Conservation and Reclamation: HB 1046, HB 1412, HB 1630.

Constitutional Amendments: HJR 13, HJR 28, HJR 35, HJR 48, HJR 50, HJR 66, HJR 75, HJR 82, SJR 3.

Counties: HB 197, HB 927, HB 1207, HB 1638, SB 729, SB 807.

Criminal Jurisprudence: HB 267, HB 268, HB 534, HB 774, HB 860, HB 938, HB 1202, SB 111.

Engrossed and Enrolled Bills: Correctly enrolled—HB 590.

Higher Education: HB 520, HB 1351, HB 1456, SB 492, SB 772.

Judiciary: HB 136, HB 271, HB 903, HB 1022, HB 1074, HB 1164, HB 1525, HB 1596, SB 751, SB 870.

Public Health: HB 395, HB 1530.

State Affairs: HB 171, HB 669, HB 862, SB 80, SB 255, SB 730.

Urban Affairs: HB 176, HB 230, HB 579, HB 603, HB 658, HB 1178, HB 1437, HB 1438, HB 1656, SB 541.

SENT TO THE GOVERNOR
April 30, 1971

HB 590

SIXTY-SEVENTH DAY—TUESDAY, MAY 4, 1971

The House met at 10:00 a.m. and was called to order by the Speaker.

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

Mr. Speaker	Calhoun	Foreman	Ingram
Adams	Cates	Gammage	Johnson
Agnich	Cavness	Garcia	Jones, D.
Allen, Joe	Christian	Golman	Jones, E.
Allen, John	Coats	Grant	Jones, G.
Angly	Cobb	Hale	Jungmichel
Atwood	Cole	Hannah, John	Kaster
Baker	Cruz	Harding	Kilpatrick
Bass, T.	Daniel	Harris	Kost
Beckham	Davis, D.	Hawkins	Kubiak
Bigham	Davis, H.	Hawn	Lee
Blanton	Denton	Haynes	Lemmon
Blythe	Doyle	Head	Lewis
Bowers	Dramberger	Heatly	Lombardino
Boyle	Earthman	Hendricks	Longoria
Braecklein	Farenthold	Hilliard	Lovell
Braun	Finck	Holmes, Z.	McAlister
Burgess	Finnell	Howard	McKissack
Bynum	Finney	Hubenak	Mengden
Caldwell	Floyd	Hull	Moncrief

Moore, A.	Parker, W.	Shannon	Truan
Moore, G.	Pickens	Sherman	Tupper
Moore, T.	Poff	Short	Uher
Moreno	Presnal	Silber	Vale
Murray	Price	Simmons	Von Dohlen
Nabers	Reed	Smith	Ward
Nelms	Rosson	Solomon	Wayne
Newton	Salem	Spurlock	Wieting
Nichols	Salter	Stewart	Williams
Niland	Sanchez	Stroud	Wolff
Orr	Santiesteban	Swanson	Wyatt
Parker, C.	Schulle	Tarbox	

Absent

Allred	Craddick	Nugent, J.	Slack
Atwell	Doran	Ogg	Slider
Clark	Graves	Patterson	Traeger
Clayton	Neugent, D.	Rodriguez	Williamson

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

(Mr. McAlister in the Chair)

A quorum of the House was announced present.

The Invocation was offered by the Reverend W. I. Peppers, Pastor of the Shadydale Baptist Church, Houston, Texas.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Bill Bass on motion of Mr. John Hannah.

Mr. Poerner on motion of Mr. Uher.

Mr. Tom Holmes on motion of Mr. Shannon.

Mr. Joe Hanna on motion of Mr. Shannon.

Mr. Carrillo on motion of Mr. Shannon.

Mr. Ligarde on motion of Mr. Shannon.

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

Mr. Semos on motion of Mr. Braecklein.

(Speaker in the Chair)

Representatives Kilpatrick, Clayton, Craddick, Carl Parker, Atwell, and Clark entered the House and were announced present.

PROVIDING FOR CONSIDERATION OF A LOCAL AND CONSENT CALENDAR OF BILLS

Mr. Jim Nugent moved to suspend all necessary rules and to set a Local and Consent Calendar of Bills for Thursday, May 6, 1971, at 9:00 a.m.

The motion prevailed without objection.

Representatives Dean Neugent, Ogg, Slack, Allred, Patterson, Rodriguez, Slider, Lovell, and Graves entered the House and were announced present.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted:

HSR 425, by Graves: Congratulating NBC News for the presentation of "This Child is Rated X".

VOTE RECORDED

Mr. Kaster requested to be recorded as voting Nay on the adoption of HSR 425 because the telecast referred to cast an unfair accusation on justice in El Paso.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HCR 132, by McKissack, Atwell, Braecklein, and Golman: Commending CPC International, Incorporated.

On motion of Mr. Golman, the names of all the Members of the House were added to HCR 132 as signers thereof.

HCR 133, by Nabers: Congratulating Gordon Wood of Brownwood and declaring May 14, 1971 as Gordon Wood Day in Brownwood.

HSR 426, by John Allen: Congratulating Alf Jernigan of Longview, Texas.

HSR 427, by John Allen: Congratulating C. Quentin Abernathy of Gladewater, Texas.

COMMITTEE MEETING

Mr. Slider asked unanimous consent of the House that the Committee on State Affairs be permitted to meet at this time.

There was no objection offered.

Representative Finney entered the House and was announced present.

HCR 128—REFERRED TO COMMITTEE

(Creating an interim committee on desalinization of salt water)

Mr. McAlister offered the following resolution:

HCR 128

Whereas, Most areas of the State of Texas lack sufficient rainfall for agricultural, industrial, and personal consumption; and

Whereas, The problem of the scarcity of fresh water has been somewhat abated by the construction of dams on many rivers in the state, but the amount of water diverted by such means is still insufficient to meet the needs of some areas of Texas, especially in times of drought; and

Whereas, Other methods of meeting this state's water needs have been considered, such as a project to divert water from the Mississippi River to areas of Texas; and

Whereas, Such plans would require the assistance and cooperation of other states and of the federal government before any progress in the direction of solving the problem could even be contemplated; and

Whereas, Texas is blessed by almost 1,000 miles of coastline, thereby providing access to an almost unlimited amount of salt water; and

Whereas, On an experimental basis, salt water has been successfully converted to usable fresh water by the process of desalinization; and

Whereas, It would be to the benefit of all sectors of the Texas economy if salt water could be desalinized on a mass basis for use in the state; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature of the State of Texas, the Senate concurring, That the Texas Legislature hereby create a special interim committee composed of five Members of the House of Representatives, to be appointed by the Speaker of the House, and five Members of the Senate, to be appointed by the Lieutenant Governor, to study the feasibility of establishing facilities in Texas for the desalinization of salt water for agricultural, industrial, and personal consumption in the state; and, be it further

Resolved, That the committee may call upon the Texas Water Development Board, the Texas Water Quality Board, the Texas Water Rights Commission, and all other state agencies and departments as may be necessary for assistance and advice in carrying out the work of the committee; and, be it further

Resolved, That the staff of the Texas Legislative Council be and it is hereby requested to assist the committee in its study; and, be it further

Resolved, That the actual expenses of the House committee members shall be paid from the Expense Fund of the House of Representatives and that the actual expenses of the Senate committee members shall be paid from the Contingent Expense Fund of the Senate. Other necessary expenses of the committee shall be paid from the Expense Fund of the House of Representatives and the Contingent Expense Fund of the Senate on an equal basis. The committee shall prepare a budget for its operating expenses which shall be submitted to the House Administration Committee and the Administration Committee of the Senate, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures shall be obtained from the House Administration Committee and the Administration Committee of the Senate; and, be it further

Resolved, That the interim study committee shall make its complete report, including findings and recommendations, together with drafts of any proposed legislation, to the 63rd Legislature at its regular session in January 1973, and that five copies of the report shall be filed in the Legislative Reference Library, and five copies filed in the office of the Texas Legislative Council. Following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HCR 129—REFERRED TO COMMITTEE

(Creating an interim committee on vegetable marketing)

Mr. Poerner offered the following resolution:

HCR 129

Whereas, The production of vegetables is an important element of the Texas economy; in 1969 the vegetable industry was valued at an estimated $120 million; and

Whereas, Texas ranks third in the nation in fresh market produce and leads all states in harvested acreages of cabbage, carrots, onions, and watermelons; these products not only supply the needs of the citizens of Texas, but are also shipped to markets throughout the United States; and

Whereas, Although most vegetable growers strive for the highest quality possible in their produce, some growers have frequently attempted to saturate the market with inferior, low-quality vegetables; such practices not only harm the more reputable growers by lowering the market prices, but also degrade the proud and respected name of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the 62nd Legislature hereby create a special interim committee on vegetable marketing; the committee shall study all aspects of the vegetable marketing process to determine the feasibility and desirability of establishing a state vegetable marketing regulatory agency and statewide marketing orders; and, be it further

Resolved, That the committee shall be composed of nine members: three Members of the House of Representatives appointed by the Speaker of the House, three Senators appointed by the Lieutenant Governor, and three citizens involved in growing and processing of vegetables, two of whom shall be appointed by the Governor and one appointed by the State Commissioner of Agriculture. The committee shall elect one of its members to serve as chairman; and, be it further

Resolved, That from the Expense Fund of the House and the Contingent Expense Fund of the Senate equally, the members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Resolution, and other necessary expenses of operation of the committee shall be paid from the Expense Fund of the House and the Contingent Expense Fund of the Senate equally; and, be it further

Resolved, That the committee shall prepare a budget for the operating expense of said committee which shall be submitted to the Senate Committee on Administration and the House Administration Committee, and no expenditure shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the Senate Committee on Administration and the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HCR 130—REFERRED TO COMMITTEE

(Creating an interim committee on state and local tax policy)

Mr. Atwell offered the following resolution:

HCR 130

Whereas, The 61st Legislature, Regular Session, with the adoption of HCR 112, created an interim Committee on State and Local Tax Policy; and

Whereas, The committee has worked diligently, holding hearings and accumulating information on revenue sources at state and local levels and the adequacy of existing and estimated revenues to meet the needs of a rapidly growing population and expanded governmental services; and

Whereas, The quickly rising cost of education, welfare, environmental control, law enforcement, and other governmental programs at the state and local level has placed a great burden upon the fiscal resources of Texas and has made taxation policy a matter of vital concern to the citizens and taxpayers of our state; and

Whereas, It is essential to the Texas economy and the welfare of all

the people of Texas that there be planning so that adequate resources will be available to meet anticipated needs; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, the Senate concurring, That the following be accomplished:

Section 1. The Committee on State and Local Tax Policy is hereby created, consisting of nine (9) members, one of whom shall be the Chairman of the House Committee on Revenue and Taxation, who shall act as chairman of the committee created by this resolution; two (2) of whom shall be Members of the House of Representatives appointed by the Speaker of the House; three (3) shall be Members of the Senate appointed by the Lieutenant Governor; and three (3) shall be public members appointed by the Governor. The terms of all members shall commence with their appointment and shall terminate on the convening of the next Regular Session of the Legislature following adoption of this resolution. Vacancies occurring after appointment from any cause may be filled by the respective appointing officers.

When the membership of the committee is complete, the chairman shall call a meeting at which the members shall by majority vote elect a vice-chairman and a secretary. A vacancy in the chairmanship shall be filled by the advancement of the vice-chairman, and a new vice-chairman shall be elected by the committee. A majority of the committee's membership is a quorum for the transaction of official business.

Sec. 2. Members of the committee shall receive no pay for their service on the committee, but Legislative Members shall be reimbursed by their respective Houses from the Expense Fund of the House and Senate Contingent Expense Fund, for their actual expenses incurred in carrying out the purposes and duties of this resolution; other necessary expenses for the operation of the committee shall be paid from these funds of the House and Senate equally. The committee shall prepare a budget for the operating expense of said committee which shall be submitted to the Administration Committee of the Senate and the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee and the Administration Committee of the Senate.

Sec. 3. The committee shall make its complete report to the Governor and the Regular Session of the 63rd Legislature in January 1973, including its findings on the tax situation of the state and local governments and any recommendations or drafts of legislation which, in its judgment, require legislative attention. Five copies of the completed report shall be filed in the office of the Texas Legislative Council and five copies shall be filed in the Legislative Reference Library.

Sec. 4. The committee is authorized to hold public hearings necessary or desirable for the full development of all facts pertinent to its studies.

County clerks and tax assessors and collectors, city officials, officers and employees of other political subdivisions and of the state government, are directed to furnish the committee, upon its request and within the limits of their respective facilities, such data, reports, and other information as it may require for the study of any tax or of any matter reasonably related thereto, without any cost, fee, or charge whatsoever.

Sec. 5. The committee may request and use the aid and services of any corporation, organization, or persons professionally engaged in governmental research, on such terms and under such conditions as may be mutually agreed upon, but such agreements may not include any payment by the committee for such aid or services. All mutual agreements shall be in writing, and a copy filed with the Secretary of State as a matter of public record within two (2) weeks from the time of signing any mutual agreements.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HCR 131—REFERRED TO COMMITTEE

(Creating an interim committee on the study of land use and environmental control)

Mr. Cavness offered the following resolution:

HCR 131

Whereas, In its report to the 62nd Legislature, the Committee for the Study of Land Use and Environmental Control, which was created by SCR 46 of the 61st Legislature, urged that the committee be reconstituted to investigate further the many and varied problems besetting the Texas environment and that authority be given to the newly created committee to apply for any federal grant funds that may be available for use in employing technical and professional personnel to work with the committee; and

Whereas, The Committee for the Study of Land Use and Environmental Control of the 61st Legislature was itself authorized as a continuation of similar committees created by the 60th Legislature (HCR 24), the 59th Legislature (SCR 9), and the 58th Legislature (SCR 60), and all committees have worked diligently in the ever-broadening area of land use and environmental control, first including multiple uses of waters and water quality, and then expanding to embrace the problems of air and noise pollution, but much remains to be done to assure for Texas and Texans the desired land use and environmental control that will provide a continuing supply of pure and abundant water, clean and fresh air, and a noise-controlled environment; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Committee for the Study of Land Use and Environmental Control be reconstituted:

(1) The Lieutenant Governor, the Speaker of the House, and the Governor of Texas shall appoint members to the committee as follows: three Representatives to be appointed by the Speaker of the House, three Senators to be appointed by the Lieutenant Governor of the state, and five public members to be appointed by the Governor.

(2) In the conduct of such investigation, the committee may require, by use of summons addressed to the sheriff of a county and/or the Texas Department of Public Safety, the attendance and testimony of all witnesses relating directly or indirectly to any matter which the committee has authority to investigate under this resolution and for this purpose the chairman may administer oaths, and receive evidence, instruments, documents, analy-

tical data, charts, and maps. Witnesses attending proceedings of the committee under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this state.

(3) All agencies of the State of Texas, all river authorities and districts, port authorities, and other subdivisions of government as may be deemed necessary by the committee, are hereby authorized and directed to cooperate fully and completely with the committee in making its study in preparation of any reports. The committee is authorized, and directed, to consult with departments and agencies of the government of the United States or of any other state of the United States, and of any agency or agencies of other states considered necessary by the committee for the successful conclusion of the study; and it shall have the privilege of applying for and receiving any federal grant funds that may be available for use in employing technical and professional staff personnel to work with the committee.

