am sure you will make improvements in the course of your public hearings, but I trust that no conflicting interests will prevent or delay the over-all objective.

The proposed bill includes the authority for the Board of Water Engineers to contract for storage space in Federal reservoirs, to be paid out of

revenues, when found necessary to preserve and effectuate the State-wide plan for water conservation and development. This is an important provision which, depending upon future action by the Congress, would salvage part of the proposed conservation storage amendment which failed of passage last session. Its adoption will make Texas the first State to be able to take advantage of this newly proposed State-Federal plan of financing additional conservation storage in Federal flood control projects.

To finance the water planning program for the remainder of this biennium I recommend that the \$100,240 for watershed planning appropriated to the Board of Water Engineers conditioned on adoption of the constitutional amendment of November 5 be made immediately available, and that the \$500,000 contingency appropriation to the Texas Prison System for possible flood damage to crops be transferred to the Planning Division of the Board of Water Engineers. Because of the usual skillful management of the Director of Corrections, Mr. O. B. Ellis, and his staff, Mr. H. H. Coffield, Chairman of the Board of Corrections, has advised me by telegram dated October 13 that the anticipated cotton crop will be produced in spite of flood damage and that this money will not be needed for that purpose. A copy of the telegram is attached to this message.

I recommend that an additional \$400,000 be transferred from the appropriation made for relocation of the Blind, Deaf, and Orphan School to the Planning Division of the Board of Water Engineers. This fund is available because the Texas Youth Council has advised me by letter dated October 11, 1957, that the proposed relocation cannot be made within the time specified and within the funds available under House Bill 133. The Council has requested that the Legislature modify or remove this mandate to the Youth Council. A copy of the letter is attached to this message. The Attorney General has ruled in Opinion No. WW-275, dated October 11, 1957, that these transfers may be made in the proposed water planning bill without further certification by the State Comptroller.

The matter of State-wide water planning is particularly urgent today. It should not wait another year, because on July 17 two Federal agencies, the

U. S. Corps of Engineers and the Bureau of Reclamation, were requested by Senator Lyndon Johnson to begin immediately to devise a master water plan for Texas insofar as Federal responsibilities are concerned. State responsibilities were not ignored. On the contrary, it was requested that the Federal plans be "tied in with State efforts in this connection." Both of the Federal agencies have agreed to proceed within the limits of their Constitutional and statutory powers, but they have called attention to the fact that the State has rights and responsibilities which must be put into action before they can proceed.

I attach to this message letters addressed to me from General L. E. Seeman, Division Engineer, U. S. Corps of Engineers, and from Hon. Robert W. Jennings, Regional Director, Bureau of Reclamation, on this subject. I hope you will take the time to read these letters. They constitute excellent examples of proper recognition of State ownership and responsibility insofar as our rivers and waters are concerned. The gist of their letters is that they are ready now to proceed with their part of a State-wide water plan for Texas as soon as the State is ready to initiate and furnish the leadership necessary for such a cooperative program.

This is a peculiar and embarrassing situation. Here we have two Federal agencies ready to act but declining to exceed their authority and unable to proceed because of delay in State leadership.

What will happen if we continue to delay action on the State level? The answer is obvious. One of two things is sure to happen: either (1) some day the Federal agencies will end up by doing the planning for us on a "take it or leave it basis," or (2) Texas will have no comprehensive water plan at all.

One thing is sure today. Texas has need for State-wide water planning. Federal officials stand ready to cooperate in a proper and lawful manner to meet that need. Lack of a properly financed State planning program is delaying action.

Under these circumstances, you have the greatest opportunity of any Legislature that has occupied these chambers to build for the future progress of the people of Texas. I realize that some who tremble every time the people's

elected representatives meet in the State Capitol have advised to let this matter ride until the Regular Session of the Legislature in 1959. The advocates of centralized Federal control would be happy to see two more years of State delay. And some of the strongest advocates of States' Rights often oppose State action, especially when it costs money or involves a special session of the Legislature.

As Governor, I have not followed the easy course of delay. I did not seek this office to maintain the status quo or to surrender the rights and responsibilities of my State through timidity or in-action. I sought a change from Federal to State service to work for the progress of Texas and its people, and to protect State and local rights through the proper exercise of State and local responsibilities. That is why I have called this session. I have every faith that you will meet the challenge which faces all of us who are entrusted with the Government of Texas.

