

CONSTITUTIONAL AMENDMENT—STATE BUILDING  
COMMISSION

S. J. R. No. 10

Proposing an amendment to the Constitution of the State of Texas creating the State Building Commission and determining the membership thereof; creating the State Building Fund; providing for the surplus in the Confederate Pension Fund to be transferred annually to the State Building Fund; providing for the expenditure of such fund under the direction of the Legislature; providing for the expenditure of a limited amount of the building fund for the erection of memorials under certain conditions and limitations; providing for an election thereon, the proclamation of such election, and the form of ballot.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. Article III of the Constitution of the State of Texas shall be hereby amended by adding thereto a new section to be known as Section 51-b and reading as follows:

"Section 51-b. (a) The State Building Commission is hereby created. Its membership shall consist of the Governor, the Attorney General and the Chairman of the Board of Control. The Legislature may provide by law for some other State official to be a member of this Commission in lieu of the Chairman of the Board of Control, and in the event said State official has not already been confirmed by the Senate as such State official he shall be so confirmed as a member of the State Building Commission in the same manner that other State officials are confirmed.

"(b) The State Building Fund is hereby created. On or before the first day of January following the adoption of this amendment, and each year thereafter, the Comptroller of Public Accounts shall certify to the State Treasurer the amount of money necessary to pay Confederate pensions for the ensuing calendar year as provided by the constitution and laws of this State. Thereupon each year the State Treasurer shall transfer forthwith from the Confederate Pension Fund to the State Building Fund all money except that needed to pay the Confederate pensions as certified by the Comptroller. This provision is self-enacting. The State Building Fund shall be expended by the Commission upon appropriation by the Legislature for the uses and purposes set forth in subdivision (c) hereof.

"(c) Under such terms and conditions as are now or may be hereafter provided by law, the Commission may acquire necessary real and personal property, salvage and dispose of property unsuitable for State purposes, modernize, remodel, build and equip buildings for State purposes, and negotiate and make contracts necessary to carry out and effectuate the purposes herein mentioned.

"The first major structure erected from the State Building Fund shall be known and designated as a memorial to the Texans who served in the Armed Forces of the Confederate States of America, and shall be devoted to the use and occupancy of the Supreme Court and such other courts and State agencies as may be provided by law. The second major structure erected from the State Building Fund shall be a State office building and shall be used by whatever State agencies as may be provided by law.

"Under such terms and conditions as are now or may hereafter be provided by law, the State Building Commission may expend not exceeding five (5%) percent of the moneys available to it in any one year, for the purpose of erecting memorials to the Texans who served in the Armed Forces of the Confederate States of America. Said memorials may be upon battlefields or other suitable places within or without the boundaries

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of this State. The authorization for expenditures for memorials herein mentioned shall cease as of December 31, 1965.

"Under such terms and conditions as are now or may hereafter be permitted by law, the State Building Commission may expend not exceeding Thirty Thousand (\$30,000.00) Dollars in the aggregate for the purpose of erecting memorials to the Texans who served in the Armed Forces of the Republic in the Texas War for Independence. Said memorials may be erected upon battlefields, in cemeteries, or other suitable places within or without the boundaries of this State. The authorization for expenditures for memorials herein mentioned shall cease as of December 31, 1965.

"(d) The State ad valorem tax on property of Two (2¢) Cents on the One Hundred (\$100.00) Dollars valuation now levied under Section 51 of Article III of the Constitution as amended by Section 17, of Article VII (adopted in 1947) is hereby specifically levied for the purposes of continuing the payment of Confederate pensions as provided under Article III, Section 51, and for the establishment and continued maintenance of the State Building Fund hereby created.

"(e) Should the 53rd Legislature enact a law or laws in anticipation of the adoption of this amendment, such shall not be invalid by reason of their anticipatory character."

Sec. 2. The foregoing amendment shall be submitted to a vote of the qualified electors of Texas at the general election to be held throughout the State on the first Tuesday after the first Monday in November, 1954, at which election those favoring such amendment shall have printed or written on their ballot the following:

FOR the amendment transferring that portion of the Confederate Pension Fund not needed for the payment of Confederate pensions to the State Building Fund to be used for State building purposes as may be provided by law, and also permitting not more than six (6%) percent of such fund to be used for memorials for Texans who served in the Texas Revolution and in the armed forces of the Confederate States.

Those opposing such amendment shall have printed or written on their ballot the following:

AGAINST the amendment transferring that portion of the Confederate Pension Fund not needed for the payment of Confederate pensions to the State Building Fund to be used for State building purposes as may be provided by law, and also permitting not more than six (6%) percent of such fund to be used for memorials for Texans who served in the Texas Revolution and in the armed forces of the Confederate States.

Sec. 3. The Governor shall issue the necessary proclamation for such election, and shall have the amendment published as required by the Constitution and laws of the State of Texas.

Passed the Senate, March 30, 1953: Yeas 28, Nays 0; April 30, 1953, Senate concurred in House amendments: Yeas 26, Nays 1; adopted by the House, April 30, 1953, with amendments: Yeas 137, Nays 2. Approved May 12, 1953.