(4) The committee shall employ a technical staff to assist the committee in considering its information and testimony and in writing its final report; the committee shall use the staff of the Legislative Council for additional clerical and professional assistance; and, be it further

Resolved, That from the contingent expense funds of the House and the Senate equally the members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this resolution, and other necessary expenses of operation of the committee shall be paid from the contingent expense funds of the House and Senate equally; and, be it further

Resolved, That the committee shall prepare a budget for the operating expense of said committee which shall be submitted to the Contingent Expense Committee of the Senate and the House Administration Committee. Prior approval of the budget by the House Administration Committee and the Contingent Expense Committee of the Senate must be obtained before any nonbudgeted expenses may be paid; and, be it further

Resolved, That the testimony given at any hearing conducted pursuant to this resolution shall be reduced to writing and shall be given under oath subject to the penalties of perjury; and, be it further

Resolved, That the committee shall report in writing and file a signed copy of the same with the Governor of the State of Texas, the Lieutenant Governor of the State of Texas, and the Speaker of the House of Representatives of the State of Texas not later than 30 days after the convening of the Regular Session of the 63rd Legislature, and that copies of such report shall be distributed to each Member of the Senate and the House of the 63rd Legislature, and that five copies of the completed report shall be filed in the Legislative Reference Library and five copies filed in the office of the Texas Legislative Council. Following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HSR 422—REFERRED TO COMMITTEE

(Creating an interim committee on recreational water safety)

Mr. Atwell offered the following resolution:

HSR 422

Whereas, The 61st Legislature, Regular Session, with the adoption of HSR 472, created an interim Committee on Recreational Water Safety; the 60th Legislature also created such an interim committee with the adoption of HSR 362; and

Whereas, During the past two interims of the Texas Legislature, the Committee on Recreational Water Safety has worked diligently, holding hearings and accumulating information concerning present water safety laws and their enforcement for effective accident prevention, as well as the need for better control, supervision, and policing on the public waters of this state; and

Whereas, Data compiled by the committee indicated a great need for new efforts to assure Texas citizens of the greatest possible protection from hazardous conditions existing with respect to the recreational enjoyment of the state's rivers, lakes, streams, and bays; and

Whereas, The past work of the interim Committees on Recreation Water Safety has done much to promote the safe use of our state waterways, but there are many problems and possible solutions which require further investigation, study, and action; it is essential to the safety of Texas citizens that the work of the interim Committee on Recreational Water Safety be continued during the coming interim; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature hereby authorize the Speaker of the House to appoint an interim committee of five members to continue studying the problems of recreational water safety in the State of Texas with the view of ascertaining possible improvements and making recommendations for their implementation; and, be it further

Resolved, That the committee shall have the power to inspect the records and documents of any state agency which may assist in preparing this study; and, be it further

Resolved, That the committee shall be authorized to hold such meetings as it deems necessary, shall have the power to summon and compel the attendance of witnesses and the production of documents and records, and the committee or any member thereof may administer oaths to witnesses; and, be it further

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January 1973. Five copies of the completed report shall be filed in the Legislative Reference

Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HSR 424—REFERRED TO COMMITTEE

(Creating an interim committee on marking and branding livestock)

Mr. Christian offered the following resolution:

HSR 424

Whereas, Texas is the nation's leading livestock producing state and in 1969 the total value of the livestock in the state was $1,696,781,000; and

Whereas, Thousands of head of cattle, sheep, and goats are shipped to market out of Texas by rail and truck; and

Whereas, Thousands of head of livestock are being fed in approximately 1,700 feedlots throughout the state; and

Whereas, Since the days of the open range, the rustling of livestock has been a problem, and modern transportation and communications facilities have made it easier for organized rustling operations, so that losses to farmers and ranchers each year sometimes run into millions of dollars; and

Whereas, The size and scope of the modern livestock operation requires precise and accurate identification of all livestock and a means of proving the ownership of all livestock; and

Whereas, The present system of branding and marking animals, as provided in the Texas statutes, is so complicated and cumbersome that the ownership of livestock is almost impossible to determine and for that reason is a major factor contributing to the heavy losses from stolen livestock, causing the confusion over the ownership of animals in feedlots, and creating disputes between private individuals over the ownership of animals; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, That a special interim committee of nine members be and is hereby created to make a thorough study of the laws regarding the marking and branding of livestock, with the view of modifying and updating the present law in Texas to give the state a modern and uniform branding and marking system; and, be it further

Resolved, That membership on the committee shall include five Members of the House of Representatives appointed by the Speaker of the House, and one member from each of the following organizations to be appointed by the Speaker of the House: the Texas and Southwestern Cattle Raisers Association, the Sheep and Goat Breeders Association, the Texas Farm Bureau, and the Texas Farmers Union; and, be it further

Resolved, That the staff of the Texas Legislative Council be requested to serve as staff for the committee; and, be it further

Resolved, That the actual expenses and other necessary expenses of operation of the committee, both legislative and citizen members, shall be paid from the Contingent Expense Fund of the House of Representatives; that the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures shall be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make a complete report, including findings, recommendations, and drafts of any legislation it may deem desirable, to the Regular Session of the 63rd Legislature when it convenes in January, 1973.

Signed: Christian, Short, Clayton, Garcia, Rosson, Poerner, Jim Nugent, Bynum, Blanton, Agnich, and Cobb.

The resolution was referred to the Committee on Resolutions and Interim Activities.

SENATE BILL ON FIRST READING

The following Senate Bill was today laid before the House, read first time and referred to Committee, as follows:

SB 35 to the Committee on Judiciary.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By G. Jones:

HB 1789, A bill to be entitled An Act relating to employment of certified public accountants to perform audits of Firemen's Relief and Retirement Fund; amending Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 6243e, Vernon's Texas Civil Statutes), by adding a Section 23E; and declaring an emergency.

Referred to Committee on Urban Affairs.

By G. Jones:

HB 1790, A bill to be entitled An Act amending Section 1, Chapter 456, Acts of the 57th Legislature, Regular Session, 1961 (Article 2372f-1, Vernon's Texas Civil Statutes), relating to the purchase of automobiles for county commissioners in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Calhoun:

HB 1791, A bill to be entitled An Act amending Chapter 108, Acts of the 59th Legislature, Regular Session, 1965, to provide for the re-creation of the Stamford Hospital District in Jones and Haskell Counties so as to include additional territory within the boundaries of the district which is

located within Jones County; providing for an election to be held before the additional area will be included within the boundaries of said district; providing alternate procedures for the assessment, levy, and collection of taxes; providing procedures for elections held within the district; providing a severance clause; and declaring an emergency.

Referred to Committee on Counties.

By Doran:

HB 1792, A bill to be entitled An Act relating to the compensation to be paid counsel appointed to defend an indigent; amending Section 1, Article 26.05, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Lemmon:

HB 1793, A bill to be entitled An Act amending Section 1, Chapter 224, Acts of the 56th Legislature, 1959 (Article 1109j, Vernon's Texas Civil Statutes), relating to contracts for the acquisition of water supply systems, water distribution systems and sanitary sewer systems by cities and towns; validating contracts heretofore entered into for such purposes and the proceedings relative thereto; providing a nonlitigation clause; providing a severability clause; and declaring an emergency.

Referred to Committee on Urban Affairs.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 428, by Von Dohlen: Commending the young men of Boy Scout Troop 243, Cuero, Texas.

HSR 429, by Wyatt: Recognizing and congratulating Bill Fowler, Mr. Texas Future Teacher of America, Bloomington, Texas.

On motion of Mr. Doyle, the names of all the Members of the House were added to HSR 429 as signers thereof.

HSR 430, by Wyatt: Welcoming the members of the Bloomington High School Senior Class and their sponsor.

HSR 431, by Lemmon: Welcoming the 30th Annual Convention of the National Federation of Grandmother Clubs of America to Texas and commending their president.

Representative Doran entered the House and was announced present.

INTRODUCTION OF HB 1795

Mr. Cole asked unanimous consent to introduce and have placed on first reading HB 1795.

There was no objection offered.

ADDRESS BY THE HONORABLE EDMUND JONES

The Speaker recognized the Honorable Edmund Jones who addressed the House speaking on a matter of personal privilege.

HB 450 ON SECOND READING

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

HB 450, A bill to be entitled An Act relating to voter registration, voter identification, and other procedures in voting, and the manner of evidencing affiliation with a political party; containing penal provisions; amending the Texas Election Code as follows; adding Sections 56a through 56x; adding Subdivision 1b to Section 37 (Article 5.05, Vernon's Texas Election Code); amending Sections 89 and 90 (Articles 8.07 and 8.08); amending Subsections (4), (5), and (6), Section 179a (Article 13.01a); amending Sections 43a and 51b (Articles 5.11a and 5.19b) until repealed; repealing Sections 41a through 55a (Articles 5.09a through 5.23a); making the Act effective only upon certain court actions or upon the adoption of a constitutional amendment; and declaring an emergency.

The bill was read second time.

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

Committee Amendment No. 1

Amend HB 450 by striking all below the enacting clause and substituting the following:

Section 1. The Texas Election Code is amended by adding Section 56a, to read as follows:

"56a. Registrar of voters

"The county tax assessor-collector of each county in this state shall be the registrar of voters in that county; and as used in this code, the term 'registrar of voters' or 'registrar' means the county tax assessor-collector."

Sec. 2. The Texas Election Code is amended by adding Sections 56b through 56y, to read as follows:

"56b. Duties of registrar

"The registrar shall be responsible for the registration of voters, keeping of records, preparation of lists of registered voters, and such other duties incident to voter registration as are placed upon him by law. The duties imposed upon the county tax assessor-collector as registrar are in addition

to his other duties imposed by law. Any of the duties of the registrar, except the hearing of appeals on denial of registration and the hearing of challenges of registration, may be performed through a deputy or deputies. The registrar and his deputies are authorized to administer oaths and certify thereto under the seal of his office in every case where an oath is required in complying with any portion of this code in connection with his official duties. The registrar shall not make a charge against a voter for performing any duty incident to voter registration. The expenses of the office of registrar shall be borne by the county, except as otherwise may be provided by law.

"56c. Time and place for registration; period for which registration is effective; time off from work for registering

"Subdivision 1. As used in this code, a 'voting year' is a period of one year beginning on March 1 of each calendar year; and a 'voting biennium' (sometimes called a 'biennium') is a period of two voting years beginning with each even-numbered year.

"Subdivision 2. Voters shall register biennially. Regular registration for each voting biennium shall be from the first day of October through the 31st day of January preceding the beginning of the biennium. Registration for each current biennial voting period shall also be conducted at all other times, beginning with the first day of March, except during the last 30 days of the period. A registration during the regular period for the succeeding biennium becomes effective on the first day of the new biennium. A registration for a current biennium after the beginning of the biennium becomes effective on the 31st day after registration. However, no person is eligible to vote at an election unless he fulfills all the qualifications of an elector for that election. A person registering on or after the first day of October preceding each new biennium and more than 30 days before the end of the current biennium is entitled to vote, if qualified, during the remainder of the current period after the expiration of 30 days, and during the ensuing full period.

"Subdivision 3. This subdivision states an exception to the rules stated in Subdivision 2. Any person who, at the time of applying for registration, comes within a category of persons eligible to vote by absentee ballot without regular registration through use of the federal post card application for absentee ballot, as provided in Subdivision 2a of Section 37 of this code, or who came within such a category at any time during the calendar year in which he applies, may register at any time, and the registration becomes effective for voting on the fifth day following completion of the registration if the registrant is otherwise qualified to vote on that date.

"Subdivision 4. The registrar may appoint such number of deputies as he deems necessary to assist in the registration of voters. However, no deputy may be paid for his services except with the approval of the commissioners court. The registrar's main office and each branch office regularly maintained by him shall be open at all times during regular working hours in each registration period for the purpose of registering voters. During each regular registration period the registrar shall also station deputies at other convenient locations in the county, for such periods of time as may be necessary, so that every eligible voter will have adequate opportunity to register. The registrar shall designate the location of each station, which must be at a fixed location in a place customarily open to the public, and shall also designate the dates and hours during which each station will be open.

"Subdivision 5. Upon the request of an employee eligible to register, his employer shall allow him to be absent from work for a sufficient length of time to register if the employee's place of residence and working hours are such that he cannot register at a station located within 10 miles of his place of residence during nonworking hours. An employer is not required to compensate an employee for the time the employee is absent for the purpose of registering, but he may not subject the employee to any other penalty or deduction of wages because of his absence. Any employer who violates any provision of this subdivision is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than $1,000.

"56d. Minimum requirements for stationing of deputies during first registration period

"During the first regular registration period after the effective date of this section, the following are the minimum requirements which each registrar shall meet in the stationing of deputies for the purpose of registering voters:

"(1) One or more deputies must be stationed within each election precinct in the county for a sufficient length of time to satisfy the formula that for each 100 voters or major fraction thereof who reside within the territory to be served, using the number of votes cast for governor at the last preceding presidential election as the number of voters, one deputy will be on duty for at least eight hours. However, two or more election precincts may be combined and only one station established within the combined territory if the maximum distance of the combined territory from one extremity to the other does not exceed 20 miles.

"(2) A station must be established within each incorporated city, town, or village in accordance with the formula stated in paragraph (1). However, the stationing under either paragraph (1) or paragraph (2) may be counted toward fulfillment of the requirements of the other paragraph, if the stationing meets the conditions of each paragraph.

"(3) Each station which the registrar is required to establish under either paragraph (1) or paragraph (2) must be kept open for a minimum of one eight-hour day, regardless of the number of voters within the territory to be served.

"This section states mandatory minimum requirements only. The registrar shall maintain such stations or additional stations for such additional periods of time as may be necessary to fulfill the standard prescribed in Section 56c of this code.

"56e. Persons entitled to register

"A person is entitled to register as a voter in the precinct in which he resides if:

"(1) on the date of applying for registration he is a citizen of the United States and is subject to none of the disqualifications, other than nonage, stated in Section 33 of this code; and

"(2) within 60 days after the effective date of the registration he will be 18 years of age or older and will have resided in the state for one year.

"56f. Registration record form

"Subdivision 1. The registration of each voter shall be recorded on a registration record form of loose-leaf style, which shall be made out in duplicate and which shall contain, in affidavit form to be signed and sworn to by the applicant, all the information required by Section 56g of this code. The registration record form shall also contain suitable space for recording change of residence, transfer of registration to another voting precinct, information as to elections at which the voter votes, and information pertinent to cancellation of registration. In addition to any matter herein required, the registrar may cause to be written or printed on the form any other reasonable memoranda which are necessary or convenient to enable the registrar to perform his duties in assorting or classifying or handling registration records with correctness and dispatch.

"Subdivision 2. The registration record forms for each county shall be serially numbered, beginning with No. 1, for registrations for each new biennium, and the numbers shall be preceded by a letter or combination of letters, beginning with the letter A and proceeding in alphabetical order for each new biennium (i.e., the numbering shall begin with No. A-1 for the first voting biennium, with No. B-1 for the second biennium, and so on). The registration records of registered voters shall be kept in two files, one to be known as the precinct registration file and the other to be known as the county registration file. The original form shall be filed alphabetically, by name of the registrant, in the precinct file, and the duplicate shall be filed alphabetically in the county registration file. The original forms may be removed from the registrar's office temporarily, under proper safeguards, for use in preparing lists of registered voters and other registration papers by electronic data processing methods, but they may not be removed for any other purpose. Except as permitted in the preceding sentence, the registration files shall be kept in the office of the registrar at all times in a place and in such manner as to be properly safeguarded. The files shall be open to public inspection at all times during regular office hours of the registrar, subject to reasonable safeguards.