I also present and recommend the passage of legislation which will provide for the construction of a building to house the State Board of Insurance. That provision of the recently enacted Insurance Reorganization bill was declared unconstitutional by the Attorney General because it was not properly covered in the caption. A new bill is being prepared on this subject.

Also, I submit for your consideration and recommend the amendment of Senate Bill No. 1, Acts of the 55th Legislature, Regular Session, Chapter 1, so as to make available to any called session of the 55th Legislature, and to the interims between sessions, any money heretofore appropriated under the terms of said Act. This submission is made pursuant to Opinion No. WW-276 rendered by the Attorney General of Texas to the Comptroller of Public Accounts, dated October 11, 1957. Copies of the bill prepared by the Attorney General have been delivered to the Lieutenant Governor and the Speaker of the House.

In conclusion, let me thank you for your consideration and your cooperation. I offer you every assistance possible from the Governor's office. I shall be available at all times during this session to work with you in meeting the important responsibility which we share in the exercise of our duties and obligations to the people of Texas.

## WESTERN UNION TELEGRAM

DA067 NSA188 (14).

NS HSA228 PD=TDHS Huntsville,  
Tex 13 1155 AMC=Governor Hon. Price Daniel=  
Austin, Tex=

1957 Oct. 13 p. m. 12:37

The accomplishments of the staff in making a bumper cotton crop in the face of apparent unsurmountable odds after the floods early this year is unbelievable having already harvested over 7500 balance out of estimated 11000. The contingent appropriation of \$500,000.00 will not be needed. The Board agrees that these funds should now be available for some other appropriation=

H. H. Coffield, Chairman  
Texas Board of Corrections

=7500 11000 \$500,000.00=

TEXAS YOUTH COUNCIL  
213 West 14th Street  
AUSTIN, TEXAS

October 11, 1957

The Honorable Price Daniel  
Governor of Texas  
Austin, Texas

Dear Governor Daniel:

After investigation of the various factors involved in complying with Senate Bill No. 478, 55th Legislature, the Texas Youth Council is of the opinion that it is not to the best interest of the State, the Blind, Deaf, and Orphans' Home and the functions of the Youth Council in general to undertake construction of a new institution at this time, with the funds available under House Bill No. 133.

It is our opinion that it would be impossible to replace the present facilities and equip same within the funds provided.

Two necessary new buildings have been completed on the present campus of the institution which it is doubtful could be functional for any other purpose.

We believe community relations for this institution are now at a high level. Difficulty in this respect and new problems might be presented if removal is effected at this time.

The Superintendent of this institution has advised the Council that he is apprehensive of problems resulting from removal of the institution now. It is possible that further study and work on this problem may make it advisable at a future date to enable a change to be made, and we are certainly giving the matter a continuing study.

Accordingly, it is our opinion that the proposed move of the Blind, Deaf and Orphans' School is not in the best interest of the State and we request that the Legislature modify or remove this mandate to the Texas Youth Council.

Sincerely yours,  
/s/ Frank M. Wilson  
Frank M. Wilson  
Chairman

FMW/wm

LETTER FROM GENERAL SEEMAN TO GOVERNOR DANIEL

U. S. Army Engineer Division, Southwestern Corps of Engineers

1114 Commerce Street  
Dallas 2, Texas

August 15, 1957

Honorable Price Daniel  
Governor of Texas  
Austin, Texas

Dear Governor Daniel:

We have been advised by the Chief of Engineers of the proposal of Senator Johnson for the preparation of a Federal water program for the State of Texas.

Inclosed are copies of the exchange of correspondence on this subject; this was also carried in the Congressional Record of 5 August 1957. As indicated in the reply of the Chief of Engineers there is full agreement as to the importance of water control and utilization and he desires to cooperate in every way possible in bringing about a program of development consonant with the State's interest in its water resources. Let me assure you that we in the field offices of the Corps are in wholehearted sympathy with these objectives.

As a routine matter all reports pertaining to water use and development are normally coordinated with the State Board of Water Engineers,

which has been very cooperative. However, due to possible scope and complexity of the program proposed by Senator Johnson as well as the high degree of collaboration between Federal and State agencies which will be required in its preparation, it appears proper that this subject be brought directly to your attention for consideration at this time.