"56g. Procedure for registration

"Anyone desiring to register shall make application to the registrar or an authorized deputy, who shall put the applicant for registration under oath and inform him that any willful false statement he makes will subject him to prosecution for false swearing. The applicant then shall swear to the following facts, and his answers shall be recorded on the registration record form in his presence by the person registering him, in permanent writing or typewriting:

"1. Name at length, including given name, and a middle name or initial or if initial of first given name is customarily used, then initial and middle name. The given name of a woman shall be preceded in all cases with the designation of Miss or Mrs.

"2. A statement of the applicant's age. If the applicant has not attained 21 years of age, the application shall show his date of birth by month, day, year. If the applicant has already attained the age of 21 years, it is sufficient for the applicant to state that he is over that age.

"3. A statement of the date on which the applicant became a resident of the state and of the county, and also of the city or town if he resides

in an incorporated city or town. If the applicant has resided in the state for more than one year, or in the county or city for more than six months, a statement of the year in which the residence began is sufficient, but for any required period of residence which he has not yet fulfilled, the application shall show by month, day, and year the date on which the residence began.

"4. Place of residence, giving his street address if he has one, and if he does not, his postal route and box number, with such additional information as the registrar needs to enable him to determine the applicant's voting precinct. The applicant shall also state the mailing address at which notices are to be sent to him, if different from the listed residence address. If the applicant is living at some location other than the place of claimed residence, the application shall show the ground on which he claims entitlement to vote at the place of claimed permanent residence.

"4. Occupation.

"5. Social security number, if he has one.

"6. A statement that the applicant is a citizen of the United States, and the country or state of birth.

"7. If foreign born, how citizenship was acquired, whether by: citizenship of father, treaty or act of Congress, order of a court of naturalization, marriage to a citizen, naturalization of a parent or husband. The date when and the place where the applicant became a citizen shall be stated except in the case of citizenship acquired by citizenship or naturalization of parents, by treaty, or by act of Congress. When citizenship depends upon the citizenship or naturalization of parent or husband, the name of the parent or husband shall be stated.

"8. Whether the applicant was previously registered in any other county of the state, and his residence address or addresses within that county during the last two years if he was so registered.

"9. A statement that the applicant is not disqualified to vote by reason of having been adjudged mentally incompetent under a judgment which is still in effect, or by reason or having been convicted of a felony without having been restored to full citizenship or pardoned.

"10. Whether the applicant is able to write his name, and whether he has any physical disability by reason of which he cannot mark the ballot, in which case the nature of such disability shall be stated.

"The applicant shall sign the affidavit with his name at length, as recorded on the form (except that the designation of Miss or Mrs. may be omitted) and if he is unable to write he shall sign with a mark or cross, and the person before whom the affidavit is made shall insert the date of the affidavit.

"56h. Voter identification card

"Subdivision 1. Upon completion of registration of each voter, the registrar shall issue to the voter a voter identification card, which shall be headed 'Voter Identification Card' and shall contain the following information: the voter's name, as shown on his registration record, registration

number, address, and election precinct number. The voter shall sign the card in the presence of the registrar and the registrar shall officially certify to the issuance of the card and the date of its issuance.

"Subdivision 2. If an identification card is lost, mutilated, or destroyed, the voter may obtain a replacement identification card, in the form and manner herein provided. The face of the card shall contain the same information as the original card, except that it shall be headed, 'Replacement Voter Identification Card. Not valid unless certificate on reverse side is executed.' On the reverse side shall be printed a certificate in substantially the following form to be signed by the registrar or a deputy and authenticated by the seal of his office: 'I certify that this replacement identification card was issued on the _____ day of _____, 19____.' The voter shall notify the registrar, in person or by mail, that the card previously issued to him has been lost, mutilated, or destroyed, and shall request that a replacement card be issued to him. If the voter is applying in person, the registrar shall fill in the information on the face of the card from the voter's registration record on file in his office, noting on the record that a replacement card has been issued, and shall then deliver the card to the voter after the voter has signed it and the registrar has verified that the signature corresponds to the signature on the registration record. If the voter is applying by mail, the registrar shall verify that the signature on the request corresponds to the signature on the registration record, and shall then mail a blank identification card to the voter. The voter shall sign the card and return it to the registrar. After verifying the signature, the registrar shall fill in the information on the face of the card, execute the certificate on the reverse side, and mail the card to the voter. As used in other sections of this code, the term 'voter identification card' includes a replacement card issued and executed in accordance with this subdivision.

"Subdivision 3. When under any provision of this code the registrar is directed to make a change or correction on a voter identification card, in his discretion he may issue a replacement card to the voter instead of making the change or correction on the existing card, but in every instance the voter's signature on the replacement card must be affixed and verified in the manner described in Subdivision 2 of this section.

"Subdivision 4. It is unlawful for the registrar to mail or deliver an identification card or replacement identification card to anyone other than the voter to whom it is issued, and any registrar or deputy who violates this provision is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than $1,000.

"56i. Registration of shut-ins and persons absent from the county.

"Subdivision 1. If any person eligible to register is unable to register in person at the registrar's office by reason of sickness or physical disability, the registrar may register the applicant at his place of abode, if practicable, in the same manner as if he had appeared at the registrar's office. Either during the regular registration period or at any other time that the registrar deems it desirable to do so, he may assign a deputy to go to each rest home, convalescent home, or other similar institution within the county to register the voters who are unable to register in person at his office. This authorization does not restrict the registrar's authority to send deputies to register applicants living elsewhere.

"A person who is unable to appear at the registrar's office may also regis-

ter in the following manner. He shall make application in writing to the registrar for the forms necessary for registration. The registrar shall furnish the applicant with an affidavit form upon which he shall provide the information necessary for registration. The form shall contain the following, in addition to the information and statements prescribed in Section 56g of this code: 'Because of sickness or physical disability I am unable to register in person. The nature of the sickness or physical disability is_____.' The registrar shall also furnish the applicant with a blank identification card. The applicant shall sign and swear to the affidavit before an officer authorized to administer oaths, and shall also sign the identification card in the presence of such officer, and shall return the affidavit and identification card to the registrar.

"Subdivision 2. If any person eligible to register is absent from the county of his residence and expects to be absent on all days allowed by law for registration prior to 30 days preceding the next election, he may register in the manner outlined in the preceding subdivision, and the affidavit form shall contain the following: 'I am unable to register in person because I am absent from the county of my residence and expect to be absent on all days allowed by law for registration prior to 30 days preceding the next election.'

"Subdivision 3. When the affidavit and identification card are returned to the registrar, the registrar shall transfer the information to an original and duplicate registration record form and shall forward the forms to the applicant for his signature, above which shall be the following certificate: 'I hereby certify that the information recorded on this form is true.' When the original and duplicate registration record forms are returned to the registrar, the person shall be deemed to have completed his registration. The registrar shall note on the records that registration was effected through an affidavit of absence, sickness, or physical disability, and shall attach the affidavit to the duplicate registration record form, to be filed in the county registration file. The registrar shall complete the information on the voter identification card and mail the card to the voter.

"56j. Correction of errors on registration records

"Subdivision 1. When after registration it is discovered that an error has been made in filling out the blanks on the registration record forms or the voter identification card through mistake of the registrar or through mistake of the voter in supplying the information, the voter may present the card to the registrar for correction and the registrar shall correct the information on the card and on the registration records on file in his office.

"Subdivision 2. If an error is made in the election precinct of the voter's residence and the original list of registered voters for the biennium has already been prepared, upon correction of the error the registrar shall place the voter's name on the supplemental list of registered voters for the precinct in which he resides. No person is entitled to vote in an election precinct of which he is not a resident. If an error in the election precinct has not been corrected on the registration records at the time the voter offers to vote at an election, he may vote in the precinct of his residence, if otherwise qualified, by making and leaving with the presiding judge of the election an affidavit that he is a bona fide resident of that precinct and qualified to vote at that election, and that the error on the registration records was not caused by an intentional misrepresentation on his part.

"Subdivision 3. Where a voter's name is not shown on the precinct list of registered voters but the voter presents his identification card showing him to be registered in that precinct, the election officers shall permit him to vote and shall add his name, address, and registration number to the list.

"Subdivision 4. Where a voter who does not present his voter identification card to the election officers claims to be registered in the precinct where he offers to vote, or claims to be erroneously registered in some other precinct, the presiding judge, if not satisfied as to his right to vote, may refuse to accept him unless he complies with the provisions of this code relative to challenge of a voter at the polling place. Where a voter claiming to be registered in the precinct is accepted, the presiding judge shall add the voter's name and address to the list of registered voters, with the notation that he voted on an affidavit of a lost identification card.

"Subdivision 5. Within 10 days after the election, the officer to whom the list of registered voters is returned shall notify the registrar of any additions which the election officers made to the list of registered voters. Within the same period, the officer to whom the affidavit of erroneous election precinct is returned shall notify the registrar of the names and other information contained on the affidavits used in the election. The registrar shall take the necessary steps to verify and correct the registration records, including a recall of the identification cards for correction where necessary. If the registrar finds that a person who voted is not registered, he shall report the matter to the prosecuting attorney.

"56k. Challenge of registration; appeal

"Subdivision 1. Any person applying for registration may be challenged by the registrar or deputy taking his application or by any registered voter of the county. If after hearing and considering the challenge the officer taking the application is satisfied as to the applicant's entitlement to registration, he shall register the applicant, but if not so satisfied, he shall refuse to register the applicant. If refusal has been by a deputy registrar, the applicant may appeal to the registrar, who shall decide the challenge within seven days. When the registrar refuses to register an applicant, the applicant may appeal from the decision of the registrar to a district court of the county within 30 days after the registrar's decision, and the decision of the district court shall be final.

"Subdivision 2. Any registered voter shall have the right to challenge the registration of any other registered voter in his county by filing with the registrar of voters a sworn statement setting out the grounds for such challenge. The registrar shall give notice to the person whose registration has been challenged, and a hearing shall be held and a ruling made thereon. Either party to the controversy may appeal from the decision of the registrar to a district court of the county of registration within 30 days after the registrar's decision, and the decision of the district court shall be final. A challenged voter may continue to vote until a final decision is made canceling his registration.

"Subdivision 3. The district courts of this state shall have jurisdiction to hear and determine appeals from decisions of the registrar refusing an application for registration and from decisions of the registrar either canceling or refusing to cancel a registration. The trial in the district court shall be de novo. The court shall give priority to the appeal if an election is pending within 60 days.

"56l. Cancellation of registration upon death or judicial determination of disqualification

"Subdivision 1. Not later than the 10th day of each month, each local registrar of deaths in this state shall furnish to the registrar of voters of the county of residence of the decedent an abstract of the death certificate of each decedent over the minimum voting age who was a resident of this state at the time of his death. The abstract shall show the name, age, sex, place of residence, and date and place of death of the decedent. Upon receipt of an abstract, the registrar of voters shall determine if the decedent was a registered voter and, if so, shall cancel his registration.

"Subdivision 2. Not later than the 10th day of each month, the clerk of each county court or probate court in this state shall furnish to the registrar of voters of the county of residence of the person so adjudged, an abstract of each final judgment adjudging a person over the minimum voting age and resident within this state to be mentally incompetent. The abstract shall show the person's name and permanent address and any other available information which will assist in identifying the person in the voter registration files. Upon receipt of an abstract, the registrar shall determine if the person is a registered voter and, if so, shall cancel his registration.

"Subdivision 3. Not later than the 10th day of each month, the clerk of each court having jurisdiction of the trial of felony crimes shall furnish to the registrar an abstract of each unappealed conviction for a felony crime and of each final conviction in appealed cases. The registrar shall determine if the person convicted is a registered voter and, if so, shall cancel his registration.

"Subdivision 4. Upon receipt of a certified copy of a final judgment in an election contest proceeding adjudging a registrant not to be a qualified voter, the registrar shall cancel his registration.

"Subdivision 5. Whenever a registration is cancelled under Subdivision 2, 3, or 4 of this section, the registrar shall immediately mail a notice of the cancellation to the registrant.

"56m. Change of residence within county

"Subdivision 1. A registered voter who changes his place of residence within the election precinct shall notify the registrar of the change of address and present his voter identification card to the registrar. The registrar shall make the necessary change on the card and on the registration records in his office and return the card to the voter. He shall change the address on the list of registered voters at the next revision of the list.

"Subdivision 2. A registered voter who changes his residence to another election precinct within the county shall present his voter identification card to the registrar with a written, signed request that his registration be transferred to the precinct of his new residence. The voter must request the change at least four days before any election at which he offers to vote. Unless the registration is transferred and the voter's name appears on the list of registered voters of the precinct of his new residence, he shall not vote. Upon receiving a request for transfer, the registrar shall make the necessary changes on the voter identification card and on the registration records in his office and return the card to the voter. He shall attach

the request to the voter's duplicate registration record form in the county file and transfer the voter's precinct registration record form to the file for the precinct of his new residence. He shall make the transfer on the list of registered voters at the next revision of the list.

"56n. Change of residence to another county

"A registered voter who moves from one county to another must re-register in the county of his new residence in the same manner as an initial registrant. However, during the first six months after removal the voter may vote a limited ballot, as provided in Section 37c of this code, at any time after registration without being subject to the 30-day waiting period.

"The registrar of the county in which the new registration is accomplished shall immediately notify the registrar of the county wherein the voter was formerly registered that the voter has changed his registration to the county of his new residence. Upon receipt of the notice, the registrar of the county wherein the voter was formerly registered shall cancel the registration in that county.

"56o. Disposition of records upon cancellation of registration

"Upon cancellation of the registration of a voter, the registrar shall remove the voter's registration record forms from the county and precinct registration files and shall attach the duplicate form to the original form and file them alphabetically in the cancelled registration file. The forms shall be preserved for a period of three years after cancellation, and may then be destroyed.

"56p. Change of name

"Any registered voter who changes his name through marriage or judgment of a competent court shall file a signed statement of such change with the registrar and apply for registration under his new name. New registration record forms shall then be prepared and executed and a new identification card shall be issued to the voter, and the old records shall be placed in the cancelled registration file. If otherwise qualified, the voter may vote under the new registration at any election held more than four days after the registration is completed, and may vote under the former registration at any election held within four days after the new registration.

"56q. Renewal of registration by voting or by request for renewal; cancellation for failure to renew

"Subdivision 1. Whenever a registered voter votes in a primary or general election for nomination or election of state and county officers, his registration is automatically renewed for the succeeding biennium unless, prior to the beginning of that biennium, the registration is cancelled under some provision of this code.

"Within 30 days after each second (runoff) primary for nomination of state and county officers, the county chairman of each political party holding primary elections shall deliver to the registrar the lists of registered voters used at the party's general primary and runoff primary in each election precinct in the county, marked to show the names of persons who voted at the election as provided elsewhere in this code. Within 60 days after the date of each general election for state and county officers, the

county clerk shall deliver to the registrar the lists of registered voters used at the general election, marked to show the names of persons who voted at the election. From these lists, the registrar shall make a record in the precinct registration files of the voters who voted at these elections. The registrar shall preserve the lists for a period of two years following the close of the biennium in which the election occurred.

"Subdivision 2. Before the first day of October in each odd-numbered year, the registrar shall examine the registration records to determine which persons did not vote at either a primary election or a general election during the current biennium. During the month of October, he shall mail to each such person a notice that it will be necessary for him to reregister if he wishes to vote at elections to be held during the succeeding voting biennium but that he may reregister by returning the notice to the registrar, before the following January 31, with his signed statement thereon that he is still a qualified elector of the county, together with any change of address or other information necessary to bring his registration record up to date.

"If the voter requests reregistration before the following January 31, the registrar shall make a notation of the reregistration on the precinct registration record and shall place it with the precinct record cards of new registrations for the succeeding voting biennium, and shall attach the request for reregistration to the duplicate registration record form in the county registration file.

"Subdivision 3. The registration of a voter who does not vote at an election during a biennium as provided in Subdivision 1 of this section or who, having failed to vote, also fails to return a request for reregistration by January 31 preceding the beginning of the succeeding biennium as provided in Subdivision 2 of this section, shall be cancelled effective on the first day of the succeeding biennium.

"Subdivision 4. Before the first day of November in each odd-numbered year, the registrar shall mail to each voter who voted at either a primary election or the general election during that voting biennium a notice stating that his registration will be renewed for the succeeding biennium unless the registrant is no longer a qualified voter of the county, and requesting him to furnish the registrar with any information necessary to bring his registration record up to date. The notice shall be marked with a direction to the postal authorities not to forward it to any other address and to return it to the registrar if the addressee is no longer at that address.

"The registrar shall renew the registration of those voters who do not respond to a delivered notice or who respond and show themselves still entitled to registration in the county.

"When a notice is returned undelivered, the registrar shall send the registrant another notice by forwardable mail, informing him that his registration will be cancelled for the succeeding biennium unless he furnishes to the registrar, before January 31 or within 30 days from the date of the notice, whichever is later, information showing that he is still entitled to registration in the county.

"Subdivision 5. Except where reinstatement of a cancelled registration is expressly provided for, a voter whose registration is cancelled must reregister in the same manner as an initial registrant.

"56r. Lists of registered voters

"Subdivision 1. Before the first day of each voting biennium, the registrar shall prepare for each election precinct of the county a certified list of registered voters who were registered for that biennium as of the first day of February of that year. Each precinct list shall be prepared in two parts, each arranged alphabetically by the names, of the voters and showing each voter's name, age, address, and registration number. On the first part of the original list shall be shown the names of voters who are qualified to vote in all elections as of March 1. On the second part shall be shown the names of voters who are not yet qualified to vote in all elections as of March 1. This list shall contain five columns, headed as follows:

Not eligible to vote before date shown				
Federal Elections		State Elections		
Statewide	District	Statewide	County	City

If a change in the law with respect to voting eligibility makes any of these columns unnecessary, the secretary of state shall prescribe the number of columns and the headings to be used. For the various types of elections in which the voter is not yet eligible to vote, the registrar shall show the date on which he will become eligible.

"Subdivision 2. The registrar shall deliver to each board, executive committee, or other authority having the duty of furnishing supplies for any general, special, or primary election to be held within the county during the succeeding biennium, one set of such lists for all precincts in the county if any election which may be held by such authority is countywide, and one set of such lists for all precincts wholly or partially within the boundaries of the particular political subdivision if all elections which may be held by such authority are less than countywide. The registrar shall also furnish to each such authority, not less than 20 days before each election, an updated consolidated list of the voters in each precinct who will have been registered for 30 days on the day of the election and whose names do not appear on the original list. When a runoff election is held, before the first day of absentee voting in the runoff election the registrar shall prepare a consolidated list of the voters who will have been registered for 30 days on the day of the election and whose names do not appear on the original list or the supplemental list prepared for the first election. Between the fourth day before the election and election day in each election, he shall furnish a separate list of the voters who transfer their registration more than four days before the election and who are not included in a previous list. The supplemental lists shall be prepared in two parts, in the same form as the original lists. With each supplemental list the registrar shall also furnish a list of persons whose registration has been cancelled or transferred to another precinct since preparation of the last set of lists. The authority shall furnish to the presiding judge in each precinct the original and supplemental lists of voters in his precinct at the time it furnishes other election supplies. Prior to the opening of the polls, the presiding judge shall strike from the registration list the names of persons whose registration has been cancelled or transferred to another precinct.

"Subdivision 3. Instead of the two part list of registered voters described in Subdivision 1 of this section, with the approval of the secretary of state the registrar may prepare the original and supplemental lists in some other form so long as the form used gives the required information on each voter.

"Subdivision 4. The registrar shall furnish without charge to each clerk having the duty of conducting absentee voting in any election the appropriate lists for use in the conduct of absentee voting for the election. He shall also furnish to the county clerk one set of the original lists and one set of the supplemental lists prepared for each countywide election, which shall be public records available for public inspection at all times that his office is open.

"Subdivision 5. No charge shall be made for lists furnished for use in elections held at the expense of the county or any city or other political subdivision. For each set of original and supplemental lists which the registrar is required to furnish to the executive committee of a political party for use in its primary elections, the registrar may charge not more than $5, to be paid by the party or the chairman ordering the lists, which charge shall be in full for both the original lists and the supplemental lists. The registrar shall also furnish to the county executive committee of each political party, for any year in which the party is holding precinct conventions, one set of the original and supplemental lists for use in qualifying persons to participate in the conventions, for which the registrar may charge not more than $5.

"Subdivision 6. It is permissible for the registrar to furnish additional copies of the original and supplemental lists for each election, and it is permissible for the election officers to use the additional lists for making up the poll list for the election when furnished in suitable form for that purpose.

"Subdivision 7. In addition to other registration records which the registrar is required to maintain, the registrar may maintain an auxiliary record of registered voters on punched cards or magnetic tape or in other appropriate manner for producing lists of registered voters on data processing equipment, and may furnish lists of registered voters prepared by such method. In lieu of making supplemental lists for an election, he may furnish a revised complete list of registered voters for each precinct, reflecting changes in the original list which are required to be shown by the supplemental lists.

"56s. Abolition of precinct or alteration of boundary

"In the event the precinct in which a registered voter resides is abolished or has its boundary altered, the registrar shall change the voter's registration record forms to show him to be registered in the proper precinct and shall mail a notice of the change to each voter affected, instructing him to make the change on his voter identification card. If the registrar is unable to determine the proper precinct of a voter from the information on the registration record forms, he shall mail a request to the voter for such additional information as will enable him to determine the proper precinct, and until the information is received he shall not place the voter's name on the list of registered voters for any precinct.

"56t. Statement of registrations

"Before March 10 of each even-numbered year, the registrar shall make a statement to the secretary of state and to the county clerk showing the number of voters registered in each election precinct in the county as of the first day of March of that year. The statement shall become a record of the officer to whom the statement is made.

"56u. Reimbursement of county by state

"Subdivision 1. Before April 1 of each even-numbered year, the registrar shall submit to the comptroller of public accounts a certified statement of the total number of registered voters shown on the precinct registration lists for the voting biennium which began on March 1 of that year, together with the total number of original registration record forms which were processed during the 24-month period ending January 31 of the year in which the statement is submitted.

"Subdivision 2. Before June 1 of the year in which the statement is submitted, the comptroller shall issue a warrant to each county in the aggregate of the following amounts:

"(1) 40 cents multiplied by the number of processed registration forms, and

"(2) 25 cents multiplied by the difference between the total number of registered voters and the number of processed registration record forms, as shown by the certified statement required by Subdivision 1 of this section. However, before issuing a warrant the comptroller may require additional proof to substantiate the statement.

"Subdivision 3. The disbursements prescribed by this section shall be made from the general revenue fund as provided by legislative appropriations. All money received by a county under this section shall be deposited in the county treasury in a special fund to be used for defraying expenses of the registrar's office in the registration of voters. None of the money shall be deemed to be fees of office or be retained by the registrar as fees in counties where the registrar is compensated on a fee basis.

"56v. Secretary of state to prescribe forms

"The secretary of state shall prescribe the form of all cards, records, notices, reports, and other documents which are used in connection with the registration of voters.

"56w. Penalty for false registration

"Any person who wilfully makes any false statement to procure his registration as a voter or gives any false information in connection with such registration is guilty of a felony and upon conviction shall be punished by confinement in the state penitentiary not less than one nor more than three years.

"56x. Penalty for forged or fictitious application

"Any person who applies for registration of any person, or who signs an application purporting to be the application for registration of any person, either real or fictitious, other than the person making the application or affixing the signature, or someone who is unable to sign and who requests him to sign for such other person, is guilty of a felony and upon conviction shall be punished by confinement in the state penitentiary not less than one nor more than three years.

"56y. Construction of other laws

"Whenever, under any provision of this code or of any other statute of this state heretofore enacted, a person is required to have paid a poll tax or secured an exemption certificate as a qualification for any purpose, such statute shall be construed to require that the person be registered as a voter in accordance with the provisions of this code. All references to a poll tax receipt or an exemption certificate or a voter registration certificate as evidence of eligibility to vote, in both civil and criminal statutes, including those contained in the Penal Code, shall be construed to mean a voter identification card, unless the context clearly requires otherwise, and all references to the list of qualified voters shall be construed to mean the list of registered voters as provided for in Section 56r of this code."

Sec. 3. Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code), is amended by adding Subdivision 1b, to read as follows:

"Subdivision 1b. Voter identification card to accompany application for absentee ballot.

"(a) All references in this section to the poll tax receipt or exemption certificate or voter registration certificate of an absentee voter shall be construed to mean the voter's identification card provided for in Section 56h of this code. In case of conflict, this subdivision supersedes any other provision of this section which pertains to presentation of one of these documents or an affidavit or statement in lieu thereof when applying for an absentee ballot.

"(b) In absentee voting by personal appearance, the voter shall sign his application for an absentee ballot in the presence of the clerk. He shall present his voter identification card with his application, and the clerk shall compare the signature on the application with the signature on the card to see that they correspond. If the clerk finds that the signatures do not correspond, he shall challenge the voter, and the voter shall not be allowed to vote unless he complies with the procedure prescribed in Section 91 of this code for acceptance of a challenged voter. The clerk shall make a notation of the challenge on the application, together with a notation of the action taken thereon. If the voter has lost his identification card or has used it in applying for an absentee ballot in another election, the procedure outlined in Subdivision 2, Section 89 of this code shall be followed.

"(c) In absentee voting by mail, where the voter's identification card accompanies the application, the clerk shall compare the signature on the application with the signature on the card to see that they correspond. If he finds that they do not correspond, he shall take the action required by Paragraph (e) of this subdivision, and he shall not furnish a ballot to the voter unless the voter complies with the procedure prescribed in Section 91 of this code for acceptance of a challenged voter. If in lieu of presenting his identification card the voter certifies that he has used the card in applying for an absentee ballot for another election and it has not yet been returned to him, the voter is not required to submit any further proof of identity unless the clerk challenges his identity. If the voter has lost his identification card, he may vote upon an affidavit of lost identification card if he also submits the sworn statement of some other registered voter in the same precinct, together with his address and registration number, vouching for the absentee voter's identity.

"(d) In every instance where the clerk challenges an absentee voter's

application or his right to vote, the clerk shall inform the voter of the ground of the challenge and the procedure necessary to enable the voter to obtain a ballot. Where application is by mail, the clerk shall mail the notice to the voter on the same day that he acts on the application.

"(e) The clerk does not make a notation on the voter's identification card to show that he has voted at the election, as was required on a poll tax receipt, exemption certificate, or voter registration certificate. In other respects, the provisions in other subdivisions of this section outlining the procedure for maintaining a record of the voting shall be followed insofar as they do not conflict with this subdivision.

"(f) Within 10 days after an election, the officer having custody of the applications for absentee ballots after the election shall assemble a complete list of the names of the absentee voters who voted on an affidavit of a lost identification card, showing each voter's address and registration number, and shall forward the information to the registrar. The registrar shall mail a blank replacement identification card to each voter whose name is on the list, with the necessary instructions for completing the execution and issuance of the card in accordance with the procedure outlined in Subdivision 2, Section 56h of this code."

Sec. 4. Section 89, Texas Election Code (Article 8.07, Vernon's Texas Election Code), is amended to read as follows:

"89. Presentation of identification card

"Subdivision 1. No person shall be permitted to vote unless he first presents to the election officer his voter identification card or offers satisfactory proof of his identity as provided in Subdivision 2 of this section.

"Subdivision 2. If a voter has lost his identification card, he may vote upon complying with the following procedure. He shall sign an affidavit, on a form provided at the polling place, which in addition to his signature shall show his address and voter registration number. The election officer shall fill in the registration number from the list of registered voters. If the presiding judge has personal knowledge of the voter's identity, or if an election officer or any other person whom the presiding judge knows personally vouches for his identity, the presiding judge may permit him to vote without further identification. Otherwise, the election officer shall require the voter to present his driver's license, social security card, or some other document to establish his identity. In every case the election officer shall note on the affadavit form the method by which identity was established, including the name of the person vouching for the voter's identity or the number of his driver's license, social security card, or other document used to establish his identity, and the officer who accepts the voter shall place his signature by name or initials alongside the entries. If a voter fails to satisfy the election officer of his identity by any of these methods, he nevertheless shall be permitted to vote if he complies with the challenge procedure outlined in Section 91 of this code.

"Subdivision 3. The affidavits of lost identification card shall be returned to the officer who receives the election records which are intended for public inspection. Within 10 days after the election, the officer shall notify the registrar of the names and other information contained on the affidavits used in the election. The registrar shall mail a blank replacement iden-

tification card to each voter whose name is on the list, with the necessary instructions for completing the execution and issuance of the card in accordance with the procedure outlined in Subdivision 2, Section 56h of this code."

Sec. 5. Section 90, Texas Election Code (Article 8.08, Vernon's Texas Election Code), is amended to read as follows:

"90. Poll list and signature roster; acceptance of voter

"Subdivision 1. There shall be kept at each polling place a poll list and a signature roster of persons voting at the election. The poll list shall be made up in the number of copies required by law, consisting of an original and carbon copies thereof, which shall be distributed as provided elsewhere in this code. The signature roster shall be made up as an original and one carbon copy.

"Subdivision 2. When a person offers to vote, he shall present his voter identification card to an election officer and the election officer shall announce the voter's name and shall ascertain that the voter's name appears on the list of registered voters, and shall then require the voter to sign and fill out the signature roster, which shall show the voter's name, address, and registration number. The election officer shall compare the signature on the signature roster with that on the identification card, and if he finds that they correspond, an election officer shall enter the voter's name and registration number on the poll list and shall note on the list of registered voters that the voter has voted at that election. If the election officer finds that the signatures do not correspond, he shall challenge the voter, and the voter shall not be allowed to vote unless he complies with the procedure prescribed in Section 91 of this code for acceptance of a challenged voter. The election officer shall make a notation of the challenge on the signature roster, together with a notation of the action taken thereon. If the voter is allowed to vote, the word 'challenged' and the name and address of the party testifying under oath as to the voter's qualifications shall be written on the poll list opposite the name of the voter. If a voter is unable to sign his name, his name shall be entered on the poll list without any entry being made on the signature roster, and such fact shall be noted on the poll list. In each case the voter's identification card shall be returned to him.

"Subdivision 3. Where a voter is voting on an affidavit of a lost identification card, he shall sign the signature roster after he has signed the affidavit and has been accepted for voting. The election officer shall then enter his name and registration number on the poll list and make the notation on the list of registered voters, and shall then permit him to vote.

"Subdivision 4. After the polls are closed, the original copy of the signature roster shall be attached to and returned with the copy of the poll list which is intended for inspection by the public and shall be preserved in accordance with the rules applying to that copy of the poll list. The carbon copy of the signature roster shall be retained by the presiding judge, who shall keep it for 60 days, subject to the inspection of anyone interested in the election."