I have received a letter from the Regional Office of the Bureau of Reclamation at Amarillo proposing a meeting to discuss ways and means for initiation of work on this proposed program. There is inclosed a copy of this letter together with my reply, but it seems to me that a necessary prelude to planning for initiation of work on this program would be an expression of the State's program. Your views on this matter would be appreciated.

Sincerely yours,

/s/ L. E. Seeman  
Brigadier General, USA  
Division Engineer

LETTER FROM GENERAL  
ITSCHNER TO SENATOR JOHNSON

ENGKW

29 July 1957

Honorable Lyndon B. Johnson  
United States Senate  
Washington, D. C.

Dear Senator Johnson:

On 17 July 1957, Brigadier General Person of my staff met with you and the Commissioner of Reclamation to discuss collaboration between the Corps of Engineers and Bureau of Reclamation in development of a water plan for the State of Texas. The next day I received your memorandum setting forth in further detail your views on development of an integrated water plan, and inviting our comments.

In your memorandum you specifically request the following action:

a. That the Corps and Bureau, working together, devise and submit to you, not later than 30 April 1958, a "mock-up" of a Texas statewide water program.

b. That the Corps and Bureau provide you with proposals on a "basin account" system for water sales from Federal reservoirs concerned with inter-basin plans to support irrigation;



and initiate discussions for establishing in Texas a uniform policy for disposal of conservation space in Federal reservoirs to the appropriate State agency.

c. That directives be issued to Corps and Bureau field offices for immediate collaboration; reappraisal of proposed reservoirs in accordance with the realities of water supply requirements now established; and for complete field level agreement on space allocations prior to the inter-agency review process.

As General Person has indicated to you, the Corps of Engineers is in full agreement with your conviction that water supply is the key to the economic future of Texas. We will be glad to collaborate in the development of a realistic and integrated water control plan that embraces water supply, flood control and related water resources uses and problems.

In my opinion the engineering aspects of the study, and of the plan you desire, will not be as difficult as the political and economic problems that must be resolved. From our experience with water problems in the State of Texas we anticipate that serious conflicts of interest may be involved in determining the uses to be made of the limited water supply available. The physical and engineering plan must to a large extent be tailored to fit the water needs and uses which will control the economic future of Texas.

Federal agencies concerned with water resource development can be of great assistance to the State of Texas in defining water supply requirements; in advising on water use; in devising an adequate engineering plan; and in recommending to Congress Federal participation in the necessary construction. But only the State of Texas can finally determine how its available water should be used. This fact leads me to suggest that our objective is the development of a State water control plan, with Texas taking the lead in coordinating the necessary studies, rather than a Federal plan.

The Federal agencies concerned with water resources development should cooperate fully with the State in a coordinated effort in developing the water control plan within their respective authorities, and must collaborate fully, as you point out, at

both field and Washington level. I have instructed my people to cooperate fully in that effort. There should be no duplication of effort or conflict of interest. You indicate that the Bureau of Reclamation has already gone far toward defining water needs by acres for agricultural, municipal and industrial use and is engaged in formulating a statewide plan. We would wish to review this information and make full use of it in reappraising existing and authorized reservoirs under our jurisdiction and in preparing further plans in coordination with the Bureau, so that we may all work toward a common objective. On the other hand the Corps of Engineers has, during its studies and from experience with project operation during the drought years and recent floods, amassed a great deal of information which we feel would be useful to the Bureau of Reclamation in the development of a coordinated program. It is probable that other Federal agencies may also be able to contribute materially. The potential effect on the problem of small upstream storage reservoirs would indicate a need for collaboration by the Department of Agriculture in the study.

In your discuss of this problem and in your memorandum you indicated a desire to proceed as rapidly as possible. I agree that early positive action is essential. The prolonged drought and recent floods have clearly shown that present facilities for water storage are inadequate. In a report last spring on drought conditions we pointed out the general possibilities of modifying existing projects to afford greater water supply storage and stated that as a regular procedure we intended to reexamine authorized projects in this light as they reached the design stage and funds were made available for preconstruction planning. We also warned at that time against any general conversion of existing flood storage capacity to water supply use, in view of the possibility that the drought might be broken by a period of heavy rainfall. The events of recent months have amply demonstrated the need for a much larger flood storage capacity.

I suggest therefore that as an initial phase of the overall investigation you have proposed, we review our already authorized projects in the

light of over-all requirements and objectives. Since it appears a practical certainty that these projects are now, or can be modified to be, key elements of any over-all integrated program which may be developed, this would appear to be a practicable first step which would provide the basis for prompt action on any additional authorization by Congress that might be necessary, and would pave the way for early appropriations for construction. Under the authority now available to us and with funds which the Senate is now considering for appropriation for Fiscal Year 1958, I believe that we can complete by 30 April 1958 a reappraisal of the nine reservoirs which are now authorized but not started.

We would at the same time, of course, continue working with the State of Texas, the Bureau of Reclamation, and other Federal agencies toward the development of an integrated water control plan. While we will make every effort to present a "mock-up" of such an over-all plan by the date you suggest, I am unable to make a firm commitment on this point without more complete knowledge of the status of studies by the Bureau of Reclamation and the State of Texas.

With reference to your request for a proposal on a "basin account" system for water sales from Federal reservoirs to support irrigation, it may not be possible at an early stage to anticipate what might be acceptable to the various conflicting interests in Texas. This is a highly controversial matter which basically should be resolved by the State and the several interests involved since in the final analysis the success of any repayment plan will depend upon its acceptance by the many interests concerned, urban, industrial and rural, who will be required to enter into the cost sharing arrangements. The decisions involving the use and distribution of the increased water supplies as between municipalities, industries, and irrigation interests are matters primarily of State and local concern. Discussions of this matter with representatives of the State and affected interests would of course be a basic necessity.

I am inclosing for your information a brief statement giving the status of the authorized Civil Works

program in Texas and an appraisal of our present ability to proceed with these improvements based upon anticipated appropriations for Fiscal Year 1958.

I appreciate the opportunity you have given me to comment on your proposal. While my suggestions as to procedure differ in some degree from the general outline of your memorandum I feel that they recognize the primary interest of the State of Texas in planning for its water resources and that they provide a sound basis for participation and collaboration by the Federal agencies concerned, and they afford the opportunity for early positive action on key elements of an over-all plan. It is my intention to discuss further details of procedure with the Commissioner of Reclamation, if you concur with the suggestions contained herein. It would also be desirable at an early date to enlist the interest and leadership of the State of Texas in this undertaking.

Sincerely yours,

/s/ E. C. Itschner  
Major General, USA  
Chief of Engineers

LETTER FROM DIRECTOR JENNINGS TO GOVERNOR DANIEL

United States  
Department of the Interior

Bureau of Reclamation

Post Office Box 1609  
Amarillo, Texas

August 28, 1957

Honorable Price Daniel  
Governor of Texas  
Austin, Texas

Dear Governor Daniel:

I am writing you as the result of recent Federal and State actions relating to plans for solution of the water problems of Texas.

Senator Lyndon B. Johnson has asked the Bureau of Reclamation and the Corps of Engineers to coordinate their activities in Texas for the purpose of making available to the State their joint views on the State's water problems and to prepare jointly by April 30, 1958, a "mock-up" of a

Statewide water program where Federal funds would be involved.

By letter dated July 25, 1957, the Commissioner of Reclamation, recognized the necessity for State leadership in the coordination of such a program, assured the Senator of our cooperation in obtaining these objectives, and instructed me to initiate necessary field-level discussions with the Corps of Engineers. Accordingly, I wrote General L. E. Seeman, Division Engineer of the Corps of Engineers at Dallas on August 9, 1957, suggesting an early meeting to initiate the required collaboration between our agencies.

In Senator Johnson's request to the Bureau and the Corps of Engineers, he stated that the State of Texas was being asked to coordinate its activities with those of the two Federal agencies. Please be assured that you will have the full cooperation of the field offices of the Bureau of Reclamation in achieving such coordination and that all of the information and resources at our offices will be made available to you. Similar cooperation has been previously extended to the Texas Board of Water Engineers.

In order to indicate the nature and scope of the assistance which we can provide the State in the solution of its water problems, a brief review of our recent and current activities in Texas may be helpful. These activities have been concerned primarily with developing and refining the concepts concerning Texas water problems expressed in a report entitled "Water Supply and the Texas Economy" which we prepared in December 1952 at the request of Senator Johnson. This was printed as Senate Document 57, 83rd Congress, 1st Session.