Sec. 6. Subsections (4), (5), and (6), Section 179a, Texas Election Code, as amended (Article 13.01a, Vernon's Texas Election Code), are amended to read as follows:

"(4) An applicant for party affiliation shall become a qualified member of a political party which is holding primary elections when he has voted within that party's primary. At the head of the signature roster for each primary election there shall be printed the following statement: 'I swear that I have not voted at a primary election or participated in a convention of any other political party during this voting year.' The presiding judge or another election officer designated by him shall place each voter under oath and require him to swear to this statement before he signs the roster. The presiding judge shall issue to each voter in a general primary election, and to each voter in a second primary election who requests it, a certificate in the following form:

Date_____

_____has voted on this date in the
(Name of Voter)

primary election of the _____ Party.

_____

Presiding Judge, Precinct No. _____

_____ County, Texas.

The county clerk shall furnish to each absentee voter in a general primary election, and to each absentee voter in a second primary election who requests it, a certificate in the form prescribed above, substituting the clerk's title for that of the presiding judge of the election precinct.

"(5) To become qualified to participate in any party convention of a party which does not hold a primary or to become qualified for party membership for any party convention held prior to a primary, each voter who desires to participate in the convention shall state under oath to the precinct chairman that he has not participated in the primary or convention of any other party during that voting year. Thereupon, the precinct chairman shall issue to the voter a certificate in the following form:

Date_____

_____has affiliated with the
(Name of Voter)

_____ Party for the current year.

_____

Precinct Chairman, Precint No. _____,

_____ County, Texas.

Each precinct chairman is authorized to administer the oath required by this subsection.

"(6) A certificate issued by the presiding election judge, the county clerk, or the precinct chairman as provided in this section shall serve as evidence

that the person whose name appears on the certificate is affiliated with the party designated on the certificate and is therefore eligible to participate in that party's conventions."

Sec. 7. Sections 41a through 55a, Texas Election Code (Articles 5.09a through 5.23a, Vernon's Texas Election Code), excepting Section 51b (Article 5, 19b) are repealed as of March 1 following the effective date of Section 2 of this Act. These sections are effective for prescribing registration and voting requirements for elections held before the repeal date, but do not apply to registration for elections held on and after the repeal date. Section 51b continues in effect for payment of reimbursements to counties for all registrations under Sections 43a, 44a, and 44b of the Election Code, and is repealed as of September 1 following the effective date of Section 2 of this Act.

Sec. 8. On the effective date of this Act, Sections 43a and 51b, Texas Election Code (Articles 5.11a and 5.19b, Vernon's Texas Election Code), are amended to read as follows until they are repealed as provided in Section 7 of this Act:

"43a. Period for registration; period for which registration is effective.

"As used in this code, a 'voting year' is a period of one year beginning on March 1 of each calendar year. The regular period for registration for each voting year is from the first day of October through the 31st day of January preceding the beginning of the voting year. Registration during this period entitles the registrant, if otherwise qualified, to vote at elections held at any time during the voting year for which he is registered. Registration for a voting year shall also be conducted at all other times, beginning with the first day of March, except during the last 30 days of the voting year. A person who registers after the beginning of the voting year is not entitled to vote until the expiration of 30 days after registration."

"51b. Reimbursement of county by state

"(1) Before April 1 of each year, the registrar shall submit to the Comptroller of Public Accounts a certified statement of the total number of voters registered under Sections 43a, 44a, and 44b of this code during the 12-month period ending January 31 of the year in which the statement is submitted.

"(2) Before June 1 of the year in which the statement is submitted, the comptroller shall issue a warrant to each county in the amount of 40 cents multiplied by the total number of voters registered as shown by the certified statement required by Subsection (1) of this section. However, the comptroller may, before issuing a warrant, require satisfactory proof of the number of voters registered in the county during the 12-month period mentioned in Subsection 1.

"(3) The disbursements prescribed by this section shall be made from the general revenue fund as provided by legislative appropriations. All money received by a county under this section shall be deposited in the county treasury in a special fund to be used for defraying expenses of the registrar's office in the registration of voters. None of the money shall be deemed to be fees of office or be retained by the registrar as fees in counties where the registrar is compensated on a fee basis."

Sec. 9. Sections 1 and 8 of this Act take effect on the effective date of the Act. If the Act takes effect on or before October 1, 1971, Section 2 takes effect on October 1, 1971, for registering voters for the biennium which begins on March 1, 1972. If the Act takes effect after October 1, 1971, Section 2 takes effect on October 1, 1973, for registering voters for the biennium which begins on March 1, 1974. Sections 3, 4, 5, 6, and 7 take effect on March 1 following the effective date of Section 2.

Sec. 10. (a) This Act becomes effective and operative as a law upon the happening of either of the following contingencies, whichever first occurs:

(1) if the Supreme Court of the United States affirms or refuses to review the judgment of the United States District Court for the Southern District of Texas, Corpus Christi Division, in Civil Action No. 70-C-42, styled Jimmy F. Beare, et al., v. Preston Smith, as Governor of the State of Texas, et al., or if by other action taken upon an appeal of that case the Supreme Court rules that the provisions of the constitution and statutes of this state requiring annual voter registration are in violation of the Constitution of the United States, or if in any other manner the ruling of the district court that Article VI, Section 2, Constitution of Texas, violates the Constitution of the United States becomes final; or

(2) if an order of the Supreme Court, the court of appeals, or the district court having jurisdiction of that case becomes effective to enjoin the enforcement of the provisions held invalid by the district court; or

(3) if a constitutional amendment deleting the requirement for annual registration is submitted by the 62nd Legislature and is adopted by the qualified electors of this state.

(b) If neither of the contingencies stated in Subsection (a) occurs, this Act does not become effective. If the first or second contingency occurs before the third one, the Attorney General of Texas shall certify its occurrence to the Governor and to the Secretary of State, and the Governor immediately shall issue his proclamation declaring that this Act becomes effective as a law on the date of the proclamation.

If the third contingency is the first to occur, this Act becomes effective as a law on the date that the Governor proclaims the adoption of the constitutional amendment.

Sec. 11. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended.

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

Amend Committee Amendment No. 1 to HB 450 by striking lines 19 through 33 on page 20 of the Official House Second Printing of HB 450 and substituting the following:

"Subdivision 4. (a) The registrar may have such number of duly authorized and sworn deputies as he deems necessary to assist in the registration of voters. However, no deputy may be paid for his services except with the approval of the commissioners court. An unpaid deputy shall not be required to give a bond in connection with his services.

"(b) It is the intent of the Legislature that the registrar shall establish a sufficient number of registration places throughout the county, and outside the county courthouse, for the convenience of persons desiring to register, to the end that registration may be maintained at a high level.

"(c) Where the performance of the services is not contrary to some other provision of law, the head of any department of the state government, with the approval of the governing board where one exists, any county officer, and the head of any department of a city, town, or village, with the approval of the municipal governing board, may permit any of the officers and employees under his control to become deputy registrars of voters and to register persons on any premises and facilities under his control during the regular working hours of the deputized officer or employee.

"(d) It is also the intent of the Legislature that the registrar, in order to promote and encourage voter registrations, shall enlist the support and cooperation of interested citizens and organizations, and shall deputize as registrars qualified citizens in such a way as to cover most effectively every section of the county. The persons so deputized shall be permitted to register voters anywhere within the county and to secure registrations at the places of residence of the persons to be registered and the registrar shall not deny deputy registrars the right to register voters in accordance with this authorization.

"(e) No voter registrar shall refuse to deputize any person to register voters because of race, creed, color, or national origin or ancestry. No bona fide resident of the county of good moral character shall be excluded from serving as deputy by the registrar.

Mr. Sherman moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—56

Adams	Clayton	Jones, E.	Schulle
Agnich	Cobb	Jones, G.	Sherman
Allen, John	Craddick	Jungmichel	Short
Angly	Davis, D.	Lee	Slack
Atwood	Davis, H.	Mengden	Slider
Baker	Doran	Moncrief	Solomon
Blythe	Dramberger	Moore, A.	Spurlock
Bowers	Earthman	Nabers	Tarbox
Burgess	Finney	Newton	Traeger
Bynum	Harding	Niland	Uher
Calhoun	Hawkins	Nugent, J.	Ward
Cates	Heatly	Parker, W.	Wayne
Cavness	Hilliard	Pickens	Wieting
Christian	Jones, D.	Rosson	Williamson

Nays—85

Allen, Joe	Bass, T.	Blanton	Braun
Allred	Beckham	Boyle	Caldwell
Atwell	Bigham	Braecklein	Clark

Coats	Hawn	McAlister	Sanchez
Cole	Haynes	McKissack	Santiesteban
Cruz	Head	Moore, G.	Shannon
Daniel	Hendricks	Moore, T.	Silber
Denton	Holmes, Z.	Moreno	Simmons
Doyle	Howard	Murray	Smith
Farenthold	Hubenak	Nelms	Stewart
Finck	Hull	Neugent, D.	Stroud
Finnell	Ingram	Nichols	Swanson
Floyd	Johnson	Orr	Truan
Foreman	Kaster	Parker, C.	Tupper
Gammage	Kilpatrick	Patterson	Vale
Garcia	Kost	Poff	Von Dohlen
Golman	Kubiak	Presnal	Williams
Grant	Lemmon	Price	Wolff
Graves	Lewis	Reed	Wyatt
Hale	Lombardino	Rodriguez	
Hannah, John	Longoria	Salem	
Harris	Lovell	Salter	

Absent

Ogg

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

The Zan Holmes amendment was then adopted by the following vote:

Yeas—94

Allen, Joe	Finney	Kilpatrick	Price
Allred	Floyd	Kost	Reed
Atwell	Foreman	Kubiak	Rodriguez
Bass, T.	Gammage	Lemmon	Salem
Beckham	Garcia	Lewis	Salter
Bigham	Golman	Lombardino	Sanchez
Blanton	Grant	Longoria	Santiesteban
Boyle	Graves	Lovell	Shannon
Braecklein	Hale	McKissack	Silber
Braun	Hannah, John	Moore, A.	Simmons
Bynum	Harris	Moore, G.	Smith
Caldwell	Hawkins	Moore, T.	Stewart
Cates	Hawn	Moreno	Stroud
Clark	Haynes	Murray	Swanson
Coats	Head	Nelms	Truan
Cobb	Hendricks	Neugent, D	Tupper
Cole	Hilliard	Nichols	Vale
Cruz	Holmes, Z.	Niland	Von Dohlen
Daniel	Howard	Orr	Wayne
Denton	Hubenak	Parker, C.	Williams
Doyle	Hull	Patterson	Wolff
Farenthold	Ingram	Pickens	Wyatt
Finck	Johnson	Poff	
Finnell	Kaster	Presnal	

Nays—45

Adams	Clayton	Jungmichel	Short
Agnich	Craddick	Lee	Slider
Allen, John	Davis, D.	McAlister	Solomon
Angly	Davis, H.	Mengden	Spurlock
Atwood	Doran	Moncrief	Tarbox
Baker	Dramberger	Nabers	Traeger
Blythe	Earthman	Newton	Ward
Bowers	Harding	Nugent, J.	Wieting
Burgess	Heatly	Ogg	Williamson
Calhoun	Jones, D.	Rosson	
Cavness	Jones, E.	Schulle	
Christian	Jones, G.	Sherman	

Present—Not Voting

Uher

Absent

Parker, W. Slack

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

Mr. Zan Holmes moved to reconsider the vote by which the amendment offered by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bills and resolution:

SB 174, Amending the governing instruments of private foundations and certain trusts to require certain distributions, prohibit certain self-dealing, etc.

SB 176, Amending the Texas Non-Profit Corporation Act.

SB 272, Relating to the boundaries of the South Eastland County Hospital District and providing for an election.

SB 447, Relating to the salary and expenses authorized for the official shorthand reporter for the 97th Judicial District.

SCR 90, Commending Mayor Tom Vandergriff of Arlington.

HB 450—(Consideration continued)

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

Amend Committee Amendment No. 1 to HB 450 by striking Sections 56f through 56i, beginning on page 21, line 33, and ending on page 25, line 28, of the Official House Second Printing, and by substituting the following:

"56f. Mode of applying for registration

"Subdivision 1. A person may apply for registration in person or by mail. Each applicant shall submit a written application which supplies all the information required by Section 56g of this code. The secretary of state shall prescribe the application form. He may prescribe one or more forms for use in counties using electronic data processing methods for issuing voter registration certificates and a different form for use in counties not using those methods, but the registrar in each county shall accept any application made upon any form prescribed by the secretary of state which supplies all the necessary information for registration. In addition to other requirements, the application form shall contain the following statement: 'I understand that the giving of false information to procure the registration of a voter is a felony.' It shall also contain a space for recording the number of the voter's identification card and record form.

"Subdivision 2. The application shall be signed by the applicant or his agent. However, if the person making the application is unable to sign his name either because of physical disability or illiteracy, he shall affix his mark, if able to do so, which shall be attested by a witness, whose signature and address shall be shown on the application. If a person making the application is physically unable to make a mark, the witness shall so state on the application.

"Subdivision 3. The husband, wife, father, mother, son, or daughter of a person entitled to register may act as agent for such person in applying for registration, without the necessity of written authorization therefor, may sign for the applicant, and may receive the voter identification card. However, none of these persons may act as agent unless he is a qualified elector of the county. No person other than those mentioned in this subdivision may act as agent for a person in applying for registration. Except as permitted in this subdivision, a person who wilfully acts as agent for another in applying for registration is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than $1,000.

"Subdivision 4. A registrar of voters who knowingly issues a registration certificate to a person other than the applicant or his lawful agent, or who knowingly mails or delivers a registration certificate to a person other than the applicant or his lawful agent, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than $1,000.

"56g. Information required on application

"An application for registration shall contain the following information:

"1. The applicant's name, sex, occupation, and postoffice address (or if living in an incorporated city or town, his street address).

"2. A statement of the applicant's age. If the applicant has not attained 21 years of age, the application shall show his date of birth by month, day and year. If the applicant has already attained the age of 21 years, it is sufficient for the applicant to state that he is over that age. In lieu of showing the applicant's age in terms of a number of years, age may be shown

by stating the date of birth; and in case that form of statement is called for on the application, it is sufficient for an applicant who has attained 21 years of age to state the year of his birth without giving the month and day, or to state that he was born prior to a certain year which shows him to be over that age.

"3. A statement that the applicant has resided in the state more than one year, in the county more than six months, and in the city or town (if a resident of an incorporated city or town) more than six months immediately preceding the date of application; or if not a resident for such length of time, a statement of the date on which he became a resident of the state, county, or city, as the case may be.

"4. A statement that the applicant is a citizen of the United States.

"5. If the applicant was registered in any other county of this state within the preceding two years, the name of the county in which he was registered and his last residence address in that county.

"6. If the application is made by an agent, a statement of the agent's relationship to the applicant.

"The application form shall contain a space for showing the address to which the voter identification card is to be mailed, if it is to be mailed to a temporary address. It shall also contain a space for showing the election precinct in which the applicant resides, but an application shall not be deficient for failure to list the number or name of the precinct or for listing an incorrect number or name where the applicant's correct address is given. It may also contain a space for the applicant's social security number, but an application shall not be deficient for failure to list the number.