This document outlines in general form our ideas regarding the scope and magnitude of Texas water supply problems, the manner in which these problems could best be solved, the beneficial effect of such solutions on the State and National economies, and the principles which should govern Federal participation in a joint Federal-State approach to those solutions. Among other things, the report concludes that formulation and implementation of an integrated, inter-basin plan for development of Texas rivers is essential if the State is to obtain the maximum practicable bene-

fits from its tremendous surface water resources. With respect to Federal-State relationships, the report stresses the State's paramount right to full control over development of such resources and emphasizes that it is the State's responsibility to assume leadership in formulating the necessary plans for such development. The following quotations from pages 17 and 81 of Senate Document 57, will serve to illustrate these views:

"The State (Texas) has a responsibility to develop water policies and programs which it conceives to be in its own interest in order, among other things, to provide a means of evaluating Federal proposals for water-resource developments. It would be appropriate for Texas to establish an entity empowered to evolve State-wide water programs and water policy and to collaborate with Federal efforts on water problems in the State interest."

"Accomplishment of an integrated, inter-basin solution or solutions will require coordination of the efforts of the various State interests concerned with Texas water problems. Crystallization of the State's wishes with respect to control and utilization of its water resources and translation of those wishes into firm and comprehensive engineering, financial, and legislative proposals is a formidable task that may transcend the authority of any presently constituted body. This task is particularly appropriate for assumption by the State as is determination of the extent to which Federal participation in development and accomplishment of the ultimate proposals should be sought."

These views of ours on the necessity for State leadership have not changed in the four years since they were expressed. They are stressed throughout Senate Document 57 and again in our brochure, "Elements of the Texas Water Problem", released in January 1957. I am enclosing copies of these publications for your information.

In 1954, as the result of the concepts expressed in Senate Document 57, we were directed by the Congress at the request of the Texas delegation to further examine Texas water problems, primarily from the Federal investment viewpoint. It was recognized that future Federal investments in Texas water programs could run

into hundreds of millions of dollars. Our examination was to establish a basic framework which would assure that such investments would be of maximum benefit to both Texas and the Nation. In the ensuing studies, we have accumulated a mass of data which I believe will be most useful in establishing a sound basis for a comprehensive Statewide water-use plan.

Our studies, known as the Texas Gulf Basins Project Investigation, have been made with planning funds made available to us through actions of the Texas Congressional delegation. Since 1954, we have spent about \$1,500,000 on this investigation which is scheduled for completion in 1960 at an estimated overall cost of \$4,000,000.

Much of our work to date has been concerned with establishing the location and magnitude of the water supplies which must be developed and delivered to points of use during the next 50 years if Texas is to take full advantage of its potentialities for municipal and industrial growth and irrigation development. On the basis of our findings with respect to water requirements, we have made preliminary hydrologic analyses of the water resources of each of the State's major river basins and reconnaissance engineering studies of reservoir sites which could be utilized to develop such water resources into dependable water supplies. Finally, we have put together in a very preliminary fashion a program of water supply developments which could supply all major foreseeable municipal, industrial, and irrigation water requirements.

In formulating this very preliminary and tentative water use plan, we have followed the principles set forth in Senate Document 57, and we have incorporated all of the proposals and views of the various State and local agencies concerned with water supply development, insofar as they are known to us. In order to complete the "mock-up" requested by Senator Johnson, it will be necessary for us to become much better informed regarding the views of these agencies, as well as those of the State government itself.

As the "mock-up" is intended to serve as a guide to assure the most effective investment of Federal funds

in Texas water developments, it can constitute only a portion of an overall State water plan. It appears, however, that the results of our investigations can be of material assistance to the appropriate State agencies in the formulation of such an overall plan. I therefore suggest that arrangements should be made whereby the information at our disposal can be made available to these agencies. Our Area Development Office in Austin, with Mr. Harry P. Burleigh as the engineer in charge, will represent me in making and carrying out such arrangements.

It appears to me that we have a common objective in our approach to Texas water problems. We both desire to see the State's water resources put to their most effective and beneficial use. I am looking forward to close and effective collaboration with you and the concerned State and local agencies in achieving this objective. Please allow me to again assure you that you will have the full cooperation of the Bureau of Reclamation in your efforts to solve one of your State's most pressing problems.

Sincerely

/s/ Robert W. Jennings  
Regional Director

## MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following Message from the Governor.

To The Members Of The 55th Legislature:

During the Regular Session of the 55th Legislature, in the appropriation to the Texas Department of Public Safety, House Bill 133, the General Appropriations Bill, a line was inadvertently omitted which would have included "materials, office supplies, books, drugs, medical, hospital and laboratory" in the authorized expenditures from funds appropriated. The omission of this language greatly hampers the operation of this department and creates an emergency which requires correction at the earliest time possible.