"56h. Voter identification card

"Subdivision 1. Upon receiving the application of a voter who is entitled to register, the registrar shall prepare a voter identification card for the voter, which shall show the voter's name, registration number, address, and election precinct number. The card shall also contain a space for the voter's signature, and it shall contain or be accompanied by a written instruction to the voter that the card is to be signed by the voter personally immediately upon receipt, if the voter is able to write his name.

"Subdivision 2. If an identification card is lost, mutilated, or destroyed, the voter shall notify the registrar, in person or by mail, and request that a replacement card be issued to him. The face of the card shall contain the same information as the original card, except that it shall be marked to show that it is a replacement.

"Subdivision 3. It is unlawful for the registrar to mail or deliver an identification card or replacement identification card to anyone other than the voter or to someone lawfully acting as his agent, and any registrar or deputy who violates this provision is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than $1,000.

"56i. Registration record forms

"Subdivision 1. As soon as practicable after a registration is completed, the registrar shall make up for the voter a registration record form of loose-

leaf style, which shall be made up in duplicate and which shall show the voter's name, permanent residence address, and election precinct number, and optionally the voter's social security number. It shall also show the voter's temporary address if one is shown on his application. The form shall contain suitable space for recording change of residence, transfer of registration to another election precinct, a record of the elections at which the voter votes, and information pertinent to cancellation of registration.

"Subdivision 2. The identification cards and registration record forms for each county shall be serially numbered, beginning with No. 1, for registrations for each new biennium, and the numbers shall be preceded by a letter or combination of letters, beginning with the letter A and proceeding in alphabetical order for each new biennium. The registration records of registered voters shall be kept in two files, one to be known as the precinct registration file and the other to be known as the county registration file. The original form shall be filed alphabetically, by name of the registrant, in the precinct file, and the duplicate shall be filed alphabetically in the county registration file. The voter's application for registration shall be attached to the duplicate record form. The files shall be open to public inspection at all times during regular office hours of the registrar, subject to reasonable safeguards."

Mr. Stroud moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—40

Agnich	Davis, H.	Johnson	Ogg
Atwell	Doran	Jones, D.	Pickens
Atwood	Doyle	Jones, G.	Presnal
Blanton	Finck	Kost	Price
Boyle	Finney	Lemmon	Salter
Braecklein	Foreman	McKissack	Shannon
Bynum	Golman	Mengden	Stroud
Coats	Hannah, John	Moncrief	Swanson
Cobb	Hawn	Moore, G.	Wolff
Cole	Hull	Murray	

Nays—98

Adams	Clark	Harris	Lewis
Allen, Joe	Clayton	Hawkins	Lombardino
Allen, John	Craddick	Haynes	Longoria
Allred	Cruz	Head	Lovell
Angly	Daniel	Heatly	McAlister
Baker	Davis, D.	Hendricks	Moore, A.
Bass, T.	Denton	Hilliard	Moore, T.
Beckham	Earthman	Holmes, Z.	Moreno
Bigham	Farenthold	Howard	Nabers
Blythe	Finnell	Hubenak	Nelms
Bowers	Floyd	Ingram	Neugent, D.
Braun	Gammage	Jones, E.	Newton
Burgess	Garcia	Jungmichel	Nichols
Caldwell	Grant	Kaster	Niland
Cates	Graves	Kilpatrick	Nugent, J.
Cavness	Hale	Kubiak	Orr
Christian	Harding	Lee	Parker, C.

Patterson	Schulle	Spurlock	Von Dohlen
Poff	Sherman	Stewart	Ward
Reed	Short	Tarbox	Wayne
Rodriguez	Silber	Traeger	Wieting
Rosson	Simmons	Truan	Williams
Salem	Slack	Tupper	Williamson
Sanchez	Slider	Uher	Wyatt
Santiesteban	Solomon	Vale	

Absent

Calhoun	Dramberger	Parker, W.	Smith

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

The Hawkins amendment was then adopted by the following vote:

Yeas—74

Adams	Finnell	Longoria	Salem
Allen, Joe	Gammage	Lovell	Sanchez
Allen, John	Golman	McAlister	Short
Allred	Grant	Moore, A.	Slider
Baker	Graves	Moore, T.	Stewart
Bass, T.	Hale	Moreno	Swanson
Beckham	Harding	Nabers	Tarbox
Braun	Harris	Nelms	Truan
Burgess	Hawkins	Neugent, D.	Tupper
Cates	Haynes	Nichols	Vale
Cavness	Head	Niland	Von Dohlen
Christian	Hendricks	Nugent, J.	Ward
Clark	Holmes, Z.	Ogg	Wieting
Clayton	Hubenak	Orr	Williams
Coats	Jungmichel	Parker, C.	Williamson
Craddick	Kilpatrick	Patterson	Wolff
Cruz	Kubiak	Poff	Wyatt
Denton	Lewis	Reed	
Farenthold	Lombardino	Rodriguez	

Nays—67

Agnich	Cobb	Garcia	Lee
Angly	Cole	Hannah, John	Lemmon
Atwell	Daniel	Hawn	McKissack
Atwood	Davis, D.	Heatly	Mengden
Bigham	Davis, H.	Hilliard	Moncrief
Blanton	Doran	Hull	Moore, G.
Blythe	Doyle	Ingram	Murray
Bowers	Dramberger	Johnson	Newton
Boyle	Earthman	Jones, D.	Parker, W.
Braecklein	Finck	Jones, E.	Pickens
Bynum	Finney	Jones, G.	Presnal
Caldwell	Floyd	Kaster	Price
Calhoun	Foreman	Kost	Rosson

Salter	Sherman	Smith	Traeger
Santiesteban	Silber	Solomon	Uher
Schulle	Simmons	Spurlock	Wayne
Shannon	Slack	Stroud	

Absent

Howard

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

Mr. Hawkins moved to reconsider the vote by which the amendment by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

(Mr. Hale in the Chair)

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

Amend HB 450, Second Printing, as follows:

(1) Renumber Section 11 of the bill as Section 12 and insert a new Section 11 to read as follows:

Section 11. Subsection (k), Section 40, Texas Election Code, as amended (Article 5.08, Vernon's Texas Election Code), is amended to read as follows:

"(k) The residence of a student in a school, college, or university shall be presumed to be where his home was before he became such student unless he can prove that he has become a bona fide resident of the place where he is living while attending school or of some other place. A student under 21 years of age shall not be considered to have acquired a residence at the place where he lives while attending school unless he intends to remain there and to make that place his home indefinitely after he ceases to be a student and proves that he receives less than half of his financial support from his parents or legal guardian."

(2) In line 1, page 5, change the period after the word "Occupation" to a comma, and immediately after that word insert the following:

"and whether the applicant is a student at a school, college, or university."

Mr. Coats moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—57

Adams	Cruz	Johnson	Rodriguez
Allen, Joe	Daniel	Jones, D.	Salem
Angly	Denton	Kaster	Santiesteban
Atwell	Doyle	Kilpatrick	Shannon
Bass, T.	Farenthold	Kubiak	Smith
Bigham	Finck	McAlister	Stroud
Blanton	Finney	McKissack	Truan
Boyle	Gammage	Moore, T.	Tupper
Braecklein	Grant	Moreno	Vale
Braun	Graves	Nelms	Williams
Burgess	Hannah, John	Nichols	Wolff
Caldwell	Harris	Niland	Wyatt
Calhoun	Hawn	Parker, C.	
Clark	Head	Patterson	
Coats	Holmes, Z.	Reed	

Nays—84

Agnich	Finnell	Lewis	Salter
Allen, John	Floyd	Lombardino	Sanchez
Allred	Foreman	Longoria	Schulle
Atwood	Garcia	Lovell	Sherman
Baker	Golman	Mengden	Short
Beckham	Harding	Moncrief	Silber
Blythe	Hawkins	Moore, A.	Simmons
Bowers	Haynes	Moore, G.	Slack
Bynum	Heatly	Murray	Slider
Cates	Hendricks	Nabers	Solomon
Cavness	Hilliard	Neugent, D.	Spurlock
Christian	Howard	Newton	Stewart
Clayton	Hubenak	Nugent, J.	Swanson
Cobb	Hull	Ogg	Tarbox
Cole	Ingram	Orr	Traeger
Craddick	Jones, E.	Parker, W.	Uher
Davis, D.	Jones, G.	Pickens	Von Dohlen
Davis, H.	Jungmichel	Poff	Ward
Doran	Kost	Presnal	Wayne
Dramberger	Lee	Price	Wieting
Earthman	Lemmon	Rosson	Williamson

In The Chair

Hale

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

The Schulle amendment was then adopted by the following vote:

Yeas—80

Agnich	Allred	Baker	Blythe
Allen, John	Atwood	Beckham	Bowers

Bynum	Golman	Lovell	Sanchez
Cates	Harding	Mengden	Schulle
Cavness	Hawkins	Moncrief	Short
Christian	Heatly	Moore, A.	Silber
Clayton	Hendricks	Murray	Slack
Cobb	Hilliard	Nabers	Slider
Cole	Howard	Neugent, D.	Solomon
Craddick	Hubenak	Newton	Spurlock
Davis, D.	Hull	Nugent, J.	Stewart
Davis, H.	Ingram	Ogg	Swanson
Doran	Jones, E.	Orr	Tarbox
Dramberger	Jones, G.	Parker, W.	Traeger
Earthman	Jungmichel	Pickens	Uher
Finck	Lee	Poff	Von Dohlen
Finnell	Lemmon	Presnal	Ward
Floyd	Lewis	Price	Wayne
Foreman	Lombardino	Rosson	Wieting
Garcia	Longoria	Salter	Williamson

Nays—59

Adams	Cruz	Jones, D.	Reed
Allen, Joe	Daniel	Kaster	Rodriguez
Angly	Denton	Kilpatrick	Salem
Atwell	Doyle	Kost	Santiesteban
Bass, T.	Farenthold	Kubiak	Shannon
Bigham	Finney	McAlister	Simmons
Blanton	Gammage	McKissack	Smith
Boyle	Grant	Moore, G.	Stroud
Braecklein	Graves	Moore, T.	Truan
Braun	Hannah, John	Moreno	Tupper
Burgess	Harris	Nelms	Vale
Caldwell	Hawn	Nichols	Williams
Calhoun	Haynes	Niland	Wolff
Clark	Head	Parker, C.	Wyatt
Coats	Holmes, Z.	Patterson	

In The Chair

Hale

Absent

Johnson Sherman

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

Mr. Schulle moved to reconsider the vote by which the amendment by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 4, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 60 by 31 Yeas, 0 Nays.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HB 450—(Consideration continued)

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

Amend the committee amendment to HB 450 by striking all of sections 9 and 10, and renumbering all subsequent sections.

Mr. Stroud moved to table the above amendment.

A record vote was requested.

(Speaker in the Chair)

The motion to table prevailed by the following vote:

Yeas—102

Adams	Denton	Jungmichel	Presnal
Agnich	Dramberger	Kaster	Price
Allen, Joe	Earthman	Kilpatrick	Reed
Allen, John	Finck	Kost	Rodriguez
Angly	Finney	Lemmon	Salem
Atwell	Floyd	Lombardino	Salter
Baker	Foreman	Longoria	Sanchez
Bass, T.	Garcia	Lovell	Santiesteban
Bigham	Golman	McAlister	Schulle
Blanton	Grant	McKissack	Shannon
Blythe	Hale	Mengden	Sherman
Bowers	Hannah, John	Moncrief	Short
Boyle	Harris	Moore, A.	Silber
Braecklein	Hawkins	Moore, G.	Smith
Braun	Hawn	Moreno	Solomon
Burgess	Head	Murray	Stewart
Bynum	Heatly	Nabers	Stroud
Caldwell	Hilliard	Neugent, D.	Tarbox
Cates	Holmes, Z.	Newton	Traeger
Christian	Howard	Nichols	Tupper
Coats	Hubenak	Niland	Von Dohlen
Cole	Ingram	Nugent, J.	Ward
Craddick	Johnson	Orr	Wieting
Cruz	Jones, D.	Parker, W.	Williams
Daniel	Jones, E.	Pickens	
Davis, D.	Jones, G.	Poff	

Nays—34

Allred	Gammage	Nelms	Truan
Beckham	Graves	Ogg	Uher
Cavness	Harding	Parker, C.	Vale
Clayton	Haynes	Patterson	Wayne
Cobb	Hendricks	Rosson	Williamson
Davis, H.	Hull	Simmons	Wolff
Doyle	Kubiak	Slider	Wyatt
Farenthold	Lewis	Spurlock	
Finnell	Moore, T.	Swanson	

Absent

Atwood	Clark	Lee	Slack
Calhoun	Doran		

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

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

Amend Second Printing of HB 450 by adding a new section appropriately numbered to read as follows:

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

The amendment was adopted wthout objection.

MESSAGE FROM THE SENATE

Austin, Texas, May 4, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

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

SB 377, By Wilson: Reducing the sum of a "next friend" bond executed by the next friend or other person taking charge of money or property, etc. . . . and declaring an emergency.

SB 839, By Watson: Relating to requiring insurers to maintain and designate specific assets as reserve assets offsetting reserve liabilities; and declaring an emergency.

SJR 29, By Wilson: Proposing an amendment to Article XVI, Sections 33 and 40, Constitution of the State of Texas, to prohibit the payment of any state funds to any person who shall hold more than one civil office of emolument, and providing for exemption of certain offices from the ban of

dual office holding, and permitting state employees, who are not state officers, to serve as members of the governing body of school districts, cities, or towns without forfeiting their salary for their state employment.

SJR 33, By Patman: Proposing an amendment to Article III, Constitution of the State of Texas, by adding a new Section 52a to give the Legislature the power to authorize cities and counties to issue revenue bonds for industrial and rural development purposes.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HCR 134—REFERRED TO COMMITTEE

(To grant National Marine Service permission to sue the State of Texas)

Mr. Carl Parker offered the following resolution:

HCR 134

Whereas, It has been alleged that on September 13, 1970, the Barge NMS NO. 41, while navigating the Gulf Intracoastal Canal in tow of the Motor Vessel DELTA CITIES, came into contact with the fender works of a bridge located on State Highway 87 in Jefferson County, Texas, causing damage to the said barge and the escape of gasoline therefrom, which ignited and caused damage to the towboat, the barge, and the bridge, and injury and loss of life to members of the crew of the towboat; and

Whereas, National Marine Service, Inc., as owner of the MV DELTA CITIES and the Barge NMS NO. 41, has alleged that its damages resulting from the said casualty were caused by the construction and maintenance of the said bridge fender system and constituted the taking, damaging, or destroying of private property for public purposes without compensation; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That National Marine Service, Inc., be granted permission to sue the State of Texas. No admission of liability or any fact is made by the passage of this resolution, and the facts upon which recovery is sought must be proved as in other civil cases; and, be it further

Resolved, That said suit may be brought in admiralty in the United States District Court for the Eastern District of Texas—Beaumont Division; and, be it further

Resolved, That service of citation shall be on the Attorney General and the Chairman of the Texas Highway Commission; and, be it further

Resolved, That nothing herein shall be construed to be an admission on the part of the State of Texas, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity of any allegations or claims asserted in any such suit, but that allegations and claims asserted in such suit must be proved as in other suits under the same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses of fact or any defenses of law which may be asserted by or available to the State of Texas, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in said suit, and all of such defenses are hereby specifically reserved.

The resolution was referred to the Committee on Judiciary.

HB 450—(Consideration continued)

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

Amend Committee Amendment No. 1 to HB 450 by striking out Subsection 4 of Section 6 beginning on p. 36.