Also, funds were appropriated to the Texas Employment Commission during the Regular Session for the purpose of constructing buildings and purchasing land, with the intent and belief that any of such funds could be used on the purchase of land for and construction of a headquarters building in Austin. A question has arisen as to such availability of \$530,000 of this money due to the wording of the appropriation. In order that present plans and work may proceed, a bill should be passed to make these funds, heretofore appropriated, available for the Texas Employment Commission headquarters building.

Therefore, in addition to the subjects submitted in my call of September 13, 1957, convening the First Called Session of the 55th Legislature, I submit for your consideration the following subjects:

(1) To clarify and provide additional purposes for which the monies appropriated at the Regular Session of the 55th Legislature may be expended by the Texas Department of Public Safety.

(2) To continue the building program of the Texas Employment Commission by re-allocating funds heretofore appropriated and by placing responsibilities for the building program in the Texas Employment Commission.

Respectfully submitted,

PRICE DANIEL,  
Governor of Texas.

## MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

To The Members Of The First Called Session, 55th Legislature:

In addition to the subjects heretofore submitted for your consideration, I herewith submit the following subjects which have been represented to me to be of a local or uncontested nature, and which require consideration before the next regular session:

1. Authorizing soil conservation and flood prevention easements on State lands.
2. Validating Ward County Water Control and Improvement District No. 4.
3. Abolishing the office of county school superintendent in certain counties.
4. Creating Collin County Water Control and Improvement District No. 1.
5. Relating to use of unexpended proceeds of bonds of Ellis County Water and Improvement District No. 1.
6. Ratifying proceedings of certain water control and improvement districts.
7. Creating Bell County Water Control and Improvement District No. 6.
8. Authorizing Titus County to refund certain bonds and warrants.
9. Relating to certain job classifications which the Texas Employment Commission may employ.
10. Validating certain city tax bonds for off street parking purposes.
11. Relating to validation of Trinity River Authority bonds by court procedure.
12. Providing for the appointment of a Board of Park Commissioners in certain counties.
13. Relating to compensation of the Judge of the Court of Domestic Relations of Potter County.
14. Relating to the business of giving bail in criminal and quasi-criminal cases in certain counties.
15. Creating the Ecieto Creek Watershed District in Karnes, DeWitt and Wilson Counties.
16. Creating the Hondo Creek Watershed Improvement District in Karnes County.
17. Relating to the means and manner of taking wildlife resources in Bexar County.
18. Creating Donahoe Creek Watershed Authority in Bell, Milam and Williamson Counties.
19. Creating Darr's Creek Watershed Authority in Bell County.
20. Moving Gillespie and Kimble Counties from the 3rd to the 6th Administrative Judicial District.
21. Ratifying the creation of Menard County Water Control and Improvement District No. 1.
22. Permitting Texas Tech College to convey certain land to the City of Lubbock for a museum.
23. Making more adequate provision for maintenance and operation of county owned parks.
24. Transferring certain library funds to salary of Deputy Clerk of 10th Court of Civil Appeals.
25. Creating the "North Live Oak Conservation and Reclamation District" in Live Oak County.
26. Transferring certain funds to pay the salary of the 154th Judicial District Attorney.
27. Relating to the repayment of the appropriation to the Neches River Conservation District.
28. To permit funds appropriated for Rusk State Hospital to be used for payment of salaries for a chief supervisor and three assistant supervisors in the Maximum Security Unit for the criminally insane.
29. To regulate the taking of wildlife resources in Tyler, Jasper and Newton Counties.

30. To correct the name of the West Central Texas Municipal Water District.

31. To create a special hospital district in Nueces County.

32. To create Road District No. 1 of Waller County, Texas, under the authority of Article III, Section 52 of the Constitution of Texas, for the purpose of the construction, maintenance, and operation of macadamized, gravelled or paved roads and turnpikes or in aid thereof.

33. Amending Chapter 290, Acts of the 41st Legislature, Regular Session, 1929, as amended, relating to the establishment of junior colleges.

34. Relating to the regulation of and restrictions on the operation and use of boats and firearms on the waters of Lake Texarkana in, upon or along the Counties of Bowie, Cass and Morris.

35. Relating to hunting of squirrel in Angelina and Trinity Counties, amending acts of the 53rd Legislature, Regular Session, 1953, Ch. 398, as amended, and Acts of the 49th Legislature, Regular Session, 1945, Chapter 114, as amended.

36. Amending Section 4 of Chapter 117, Acts of the 50th Legislature, Regular Session, 1947, relating to the road system of Panola County to authorize the Commissioners Court to determine the adequacy of the qualifications of the County Engineer.

37. To close the season as to deer in Commissioners Precinct Number 1, in Lee County, Texas, until January 1, 1961.

38. Creating a water control and improvement district under Article XVI, Sec. 59 of the Constitution of Texas, to be known as "Rockwall County Water Control and Improvement District No. 1".

39. To amend Chapter 25, Acts of the 54th Legislature, authorizing the issuance of revenue bonds and notes by junior college districts, by adding a new section to such act making the bonds and notes issued pursuant to such act, as amended, authorized investments, and making them eligible to

secure public funds.

40. Making it unlawful to throw or discard a lighted cigarette, cigar, match, or other ignited objects onto or along a public highway or road of this State from an automobile, truck, bus, train, or other conveyance or while walking along or otherwise using such road or highway.

41. Authorizing the State to accept title to certain lands, known as the Hueco Tanks, in El Paso County; designating it as the "Hueco Tank State Park"; providing for managing, controlling, beautifying, restoring and preserving same.

42. Authorizing the creation of a junior college in Galveston County.

Respectfully submitted,

PRICE DANIEL,  
Governor of Texas.

## MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

To the Members of the First Called Session, 55th Legislature:

In addition to the subjects heretofore submitted for your consideration, I herewith submit the following subjects which have been represented to me to be of a local or uncontested nature and which require consideration before the next regular session:

1. Authorizing conservation districts organized pursuant to Section 59, Article XVI, of the Constitution to levy and collect a maintenance tax; to call an election; to clarify and enlarge the purposes for which bond money can be spent; to permit approval by the State Board of Water Engineers after the issuance of bonds and on a separate or individual basis on that portion of projects for which detailed plans and specifications are prepared by the Soil Conservation Service, U. S. Department of Agriculture; to limit this approval to bond issues of \$250,000 or less; and to validate actions of districts previously organized for these purposes.

2. Amending Article 483, Chapter 4, Revised Penal Code of the State of Texas, 1925, as amended by Acts, 1951, of the Fifty-second Legislature, and by Act, 1957, of the Fifty-fifth Legislature, making it unlawful to carry a knife with a blade over three inches long.

3. Relating to the appointment, compensation, etc. of Official Shorthand Reporters of the Tenth, Fifty-Sixth and One Hundred Twenty-Second Judicial Districts of Texas.

4. Providing that the Counties of Hopkins, Delta, and Franklin shall be excepted in the prohibition of hunting mink with dogs.

5. Changing the name of Kerrville State Home to Kerrville State Hospital.

6. Conferring upon the Game and Fish Commission authority to regulate wildlife resources of Nolan County.

7. Providing for the Veterans Land Board to publish notices of bond sales and authorizing the Board to demand that bids be accompanied by exchange or bank cashier's check.

## 8. Resolutions to sue the State.

Respectfully submitted,

PRICE DANIEL  
Governor of Texas.



STATEMENT BY GOVERNOR  
PRICE DANIEL

On motion of Mr. Moore of Tarrant the following statement by Governor Price Daniel was ordered printed in the Journal:

"Statement by Governor Price Daniel  
Tuesday, November 12, 1957.

"I have read the conference committee report on the lobby control bill and am pleased that the committee has agreed upon this bill.

"It does not contain every provision included in my recommendations, but it is a good bill. I shall sign it with pleasure and gratitude to those who have worked so hard to bring about its enactment.

"The strong registration features of this bill will bring out into the open those unscrupulous few who have in the past hidden their connections and fraudulent activities.

"The bill prohibits contingent fee lobbying contracts and spurious publications. It properly carries forward the present prohibition against making appeals except to the reason of legislators and preserves and supplements our bribery laws."

MESSAGE FROM THE SENATE

Austin, Texas, November 12, 1957

Hon. Waggoner Carr, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on Senate Bill No. 2 by the following vote: Viva Voce.

Respectfully submitted,  
CHARLES SCHNABEL,  
Secretary of the Senate.