Mr. Stroud moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—45

Allen, Joe	Farenthold	Jones, E.	Rodriguez
Allred	Finnell	Kubiak	Salem
Bass, T.	Foreman	Lombardino	Santiesteban
Blanton	Gammage	Lovell	Smith
Braecklein	Golman	Moore, G.	Stroud
Braun	Grant	Moore, T.	Truan
Caldwell	Graves	Moreno	Vale
Christian	Hale	Nelms	Williams
Clark	Hannah, John	Nichols	Wolff
Coats	Harris	Parker, C.	
Cruz	Head	Patterson	
Denton	Holmes, Z.	Reed	

Nays—95

Adams	Clayton	Haynes	Lewis
Agnich	Cobb	Heatly	Longoria
Allen, John	Cole	Hendricks	McAlister
Angly	Craddick	Hilliard	McKissack
Atwell	Davis, D.	Howard	Mengden
Atwood	Davis, H.	Hubenak	Moncrief
Baker	Doran	Hull	Moore, A.
Beckham	Doyle	Ingram	Nabers
Bigham	Dramberger	Johnson	Neugent, D
Blythe	Earthman	Jones, D.	Newton
Bowers	Finck	Jones, G.	Niland
Boyle	Finney	Jungmichel	Nugent, J.
Burgess	Floyd	Kaster	Ogg
Bynum	Garcia	Kilpatrick	Orr
Calhoun	Harding	Kost	Parker, W.
Cates	Hawkins	Lee	Pickens
Cavness	Hawn	Lemmon	Poff

Presnal	Sherman	Spurlock	Von Dohlen
Price	Short	Stewart	Ward
Rosson	Silber	Swanson	Wayne
Salter	Simmons	Tarbox	Wieting
Sanchez	Slack	Traeger	Williamson
Schulle	Slider	Tupper	Wyatt
Shannon	Solomon	Uher	

Absent

Daniel Murray

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

The Ogg amendment was then adopted by the following vote:

Yeas—101

Adams	Doran	Lee	Santiesteban
Agnich	Doyle	Lemmon	Schulle
Allen, John	Dramberger	Lewis	Shannon
Angly	Earthman	Lombardino	Sherman
Atwell	Finck	Longoria	Short
Atwood	Finnell	McAlister	Silber
Baker	Finney	McKissack	Simmons
Bass, T.	Floyd	Moncrief	Slack
Beckham	Golman	Moore, A.	Slider
Bigham	Harding	Murray	Solomon
Blythe	Hawkins	Nabers	Spurlock
Bowers	Hawn	Neugent, D.	Stewart
Boyle	Haynes	Newton	Swanson
Burgess	Heatly	Niland	Tarbox
Bynum	Hendricks	Nugent, J.	Traeger
Calhoun	Hilliard	Ogg	Tupper
Cates	Howard	Orr	Uher
Cavness	Hubenak	Parker, W.	Von Dohlen
Christian	Hull	Patterson	Ward
Clayton	Ingram	Pickens	Wayne
Cobb	Jones, D.	Poff	Wieting
Cole	Jones, G.	Presnal	Williamson
Craddick	Jungmichel	Price	Wolff
Daniel	Kaster	Rosson	
Davis, D.	Kilpatrick	Salter	
Davis, H.	Kost	Sanchez	

Nays—39

Allen, Joe	Foreman	Johnson	Parker, C.
Allred	Gammage	Jones, E.	Reed
Blanton	Garcia	Kubiak	Rodriguez
Braecklein	Grant	Lovell	Salem
Braun	Graves	Mengden	Stroud
Caldwell	Hale	Moore, G.	Truan
Clark	Hannah, John	Moore, T.	Vale
Coats	Harris	Moreno	Williams
Cruz	Head	Nelms	Wyatt
Farenthold	Holmes, Z.	Nichols	

Absent

Denton Smith

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

Mr. Ogg moved to reconsider the vote by which the amendment by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

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

Amend Committee Amendment Number 1 to HB 450, Second Printing, page 23, by striking "Subdivision 1" beginning on line 33, and substituting the following:

"Subdivision 1. Upon the completion of registration of each voter, the registrar shall issue to the voter a Voter Identification Card, and shall contain the following information: the voter's name, as shown on his registration record, the registration number, the voter's address, the election precinct, his signature, and his photograph. The Voter Indentification Card shall be made of a substantial durable material such as used for Texas Driver's License, on which the information and data shall be an integral and permanent part. The voter shall sign the card in the presence of the registrar and the registrar shall officially certify to the issuance of the card and the date of its issuance.

Mr. Stroud moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—82

Allen, Joe	Cruz	Head	Moreno
Allen, John	Daniel	Hendricks	Nelms
Allred	Davis, H.	Hilliard	Neugent, D.
Atwell	Denton	Holmes, Z.	Nichols
Bass, T.	Doyle	Howard	Niland
Beckham	Farenthold	Hull	Nugent, J.
Bigham	Finney	Johnson	Parker, C.
Blanton	Foreman	Jungmichel	Presnal
Boyle	Gammage	Kaster	Price
Braecklein	Golman	Kilpatrick	Reed
Braun	Grant	Kubiak	Rodriguez
Burgess	Graves	Lewis	Salem
Bynum	Hale	Lombardino	Sanchez
Caldwell	Harding	Longoria	Santiesteban
Cates	Harris	McKissack	Shannon
Cavness	Hawkins	Moore, A.	Silber
Clark	Hawn	Moore, G.	Smith
Coats	Haynes	Moore, T.	Stewart

Stroud	Vale	Wieting	Wyatt
Truan	Von Dohlen	Williams	
Tupper	Ward	Wolff	

Nays—58

Adams	Dramberger	Lemmon	Salter
Agnich	Earthman	Lovell	Schulle
Angly	Finck	McAlister	Short
Atwood	Finnell	Mengden	Simmons
Baker	Floyd	Moncrief	Slider
Blythe	Garcia	Murray	Solomon
Bowers	Hannah, John	Nabers	Spurlock
Calhoun	Heatly	Newton	Swanson
Christian	Hubenak	Ogg	Tarbox
Clayton	Ingram	Orr	Traeger
Cobb	Jones, D.	Parker, W.	Uher
Cole	Jones, E.	Patterson	Wayne
Craddick	Jones, G.	Pickens	Williamson
Davis, D.	Kost	Poff	
Doran	Lee	Rosson	

Absent

Sherman	Slack

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

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

Amend Committee Amendment 1 to HB 450, Second Printing, page 24, by adding a new "Subdivision 5" to read as follows:

"Subdivision 5. Voter Identification Card with Photograph

In counties desiring to have a Voter Identification Card with a photograph, the commissioners court by a majority vote may authorize such a photograph. The Voter Identification Card with the photograph shall be made of a substantial and durable material, such as used for Texas Driver's Licenses, on which the information and data shall be an integral and permanent part of the materials, and on which can be placed, the information and data required for registration, and which information and data shall remain clearly legible for the duration of the registration period. After the information and data has been emplaced on the base materials, it shall be inserted into and sealed in a clear plastic envelope. Each certificate shall be approximately three and three-eighths inches long and approximately two and one-eighth inches wide.

Mr. Stroud moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—65

Allen, Joe	Daniel	Johnson	Presnal
Allen, John	Davis, H.	Jungmichel	Reed
Atwell	Denton	Kaster	Rodriguez
Beckham	Farenthold	Kilpatrick	Salem
Bigham	Finney	Lewis	Sanchez
Blanton	Gammage	Lombardino	Santiesteban
Boyle	Golman	Longoria	Shannon
Braecklein	Graves	McAlister	Smith
Braun	Hale	McKissack	Spurlock
Burgess	Harris	Moore, A.	Stroud
Bynum	Hawn	Moore, G.	Truan
Caldwell	Haynes	Moore, T.	Tupper
Cates	Head	Moreno	Vale
Cavness	Hendricks	Nelms	Williams
Clark	Hilliard	Neugent, D.	
Coats	Holmes, Z.	Nichols	
Cruz	Hubenak	Niland	

Nays—76

Adams	Earthman	Lee	Schulle
Agnich	Finck	Lemmon	Short
Allred	Finnell	Lovell	Silber
Angly	Floyd	Mengden	Simmons
Atwood	Foreman	Moncrief	Slack
Baker	Garcia	Murray	Slider
Bass, T.	Grant	Nabers	Solomon
Blythe	Hannah, John	Newton	Stewart
Bowers	Harding	Nugent, J.	Swanson
Calhoun	Hawkins	Ogg	Tarbox
Christian	Heatly	Orr	Traeger
Clayton	Howard	Parker, C.	Uher
Cobb	Hull	Parker, W.	Von Dohlen
Cole	Ingram	Patterson	Ward
Craddick	Jones, D.	Pickens	Wayne
Davis, D.	Jones, E.	Poff	Wieting
Doran	Jones, G.	Price	Williamson
Doyle	Kost	Rosson	Wolff
Dramberger	Kubiak	Salter	Wyatt

Absent

Sherman

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

The Atwood amendment was then adopted by the following vote:

Yeas—80

Adams	Allen, John	Atwood	Blythe
Agnich	Angly	Baker	Bowers

Burgess	Graves	Mengden	Shannon
Calhoun	Harding	Moncrief	Sherman
Cates	Hawkins	Murray	Short
Christian	Heatly	Nabers	Silber
Clayton	Howard	Neugent, D.	Simmons
Cobb	Hubenak	Newton	Slider
Cole	Ingram	Nugent, J.	Solomon
Craddick	Jones, E.	Ogg	Stewart
Davis, D.	Jones, G.	Orr	Swanson
Doran	Jungmichel	Parker, C.	Tarbox
Doyle	Kost	Parker, W.	Traeger
Dramberger	Kubiak	Patterson	Uher
Earthman	Lee	Pickens	Von Dohlen
Finck	Lemmon	Poff	Ward
Finnell	Lewis	Price	Wayne
Floyd	Lombardino	Rosson	Wieting
Foreman	Lovell	Salter	Williamson
Garcia	McAlister	Schulle	Wolff

Nays—59

Allen, Joe	Cruz	Hendricks	Presnal
Allred	Daniel	Holmes, Z.	Reed
Atwell	Davis, H.	Johnson	Rodriguez
Bass, T.	Denton	Jones, D.	Salem
Beckham	Farenthold	Kaster	Sanchez
Bigham	Finney	Kilpatrick	Santiesteban
Blanton	Gammage	Longoria	Smith
Boyle	Golman	McKissack	Spurlock
Braecklein	Grant	Moore, A.	Stroud
Braun	Hale	Moore, G.	Truan
Bynum	Hannah, John	Moore, T.	Tupper
Caldwell	Harris	Moreno	Vale
Cavness	Hawn	Nelms	Williams
Clark	Haynes	Nichols	Wyatt
Coats	Head	Niland	

Absent

Hilliard	Hull	Slack

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	

Mr. Atwood moved to reconsider the vote by which the amendment by himself was adopted and to table the motion to reconsider.

The motion to table prevailed.

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

LEAVE OF ABSENCE GRANTED

On motion of Mr. Shannon, Mr. Sherman was granted leave of absence for the remainder of the day on account of important business.

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

Committee Amendment No. 2

Amend the caption of HB 450 as follows:

(1) On page 1, line 12, change "56x" to "56y".

(2) On page 1, line 19, insert the words "the occurrence of" between the word "upon" and the word "certain".

Committee Amendment No. 2 was adopted without objection.

HB 450, as amended, was passed to engrossment by the following vote:

Yeas—112

Agnich	Farenthold	Jungmichel	Reed
Allen, Joe	Finck	Kaster	Salem
Allred	Finnell	Kilpatrick	Sanchez
Angly	Finney	Kost	Santiesteban
Atwell	Floyd	Kubiak	Schulle
Atwood	Foreman	Lemmon	Shannon
Baker	Gammage	Lewis	Silber
Bass, T.	Garcia	Lombardino	Simmons
Beckham	Golman	Longoria	Slack
Bigham	Grant	Lovell	Smith
Blanton	Graves	McAlister	Solomon
Boyle	Hale	McKissack	Stewart
Braecklein	Hannah, John	Moncrief	Stroud
Braun	Harding	Moore, A.	Swanson
Bynum	Harris	Moore, G.	Tarbox
Caldwell	Hawkins	Moore, T.	Traeger
Calhoun	Hawn	Moreno	Truan
Cates	Haynes	Murray	Tupper
Clark	Head	Nelms	Vale
Coats	Heatly	Neugent, D.	Von Dohlen
Cobb	Hendricks	Nichols	Ward
Cole	Hilliard	Niland	Wieting
Cruz	Holmes, Z.	Ogg	Williams
Daniel	Hubenak	Orr	Wolff
Davis, D.	Hull	Parker, C.	Wyatt
Davis, H.	Ingram	Parker, W.	
Denton	Johnson	Poff	
Doyle	Jones, D.	Presnal	
Dramberger	Jones, G.	Price	

Nays—29

Adams	Craddick	Newton	Slider
Allen, John	Doran	Nugent, J.	Spurlock
Blythe	Earthman	Patterson	Uher
Bowers	Howard	Pickens	Wayne
Burgess	Jones, E.	Rodriguez	Williamson
Cavness	Lee	Rosson	
Christian	Mengden	Salter	
Clayton	Nabers	Short	

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	Sherman

Mr. Stroud moved to reconsider the vote by which HB 450 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MY REASON FOR VOTING AGAINST
HB 450—VOTER REGISTRATION

Mr. Speaker and Members, pause for a second on this issue and look, with a much broader perspective at just exactly what is happening. I submit that the jurisdiction of the Texas Legislature, the voice of the good citizens of Texas, has been severely usurped by three nonelected agents of the Federal Government.

Months and years of deliberation on our law seem merely to have been a waste, not only of the energies of able men, but also of public money.

Even more significant are the relative qualifications of the two groups of men deliberating on this issue. On the one hand, we can be subject to the rulings of three appointed officials who literally are responsible to no one except themselves. On the other hand, we can be subject to 150 locally elected public servants who face election every two years and who therefore must accurately reflect the desires of the people. To me, the answer seems obvious.

I, also, am raising a constitutional question—a question of power, of jurisdiction, and of state's rights.

The Supreme Court is not the sole interpreter of the Constitution. Until that fact comes to the attention of the legislatures like this one, and they act, then don't be surprised if your only function in a few years is raising taxes to balance a tremendous budget. When that time comes, legislators need not develop a background of the issues—why will they need to even be familiar with issues when all that will be needed is to secure degrees in accounting, as the federal judiciary will be so vigorously legislating for them?

The lower a level of government that can handle a localized problem, the better. We have inside the boundaries of Texas the capability of handling this voter registration issue. In that light, justification for a federal court's interference is very meager.

In conclusion, gentlemen, I am appealing to this body of 150 elected state officials to rebuke and vote against legislation offered in response to three nonelected federal officials, and lastly, I am appealing to the U. S. Federal Courts to get back where they belong, within the bounds prescribed by our U. S. Constitution.

Signed: Walter Mengden

HB 89 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

HB 89, Relating to civil liability of persons legally qualified to practice medicine administering emergency care in hospital emergency room.

The bill was read second time on April 29 and postponed until 11:00 a.m. today.

Mr. Cavness offered the following amendment to the bill:

Amend HB 89 by adding the following at the end of paragraph (b) under Section 1, after the word "if":

"the care is not rendered for remuneration or with the expectation of remuneration, and if:"

The amendment was adopted without objection.

HB 89, as amended, was passed to engrossment.

Mr. Presnal moved to reconsider the vote by which HB 89 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HB 681 ON THIRD READING

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

HB 681, Amending Article II, Texas Liquor Control Board Act, by adding a new Section 23-A-1.

The bill was read third time and was passed by the following vote:

Yeas—83

Agnich	Garcia	Lemmon	Santiesteban
Allen, Joe	Golman	Lewis	Schulle
Allen, John	Grant	Lombardino	Shannon
Atwell	Hale	Longoria	Silber
Atwood	Harding	McAlister	Simmons
Bass, T.	Harris	McKissack	Slack
Blanton	Hawkins	Moncrief	Smith
Blythe	Hawn	Moore, G.	Solomon
Boyle	Heatly	Moreno	Spurlock
Braecklein	Hilliard	Murray	Stroud
Braun	Hubenak	Neugent, D	Swanson
Caldwell	Hull	Newton	Tarbox
Cavness	Ingram	Nichols	Traeger
Cruz	Johnson	Niland	Tupper
Davis, H.	Jones, D.	Nugent, J.	Uher
Doran	Jones, E.	Ogg	Vale
Dramberger	Jones, G.	Parker, C.	Von Dohlen
Farenthold	Jungmichel	Parker, W.	Williams
Finck	Kaster	Rodriguez	Wolff
Floyd	Kilpatrick	Salem	Wyatt
Gammage	Kost	Sanchez	

Nays—57

Adams	Angly	Beckham	Bowers
Allred	Baker	Bigham	Burgess

Bynum	Earthman	Lovell	Rosson
Cates	Finnell	Mengden	Salter
Christian	Finney	Moore, A.	Short
Clark	Foreman	Moore, T.	Slider
Clayton	Graves	Nabers	Stewart
Coats	Hannah, John	Nelms	Truan
Cobb	Haynes	Orr	Ward
Cole	Head	Patterson	Wayne
Craddick	Hendricks	Pickens	Wieting
Daniel	Holmes, Z.	Poff	Williamson
Davis, D.	Howard	Presnal	
Denton	Kubiak	Price	
Doyle	Lee	Reed	

Absent

Calhoun

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	Sherman

Mr. Traeger moved to reconsider the vote by which HB 681 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 314 ON THIRD READING

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

HB 314, Relating to withdrawing consent for students or nonstudents to remain on campus, etc.

The bill was read third time.

Mr. Coats offered the following amendment to the bill:

Amend subsection (e) of Sec. 2 to Committee Amendment No. 1 of HB 314, by inserting between the word "withdrawal" and the word "within" on line 31, the clause "to the chief administrative officer."

The amendment was adopted without objection.

Mr. Coats offered the following amendment to the bill:

Amend subsection (e) of Sec. 2 to Committee Amendment No. 1 of HB 314, by inserting at the end of said subsection the following:

"Such hearing shall be held before a duly designated discipline committee of such institution. In no instance shall the person issuing such withdrawal notice or causing it to be issued serve on any committee where the validity of his order of withdrawal is in question."

The amendment was adopted without objection.

HB 314, as amended, was passed by the following vote:

Yeas—123

Adams	Doran	Jungmichel	Reed
Agnich	Doyle	Kaster	Rosson
Allen, John	Dramberger	Kilpatrick	Salem
Allred	Earthman	Kost	Salter
Angly	Finck	Kubiak	Sanchez
Atwell	Finnell	Lee	Santiesteban
Atwood	Finney	Lemmon	Schulle
Baker	Floyd	Lewis	Shannon
Beckham	Foreman	Lombardino	Short
Blanton	Garcia	Longoria	Simmons
Blythe	Golman	Lovell	Slack
Bowers	Grant	McAlister	Slider
Boyle	Hale	McKissack	Solomon
Braecklein	Hannah, John	Mengden	Spurlock
Burgess	Harding	Moncrief	Stewart
Bynum	Hawkins	Moore, A.	Stroud
Calhoun	Hawn	Moore, G.	Swanson
Cates	Haynes	Murray	Tarbox
Cavness	Head	Nabers	Traeger
Christian	Heatly	Neugent, D.	Tupper
Clark	Hendricks	Newton	Uher
Clayton	Hilliard	Niland	Vale
Coats	Holmes, Z.	Nugent, J.	Von Dohlen
Cobb	Howard	Ogg	Ward
Cole	Hubenak	Orr	Wayne
Craddick	Hull	Parker, C.	Wieting
Cruz	Ingram	Parker, W.	Williams
Daniel	Johnson	Pickens	Williamson
Davis, D.	Jones, D.	Poff	Wolff
Davis, H.	Jones, E.	Presnal	Wyatt
Denton	Jones, G.	Price	

Nays—17

Allen, Joe	Farenthold	Moreno	Silber
Bass, T.	Gammage	Nelms	Truan
Bigham	Graves	Nichols	
Braun	Harris	Patterson	
Caldwell	Moore, T.	Rodriguez	

Absent

Smith

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	Sherman

Mr. Cobb moved to reconsider the vote by which HB 314 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 275 ON THIRD READING

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

HB 275, Creating an institution of higher education to be known as Texas A&I University in Corpus Christi.

The bill was read third time and was passed.

Mr. Hale moved to reconsider the vote by which HB 275 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives D. Davis, Clayton, Earthman, Bowers, Blythe, Presnal, Mengden, E. Jones, Nabers, Adams, and Slider requested to be recorded as voting Nay on the passage of HB 275.

HB 628 ON THIRD READING

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

HB 628, Abolishing office of county superintendent in all counties with no common school districts.

The bill was read third time.

Mr. Uher offered the following amendment to the bill:

Amend HB 628 by inserting new Sections 4 and 5 to read as follows and renumbering the present Section 4 as Section 6.

"Section 4. Nothing in this Act shall work an abolishment of the office of county school superintendent as long as the present holders of such office continue to hold same by continuous election; however, when the present holder of such office is defeated in any election, or the office of county school superintendent is vacated by death or resignation, such office shall be abolished as prescribed in this Act."

"Section 5. In case any one or more of the sections, provisions, clauses, or words of this Act, or the application thereof to any situation or circumstance, shall for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other sections, provisions, clauses, or words of this Act, or the application thereof to any other situation or circumstance, and it is intended that this Act shall be severable and shall be construed and applied as if any such invalid or unconstitutional section, provision, clause, or word had not been included herein."

The amendment was adopted without objection.

HB 628, as amended, was passed.

Mr. Uher moved to reconsider the vote by which HB 628 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives John Hannah, Newton, Burgess, Slider, Adams, and Nabers requested to be recorded as voting Nay on the passage of HB 628.

REASON FOR VOTE

I voted Present-Not Voting on all votes on HB 628 because of a conflict of interest. I have a relative who is a county school superintendent.

Signed: Jack Ogg

HB 525 ON THIRD READING

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

HB 525, Relating to the Agricultural Commodities Act.

The bill was read third time and was passed.

Mr. Jim Nugent moved to reconsider the vote by which HB 525 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. Adams requested to be recorded as voting Nay on the passage of HB 525.

HB 333 ON THIRD READING

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

HB 333, Relating to regulation of proprietary business, technical, vocational and home study schools.

The bill was read third time.

Mr. Hale offered the following amendment to the bill:

Amend HB 333, Section 1, in the quoted Section 32.33, subsection (b), paragraph (4), by deleting the phrase "and training" the second time it appears in said paragraph.

The amendment was adopted without objection.

Mr. Tupper moved that consideration of HB 333 be postponed until 11:00 a.m., May 11, 1971.

Mr. Hale moved to table the motion to postpone.

The motion to table prevailed by the following vote:

Yeas—85

Adams	Dramberger	Kilpatrick	Schulle
Agnich	Farenthold	Kubiak	Shannon
Angly	Finck	Lemmon	Short
Atwell	Finney	Lombardino	Silber
Baker	Foreman	McAlister	Simmons
Bass, T.	Gammage	McKissack	Slack
Bigham	Golman	Moncrief	Slider
Blanton	Grant	Moore, A.	Solomon
Blythe	Hale	Moore, G.	Stewart
Burgess	Harding	Moore, T.	Stroud
Caldwell	Hawkins	Nabers	Swanson
Calhoun	Hawn	Nelms	Tarbox
Cavness	Haynes	Neugent, D	Truan
Clark	Heatly	Nugent, J.	Vale
Clayton	Hendricks	Orr	Von Dohlen
Cobb	Holmes, Z.	Parker, C.	Ward
Cole	Howard	Parker, W.	Wieting
Craddick	Hubenak	Pickens	Williams
Daniel	Hull	Price	Williamson
Davis, H.	Jones, D.	Salem	
Denton	Jones, G.	Salter	
Doyle	Jungmichel	Sanchez	

Nays—45

Allen, John	Davis, D.	Longoria	Rosson
Allred	Earthman	Lovell	Santiesteban
Atwood	Finnell	Mengden	Spurlock
Beckham	Floyd	Moreno	Traeger
Bowers	Graves	Newton	Tupper
Boyle	Hannah, John	Nichols	Uher
Braun	Harris	Niland	Wayne
Bynum	Head	Patterson	Wolff
Cates	Hilliard	Poff	Wyatt
Christian	Kaster	Presnal	
Coats	Kost	Reed	
Cruz	Lewis	Rodriguez	

Absent

Allen, Joe	Garcia	Jones, E.	Ogg
Braecklein	Ingram	Lee	Smith
Doran	Johnson	Murray	

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	Sherman

HB 333, as amended, was passed by the following vote:

Yeas—107

Adams	Dramberger	Kost	Salter
Agnich	Farenthold	Kubiak	Sanchez
Allen, Joe	Finck	Lemmon	Schulle
Allred	Finnell	Lombardino	Shannon
Angly	Finney	McAlister	Silber
Atwell	Floyd	McKissack	Simmons
Baker	Foreman	Moncrief	Slack
Bass, T.	Gammage	Moore, A.	Smith
Bigham	Garcia	Moore, G.	Solomon
Blanton	Golman	Moore, T.	Spurlock
Blythe	Grant	Nabers	Stewart
Boyle	Hale	Nelms	Stroud
Braecklein	Harding	Neugent, D.	Swanson
Burgess	Hawkins	Newton	Tarbox
Caldwell	Hawn	Nichols	Traeger
Calhoun	Haynes	Niland	Truan
Clark	Heatly	Nugent, J.	Uher
Coats	Hendricks	Ogg	Vale
Cobb	Hilliard	Orr	Von Dohlen
Cole	Holmes, Z.	Parker, C.	Ward
Craddick	Howard	Parker, W.	Wayne
Cruz	Hubenak	Poff	Wieting
Daniel	Hull	Presnal	Williams
Davis, D.	Jones, D.	Price	Williamson
Davis, H.	Jones, G.	Reed	Wolff
Denton	Jungmichel	Rosson	Wyatt
Doyle	Kilpatrick	Salem	

Nays—29

Allen, John	Christian	Kaster	Pickens
Atwood	Clayton	Lewis	Rodriguez
Beckham	Earthman	Longoria	Santiesteban
Bowers	Graves	Lovell	Slider
Braun	Hannah, John	Mengden	Tupper
Bynum	Harris	Moreno	
Cates	Head	Murray	
Cavness	Jones, E.	Patterson	

Absent

Doran	Johnson	Lee	Short
Ingram			

Absent-Excused

Bass, B.	Hanna, Joe	Ligarde	Semos
Carrillo	Holmes, T.	Poerner	Sherman

Mr. McAlister moved to reconsider the vote by which HB 333 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 303 ON THIRD READING

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

HB 303, Authorizing undergraduate program at the University of Texas at Dallas.

The bill was read third time and was passed.

Mr. Blanton moved to reconsider the vote by which HB 303 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Adams, Calhoun, Earthman, Bowers, Clayton, Salter, Kubiak, T. Moore, Bigham, Nabers, D. Davis, Blythe, E. Jones, Slider, Mengden, and Allred requested to be recorded as voting Nay on the passage of HB 303.

HB 282 ON THIRD READING

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

HB 282, Relating to ownership and display of certain artifacts and treasures.

The bill was read third time and was passed.

Mr. Salem moved to reconsider the vote by which HB 282 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. D. Davis requested to be recorded as voting Nay on the passage of HB 282.

ADJOURNMENT

Mr. Finney moved that the House adjourn until 10:00 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 1:52 p.m., adjourned until 10:00 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Business and Marketing Affairs: HCR 22.

Elections: HB 843, SB 896.

Engrossed and Enrolled Bills: Correctly engrossed—HB 275, HB 282, HB 303, HB 333, HB 314, HB 525, HB 628, HB 681, HCR 64, HCR 110, HCR 126. Correctly enrolled—HB 19, HB 126, HB 190, HB 210, HB 214, HB 222, HB 306, HB 387, HB 396, HB 468, HB 553, HB 564, HB 581, HB 586, HB 620, HB 652, HB 691, HB 692, HB 738, HB 741, HB 785, HB 797, HB 798, HB 948, HB 1159, HCR 72, HCR 123, HCR 124.

Parks and Wildlife: HB 425, HB 1485, HB 1489, HB 1518, HB 1520, HB 1521.

Public Health: HB 131.

School Districts: HB 1676.

Youth: HB 80.

SENT TO THE GOVERNOR
May 4, 1971

HB 19

HB 126

HB 190

HB 210

HB 214

HB 222

HB 306

HB 387

HB 396

HB 553

HB 564

HB 586

HB 620

HB 652

HB 691

HB 692

HB 738

HB 741

HB 785

HB 797

HB 798

HB 948

HB 1159

HCR 72

HCR 123

HCR 124

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 5, 1971

The House met at 10:00 a.m. and was called to order by the Speaker.

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

Mr. Speaker	Cole	Hilliard	Poff
Adams	Cruz	Howard	Price
Agnich	Daniel	Hubenak	Reed
Allen, Joe	Davis, D.	Hull	Rosson
Allen, John	Davis, H.	Ingram	Salem
Angly	Denton	Jones, E.	Salter
Atwell	Doran	Jones, G.	Schulle
Atwood	Doyle	Jungmichel	Shannon
Baker	Dramberger	Kaster	Sherman
Bass, B.	Earthman	Kubiak	Short
Bass, T.	Farenthold	Lemmon	Simmons
Beckham	Finck	Lombardino	Slack
Bigham	Finnell	McAlister	Slider
Blanton	Foreman	Moncrief	Solomon
Blythe	Gammage	Moore, A.	Spurlock
Bowers	Garcia	Moore, G.	Stewart
Braecklein	Golman	Moore, T.	Tarbox
Braun	Grant	Moreno	Traeger
Burgess	Hale	Murray	Truan
Bynum	Harding	Nabers	Ward
Caldwell	Harris	Newton	Wayne
Calhoun	Hawkins	Nichols	Wieting
Christian	Hawn	Nugent, J.	Williams
Clark	Haynes	Parker, C.	Wolff
Clayton	Head	Parker, W.	Wyatt
Coats	Hendricks	Pickens	

Absent

Allred	Holmes, Z.	Mengden	Santiesteban
Boyle	Johnson	Nelms	Silber
Cates	Jones, D.	Neugent, D.	Smith
Cavness	Kilpatrick	Niland	Swanson
Cobb	Kost	Ogg	Tupper
Craddick	Lee	Orr	Uher
Finney	Lewis	Patterson	Vale
Floyd	Longoria	Presnal	Von Dohlen
Graves	Lovell	Rodriguez	Williamson
Hannah, John	McKissack	Sanchez	